

**CARRYOVER  
LEGISLATION**

**Bill Titles and Resolutions  
Introduced in the  
One Hundred Eighth Legislature, First Session, 2023,  
and Pending Before the  
One Hundred Eighth Legislature, Second Session, 2024**

**January 3, 2024**

01-10-2023

**STATUS OF CARRYOVER**

**BILLS**

**AND**

**RESOLUTIONS**

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One Hundred Eighth Legislature, First Session, 2023  
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General File (110): (52A 140A 250A) 147 47 194 102 102A 21 172 246 83 78 41  
143 205 277 312 343 513 LR14CA 195 161 283 321 321A 442 442A 152 308 664  
111 302 461 285 25 307 141 218 263 264 305 20 731 771 LR1CA 450 636 29 171  
650 297 224 707 15 327 335 67 644 53 16 262 328 328A 257 144 542 716 LR22CA  
605 451 792 484 303 317 566 235 370 455 455A 71 190 637 390 61 6 688 607 234  
358 595 570 606 130 430 599 304 569 624 533 800 593 204 198 139 600 56 535  
803 184

Select File (14): 1 151 94 279 52 250 628 51 252 136 140 247 299 146

**BILLS HELD BY COMMITTEES:**

Agriculture (6): 117 229 336 591 662 735

Appropriations (87): 46 48 80 108 112 114 125 128 129 131 149 176 237 273 275  
319 323 349 361 362 373 401 411 415 439 444 445 470 477 490 504 506 508 509  
511 525 526 534 539 547 551 554 560 563 571 573 578 597 598 601 608 609 610  
612 613 614 615 651 652 653 654 660 663 672 681 682 718 719 736 739 741 744  
755 761 763 766 768 784 785 786 789 798 801 802 812 817 819

Bank., Com. & Ins. (31): 32 69 113 132 142 145 210 354 355 383 392 423 437 446  
448 483 515 537 538 582 621 633 640 669 674 710 711 730 743 778 779

Business & Labor (21): 5 57 101 203 272 367 380 393 405 443 459 469 489 501  
502 558 618 665 670 678 752

Education (38): 99 159 177 178 188 225 231 238 320 324 332 340 374 386 475 478  
487 518 519 522 527 528 550 575 627 635 638 648 673 679 690 700 701 702 811  
LR24CA LR28CA LR29CA

Executive Board (7): 39 54 215 696 713 LR2CA LR5

General Affairs (20): 72 73 148 150 168 232 258 259 301 311 375 377 403 404 493  
512 543 596 667 685

Gov., Mil. & Vet. Affs. (44): 2 9 43 70 133 193 208 228 230 268 287 293 313 360  
364 365 366 408 409 410 420 457 471 485 486 540 541 559 604 642 655 675 715  
737 742 764 770 776 791 808 LR3CA LR4CA LR31 LR146

Hlth. & Human Serv. (49): 12 13 62 64 65 85 88 115 179 189 200 202 216 219 233  
280 290 291 310 326 333 353 421 422 433 434 458 463 468 488 500 503 510 517  
523 561 592 611 657 661 676 677 680 714 748 794 810 LR18CA LR19CA

Judiciary (104): 7 8 17 18 19 22 23 34 42 49 60 76 82 87 89 95 106 107 110 127 135  
137 156 162 163 167 169 174 175 182 186 187 236 248 253 270 271 284 306 316  
325 330 331 334 338 339 341 347 348 351 352 363 368 371 379 382 391 394 417  
432 435 441 466 467 472 473 479 482 494 507 521 545 549 553 555 557 576 579  
581 588 619 620 631 634 643 649 668 687 717 720 734 749 758 759 760 767 777  
788 793 795 LR17CA LR20CA LR26CA LR27CA

Natural Resources (20): 40 120 121 241 255 281 292 396 397 399 400 456 556 567  
568 656 723 725 726 729

Nebr. Ret. Sys. (10): 104 105 196 197 221 378 406 658 659 686

Revenue (72): 10 24 36 38 58 79 96 100 118 126 154 165 173 180 185 192 209 211  
213 239 242 244 294 295 309 318 322 350 369 381 387 388 398 407 416 429 440  
491 492 496 497 498 499 529 577 589 602 622 623 641 689 692 694 695 697 699  
704 732 745 747 750 756 783 797 804 806 809 820 LR6CA LR7CA LR23CA  
LR30CA

Trans. & Telecom. (24): 26 31 37 44 66 119 134 166 212 226 266 288 449 454 564  
625 645 646 721 728 733 773 782 807

Urban Affairs (8): 164 274 389 424 481 530 546 746

Resolutions Reported for Further Consideration (1): LR21

(Totals in parentheses include bills, A bills, and resolutions of each section.)

## TITLES TO BILLS

**LEGISLATIVE BILL 1.** Introduced by Executive Board: Briese, 41, Chairperson.

A BILL FOR AN ACT relating to agriculture; to eliminate obsolete funds that have terminated; and to outright repeal sections 54-706.12, 54-778, 54-1371, 54-2293, and 54-2757, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 2.** Introduced by Sanders, 45; Conrad, 46.

A BILL FOR AN ACT relating to government; to create the Commission on Asian American Affairs.

**LEGISLATIVE BILL 5.** Introduced by Blood, 3; Aguilar, 35; Bostar, 29; McDonnell, 5; Conrad, 46; Wishart, 27; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-101.01, Revised Statutes Cumulative Supplement, 2022; to provide for compensability of mental injuries and mental illness resulting from workplace violence; to define a term; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 6.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 18-2119, 19-929, and 23-114.01, Reissue Revised Statutes of Nebraska; to prohibit granting conditional use permits to persons delinquent in the payment of real property taxes and provide a waiver as prescribed; to provide a duty, a contracting requirement, and a waiver under the Community Development Law; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 7.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to civil actions; to amend section 25-224, Reissue Revised Statutes of Nebraska; to provide for a statute of limitations for actions based upon exposure to hazardous or toxic chemicals; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 8.** Introduced by Blood, 3; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to mobile homes; to amend sections 60-166, 60-192, 76-1450, 76-1453, 76-1457, 76-1475, 76-1491, 76-1494, 76-1495, 76-14,104, 76-14,105, 76-14,106, and 76-14,109, Reissue Revised Statutes of Nebraska, and section 60-149, Revised Statutes Cumulative Supplement, 2022; to change and eliminate provisions under the Mobile Home Landlord and Tenant Act relating to rules and regulations, prohibited acts, termination of tenancy, landlord remedies, retaliatory conduct, and abandonment; to provide for in-park sales; to create liens for landlords as prescribed and provide for certificates of title, priority, enforcement, and challenges; to eliminate obsolete

provisions; to provide for applicability; to define terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 76-14,101, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 9.** Introduced by Blood, 3; Raybould, 28; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend sections 49-1403, 49-1463.01, 49-1467, and 49-1469, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Cumulative Supplement, 2022; to define a term; to change reporting requirements for independent expenditures; to require reporting regarding electioneering communications; to provide for late filing fees; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 10.** Introduced by Blood, 3; Conrad, 46; Day, 49; Hunt, 8; Aguilar, 35; Holdcroft, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 60-3,185, 77-202.23, and 77-202.24, Reissue Revised Statutes of Nebraska; to change a motor vehicle tax exemption and a property tax exemption relating to certain disabled veterans; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 12.** Introduced by Blood, 3; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to relating to human breast milk; to create the Nebraska Human Breast Milk Bank.

**LEGISLATIVE BILL 13.** Introduced by Blood, 3; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-901 and 68-911, Revised Statutes Cumulative Supplement, 2022; to require coverage of human breast milk; and to repeal the original sections.

**LEGISLATIVE BILL 15.** Introduced by Briese, 41; Raybould, 28.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203.01, Reissue Revised Statutes of Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement, 2020, as amended by section 1, Initiative Law 2022, No. 433; to provide a youth minimum wage as prescribed; to change provisions relating to the training wage rate; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 16.** Introduced by Briese, 41; Conrad, 46; Sanders, 45; Brewer, 43; Murman, 38; McDonnell, 5.

A BILL FOR AN ACT relating to occupational licenses; to amend sections 81-2103 and 81-2120, Reissue Revised Statutes of Nebraska, and sections 84-933, 84-934, 84-940, and 84-947, Revised Statutes Cumulative Supplement, 2022; to change requirements for membership of the State Electrical Board; to provide powers and duties for the State Electrical Board; to define a term; to

provide for federal preemption; to provide for applicability of provisions; to require occupational boards to make a determination regarding an applicant with a criminal conviction; to require occupational boards to issue an occupational license or government certification based on occupational licensure, government certification, private certification, or work experience in another state or in the United States Military; to provide for jurisprudential examinations and appeals from denial of a license; to change provisions relating to preliminary applications by individuals with a criminal conviction; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 17.** Introduced by Dungan, 26; Lippincott, 34; Brewer, 43; Halloran, 33.

A BILL FOR AN ACT relating to firearms; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2022; to authorize possession of firearms on school grounds by full-time, off-duty peace officers; and to repeal the original section.

**LEGISLATIVE BILL 18.** Introduced by Wayne, 13; McKinney, 11; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2101 and 29-2103, Reissue Revised Statutes of Nebraska; to change provisions relating to motions for a new trial; to provide for applicability; and to repeal the original sections.

**LEGISLATIVE BILL 19.** Introduced by Wayne, 13; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 9-262, 9-352, 9-434, 9-652, 23-135.01, 28-504, 28-514, 28-518, 28-519, 28-603, 28-604, 28-611.01, 28-620, 28-631, 28-638, 28-639, 28-1102, 28-1344, 28-1345, 45-191.03, 66-727, 68-1017, 68-1017.01, 71-2228, and 71-2229, Reissue Revised Statutes of Nebraska, and sections 28-611, 28-1354, 29-110, and 29-119, Revised Statutes Cumulative Supplement, 2022; to change dollar amount thresholds for criminal penalties for certain offenses; to redefine terms; to provide for applicability of changes; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 20.** Introduced by Wayne, 13; Blood, 3; Dungan, 26; Raybould, 28; Hunt, 8; Day, 49; Conrad, 46; Cavanaugh, J., 9; McDonnell, 5; Vargas, 7.

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 32-313, and 32-1530, Reissue Revised Statutes of Nebraska, and sections 29-2264, 32-312, and 83-1,118, Revised Statutes Cumulative Supplement, 2022; to provide for the restoration of voting rights upon completion of a felony sentence; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 21.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to cities of the metropolitan class; to amend sections 14-201, 14-201.03, 32-536, 32-537, and 32-554, Reissue Revised Statutes of Nebraska, and section 32-539, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to elections, districts, terms, number of city council members, and redistricting procedures; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 22.** Introduced by Wayne, 13; Conrad, 46; Raybould, 28; Hunt, 8.

A BILL FOR AN ACT relating to marijuana; to amend sections 2-505, 2-506, 2-509, 28-417, 28-419, 28-439, 77-4301, 77-4302, 77-4303, 77-4304, 77-4305, 77-4306, 77-4309, 77-4310.01, and 77-4310.03, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, 28-1354, and 28-1701, Revised Statutes Cumulative Supplement, 2022; to decriminalize use and possession of marijuana; to remove marijuana from the marijuana and controlled substances tax; to rename a fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 2-5701, 28-463, 28-464, 28-465, 28-466, 28-467, 28-468, and 28-469, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 23.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to paternity; to amend section 43-1401, Reissue Revised Statutes of Nebraska, and section 43-1411, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to interventions in paternity actions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 24.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Tobacco Products Tax Act; to amend section 77-4008, Reissue Revised Statutes of Nebraska; to change provisions relating to the tax on cigars, cheroots, and stogies as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 25.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to courts; to state findings; to define terms; and to authorize punitive damages as prescribed.

**LEGISLATIVE BILL 26.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to amend section 86-594, Revised Statutes Cumulative Supplement, 2022; to adopt the Rural Municipal Broadband Access Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original section.

**LEGISLATIVE BILL 29.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-1301, 77-1307, 77-1308, 77-1309, and 77-1725.01, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the assessment of real property that suffers significant property damage; to redefine and eliminate terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 31.** Introduced by Jacobson, 42; Day, 49; Raybould, 28; Conrad, 46; Brewer, 43; Walz, 15; Dorn, 30; Dungan, 26; Dover, 19; Ibach, 44; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to railroads; to require a train crew of at least two individuals as prescribed; to provide fines; and to provide duties for the Public Service Commission.

**LEGISLATIVE BILL 32.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Medical Supplement Insurance Minimum Standards Act; to amend section 44-3601, Reissue Revised Statutes of Nebraska; to change provisions relating to requirements for issuers of medicare supplement insurance policies or certificates and coverage of individuals under sixty-five years of age who are eligible for medicare by reason of disability or end-stage renal disease; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 34.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the administration of justice; to amend section 29-2204.02, Reissue Revised Statutes of Nebraska, and sections 29-2204 and 43-245, Revised Statutes Cumulative Supplement, 2022; to provide a presumption of disposition under the Nebraska Juvenile Code for crimes committed by defendants under eighteen years of age; to change the definition of juvenile under the Nebraska Juvenile Code; and to repeal the original sections.

**LEGISLATIVE BILL 36.** Introduced by DeBoer, 10; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.03, Revised Statutes Cumulative Supplement, 2022; to change individual income tax rates; and to repeal the original section.

**LEGISLATIVE BILL 37.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend section 60-146, Revised Statutes Cumulative Supplement, 2022; to change identification inspection requirements as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 38.** Introduced by Blood, 3; Conrad, 46; Ibach, 44.



A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2022; to provide an income tax adjustment related to federal retirement annuities; and to repeal the original section.

**LEGISLATIVE BILL 39.** Introduced by Blood, 3; Day, 49; Conrad, 46; Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to the Legislature; to state findings; to provide for disability impact statements for legislation; and to provide powers and duties for the office of Legislative Research.

**LEGISLATIVE BILL 40.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to agriculture; to adopt the Riparian Protection and Water Quality Practices Act; and to provide an operative date.

**LEGISLATIVE BILL 41.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2022; to prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations as prescribed; to state intent; to define a term; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 42.** Introduced by Hansen, B., 16; Conrad, 46; McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to children and families; to amend sections 43-247 and 43-292, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-707, 28-710, and 43-2,129, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to what constitutes child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code; to change grounds for juvenile court jurisdiction and termination of parental rights; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 43.** Introduced by Sanders, 45; Conrad, 46.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2022; to require hearing officers to interpret state agency rules and regulations de novo on the record; to require courts and hearing officers to interpret statutes and regulations to limit agency power and maximize individual liberty; and to repeal the original section.

**LEGISLATIVE BILL 44.** Introduced by Dungan, 26; Blood, 3; Hunt, 8; Aguilar, 35; Bostar, 29; Day, 49; Walz, 15; Raybould, 28.

A BILL FOR AN ACT relating to railroads; to adopt the Midwest Interstate Passenger Rail Compact.

**LEGISLATIVE BILL 46.** Introduced by Dorn, 30; Raybould, 28; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services for a rate study.

**LEGISLATIVE BILL 47.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1411, Revised Statutes Cumulative Supplement, 2022; to change a public notice requirement relating to meetings by a rural fire district or a suburban fire protection district; and to repeal the original section.

**LEGISLATIVE BILL 48.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate money to the State Department of Education for educational service units.

**LEGISLATIVE BILL 49.** Introduced by Dungan, 26; Hunt, 8.

A BILL FOR AN ACT relating to solar energy; to amend sections 66-901, 66-913, and 66-914, Reissue Revised Statutes of Nebraska; to restate legislative findings; to change provisions relating to considerations for zoning regulations, ordinances, and comprehensive development plans; to prohibit certain restrictions relating to solar energy collection and use; to provide a cause of action; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 51.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to state government; to amend section 81-1120.27, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of the state's telecommunications system; and to repeal the original section.

**LEGISLATIVE BILL 52.** Introduced by Lippincott, 34; Brewer, 43; Holdcroft, 36; Lowe, 37; Sanders, 45; Wishart, 27; Conrad, 46; Hunt, 8; Vargas, 7; Briese, 41.

A BILL FOR AN ACT relating to tuition credits; to amend section 85-505, Revised Statutes Cumulative Supplement, 2022; to change the amount of tuition credits allowed during a fiscal year; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 52A.** Introduced by Lippincott, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 52, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

**LEGISLATIVE BILL 53.** Introduced by McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to holidays; to amend sections 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2022; to establish El-Hajj Malik El-Shabazz, Malcolm X Day; to change provisions relating to holidays; and to repeal the original sections.

**LEGISLATIVE BILL 54.** Introduced by McKinney, 11; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to the Legislature; to state findings; to provide for racial impact statements for legislation; to provide powers and duties for the office of Legislative Research.

**LEGISLATIVE BILL 56.** Introduced by McKinney, 11; Conrad, 46; Fredrickson, 20; Hunt, 8.

A BILL FOR AN ACT relating to public health; to adopt the Diaper Changing Accommodation Act; and to provide an operative date.

**LEGISLATIVE BILL 57.** Introduced by Cavanaugh, M., 6; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to employment; to amend section 48-652, Reissue Revised Statutes of Nebraska, and section 71-7611, Revised Statutes Cumulative Supplement, 2022; to adopt the Paid Family and Medical Leave Insurance Act; to create a fund; to transfer funds; to change provisions relating to experience accounts under the Employment Security Law; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 58.** Introduced by Cavanaugh, J., 9; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701, 77-2701.04, 77-2701.41, 77-2711, 77-2713, and 77-27,223, Revised Statutes Cumulative Supplement, 2022; to provide a sales and use tax exemption for diapers as prescribed; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 60.** Introduced by Cavanaugh, J., 9; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to juvenile facilities; to amend section 83-4,134.01, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to room confinement of juveniles and required reports; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 61.** Introduced by Brandt, 32; DeKay, 40; Dorn, 30; Wayne, 13.

A BILL FOR AN ACT relating to dark fiber; to amend sections 18-419, 70-704, 70-1409, 75-132.01, 86-416, 86-574, and 86-575, Reissue Revised Statutes of Nebraska, and sections 70-625 and 86-577, Revised Statutes Cumulative Supplement, 2022; to authorize the licensing of dark fiber by any agency or political subdivision of the state as prescribed; to eliminate Public Service Commission jurisdiction relating to certain violations and appeals; to harmonize provisions; to repeal the original sections; and to outright repeal section 86-578, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 62.** Introduced by Cavanaugh, M., 6; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-911, Revised Statutes Cumulative Supplement, 2022; to provide for coverage of translation and interpretation services; and to repeal the original section.

**LEGISLATIVE BILL 64.** Introduced by Day, 49; Hardin, 48; Conrad, 46.

A BILL FOR AN ACT relating to child abuse or neglect; to amend section 28-713.01, Revised Statutes Cumulative Supplement, 2022; to require the Department of Health and Human Services to provide notice regarding certain persons entered into the central registry; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 65.** Introduced by Day, 49; Hardin, 48.

A BILL FOR AN ACT relating to child care licensing; to amend sections 71-1918 and 71-1920, Reissue Revised Statutes of Nebraska; to add requirements for the complaint tracking system and notification for disciplinary actions against license holders; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 66.** Introduced by Slama, 1; Hansen, B., 16.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 23-187, 60-103, 60-123, 60-135.01, 60-153, 60-305, 60-339, 60-358.01, 60-3,100, 60-3,104, 60-3,143, 60-3,187, 60-3,190, 60-471, 60-4,114, 60-4,123, 60-4,123.01, 60-601, 60-605, 60-6,252, 60-6,266, 60-6,270, 60-6,279, 60-6,355, and 60-6,356, Reissue Revised Statutes of Nebraska, and sections 60-3,135.01, 60-3,221, 60-462, 60-463, 60-4,124, and 60-501, Revised Statutes Cumulative Supplement, 2022; to authorize county boards to regulate the operation of certain all-terrain vehicles and utility-type vehicles; to redefine terms; to change provisions of the Motor Vehicle Certificate of Title Act relating to all-terrain vehicles and utility-type vehicles; to provide for registration, fees, and taxes for certain all-terrain vehicles and utility-type vehicles under the Motor Vehicle Registration Act; to change provisions of the Motor Vehicle Operator's License Act; to change certain safety provisions and to authorize the operation of certain all-terrain vehicles and utility-type vehicles on certain highways as prescribed under the Nebraska Rules of the Road; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 67.** Introduced by Slama, 1; Hardin, 48.

A BILL FOR AN ACT relating to the state government; to amend section 84-602, Revised Statutes Cumulative Supplement, 2022; to provide duties for the State Treasurer; and to repeal the original section.

**LEGISLATIVE BILL 69.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to insurance; to require issuers of certain life insurance policies to provide notice of lapse and termination of such policies as prescribed; and to authorize senior citizens with certain life insurance policies to designate a third party to receive certain notifications regarding such senior citizen's life insurance policy as prescribed.

**LEGISLATIVE BILL 70.** Introduced by Cavanaugh, M., 6; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to government; to amend section 71-612, Reissue Revised Statutes of Nebraska, and section 60-4,115, Revised Statutes Cumulative Supplement, 2022; to eliminate the fee for certain state identification cards and certified copies of birth certificates; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 71.** Introduced by Sanders, 45; Albrecht, 17; Briese, 41; Linehan, 39; Murman, 38; Lippincott, 34.

A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change provisions relating to the involvement of parents and guardians in the education of their children; to require each public school district to develop and adopt a policy relating to the rights of each parent and guardian to access testing information and curriculum and excuse their child from certain instruction or activities; to provide powers and duties to the Commissioner of Education; and to repeal the original sections.

**LEGISLATIVE BILL 72.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend section 9-606, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 73.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-3717 and 81-3720, Reissue Revised Statutes of Nebraska; to change provisions related to authorized uses for a County Visitors Improvement Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 76.** Introduced by Bostar, 29; Geist, 25; Holdcroft, 36; Bosn, 25.

A BILL FOR AN ACT relating to the administration of justice; to amend sections 29-2252, 29-2262, 43-2,108, and 83-1,125.01, Revised Statutes Cumulative Supplement, 2022; to provide access to certain information relating to probationers, juveniles, and parolees to law enforcement agencies; to provide duties for the probation administrator, courts, the Board of Parole, and the Nebraska Commission on Law Enforcement and Criminal Justice; and to repeal the original sections.

**LEGISLATIVE BILL 78.** Introduced by Day, 49; Blood, 3.

A BILL FOR AN ACT relating to massage therapy; to amend section 38-1706, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 79.** Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-319, 13-501, 13-2813, 18-2147, 77-27,148, 77-3507, and 85-2231, Reissue Revised Statutes of Nebraska, and sections 77-201, 77-2004, 77-2005, 77-2006, 77-2701, 77-3506, 77-3508, 77-6406, 77-6827, and 79-1001, Revised Statutes Cumulative Supplement, 2022; to adopt the Nebraska EPIC Option Consumption Tax Act; to terminate the Nebraska Budget Act, tax-increment financing, the property tax, the inheritance tax, sales and use taxes, the income tax, the homestead exemption, the Tax Equity and Educational Opportunities Support Act, and the Community College Aid Act as prescribed; to change an application deadline under the ImagiNE Nebraska Act; and to repeal the original sections.

**LEGISLATIVE BILL 80.** Introduced by Aguilar, 35; Blood, 3; Brewer, 43; DeKay, 40; Lippincott, 34; Day, 49; Conrad, 46; Holdcroft, 36; Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Veterans' Affairs; and to declare an emergency.

**LEGISLATIVE BILL 82.** Introduced by DeBoer, 10; Conrad, 46.

A BILL FOR AN ACT relating to corrections; to amend sections 83-4,114 and 83-918, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to certain reports; to define a term; to provide a duty for the Department of Correctional Services; to eliminate obsolete provisions relating to a work group; to repeal the original sections; and to outright repeal section 83-173.02, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 83.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to community property; to amend section 24-517, Revised Statutes Cumulative Supplement, 2022; to adopt the Uniform

Community Property Disposition at Death Act; to change provisions relating to court jurisdiction; to provide severability; and to repeal the original section.

**LEGISLATIVE BILL 85.** Introduced by Day, 49; Blood, 3; Cavanaugh, M., 6; Conrad, 46; DeBoer, 10; Dungan, 26; Fredrickson, 20; McKinney, 11; Vargas, 7; Walz, 15; Hunt, 8.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to require the Department of Health and Human Services to implement express lane eligibility; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 87.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to relating to minors; to amend section 43-2101, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the age of majority; and to repeal the original section.

**LEGISLATIVE BILL 88.** Introduced by Hunt, 8; Dungan, 26; McDonnell, 5; Conrad, 46.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 89.** Introduced by Hunt, 8; Fredrickson, 20.

A BILL FOR AN ACT relating to surrogate parenthood contracts; to eliminate provisions stating that such contracts are void and unenforceable; and to outright repeal section 25-21,200, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 94.** Introduced by Slama, 1; DeBoer, 10.

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend sections 1-204, 1-301, 1-306, 2-102, 2-106, 2-201, 2-202, 2-203, 2-205, 2-209, 2A-102, 2A-103, 2A-107, 2A-201, 2A-202, 2A-203, 2A-205, 2A-208, 3-104, 3-105, 3-401, 3-604, 4A-103, 4A-201, 4A-202, 4A-203, 4A-207, 4A-208, 4A-210, 4A-211, 4A-305, 5-104, 5-116, 7-102, 7-106, 8-102, 8-103, 8-106, 8-110, 8-303, 9-104, 9-105, 9-203, 9-204, 9-207, 9-208, 9-209, 9-210, 9-304, 9-305, 9-313, 9-316, 9-317, 9-323, 9-324, 9-330, 9-332, 9-334, 9-341, 9-404, 9-408, 9-509, 9-513, 9-601, 9-605, 9-608, 9-611, 9-613, 9-614, 9-615, 9-616, 9-619, 9-620, 9-621, 9-624, and 9-628, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and sections 1-201, 9-102, 9-107A, 9-301, 9-310, 9-312, 9-314, 9-331, 9-406, 12-102, 12-103, 12-104, 12-105, 12-106, and 12-107, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022; to adopt provisions on controllable electronic records, control of intangible property, controllable accounts, controllable payment intangibles, hybrid transactions, negotiable instruments, transactions involving digital assets, and security interest in digital assets and electronic money; to define, redefine, and eliminate terms; to provide transition rules; to harmonize provisions; to

repeal the original sections; to provide an operative date; and to outright repeal sections 12-101A, 12-108, and 12-109, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 95.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to asbestos; to amend section 25-224, Reissue Revised Statutes of Nebraska; to adopt the Asbestos Trust Claims Transparency Act and the Asbestos Claims Priorities and Claims Legitimacy Act; to change provisions relating to a statute of limitations; and to repeal the original section.

**LEGISLATIVE BILL 96.** Introduced by Slama, 1; Hardin, 48.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.36, Revised Statutes Cumulative Supplement, 2022; to provide a sales and use tax exemption for twine as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 99.** Introduced by Cavanaugh, M., 6; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings and state legislative intent; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 100.** Introduced by Erdman, 47; Hardin, 48.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6818, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to qualified locations; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 101.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-106, Reissue Revised Statutes of Nebraska; to provide for an exemption from the act for certain agricultural operations; to provide for liability; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 102.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to land surveying; to amend sections 15-106, 23-1901, 23-1901.01, 23-1901.02, 23-1908, 23-1911, 39-1311.02, 39-1410, 76-846, 76-1902, 76-2502, 76-2503, 76-2504, 76-2505, 76-2506, 81-8,110, 81-8,110.02, 81-8,110.04, 81-8,110.08, 81-8,110.13, 81-8,110.14, 81-8,113, 81-8,114, 81-8,115, 81-8,117, 81-8,121, 81-8,122, 81-8,122.02, 81-8,124, 81-8,125, 81-1704, 81-1716, 81-1717, 81-1718, 84-407, and 84-413, Reissue Revised Statutes of Nebraska, and sections 81-8,108, 81-8,108.01, 81-8,109,



81-8,110.01, 81-8,111, 81-8,118, 81-8,119.01, 81-8,120, 81-8,122.01, 81-8,123, 81-8,126, 81-8,127, and 81-8,184, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Plane Coordinate System Act and the Land Surveyors Regulation Act; to define and redefine terms; to authorize certain land surveying activities; to provide for requirements, liability, licensure, duties, organizational practice, and disciplinary action as prescribed; to change requirements for the content and filing of land surveys; to change and provide penalties; to change and provide fees; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 102A.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 102, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 104.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 23-2301, Reissue Revised Statutes of Nebraska, and sections 24-701, 79-902, 81-2014, and 84-1301, Revised Statutes Cumulative Supplement, 2022; to redefine terms under the County Employees Retirement Act, the Judges Retirement Act, the School Employees Retirement Act, the Nebraska State Patrol Retirement Act, and the State Employees Retirement Act; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 105.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 23-2323.01, Reissue Revised Statutes of Nebraska, and sections 24-701, 24-710.01, 24-710.04, 79-926, 81-2034, and 84-1325, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to applicable military service; to eliminate a term; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 106.** Introduced by McDonnell, 5; Briese, 41; Hardin, 48.

A BILL FOR AN ACT relating to offenses; to amend section 28-348, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Cumulative Supplement, 2022; to prohibit using an electronic communication device or social media to engage in certain conduct with vulnerable adults; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 107.** Introduced by McDonnell, 5; Briese, 41; Hardin, 48.

A BILL FOR AN ACT relating to offenses; to amend section 28-833, Reissue Revised Statutes of Nebraska, and section 29-4003, Revised Statutes Cumulative Supplement, 2022; to prohibit using an electronic communication device or social media to engage in certain conduct with minors; to define terms;

to require registration under the Sex Offender Registration Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 108.** Introduced by McDonnell, 5; Jacobson, 42; Aguilar, 35; Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to provide for allocation of certain appropriations to the Department of Health and Human Services; and to provide for a grant program.

**LEGISLATIVE BILL 110.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to bail; to provide for a pilot project relating to pretrial risk assessment services; to provide duties for the State Court Administrator; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 111.** Introduced by McDonnell, 5; Vargas, 7.

A BILL FOR AN ACT relating to state government; to adopt the Nebraska Volunteer Service Commission Act; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 112.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 113.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 114.** Introduced by Vargas, 7; Raybould, 28; Conrad, 46.

A BILL FOR AN ACT relating to relating to appropriations; to state legislative intent to appropriate money to the Department of Health and Human Services for evidence-based early intervention home visitation programs.

**LEGISLATIVE BILL 115.** Introduced by Raybould, 28; DeBoer, 10; Vargas, 7; Blood, 3; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to family home visits; to adopt the Family Home Visitation Act.

**LEGISLATIVE BILL 117.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Nebraska Meat and Poultry Inspection Law; to amend section 54-1915.02, Reissue Revised Statutes of Nebraska; to change an applicant eligibility standard under the Independent Processor Assistance Program; and to repeal the original section.

**LEGISLATIVE BILL 118.** Introduced by Brandt, 32; Dorn, 30; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend sections 77-27,187.02 and 77-27,188, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the application fee and qualifying investment amount for a tax credit; and to repeal the original sections.

**LEGISLATIVE BILL 119.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend section 86-1302, Revised Statutes Cumulative Supplement, 2022; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 120.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public power; to eliminate obsolete provisions relating to a Nebraska Power Review Board study of state, regional, and national electric transmission infrastructure; and to outright repeal sections 70-1029, 70-1030, 70-1031, and 70-1033, Reissue Revised Statutes of Nebraska, and section 70-1032, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 121.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to game and parks; to amend sections 37-912, 37-913, and 37-914, Reissue Revised Statutes of Nebraska; to change provisions relating to the National Trails System Act and the Cowboy Trail Fund; to repeal the Trail Development Assistance Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 37-1001, 37-1002, 37-1003, 37-1004, 37-1005, 37-1006, 37-1007, and 37-1008, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 125.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to irrigation districts; to amend section 46-1,164, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Surface Water Irrigation Infrastructure Fund; and to repeal the original section.

**LEGISLATIVE BILL 126.** Introduced by Day, 49; Aguilar, 35; Conrad, 46; Holdcroft, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3506, Revised Statutes Cumulative Supplement, 2022; to change provisions

relating to homestead exemptions for certain disabled veterans and surviving spouses as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 127.** Introduced by Day, 49; McKinney, 11.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105.02, Reissue Revised Statutes of Nebraska, and section 29-2204, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to sentences for certain offenses committed by persons under eighteen years of age; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 128.** Introduced by Dorn, 30; Raybould, 28.

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

**LEGISLATIVE BILL 129.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid nursing facilities and reports by the Department of Health and Human Services regarding appropriations for medicaid nursing facilities.

**LEGISLATIVE BILL 130.** Introduced by Dorn, 30; Vargas, 7.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the medicaid nursing facility services program.

**LEGISLATIVE BILL 131.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid assisted-living facilities to the Department of Health and Human Services.

**LEGISLATIVE BILL 132.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to commerce; to adopt the Automatic Renewal Limitation Act.

**LEGISLATIVE BILL 133.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1409, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to provide that entities exercising the power of eminent domain are public bodies subject to the Open Meetings Act; and to repeal the original section.

**LEGISLATIVE BILL 134.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Small Wireless Facilities Deployment Act; to amend section 86-1236, Revised Statutes Cumulative Supplement, 2022;

to provide duties for an authority and requirements for a wireless provider as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 135.** Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to juveniles; to prohibit use of deception in questioning juveniles; to prohibit admission of certain evidence; and to define terms.

**LEGISLATIVE BILL 136.** Introduced by Moser, 22; Geist, 25.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-172, 60-3,205, and 60-4,146.01, Reissue Revised Statutes of Nebraska, and sections 60-144, 60-146, and 60-149, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, and the Motor Vehicle Operator's License Act as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 137.** Introduced by Bosn, 25; Geist, 25.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-416, Revised Statutes Cumulative Supplement, 2022; to provide for a penalty enhancement for a controlled substances violation resulting in serious bodily injury or death; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 139.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to Small Claims Court; to amend section 25-2802, Reissue Revised Statutes of Nebraska; to change the jurisdictional amount; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 140.** Introduced by Brandt, 32; Blood, 3; Conrad, 46.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska; to provide for Czech Heritage Plates; to provide powers and duties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 140A.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 140, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 141.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to schools; to provide for a moment of silence in public schools as prescribed; and to provide a duty to the State Department of Education.

**LEGISLATIVE BILL 142.** Introduced by Briese, 41; Conrad, 46; Hardin, 48; Hunt, 8.

A BILL FOR AN ACT relating to insurance; to limit the cost of prescription insulin drugs.

**LEGISLATIVE BILL 143.** Introduced by Briese, 41; Ballard, 21; Bostar, 29; Brandt, 32; Brewer, 43; DeBoer, 10; Dorn, 30; Dungan, 26; Hansen, B., 16; Hunt, 8; Linehan, 39; Lowe, 37; Slama, 1; Wayne, 13; Conrad, 46.

A BILL FOR AN ACT relating to time; to amend sections 49-1301, 49-1302, and 81-1323, Reissue Revised Statutes of Nebraska, and sections 32-908 and 81-1328, Revised Statutes Cumulative Supplement, 2022; to provide for year-round daylight saving time as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 144.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the State Electrical Act; to amend sections 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022; to change and eliminate certain classes of licenses under the State Electrical Act; to change provisions related to eligibility for licensure, continuing education, and training; to change fees; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2110, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 145.** Introduced by Bostar, 29; von Gillern, 4; Brewer, 43.

A BILL FOR AN ACT relating to insurance; to amend section 44-785, Reissue Revised Statutes of Nebraska; to change provisions relating to coverage for screening mammography and breast examinations; and to repeal the original section.

**LEGISLATIVE BILL 146.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1376 and 77-27,135, Reissue Revised Statutes of Nebraska; to change provisions relating to improvements on leased lands and methods for giving notice; and to repeal the original sections.

**LEGISLATIVE BILL 147.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to property tax refunds; to amend section 77-1736.06, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the notification of political subdivisions; and to repeal the original section.

**LEGISLATIVE BILL 148.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend sections 2-1205 and 9-1106, Reissue Revised Statutes of Nebraska; to change powers and duties of the State Racing and Gaming Commission; to change dates related to required market analysis and socioeconomic-impact studies; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 149.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for the medical assistance program; to require an annual report; and to declare an emergency.

**LEGISLATIVE BILL 150.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.17, Reissue Revised Statutes of Nebraska; to change provisions related to entertainment districts; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 151.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to the State Real Estate Commission; to amend sections 81-885.18 and 81-885.25, Reissue Revised Statutes of Nebraska, and section 81-885.07, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the membership of the State Real Estate Commission and certain notice requirements; and to repeal the original sections.

**LEGISLATIVE BILL 152.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to the Membership Campground Act; to amend sections 76-2102, 76-2104, 76-2106, 76-2110, and 76-2117, Reissue Revised Statutes of Nebraska; to eliminate registration requirements and a penalty under the Membership Campground Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 76-2103, 76-2105, 76-2107, 76-2108, 76-2109, 76-2114, 76-2115, and 76-2116, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 154.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to treasurer's tax deeds; to amend section 77-1835, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to notice; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 156.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Public Guardianship Act; to amend section 30-4115, Reissue Revised Statutes of Nebraska; to change the caseload ratio for public guardian and conservator appointments; and to repeal the original section.

**LEGISLATIVE BILL 159.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to postsecondary education; to adopt the Fostering Independence Higher Education Grant Act.

**LEGISLATIVE BILL 161.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Workplace Privacy Act; to amend sections 48-3502 and 48-3503, Reissue Revised Statutes of Nebraska; to redefine a term; to prohibit employers from taking certain actions; and to repeal the original sections.

**LEGISLATIVE BILL 162.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2022; to prohibit tampering with an electronic monitoring device; to define a term; to provide a penalty; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 163.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to criminal justice; to amend sections 47-101.01, 47-108, 47-109, 47-116, 47-201.01, 47-206, 48-1202, 83-178, 83-917, and 83-960, Reissue Revised Statutes of Nebraska, and sections 28-936, 83-1,135, and 84-612, Revised Statutes Cumulative Supplement, 2022; to prohibit construction or expansion of prisons and jails until certain benchmarks are met; to provide privacy protections for inmates' legal mail; to provide penalties; to define and redefine terms; to change provisions relating to possession of electronic communication devices in Department of Correctional Services facilities; to authorize possession of such devices by certain officials and attorneys as prescribed; to prohibit cities, counties, and the state from receiving revenue for operation of inmate telephone services and to provide requirements for negotiating contracts for such services; to provide a limitation on the mark-up of commissary goods in jails and prisons; to require the department to pay the minimum wage for work by committed offenders and to provide that such persons are subject to the Wage and Hour Act; to require collection of certain data upon admission of persons committed to the department; to require the department to provide culturally diverse books as prescribed; to provide for oversight of the department by the Judiciary Committee of the Legislature in the event of a prison overcrowding emergency or staffing shortage; to change provisions relating to the Reentry Cash Fund; to provide for transfers from the Cash Reserve Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 164.** Introduced by McKinney, 11.



A BILL FOR AN ACT relating to buildings; to amend sections 71-6403, 71-6406, 72-804, 72-805, 72-806, 81-1608, 81-1611, and 81-1614, Revised Statutes Cumulative Supplement, 2022; to adopt updates to building and energy codes; and to repeal the original sections.

**LEGISLATIVE BILL 165.** Introduced by von Gillern, 4; Geist, 25; Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend sections 85-1801, 85-1805, 85-1811, and 85-1814, Reissue Revised Statutes of Nebraska, and sections 68-1201, 72-1239.01, 77-3,110, 77-2716, 85-1802, 85-1804, 85-1806, 85-1807, 85-1808, 85-1809, 85-1810, 85-1812, 85-1813, 85-1815, 85-1816, 85-1817, 85-2802, 85-2803, and 85-2804, Revised Statutes Cumulative Supplement, 2022; to include savings plans for elementary and secondary education in the Nebraska educational savings plan trust; to define and redefine terms; to transfer provisions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 166.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend sections 39-2814, 39-2818, and 39-2825, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to criteria and weighting of criteria for design-build, progressive design-build, construction manager-general contractor, and public-private-partnership proposals; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 167.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1917, Revised Statutes Cumulative Supplement, 2022; to provide requirements for depositions of certain children; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 168.** Introduced by Bostar, 29; Aguilar, 35.

A BILL FOR AN ACT relating to gaming; to amend sections 9-1103, 9-1110, and 9-1204, Reissue Revised Statutes of Nebraska, and section 85-1920, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change provisions relating to sports wagering; to provide for distribution of taxes collected from sports wagering on in-state collegiate sporting events to the Nebraska Opportunity Grant Fund as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 169.** Introduced by Hunt, 8; Fredrickson, 20; Conrad, 46; Wishart, 27; Dungan, 26.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 23-2525, 23-2531, 23-2541, 29-401, 48-215, 48-628.13, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1111, 48-1113, 48-1115, 48-1117, 48-1119,

48-1122, 48-1124, and 49-801, Reissue Revised Statutes of Nebraska; to prohibit discrimination based upon sexual orientation and gender identity as prescribed; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 171.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to metropolitan utilities districts; to amend sections 13-2802, 14-2101, 14-2102, 14-2103, 14-2104, 14-2105, 14-2106, 14-2107, 14-2108, 14-2109, 14-2110, 14-2111, 14-2112, 14-2113, 14-2114, 14-2115, 14-2116, 14-2117, 14-2118, 14-2119, 14-2120, 14-2121, 14-2122, 14-2123, 14-2124, 14-2125, 14-2126, 14-2127, 14-2128, 14-2129, 14-2130, 14-2131, 14-2132, 14-2133, 14-2134, 14-2135, 14-2136, 14-2137, 14-2138, 14-2139, 14-2141, 14-2142, 14-2143, 14-2144, 14-2145, 14-2146, 14-2147, 14-2148, 14-2149, 14-2150, 14-2151, 14-2152, 14-2153, 14-2154, 14-2155, 14-2156, 14-2157, 32-540, 60-336.02, 66-1861, and 71-6316, Reissue Revised Statutes of Nebraska, and sections 32-567, 84-304, and 84-304.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to metropolitan utilities districts; to name the Metropolitan Utilities District Act; to eliminate obsolete provisions; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 172.** Introduced by Bostar, 29; Aguilar, 35; McDonnell, 5.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2104, Revised Statutes Cumulative Supplement, 2022; to adopt by reference provisions of the National Electrical Code; and to repeal the original section.

**LEGISLATIVE BILL 173.** Introduced by Bostar, 29.

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

**LEGISLATIVE BILL 174.** Introduced by Dungan, 26; Conrad, 46; DeBoer, 10; Wishart, 27.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-228, Revised Statutes Cumulative Supplement, 2022; to change the statute of limitations on certain civil actions for sexual assault of a child; and to repeal the original section.

**LEGISLATIVE BILL 175.** Introduced by Dungan, 26; Cavanaugh, J., 9; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to civil actions; to adopt the Residential Tenant Clean Slate Act; and to provide an operative date.

**LEGISLATIVE BILL 176.** Introduced by Dungan, 26; Bostar, 29; Cavanaugh, J., 9; Conrad, 46; Fredrickson, 20; Vargas, 7; Hunt, 8.

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

**LEGISLATIVE BILL 177.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to school funding; to adopt the My Student, My Choice Act; and to provide an operative date.

**LEGISLATIVE BILL 178.** Introduced by Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to schools; to require display of the national motto; to authorize contributions; and to provide duties for the Attorney General.

**LEGISLATIVE BILL 179.** Introduced by Fredrickson, 20; Hunt, 8.

A BILL FOR AN ACT relating to conversion therapy; to amend sections 38-101, 38-178, and 38-2894, Revised Statutes Cumulative Supplement, 2022; to prohibit conversion therapy and provide for disciplinary sanctions under the Uniform Credentialing Act as prescribed; to provide for a deceptive trade practice; to define terms; to prohibit the use of funds for conversion therapy as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 180.** Introduced by Brandt, 32; Bostar, 29; Dover, 19; Halloran, 33; Ibach, 44; Jacobson, 42; Lippincott, 34; Murman, 38.

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

**LEGISLATIVE BILL 182.** Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to eviction proceedings; to amend sections 24-232 and 76-1441, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to a report on eviction proceedings and complaints for restitution; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 184.** Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-1816 and 43-274, Revised Statutes Cumulative Supplement, 2022; to provide for inadmissibility of statements made by juveniles during proceedings to transfer cases to or from juvenile court; to eliminate obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 185.** Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to the Department of Revenue; to define terms; and to require the department to distribute funds to certain individuals as prescribed.

**LEGISLATIVE BILL 186.** Introduced by Cavanaugh, J., 9; McKinney, 11.

A BILL FOR AN ACT relating to real property; to adopt the Unlawful Restrictive Covenant Modification Act.

**LEGISLATIVE BILL 187.** Introduced by Cavanaugh, J., 9; McKinney, 11; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to civil actions; to amend sections 25-21,223, 76-1442, and 76-1450, Reissue Revised Statutes of Nebraska; to require appointment of counsel at county expense in eviction proceedings in certain counties; to define terms; to provide a duty for the Supreme Court; to require notice of the right to counsel in summonses as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 188.** Introduced by Hansen, B., 16; Blood, 3; Brewer, 43; Slama, 1; Aguilar, 35.

A BILL FOR AN ACT relating to education; to amend section 79-8,145, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Alternative Certification for Quality Teachers Act; to authorize the Commissioner of Education to issue temporary certificates to teach to military veterans as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 189.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art Practice Act; to amend section 38-1042.01, Reissue Revised Statutes of Nebraska, and section 38-1075, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change an exemption for natural hair braiding; to provide an exemption for natural hairstyling; and to repeal the original sections.

**LEGISLATIVE BILL 190.** Introduced by Brandt, 32; Conrad, 46.

A BILL FOR AN ACT relating to county bridges; to authorize bridge project payment over a scheduled period of time extending beyond the completion date.

**LEGISLATIVE BILL 192.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3504, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 193.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to elections; to amend section 32-1041, Revised Statutes Cumulative Supplement, 2022; to provide requirements for voting systems; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 194.** Introduced by Halloran, 33; Aguilar, 35; Ballard, 21; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Jacobson, 42; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to government; to adopt the Second Amendment Preservation Act; and to provide severability.

**LEGISLATIVE BILL 195.** Introduced by Halloran, 33; Aguilar, 35; Ballard, 21; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Jacobson, 42; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Slama, 1; von Gillern, 4.

A BILL FOR AN ACT relating to the Constitution of the United States; to adopt the Faithful Delegate to Federal Article V Convention Act.

**LEGISLATIVE BILL 196.** Introduced by Bostar, 29; Brewer, 43.

A BILL FOR AN ACT relating to retirement; to amend sections 81-2017, 81-2026, 81-2027.08, and 81-2027.09, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska State Patrol Retirement System and benefits provided upon the death of an officer after retirement and annual benefit adjustment calculations as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 197.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 68-621, Reissue Revised Statutes of Nebraska; to redefine terms relating to referendums on the state agreement extending certain federal benefits to certain public employees in the state; and to repeal the original section.

**LEGISLATIVE BILL 198.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 79-955, Reissue Revised Statutes of Nebraska, and sections 79-901, 79-902, 79-920, 79-978, and 79-992, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to provide for a return to work and authorize contributions as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 200.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to public health; to adopt the Canadian Prescription Drug Importation Act.

**LEGISLATIVE BILL 202.** Introduced by Walz, 15; Hunt, 8.

A BILL FOR AN ACT relating to relating to the Pharmacy Practice Act; to amend section 38-2891, Revised Statutes Cumulative Supplement, 2022; to provide for vaccine administration by pharmacy technicians; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 203.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-146.02, Reissue Revised Statutes of Nebraska; to provide for release of employee medical records as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 204.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to establish reimbursement for pharmacy dispensing fees for pharmacies participating in the medical assistance program; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 205.** Introduced by von Gillern, 4; Aguilar, 35; Brewer, 43; Halloran, 33; Holdcroft, 36; Hughes, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Murman, 38; Riepe, 12.

A BILL FOR AN ACT relating to public lettings and contracts; to adopt the Government Neutrality in Contracting Act.

**LEGISLATIVE BILL 208.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to counties; to define a term; to prohibit a county from prohibiting the use of property as a short-term rental as prescribed; to provide for regulation of short-term rentals; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 209.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.62, Reissue Revised Statutes of Nebraska, and section 77-202, Revised Statutes Cumulative Supplement, 2022; to provide a property tax exemption and sales and use tax exemptions relating to data centers; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 210.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to adopt the Prior Authorization Reform Act.

**LEGISLATIVE BILL 211.** Introduced by Blood, 3; Conrad, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2022; to adopt the Property Tax Circuit Breaker Act; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 212.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to roads; to require the Department of Transportation to plan, design, and purchase rights-of-way for U.S. Highway 75 and pave all unpaved state highways; and to declare legislative intent to appropriate funds.

**LEGISLATIVE BILL 213.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to economic development; to amend sections 77-2902 and 77-2912, Reissue Revised Statutes of Nebraska, and section 81-1229, Revised Statutes Cumulative Supplement, 2022; to redefine a term and extend certain deadlines under the Nebraska Job Creation and Mainstreet Revitalization Act; to change a matching fund requirement under the Rural Workforce Housing Investment Act; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 215.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Legislature; to amend sections 28-711, 43-4302, 43-4303, 43-4317, 43-4320, 43-4321, 43-4322, 43-4324, 43-4326, 43-4329, 43-4330, 47-901, 47-902, 47-903, 47-904, 47-905, 47-907, 47-908, 47-909, 47-910, 47-911, 47-912, 47-913, 47-914, 47-915, 47-918, 47-919, 47-920, and 83-178, Reissue Revised Statutes of Nebraska, and sections 28-712.01, 43-2,108, 43-4301, 43-4318, 43-4323, 43-4325, 43-4327, 43-4328, 43-4331, 43-4332, and 81-8,244, Revised Statutes Cumulative Supplement, 2022; to provide, move, change, and eliminate definitions; to provide, move, change, and eliminate duties of the office of the Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System as prescribed; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-4304, 43-4304.01, 43-4304.02, 43-4305, 43-4306, 43-4306.01, 43-4307, 43-4307.01, 43-4308, 43-4309, 43-4310, 43-4311, 43-4312, 43-4313, 43-4314, 43-4315, 43-4316, 43-4319, and 47-906, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 216.** Introduced by Hughes, 44; Brewer, 43; DeKay, 40; Halloran, 33; Ibach, 44; Aguilar, 35.

A BILL FOR AN ACT relating to the Optometry Practice Act; to amend sections 38-2605 and 38-2614, Reissue Revised Statutes of Nebraska; to

redefine a term; to provide for certification requirements for optometrists performing certain procedures; and to repeal the original sections.

**LEGISLATIVE BILL 218.** Introduced by Ibach, 44; Hughes, 44; Jacobson, 42; Brewer, 43.

A BILL FOR AN ACT relating to the Noxious Weed Control Act; to amend section 2-958.02, Reissue Revised Statutes of Nebraska; to change provisions relating to intent to appropriate funds; and to repeal the original section.

**LEGISLATIVE BILL 219.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2022; to provide duties for the department regarding rates for critical access hospitals; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 221.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to retirement; to amend section 16-1021, Reissue Revised Statutes of Nebraska; to redefine a term relating to all firefighters of a city of the first class; and to repeal the original section.

**LEGISLATIVE BILL 224.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to municipalities; to amend sections 13-518 and 13-522, Reissue Revised Statutes of Nebraska; to adopt the Aid to Municipalities Act; to create a fund; to change provisions relating to budget limitations; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 225.** Introduced by Dungan, 26; Hunt, 8.

A BILL FOR AN ACT relating to schools; to amend section 79-724, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the committee on American civics; and to repeal the original section.

**LEGISLATIVE BILL 226.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to transportation; to amend sections 39-2817 and 39-2825, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 228.** Introduced by Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to elections; to amend sections 25-2221, 32-101, and 62-301, Revised Statutes Cumulative Supplement, 2022; to provide for state holidays; to require in-person voting and photographic identification for certain elections; to provide exceptions; to require all ballots to be counted on election



day; to require all ballots to be counted at the precinct level; to provide for further changes to the Election Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 229.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Livestock Brand Act; to amend section 54-1,122, Reissue Revised Statutes of Nebraska; to change provisions relating to inspection requirements at registered feedlots; and to repeal the original section.

**LEGISLATIVE BILL 230.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to government; to amend sections 32-311.01, 32-321, 32-808, 32-914, 32-938, 32-941, 32-942, 32-943, 32-944, 39-1601, 39-1605, 39-1606, 60-484, and 71-612, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103, 32-202, 32-221, 32-223, 32-230, 32-231, 32-559, 32-803, 32-908, 32-915, 32-939, 32-939.02, 32-947, 32-950.01, 32-1002, 32-1027, and 60-4,115, Revised Statutes Cumulative Supplement, 2022; to require qualifying photographic identification for voter registration and voting purposes; to change provisions relating to elections; to eliminate the fee for certain state identification cards and certified copies of birth certificates; to eliminate certain identification requirements and provisions regarding conducting elections by mail; to harmonize provisions; to repeal the original sections; to outright repeal sections 32-110.02, 32-953, 32-954, 32-957, 32-958, 32-959, and 32-1551, Reissue Revised Statutes of Nebraska, and sections 32-110.03, 32-318.01, 32-939.03, 32-952, 32-956, and 32-960, Revised Statutes Cumulative Supplement, 2022; and to declare an emergency.

**LEGISLATIVE BILL 231.** Introduced by Dungan, 26; Conrad, 46.

A BILL FOR AN ACT relating to schools; to amend section 79-209, Revised Statutes Cumulative Supplement, 2022; to change provisions related to student attendance and require plans for excessive absences; and to repeal the original section.

**LEGISLATIVE BILL 232.** Introduced by Cavanaugh, J., 9; Blood, 3; Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska County and City Lottery Act; to amend sections 9-601, 9-603, 9-607, 9-646.01, and 9-651, Reissue Revised Statutes of Nebraska; to change provisions relating to the game of keno; to provide for the sale of digital-on-premises tickets; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 233.** Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to child support enforcement; to amend sections 43-512, 43-512.07, and 68-1713, Reissue Revised Statutes of Nebraska, and section 68-1201, Revised Statutes Cumulative Supplement, 2022; to provide for a child support payment disregard; to eliminate child support income for purposes of determining eligibility for the aid to dependent children program; to

require implementation of a child support disregard policy; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 234.** Introduced by Walz, 15; Aguilar, 35; Blood, 3; Brewer, 43; Day, 49; Jacobson, 42.

A BILL FOR AN ACT relating to railroads; to amend section 75-109.01, Revised Statutes Cumulative Supplement, 2022; to state findings; to provide for reporting blocked crossing complaints as prescribed; to provide jurisdiction and duties for the Public Service Commission; to provide a duty for the Revisor of Statutes; and to repeal the original section.

**LEGISLATIVE BILL 235.** Introduced by Wayne, 13; Conrad, 46.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend sections 77-6801, 77-6803, 77-6831, and 77-6832, Revised Statutes Cumulative Supplement, 2022; to transfer a definition; to change provisions relating to the use of credits for certain child care expenses; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 236.** Introduced by Wayne, 13; Conrad, 46.

A BILL FOR AN ACT relating to courts; to provide appointment and powers of problem-solving court judicial officers; and to create a problem-solving court pilot project.

**LEGISLATIVE BILL 237.** Introduced by Wayne, 13; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Environment and Energy.

**LEGISLATIVE BILL 238.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to schools; to amend sections 79-528 and 79-1003, Revised Statutes Cumulative Supplement, 2022; to change reporting requirements; to define and redefine terms; to include virtual school students in the calculation of aid under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 239.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03 and 77-2716, Revised Statutes Cumulative Supplement, 2022; to change individual income tax brackets and rates as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 241.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to the regulation of water; to amend section 46-613.01, Reissue Revised Statutes of Nebraska; to change provisions relating to transfers of water to another state; and to repeal the original section.

**LEGISLATIVE BILL 242.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend sections 77-6702 and 77-6703, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change provisions relating to the amount of tax credits for school district taxes; and to repeal the original sections.

**LEGISLATIVE BILL 244.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend sections 77-6701 and 77-6702, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to provide an income tax credit for certain property taxes paid; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 246.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to sanitary and improvement districts; to amend sections 31-727.01, 31-736, 31-767, 31-768, 31-769, and 31-771, Reissue Revised Statutes of Nebraska, and sections 31-727, 31-727.02, 31-728, 31-740, 31-744, and 31-749, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to powers and duties, extraterritorial zoning jurisdiction, and publication of notice; to require compliance with municipal planning requirements; to harmonize provisions; to eliminate obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 247.** Introduced by Lippincott, 34.

A BILL FOR AN ACT relating to motor vehicles; to amend section 28-431, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of a certificate of title for certain motor vehicles; and to repeal the original section.

**LEGISLATIVE BILL 248.** Introduced by Vargas, 7; Hunt, 8.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-139, 20-301, 20-303, 20-317, 20-318, 20-320, 20-321, 20-322, and 20-325, Reissue Revised Statutes of Nebraska; to define a term; to prohibit discrimination based upon lawful source of income or compliance with public assistance requirements; to create the Landlord Guarantee Program; to state intent regarding funding; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 250.** Introduced by Brewer, 43; Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Army National Guard; to state legislative findings; and to require a command climate survey of the guard and a report by the Adjutant General.

**LEGISLATIVE BILL 250A.** 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 250, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 252.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to veterans; to amend sections 80-401.03, 80-401.11, and 80-412, Reissue Revised Statutes of Nebraska, and sections 80-315, 80-411, and 81-1316, Revised Statutes Cumulative Supplement, 2022; to change references to a veterans' home; to change provisions relating to veterans aid, Department of Veterans' Affairs offices, and duties of the Director of Veterans' Affairs; to eliminate an obsolete provision; to repeal the original sections; and to outright repeal section 80-336, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 253.** Introduced by Brewer, 43; Hardin, 48; Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Law Enforcement Training Center; to amend sections 81-1402, 81-1404, 81-1414.03, 81-1414.05, and 81-1414.06, Reissue Revised Statutes of Nebraska; to provide for another location for the center; to provide for administrators; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 255.** Introduced by Brewer, 43; Erdman, 47.

A BILL FOR AN ACT relating to public power; to amend sections 15-229, 70-670, 70-1001.01, 70-1014.01, 70-1906, and 70-1909, Reissue Revised Statutes of Nebraska; to change eminent domain and renewable energy generation provisions relating to certain power suppliers; to redefine a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 257.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to cemeteries; to amend sections 12-701, 12-702, and 17-938, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to abandonment and reversion of cemetery lots; to authorize investment of funds from the sale of cemetery lots as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 258.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-103.03, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to near beer; to harmonize provisions; to repeal the original section; and to outright repeal sections 53-103.24 and 53-160.02, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 259.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.11, Reissue Revised Statutes of Nebraska; to allow farm wineries

to obtain additional retail licenses under the Nebraska Liquor Control Act; and to repeal the original section.

**LEGISLATIVE BILL 262.** Introduced by Agriculture Committee: Halloran, 33, Chairperson; Brewer, 43; Hansen, B., 16; Holdcroft, 36; Hughes, 44; Ibach, 44; Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend section 81-2,251.03, Reissue Revised Statutes of Nebraska, and sections 81-2,239, 81-2,240, 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,263, 81-2,270, 81-2,271, and 81-2,281, Revised Statutes Cumulative Supplement, 2022; to define, redefine, and eliminate terms; to change permit and fee provisions relating to food establishments, food processing plants, and salvage operations; to change permit posting and certain change of address, location, and inspection requirements; to eliminate water supply requirements; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-2,242.03 and 81-2,251.02, Reissue Revised Statutes of Nebraska, and sections 81-2,245, 81-2,251.01, and 81-2,272.31, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 263.** Introduced by Agriculture Committee: Halloran, 33, Chairperson; Brewer, 43; Hansen, B., 16; Holdcroft, 36; Hughes, 44; Riepe, 12.

A BILL FOR AN ACT relating to the Nebraska Hemp Farming Act; to amend sections 2-503, 2-504, 2-505, 2-506, 2-508, 2-509, 2-510, 2-511, 2-514, 2-515, and 2-517, Reissue Revised Statutes of Nebraska, and section 28-401, Revised Statutes Cumulative Supplement, 2022; to change and update federal references; to define a term; to eliminate obsolete provisions; to change provisions relating to the state plan for regulation of hemp and rules and regulations, fees, duties, violations, and testing and transporting of hemp; to provide for remediation of certain hemp; to change a meeting requirement for the Nebraska Hemp Commission; to harmonize provisions; to repeal the original sections; to outright repeal section 2-5701, Revised Statutes Cumulative Supplement, 2022; and to declare an emergency.

**LEGISLATIVE BILL 264.** Introduced by Agriculture Committee: Halloran, 33, Chairperson; Brewer, 43; Holdcroft, 36; Hughes, 44; Ibach, 44; Riepe, 12.

A BILL FOR AN ACT relating to agriculture; to amend sections 75-902, 75-903, 75-903.02, 88-526, 88-527, and 88-528.01, Reissue Revised Statutes of Nebraska, and sections 75-156 and 88-530, Revised Statutes Cumulative Supplement, 2022; to change provisions under the Grain Dealer Act and the Grain Warehouse Act; to redefine terms; to change a fee; to change filed security provisions; to change criminal history record check requirements; to change references to warehouseman; to eliminate obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 266.** Introduced by Brewer, 43; Blood, 3; Holdcroft, 36.

A BILL FOR AN ACT relating to Military Honor Plates; to amend section 60-3,122.04, Reissue Revised Statutes of Nebraska; to change eligibility for Military Honor Plates as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 268.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the State Treasurer; to authorize the participation for certain entities in trusts or investment pools established by the State Treasurer.

**LEGISLATIVE BILL 270.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to rental property; to amend sections 76-1419 and 76-1435, Reissue Revised Statutes of Nebraska; to provide duties for cities and villages that have adopted rental registration ordinances; to change provisions relating to landlord duties and certain remedies under the Uniform Residential Landlord and Tenant Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 271.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to child abuse and neglect; to amend sections 28-711, 28-714, 28-715, and 28-729, Reissue Revised Statutes of Nebraska, and sections 28-710, 28-716, and 28-728, Revised Statutes Cumulative Supplement, 2022; to define terms; to change reporting requirements; to provide for training requirements for certain reporters; and to repeal the original sections.

**LEGISLATIVE BILL 272.** Introduced by Vargas, 7; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-119, Reissue Revised Statutes of Nebraska; to change provisions relating to the date when compensation begins; and to repeal the original section.

**LEGISLATIVE BILL 273.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to state intent relating to appropriations to the Coordinating Commission for Postsecondary Education; and to declare an emergency.

**LEGISLATIVE BILL 274.** Introduced by Holdcroft, 36; Brewer, 43; Clements, 2; DeKay, 40; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Hughes, 44; Ibach, 44; Lippincott, 34; Lowe, 37; von Gillern, 4; Conrad, 46; Aguilar, 35; Slama, 1; Hunt, 8; Albrecht, 17; Jacobson, 42; Halloran, 33; McDonnell, 5; Dorn, 30; Linehan, 39; Murman, 38; Sanders, 45; Vargas, 7.

A BILL FOR AN ACT relating to handicapped parking; to amend sections 18-1736, 18-1737, 18-1741.01, 18-1741.03, 18-1741.04, 60-331.01, and 60-3,113.06, Reissue Revised Statutes of Nebraska, and section 60-3,124, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to handicapped parking; to provide for disabled veterans to park in handicapped

parking spaces as prescribed; to redefine a term; to provide duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 275.** Introduced by Wishart, 27; Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to state intent related to appropriations to the Foster Care Review Office; and to declare an emergency.

**LEGISLATIVE BILL 277.** Introduced by Brewer, 43; Albrecht, 17; Ballard, 21; Bostelman, 23; Clements, 2; DeKay, 40; Dover, 19; Erdman, 47; Halloran, 33; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Lippincott, 34; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Sanders, 45; Slama, 1; von Gillern, 4.

A BILL FOR AN ACT relating to government; to adopt the First Freedom Act; to authorize wearing of tribal regalia by students as prescribed; to define terms; to harmonize provisions; and to provide operative dates.

**LEGISLATIVE BILL 279.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to banking and finance; to amend section 8-143.01, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to the report of loans, indebtedness, and credit of executive officers of banks; to adopt federal updates to law relating to extension of credit; and to repeal the original section.

**LEGISLATIVE BILL 280.** Introduced by Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to public health; to amend sections 38-1705, 38-1709, and 38-1710, Reissue Revised Statutes of Nebraska, and sections 38-1707.01 and 38-1720, Revised Statutes Cumulative Supplement, 2022; to adopt the Interstate Massage Compact; to change provisions relating to licensure and examination under the Massage Therapy Practice Act; and to repeal the original sections.

**LEGISLATIVE BILL 281.** Introduced by Jacobson, 42; Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate money to the Department of Economic Development to provide grants for youth outdoor education camp facilities; and to declare an emergency.

**LEGISLATIVE BILL 283.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

**LEGISLATIVE BILL 284.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to law enforcement; to amend sections 29-411, 29-3517, and 81-1410, Reissue Revised Statutes of Nebraska, and sections 81-1414, 81-1414.15, and 81-1414.19, Revised Statutes Cumulative Supplement, 2022; to adopt the Municipal Police Oversight Act; to require city

and county attorneys and the Attorney General to maintain public Brady and Giglio lists; to change and provide requirements for execution of no-knock search and arrest warrants; to define terms; to provide for exclusion of evidence; to prohibit criminal justice agencies from collecting, assembling, or preserving data relating to individuals' purported gang status; to require deletion of such records and notification of the subjects of such records; to provide a duty for the Nebraska Commission on Law Enforcement and Criminal Justice; to require a bachelor's degree to gain admission to a law enforcement training academy; to require current law enforcement officers to obtain or begin obtaining a bachelor's degree by 2033; to change provisions relating to law enforcement officer records; to eliminate the offense of unlawful membership recruitment into an organization or association; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide severability; to repeal the original sections; and to outright repeal section 28-1351, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 285.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to schools; to amend sections 79-10,137, 79-10,138, and 79-10,139, Reissue Revised Statutes of Nebraska; to adopt the School Community Eligibility Provision Maximization Act; and to repeal the original sections.

**LEGISLATIVE BILL 287.** Introduced by Brewer, 43; Linehan, 39.

A BILL FOR AN ACT relating to the Joint Public Agency Act; to amend section 13-2508, Reissue Revised Statutes of Nebraska; to prohibit new joint public agencies as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 288.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-301 and 60-2907, Reissue Revised Statutes of Nebraska; to require the Department of Motor Vehicles to establish and maintain an online verification system for accessing certain private passenger motor vehicle insurance and financial responsibility information; to authorize a disclosure under the Uniform Motor Vehicle Records Disclosure Act; and to repeal the original sections.

**LEGISLATIVE BILL 290.** Introduced by Cavanaugh, M., 6; Conrad, 46.

A BILL FOR AN ACT relating to the aid to dependent children program; to amend section 43-513, Reissue Revised Statutes of Nebraska; to change requirements related to the standard of need; and to repeal the original section.

**LEGISLATIVE BILL 291.** Introduced by Cavanaugh, M., 6; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-101 and 38-129, Revised Statutes Cumulative Supplement, 2022; to require implicit bias or diversity, equity, and inclusion training for certain



applicants and credential holders under the Uniform Credentialing Act; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 292.** Introduced by Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to the Jobs and Economic Development Initiative Act; to amend section 61-404, Revised Statutes Cumulative Supplement, 2022; to prohibit the use of eminent domain as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 293.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to state government; to amend section 73-504, Reissue Revised Statutes of Nebraska; to provide formal protest procedures for certain contracts for services; to provide duties for the Department of Administrative Services; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 294.** Introduced by Conrad, 46; Cavanaugh, J., 9; Hunt, 8; Fredrickson, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 25-1553, Reissue Revised Statutes of Nebraska, and section 77-2715.07, Revised Statutes Cumulative Supplement, 2022; to adopt the Child Tax Credit Act; to exempt certain tax credit refunds from claims of creditors; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 295.** Introduced by Conrad, 46; Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.07, Revised Statutes Cumulative Supplement, 2022; to increase the earned income tax credit as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 297.** Introduced by Sanders, 45; Conrad, 46.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-920, Revised Statutes Cumulative Supplement, 2022; to adopt the Personal Privacy Protection Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original section.

**LEGISLATIVE BILL 299.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend section 13-809, Reissue Revised Statutes of Nebraska; to require approval by the voters for the issuance of certain bonds; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 301.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-160.04, Reissue Revised Statutes of Nebraska; to change a tax on ready-to-drink cocktails; and to repeal the original section.

**LEGISLATIVE BILL 302.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska; to change requirements for certain persons holding elective offices and to provide requirements for public employees relating to potential conflicts of interest; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 303.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to school funding; to amend section 79-1031, Reissue Revised Statutes of Nebraska; to change provisions relating to an annual estimate for necessary funding under the Tax Equity and Educational Opportunities Support Act; and to repeal the original section.

**LEGISLATIVE BILL 304.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to political subdivisions; to provide for disclosure of certain membership dues and lobbying fees paid as prescribed.

**LEGISLATIVE BILL 305.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to grain warehouses; to amend section 88-541, Reissue Revised Statutes of Nebraska; to change provisions relating to storage rates and charges; and to repeal the original section.

**LEGISLATIVE BILL 306.** Introduced by Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to infants and juveniles; to define terms; to state intent; to create the Nebraska Youth in Care Bill of Rights; and to provide powers and duties.

**LEGISLATIVE BILL 307.** Introduced by Hunt, 8; Fredrickson, 20.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-442, Revised Statutes Cumulative Supplement, 2022; to authorize pharmacies and local public health programs to provide hypodermic syringes or needles to prevent the spread of infectious disease; and to repeal the original section.

**LEGISLATIVE BILL 308.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Genetic Information Privacy Act.

**LEGISLATIVE BILL 309.** Introduced by Bostar, 29; Halloran, 33; Hansen, B., 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1736.06, Revised Statutes Cumulative Supplement, 2022; to change an interest rate relating to property tax refunds; and to repeal the original section.

**LEGISLATIVE BILL 310.** Introduced by Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to public assistance; to amend section 43-512, Reissue Revised Statutes of Nebraska; to change the maximum payment level for monthly assistance; and to repeal the original section.

**LEGISLATIVE BILL 311.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend section 9-1106, Reissue Revised Statutes of Nebraska; to change dates related to required market analysis and socioeconomic-impact studies; and to repeal the original section.

**LEGISLATIVE BILL 312.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-522 and 19-2907, Reissue Revised Statutes of Nebraska; to change provisions relating to withholding money due to noncompliance with budget limits and annual audits for certain political subdivisions; and to repeal the original sections.

**LEGISLATIVE BILL 313.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to elections; to amend sections 32-564 and 32-565, Reissue Revised Statutes of Nebraska, and section 32-405, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to special elections and filling vacancies; and to repeal the original sections.

**LEGISLATIVE BILL 316.** Introduced by Fredrickson, 20; Conrad, 46; Hunt, 8; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to marriage; to amend sections 42-102, 42-103, 42-104, 42-106, 42-109, and 42-110, Reissue Revised Statutes of Nebraska; to change terminology; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 317.** Introduced by von Gillern, 4; DeKay, 40; Holderoft, 36; Sanders, 45.

A BILL FOR AN ACT relating to county assessors; to amend section 77-1311.03, Reissue Revised Statutes of Nebraska; to change provisions relating to the inspection of real property; and to repeal the original section.

**LEGISLATIVE BILL 318.** Introduced by Bostar, 29; Hughes, 44.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3605 and 77-3606, Reissue Revised Statutes of Nebraska, and sections 71-1962, 77-2715.07, 77-2717, 77-2734.03, and 77-3604, Revised Statutes Cumulative Supplement, 2022; to adopt the Child Care Tax Credit Act; to reauthorize tax credits under and change provisions relating to the School Readiness Tax Credit Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 319.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to child care funding; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to create funds; to provide duties for the State Department of Education and the Department of Health and Human Services; to provide for transfers from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 320.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1016, and 79-1022, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to state aid value and the amount of state aid; to create a fund; to provide for transfers to and distributions from the fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 321.** Introduced by Brandt, 32; Aguilar, 35; Ballard, 21; Blood, 3; Hansen, B., 16; Ibach, 44; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend sections 81-2,245.01 and 81-2,280 Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change and provide provisions relating to certain food sales directly to consumers; to construe intent; to provide for injunctive relief and a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 321A.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 321, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 322.** Introduced by Linehan, 39; Brewer, 43.

A BILL FOR AN ACT relating to the Joint Public Agency Act; to amend section 13-2508, Reissue Revised Statutes of Nebraska; to prohibit new joint public agencies forming for tax purposes as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 323.** Introduced by Linehan, 39; Bostar, 29; Briese, 41; Hunt, 8; Wayne, 13; Brewer, 43; Hardin, 48; Dungan, 26; Vargas, 7; DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for a salary increase for legislative employees; to define terms; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 324.** Introduced by Wishart, 27; Brandt, 32; Conrad, 46; DeBoer, 10; Linehan, 39; Walz, 15; Hunt, 8.

A BILL FOR AN ACT relating to the Special Education Act; to amend sections 79-1142 and 79-1145, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to reimbursements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 325.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to tort claims; to amend section 13-910, Reissue Revised Statutes of Nebraska, and section 81-8,219, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to claims for certain intentional torts; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 326.** Introduced by Raybould, 28; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-949, Reissue Revised Statutes of Nebraska, and section 68-915, Revised Statutes Cumulative Supplement, 2022; to provide for eligibility for certain children; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 327.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203, Revised Statutes Cumulative Supplement, 2020, as amended by section 1, Initiative Law 2022, No. 433; to change provisions relating to the minimum wage; and to repeal the original section.

**LEGISLATIVE BILL 328.** Introduced by Raybould, 28; Conrad, 46; Hunt, 8; Cavanaugh, M., 6; Blood, 3.

A BILL FOR AN ACT relating to missing and murdered indigenous persons; to create the Office of Liaison for Missing and Murdered Indigenous Persons.

**LEGISLATIVE BILL 328A.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 328, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 330.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to decedents' estates; to amend section 30-24,125, Revised Statutes Cumulative Supplement, 2022; to provide for the endorsement or negotiation of any instrument evidencing a debt by a claiming successor; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 331.** Introduced by DeBoer, 10; Blood, 3; Conrad, 46; Hunt, 8.

A BILL FOR AN ACT relating to adoptions; to amend sections 43-104.15 and 43-107, Reissue Revised Statutes of Nebraska, and sections 43-101, 43-101.01, 43-102, 43-104, 43-104.08, and 43-104.13, Revised Statutes Cumulative Supplement, 2022; to provide for adoption by two persons jointly; to define a term; to change provisions relating to consent to adoption, home studies, and terminology; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 332.** Introduced by Linehan, 39; Brewer, 43.

A BILL FOR AN ACT relating to the Joint Public Agency Act; to amend section 13-2508, Reissue Revised Statutes of Nebraska; to prohibit new joint public agencies forming for education purposes as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 333.** Introduced by Conrad, 46; Cavanaugh, M., 6; Hunt, 8.

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

**LEGISLATIVE BILL 334.** Introduced by McDonnell, 5; Hunt, 8.

A BILL FOR AN ACT relating to treatment and corrections; to amend section 83-1,100.03, Revised Statutes Cumulative Supplement, 2022; to adopt the Reentry Housing Network Act; to provide a duty for the Department of Correctional Services and the Board of Parole; and to repeal the original section.

**LEGISLATIVE BILL 335.** Introduced by Halloran, 33; Erdman, 47; Ibach, 44; McDonnell, 5; Murman, 38.

A BILL FOR AN ACT relating to health care; to adopt the Health Care Staffing Agency Registration Act.

**LEGISLATIVE BILL 336.** Introduced by Halloran, 33; Hardin, 48.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-501, 2-509, 2-517, 2-518, and 2-958, Reissue Revised Statutes of Nebraska, and section 81-2,162.27, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Nebraska Hemp Farming Act; to terminate the Nebraska Hemp

Commission; to create the Nebraska Hemp Advisory Board; to change the use of a fund; to eliminate a fee, a penalty, and obsolete fund provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 2-519, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 338.** Introduced by McKinney, 11; Hunt, 8.

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

**LEGISLATIVE BILL 339.** Introduced by McKinney, 11; Hunt, 8.

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

**LEGISLATIVE BILL 340.** Introduced by McKinney, 11; Hunt, 8.

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

**LEGISLATIVE BILL 341.** Introduced by Halloran, 33.

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

**LEGISLATIVE BILL 343.** Introduced by Slama, 1; Hardin, 48.

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

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

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

**LEGISLATIVE BILL 348.** Introduced by Wayne, 13.

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

**LEGISLATIVE BILL 349.** Introduced by Wayne, 13.

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



**LEGISLATIVE BILL 350.** Introduced by Wayne, 13.

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

**LEGISLATIVE BILL 351.** Introduced by Wayne, 13.

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

**LEGISLATIVE BILL 352.** Introduced by Wayne, 13; Hunt, 8.

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

**LEGISLATIVE BILL 353.** Introduced by Raybould, 28; Hunt, 8.

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

**LEGISLATIVE BILL 354.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to insurance; to amend section 44-6412, Reissue Revised Statutes of Nebraska; to change underinsured motor vehicle insurance

provisions relating to offers and agreements to settle; and to repeal the original section.

**LEGISLATIVE BILL 355.** Introduced by Raybould, 28.

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

**LEGISLATIVE BILL 358.** Introduced by Walz, 15; Hunt, 8; Conrad, 46.

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

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

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

**LEGISLATIVE BILL 361.** Introduced by Dorn, 30.

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

**LEGISLATIVE BILL 362.** Introduced by Dorn, 30; Hunt, 8; Raybould, 28.

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

**LEGISLATIVE BILL 363.** Introduced by Dorn, 30.

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

**LEGISLATIVE BILL 364.** Introduced by Hunt, 8.

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

**LEGISLATIVE BILL 365.** Introduced by Hunt, 8; Conrad, 46.

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

**LEGISLATIVE BILL 366.** Introduced by Conrad, 46; Hunt, 8.

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

**LEGISLATIVE BILL 367.** Introduced by Conrad, 46; Hunt, 8.

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

**LEGISLATIVE BILL 368.** Introduced by Conrad, 46.

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

**LEGISLATIVE BILL 369.** Introduced by Linehan, 39.

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

**LEGISLATIVE BILL 370.** Introduced by Linehan, 39.

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

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

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

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

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

**LEGISLATIVE BILL 374.** Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, B., 16; Holdcroft, 36; Lippincott, 34; Moser, 22; DeKay, 40; Jacobson, 42; Lowe, 37.

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

**LEGISLATIVE BILL 375.** Introduced by Lowe, 37.

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

**LEGISLATIVE BILL 377.** Introduced by Lowe, 37.

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

**LEGISLATIVE BILL 378.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 379.** Introduced by Conrad, 46.

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

**LEGISLATIVE BILL 380.** Introduced by Conrad, 46; Hunt, 8.

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

**LEGISLATIVE BILL 381.** Introduced by Cavanaugh, M., 6; Hunt, 8.

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

**LEGISLATIVE BILL 382.** Introduced by Bostar, 29.

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

**LEGISLATIVE BILL 383.** Introduced by Bostar, 29.

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

**LEGISLATIVE BILL 386.** Introduced by Linehan, 39.

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

**LEGISLATIVE BILL 387.** Introduced by Linehan, 39.

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

**LEGISLATIVE BILL 388.** Introduced by Linehan, 39.

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

**LEGISLATIVE BILL 389.** Introduced by Linehan, 39; Wayne, 13.

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

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

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

**LEGISLATIVE BILL 391.** Introduced by Day, 49; Hunt, 8; Conrad, 46.

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

**LEGISLATIVE BILL 392.** Introduced by Ballard, 21.

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

**LEGISLATIVE BILL 393.** Introduced by Erdman, 47.

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

**LEGISLATIVE BILL 394.** Introduced by Erdman, 47.

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

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

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

**LEGISLATIVE BILL 397.** Introduced by Erdman, 47; Brewer, 43; McDonnell, 5; Halloran, 33.

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

**LEGISLATIVE BILL 398.** Introduced by Erdman, 47.

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

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

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

**LEGISLATIVE BILL 400.** Introduced by Brewer, 43; Erdman, 47; Hardin, 48.

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

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

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

**LEGISLATIVE BILL 403.** Introduced by Vargas, 7.

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

**LEGISLATIVE BILL 404.** Introduced by Vargas, 7.

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

**LEGISLATIVE BILL 405.** Introduced by Vargas, 7; Hunt, 8.

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

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

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

**LEGISLATIVE BILL 407.** Introduced by Linehan, 39.

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

**LEGISLATIVE BILL 408.** Introduced by Cavanaugh, M., 6; Hunt, 8.



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

**LEGISLATIVE BILL 409.** Introduced by Cavanaugh, M., 6; Hunt, 8.

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

**LEGISLATIVE BILL 410.** Introduced by Cavanaugh, M., 6; Hunt, 8.

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

**LEGISLATIVE BILL 411.** Introduced by Dungan, 26.

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

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

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

**LEGISLATIVE BILL 416.** Introduced by Kauth, 31.

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

**LEGISLATIVE BILL 417.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 420.** Introduced by Raybould, 28; Hunt, 8.

A BILL FOR AN ACT relating to public assistance; to amend section 68-130, Reissue Revised Statutes of Nebraska; to change funding for county offices; to

provide an operative date; to repeal the original section; and to outright repeal section 81-1139.01, Reissue Revised Statutes of Nebraska.

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

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

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

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

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 432.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to criminal justice; to amend sections 28-116, 28-507, 28-518, 29-2204.02, 29-2221, 29-2263, 29-3603, 81-1850, 83-175, and 83-1,110, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-105, 28-416, 28-1351, 28-1354, 29-2204, 81-1848, 83-184, 83-1,107, 83-1,110.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to adopt the Second Look Act; to change provisions regarding mandatory minimums, penalties and provisions relating to controlled substances, theft, and burglary, sentencing, set asides, and pretrial diversion; to provide for release for medical treatment; to provide for good time for offenders serving mandatory minimum terms; to provide for parole for offenders who have served twenty-five years of their sentences; to change provisions relating to parole and medical parole; to provide for geriatric parole; to provide duties for courts, the Board of Parole, the State Court Administrator, and the Department of Correctional Services; to provide for applicability; to define terms; to harmonize provisions; to provide severability; and to repeal the original sections.

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

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

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

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

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

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

such provisions to the attorney-client privilege; to harmonize provisions; and to repeal the original sections.

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

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

**LEGISLATIVE BILL 439.** Introduced by Raybould, 28; Hunt, 8.

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

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

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

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

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

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

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

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

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 442, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

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

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

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

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

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

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

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

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

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

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

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

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

**LEGISLATIVE BILL 450.** Introduced by Brewer, 43; Erdman, 47; Hardin, 48.

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

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

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

**LEGISLATIVE BILL 454.** Introduced by DeKay, 40; Brandt, 32; Dover, 19; Geist, 25; Hughes, 44; Moser, 22.

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

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

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

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

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 455, One Hundred Eighth Legislature, First Session, 2023.

**LEGISLATIVE BILL 456.** Introduced by Brewer, 43; Erdman, 47; Hardin, 48.

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

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

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

**LEGISLATIVE BILL 458.** Introduced by Ballard, 21; Hardin, 48.

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

**LEGISLATIVE BILL 459.** Introduced by McDonnell, 5; Conrad, 46.

A BILL FOR AN ACT relating to the Firefighter Cancer Benefits Act; to amend section 35-1002, Revised Statutes Cumulative Supplement, 2022; to provide for

reimbursement from the state as prescribed; to harmonize provisions; and to repeal the original section.

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

A BILL FOR AN ACT relating to the Department of Administrative Services; to amend sections 16-321.01, 17-568.02, 57-1503, 60-3,100, 70-1033, 71-5666, 71-5667, 71-5669.01, 73-101, 73-101.01, 73-301, 73-501, 73-502, 73-503, 73-504, 73-505, 73-506, 73-507, 73-508, 73-509, 73-510, 81-145, 81-154.01, 81-156, 81-161, 81-161.01, 81-161.02, 81-162, 81-1101, 81-1102, 81-1108.10, 81-1108.16, 81-1109, 81-1118.01, 81-1118.02, 81-1118.05, 81-1118.07, and 83-145, Reissue Revised Statutes of Nebraska, and sections 66-1009, 71-5668, 79-8,137, 79-8,137.04, 81-153, 81-161.03, 81-1118, 81-1119, 81-1120, and 81-3721, Revised Statutes Cumulative Supplement, 2022; to name an act; to change, transfer, and eliminate provisions relating to the materiel division of the Department of Administrative Services and procurement of services and personal property; to provide, change, and eliminate definitions; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 81-146, 81-159, 81-1118.03, 81-1118.04, and 81-1118.06, Reissue Revised Statutes of Nebraska, and sections 73-701 and 81-154, Revised Statutes Cumulative Supplement, 2022.

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

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

**LEGISLATIVE BILL 466.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1030.01 and 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to service of garnishment summons, continuing liens, and notices upon corporate garnishees; to define terms; and to repeal the original sections.

**LEGISLATIVE BILL 467.** Introduced by DeBoer, 10; Hunt, 8.

A BILL FOR AN ACT relating to the Critical Incident Stress Management Act; to amend section 71-7113, Reissue Revised Statutes of Nebraska; to require state correctional employees to complete mental health training as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 468.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend section 71-561, Revised Statutes Cumulative Supplement,

2022; to create the position of State Dementia Director; and to repeal the original section.

**LEGISLATIVE BILL 469.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to state personnel; to amend section 81-1373, Revised Statutes Cumulative Supplement, 2022; to include parole officers and probation officers as part of the protective service bargaining unit; and to repeal the original section.

**LEGISLATIVE BILL 470.** Introduced by McDonnell, 5; Hunt, 8.

A BILL FOR AN ACT relating to health and human services; to state intent regarding an increase in rates for child welfare aid; and to declare an emergency.

**LEGISLATIVE BILL 471.** Introduced by Brewer, 43; Geist, 25.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 2-3256, 13-2039, 13-2903, 13-2907, 23-1901, 33-151, 39-1311.02, 46-1616, 542429, 61-201, 81-3405, 81-3426, 81-3440, and 81-3455, Reissue Revised Statutes of Nebraska, and sections 37-1719, 37-1723, 39-2306, 39-2504, 39-2514, 39-2814, 76-3505, 81-8,126, 81-8,198.01, 81-1609, 81-3401, 81-3402, 81-3403, 81-3407, 81-3408, 81-3409, 81-3411, 81-3416, 81-3420, 81-3421, 81-3422.01, 81-3428, 81-3429, 81-3430, 81-3432, 81-3432.01, 81-3433, 81-3434, 81-3435, 81-3436, 81-3436.01, 81-3437, 81-3437.01, 81-3437.02, 81-3438, 81-3441, 81-3442, 81-3443, 81-3444, 81-3446, 81-3448, 81-3449, 81-3450, 81-3451, 81-3453, and 81-3454, Revised Statutes Cumulative Supplement, 2022; to provide for regulation of registered interior designers under the Engineers and Architects Regulation Act; to rename the act; to provide and change definitions; to rename the Board of Engineers and Architects and change provisions relating to its powers, duties, and membership; to rename a fund; to provide for payment of qualified education debts of registered interior designers; to provide for a fee; to create a voluntary registry for interior designers; to authorize registered interior designers to obtain and use a seal as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 472.** Introduced by Ibach, 44; Geist, 25.

A BILL FOR AN ACT relating to civil actions; to amend section 60-6,273, Reissue Revised Statutes of Nebraska; to change provisions relating to admissibility of evidence of use of an occupant protection system or a three-point safety belt system; and to repeal the original section.

**LEGISLATIVE BILL 473.** Introduced by Geist, 25.

A BILL FOR AN ACT relating to juveniles; to create a grant program to operate a safe and secure treatment center for youth; to provide duties for the Nebraska Commission on Law Enforcement and Criminal Justice; to define terms; and to state intent regarding appropriations.

**LEGISLATIVE BILL 475.** Introduced by Wayne, 13.



A BILL FOR AN ACT relating to school funding; to amend section 79-1001, Revised Statutes Cumulative Supplement, 2022; to adopt the Nebraska Education Formula; to terminate the Tax Equity and Educational Opportunities Support Act; and to repeal the original section.

**LEGISLATIVE BILL 477.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Omaha Streetcar Authority; to state intent regarding disbursement of funds; and to declare an emergency.

**LEGISLATIVE BILL 478.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to juveniles; to amend section 43-282, Reissue Revised Statutes of Nebraska, and sections 79-703 and 83-127, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Juvenile Code; to change provisions relating to education programs in state institutions that house juveniles; to change and provide a termination date for provisions relating to the superintendent of institutional schools; to provide powers and duties to the State Department of Education and the State Board of Education relating to establishing an educational division responsible for the education of certain juveniles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 479.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to administration of justice; to amend sections 24-205, 24-227.01, 29-2249, 29-2250, 29-2251, 29-2253, 29-2257, 29-2258, 29-2259.01, 29-2259.02, 29-2262.07, 29-2269, 43-4316, 43-4319, 43-4320, 43-4321, 43-4324, 43-4326, 47-624, 47-624.01, 47-627, 47-629, 47-903, 47-908, 47-919, 71-961, and 83-1,113, Reissue Revised Statutes of Nebraska, and sections 25-2902, 28-322, 29-2246, 29-2252, 29-2259, 29-2261, 29-2935, 29-4019, 43-4318, 43-4323, 81-1401, 83-171, 83-174.03, 83-174.04, 83-174.05, 83-192, 83-198, 83-1,100, 83-1,100.02, 83-1,101, 83-1,102, 83-1,103.02, 83-1,103.03, 83-1,103.04, 83-1,107, 83-1,107.01, 83-1,107.02, 83-1,119, 83-1,125.01, 83-1,135, and 83-933, Revised Statutes Cumulative Supplement, 2022; to transfer the Office of Probation Administration from the judicial branch to the executive branch; to provide for appointment of a probation administrator; to provide, change, and eliminate definitions; to change provisions relating to membership of the Advisory Council on Dispute Resolution, certain funds, reimbursement of counties, and the Office of Inspector General of Nebraska Child Welfare Act; to transfer the Division of Parole Supervision from the Board of Parole to an independent agency; to rename the division the Parole Supervision Agency; to provide for appointment of a Director of Supervision and Services; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 481.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to housing incentives; to adopt the Housing Incentive District Act.

**LEGISLATIVE BILL 482.** Introduced by Raybould, 28; Hunt, 8.

A BILL FOR AN ACT relating to firearms; to amend sections 69-2406, 69-2407, and 69-2439, Reissue Revised Statutes of Nebraska, and section 25-2740, Revised Statutes Cumulative Supplement, 2022; to adopt the Suicide Risk Protection Order Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 483.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to investment of public funds; to amend sections 14-556, 15-847, 15-849, 16-691.01, 16-713, 16-715, 16-716, 17-607, 17-720, 30-3209, 72-1268.03, 77-2302, 77-2318, 77-2326.04, 77-2340, 77-2344, 77-2345, 77-2352, 77-2355, 77-2362, 77-2365.01, 77-2365.02, 77-2375, 77-2385, and 77-2389, Reissue Revised Statutes of Nebraska, and sections 77-2387, 77-2388, 77-2392, 77-2395, 77-2398, 77-23,100, 77-23,101, 77-23,102, and 77-23,105, Revised Statutes Cumulative Supplement, 2022; to add credit unions to the definition of a qualifying mutual financial institution; to redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 484.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend sections 60-1401 and 60-1404, Reissue Revised Statutes of Nebraska; to provide for continuing education for licensed motor vehicle dealers and for authorization to conduct an educational seminar for continuing education credit as prescribed; to eliminate a requirement for the Nebraska Motor Vehicle Industry Licensing Board to maintain an office in the State Capitol; to harmonize provisions; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 485.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to state contracts for services; to amend section 73-502, Reissue Revised Statutes of Nebraska; to define and redefine terms; to provide for applicability of provisions to certain state constitutional offices; and to repeal the original section.

**LEGISLATIVE BILL 486.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to state officers; to amend section 84-733, Reissue Revised Statutes of Nebraska; to change the prohibition on use of state funds for advertising or promotional materials as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 487.** Introduced by Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to schools; to prohibit any school in Nebraska receiving public funds from discriminating as prescribed.

**LEGISLATIVE BILL 488.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to sexual assault; to adopt the Sexual Assault Emergency Care Act; and to provide severability.

**LEGISLATIVE BILL 489.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-604, Reissue Revised Statutes of Nebraska; to provide that employment does not include service by a marketplace network contractor for a marketplace network platform; to define terms; and to repeal the original section.

**LEGISLATIVE BILL 490.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Health and Human Services for health aid; and to declare an emergency.

**LEGISLATIVE BILL 491.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to the Nebraska Advantage Research and Development Act; to amend sections 77-5803, 77-5806, and 77-5808, Reissue Revised Statutes of Nebraska; to change provisions relating to claiming tax credits; and to repeal the original sections.

**LEGISLATIVE BILL 492.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2716, Revised Statutes Cumulative Supplement, 2022; to allow income tax deductions for the cost of certain property and for certain research or experimental expenditures as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 493.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the State Lottery Act; to amend section 9-829, Reissue Revised Statutes of Nebraska; to remove the prohibition that a lottery ticket cannot be sold through a vending or dispensing device; and to repeal the original section.

**LEGISLATIVE BILL 494.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Nebraska Evidence Rules; to amend section 27-902, Reissue Revised Statutes of Nebraska, and section 27-803, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to

the business records hearsay exception and provide additional self-authenticating items of evidence; and to repeal the original sections.

**LEGISLATIVE BILL 496.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2022; to provide a sales and use tax exemption for business inputs; to define a term; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 497.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716.01, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to itemized deductions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 498.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2022; to provide a sales tax credit for certain franchise fees paid; to define terms; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 499.** Introduced by Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to the School Readiness Tax Credit Act; to amend section 77-3605, Reissue Revised Statutes of Nebraska, and section 77-3604, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the availability of tax credits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 500.** Introduced by Cavanaugh, M., 6; Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to public assistance; to amend sections 68-1530 and 68-1534, Revised Statutes Cumulative Supplement, 2022; to eliminate a requirement relating to a medicaid waiver; to change a reporting requirement; to change a requirement relating to independent evaluation of the family support program; and to repeal the original sections.

**LEGISLATIVE BILL 501.** Introduced by Cavanaugh, M., 6; Blood, 3; Conrad, 46; Day, 49; Fredrickson, 20; Vargas, 7; Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Workers' Compensation Act; to amend section 48-1,110, Reissue Revised Statutes of Nebraska; to provide for compensability of certain cancers in firefighters; to create rebuttable presumptions; to define terms; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 502.** Introduced by Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to labor; to adopt the Warehouse Worker Protection Act; and to provide severability.

**LEGISLATIVE BILL 503.** Introduced by Aguilar, 35; Hunt, 8; Vargas, 7.

A BILL FOR AN ACT relating to nursing; to adopt the Rural Nebraska Nursing Workforce Act.

**LEGISLATIVE BILL 504.** Introduced by Aguilar, 35; Briese, 41; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to transfer and appropriate funds for workforce housing; and to declare an emergency.

**LEGISLATIVE BILL 506.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate federal funds to the Department of Natural Resources; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

**LEGISLATIVE BILL 507.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to juveniles; to amend sections 28-709, 43-247, 43-252, 43-260.03, 43-260.05, 43-2404, 43-2404.03, 43-3504, 79-201, 79-207, 79-210, 79-267, 79-1601, and 79-2114, Reissue Revised Statutes of Nebraska, and sections 25-2912.01, 43-245, 43-247.03, 43-248, 43-251.01, 43-260.04, 43-274, 43-276, 43-286, 43-2404.02, 79-209, and 79-2506, Revised Statutes Cumulative Supplement, 2022; to change the jurisdiction of juvenile courts as prescribed; to change provisions and terminology related to truancy; to eliminate obsolete language; to change provisions related to funding and compulsory education; to transfer a duty; to clarify provisions; to add authority for rules and regulations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 508.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Supreme Court for the Office of Dispute Resolution; to state legislative intent; and to declare an emergency.

**LEGISLATIVE BILL 509.** Introduced by Conrad, 46; Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to relating to child welfare services; to provide for a reimbursement rate increase for an increase in rates or a decrease in revenue for providers as prescribed.

**LEGISLATIVE BILL 510.** Introduced by Conrad, 46; Blood, 3.

A BILL FOR AN ACT relating to child welfare; to require the Legislature and the Department of Health and Human Services to include a cost-of-living adjustment in certain contracts as prescribed.

**LEGISLATIVE BILL 511.** Introduced by Brewer, 43; Jacobson, 42; Hunt, 8; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Department of Administrative Services; and to declare an emergency.

**LEGISLATIVE BILL 512.** Introduced by Brewer, 43; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.01, Reissue Revised Statutes of Nebraska, and sections 53-123.14, 53-123.16, and 53-129, Revised Statutes Cumulative Supplement, 2022; to change the number of locations allowed for a craft brewery or microdistillery licensee; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 513.** Introduced by Brewer, 43; Blood, 3.

A BILL FOR AN ACT relating to government; to amend sections 25-1274, 58-230, and 58-817, Reissue Revised Statutes of Nebraska, and sections 31-727.02, 79-1218, and 84-1411, Revised Statutes Cumulative Supplement, 2022; to change proof of publication requirements for legal notices; to change published notice provisions and virtual conferencing requirements under the Open Meetings Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 515.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to economic development; to adopt the Rural Economic Development Initiative Act.

**LEGISLATIVE BILL 517.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-401, Revised Statutes Cumulative Supplement, 2022; to require the Department of Health and Human Services to pay discharge incentives to post-acute placement facilities as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 518.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to school funding; to amend section 9-1204, Reissue Revised Statutes of Nebraska, and sections 79-1001, 79-1003, and 79-1022, Revised Statutes Cumulative Supplement, 2022; to adopt the Reducing Education Risk Factors and Property Tax Relief Act; to change the distribution of certain tax proceeds; to define terms, provide certain aid, and create a fund

under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 519.** Introduced by Walz, 15; Blood, 3.

A BILL FOR AN ACT relating to education; to amend sections 79-809, 79-871, and 79-8,135, Reissue Revised Statutes of Nebraska, and sections 79-808, 79-810, 79-813, 79-861, and 79-8,137, Revised Statutes Cumulative Supplement, 2022; to eliminate certification fees for teaching certificates as prescribed; to create and terminate funds; to state intent regarding an appropriation; to change provisions of the Excellence in Teaching Act; to adopt the Student Teaching Assistance Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 521.** Introduced by Walz, 15; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-470, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to immunity for administering naloxone; and to repeal the original section.

**LEGISLATIVE BILL 522.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1007.06, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to poverty allowances; and to repeal the original section.

**LEGISLATIVE BILL 523.** Introduced by Walz, 15; Hunt, 8; Conrad, 46.

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

**LEGISLATIVE BILL 525.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate funds from the General Fund to the Department of Health and Human Services for rate increases; and to declare an emergency.

**LEGISLATIVE BILL 526.** Introduced by Fredrickson, 20; Vargas, 7; Conrad, 46.

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

**LEGISLATIVE BILL 527.** Introduced by Fredrickson, 20; Walz, 15; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to schools; to amend sections 79-1007.13 and 79-1018.01, Revised Statutes Cumulative Supplement, 2022; to state findings; to provide reimbursements for mental health expenditures; to state intent for appropriations; to change provisions relating to local system formula resources; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 528.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to education; to amend section 79-239, Reissue Revised Statutes of Nebraska; to define terms; to create the Nebraska Option Enrollment Tuition Account Program; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 529.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Property Tax Request Act; to amend sections 77-1631 and 77-1633, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change provisions relating to joint public hearings for property tax request increases more than the allowable growth percentage; and to repeal the original sections.

**LEGISLATIVE BILL 530.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend sections 71-1594, 71-1598, 71-15,101, 71-15,104, 71-15,106, 71-15,150, and 71-15,157, Reissue Revised Statutes of Nebraska; to change provisions relating to selection, qualifications, terms, and conflicts of interest of certain commissioners; to change provisions relating to selection and removal of certain executive directors of local housing agencies; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 533.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to cities and villages; to amend sections 18-1901 and 18-1907, Reissue Revised Statutes of Nebraska; to change the plumbing board membership for cities of the primary class; to state that a city or village without a plumbing board may still require the licensure of plumbers; and to repeal the original sections.

**LEGISLATIVE BILL 534.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate federal funds to the Department of Environment and Energy; and to declare an emergency.

**LEGISLATIVE BILL 535.** Introduced by Slama, 1; Armendariz, 18.



A BILL FOR AN ACT relating to government; to amend sections 32-308, 32-309, 32-914, 32-941, 32-942, 32-943, 60-484.02, and 71-612, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103, 32-202, 32-304, 32-947, and 60-4,115, Revised Statutes Cumulative Supplement, 2022; to require valid photographic identification for voting purposes; to change provisions relating to elections and confidential information; to eliminate the fee for certain state identification cards and certified copies of birth certificates; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 537.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Uniform Limited Liability Company Act; to amend section 21-193, Reissue Revised Statutes of Nebraska; to change provisions relating to publication of notice of organization, amendment of certificate of organization, merger, conversion, domestication, or dissolution; and to repeal the original section.

**LEGISLATIVE BILL 538.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to banks; to amend section 8-124.01, Reissue Revised Statutes of Nebraska; to change provisions relating to notification of a vacancy in the board of directors of a bank to the Department of Banking and Finance; and to repeal the original section.

**LEGISLATIVE BILL 539.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Tobacco Prevention and Control Program; to amend section 71-5714, Reissue Revised Statutes of Nebraska; to state legislative intent to appropriate money; and to repeal the original section.

**LEGISLATIVE BILL 540.** Introduced by Vargas, 7; Conrad, 46; Fredrickson, 20; Hunt, 8.

A BILL FOR AN ACT relating to public lettings; to amend section 73-101, Reissue Revised Statutes of Nebraska; to require public entities to notify bidders of certain requirements and provide for enforcement of such requirements as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 541.** Introduced by Lowe, 37; Aguilar, 35; Brewer, 43; Clements, 2; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, B., 16; Hardin, 48; Jacobson, 42; Kauth, 31; Murman, 38; Riepe, 12; von Gillern, 4.

A BILL FOR AN ACT relating to elections; to amend sections 32-512 and 32-609, Reissue Revised Statutes of Nebraska, and sections 32-404, 32-606, and 70-611, Revised Statutes Cumulative Supplement, 2022; to provide for nomination and election of the board of directors of a public power district or a public power and irrigation district on the partisan ballot; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 542.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Racetrack Gaming Act; to amend section 9-1113, Reissue Revised Statutes of Nebraska; to change terminology; and to repeal the original section.

**LEGISLATIVE BILL 543.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.17, Reissue Revised Statutes of Nebraska; to remove redundant language relating to entertainment district licenses; and to repeal the original section.

**LEGISLATIVE BILL 545.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1446, Reissue Revised Statutes of Nebraska; to change provisions relating to writs of restitution; and to repeal the original section.

**LEGISLATIVE BILL 546.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to bed and breakfast establishments; to amend sections 81-2,242 and 81-2,292, Reissue Revised Statutes of Nebraska, and section 81-503.01, Revised Statutes Cumulative Supplement, 2022; to redefine a term and change provisions of the Nebraska Pure Food Act relating to bed and breakfast establishments; to require the State Fire Code to include provisions relating to bed and breakfast establishments as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 547.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska State Capitol Preservation and Restoration Act; to amend section 72-2211, Reissue Revised Statutes of Nebraska, and section 72-2201, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Capitol Restoration Cash Fund; to create the Capitol Preservation, Restoration, and Enhancement Endowment Fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 72-2208, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 549.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to protection of persons and property; to amend sections 30-3828 and 30-4002, Reissue Revised Statutes of Nebraska, and section 30-3402, Revised Statutes Cumulative Supplement, 2022; to redefine terms; to change provisions relating to health care powers of attorney, the Nebraska Uniform Trust Code, and the Nebraska Uniform Power of Attorney Act; and to repeal the original sections.

**LEGISLATIVE BILL 550.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to schools; to amend sections 79-239, 79-240, 79-2,127, and 79-2,134, Reissue Revised Statutes of Nebraska, and sections 79-233, 79-234, 79-235, 79-237, 79-238, 79-241, 79-611, 79-1009, 79-10,143, 79-2104, 79-2118, and 79-2120, Revised Statutes Cumulative Supplement, 2022; to change and eliminate definitions and provisions relating to the enrollment option program; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-235.01 and 79-2110, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 551.** Introduced by Cavanaugh, J., 9.

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

**LEGISLATIVE BILL 553.** Introduced by Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-901.03, Reissue Revised Statutes of Nebraska; to provide for automatic review of bail and conditions of release cases involving a misdemeanor or violation of a city or village ordinance; and to repeal the original section.

**LEGISLATIVE BILL 554.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Commission on Public Advocacy; and to declare an emergency.

**LEGISLATIVE BILL 555.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Commission on Public Advocacy; to amend section 29-3921, Reissue Revised Statutes of Nebraska; to change funding provisions; to eliminate obsolete provisions; and to repeal the original section.

**LEGISLATIVE BILL 556.** Introduced by Brandt, 32; McDonnell, 5; von Gillern, 4.

A BILL FOR AN ACT relating to energy assistance; to adopt the Capacity Grant Act; and to declare an emergency.

**LEGISLATIVE BILL 557.** Introduced by Vargas, 7; DeBoer, 10; McKinney, 11; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 83-170, 83-173.03, and 83-4,114, Revised Statutes Cumulative Supplement, 2022; to provide, change, and eliminate definitions; to change provisions relating to restrictive housing and solitary confinement; and to repeal the original sections.

**LEGISLATIVE BILL 558.** Introduced by Day, 49; Hunt, 8.

A BILL FOR AN ACT relating to schools; to set a minimum wage for employees of school districts.

**LEGISLATIVE BILL 559.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to political accountability and disclosure; to amend section 49-1493, Reissue Revised Statutes of Nebraska, and section 49-1496, Revised Statutes Cumulative Supplement, 2022; to require an elected official of a city of the first class to file a statement of financial interests; to provide for electronic filing of statements of financial interests; and to repeal the original sections.

**LEGISLATIVE BILL 560.** Introduced by Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to energy; to state intent to seek funds from the Inflation Reduction Act of 2022.

**LEGISLATIVE BILL 561.** Introduced by Blood, 3; Hunt, 8.

A BILL FOR AN ACT relating to public health; to amend section 38-1015, Reissue Revised Statutes of Nebraska, and sections 38-1001, 38-1004, 38-1058, and 38-1061, Revised Statutes Cumulative Supplement, 2022; to adopt the Cosmetology Licensure Compact; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 563.** Introduced by Dorn, 30; Jacobson, 42; Brandt, 32; DeKay, 40; Hughes, 44; Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska State Historical Society; and to state intent regarding future appropriations.

**LEGISLATIVE BILL 564.** Introduced by Dorn, 30; Murman, 38.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2806, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Economic Opportunity Program relating to the limit on program expenditures and program purposes; to eliminate an obsolete provision; and to repeal the original section.

**LEGISLATIVE BILL 566.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to natural resources; to require a study and report by the Natural Resources Committee of the Legislature on the economic impacts and risks of intermittent renewable energy generation in Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 567.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to power districts and corporations; to amend sections 70-619, 70-1001, 70-1001.01, and 70-1025, Reissue Revised Statutes of Nebraska; to change qualifications to be eligible to serve as a member of the board of directors of a public power and irrigation district; to change a provision relating to state policy; to define a term; to change requirements for an annual report as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 568.** Introduced by Bostelman, 23; Slama, 1.

A BILL FOR AN ACT relating to energy; to adopt the Nuclear and Hydrogen Development Act.

**LEGISLATIVE BILL 569.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to county government; to prohibit financial interests by certain county officers and their immediate family members relating to electric generation facilities as prescribed; to provide an exception; and to declare an emergency.

**LEGISLATIVE BILL 570.** Introduced by Vargas, 7; Hunt, 8; Wishart, 27.

A BILL FOR AN ACT relating to public health; to adopt the Overdose Fatality Review Teams Act; to provide severability; and to declare an emergency.

**LEGISLATIVE BILL 571.** Introduced by Lippincott, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Environment and Energy to aid in carrying out the provisions of the Water Well Standards and Contractors' Practice Act; and to declare an emergency.

**LEGISLATIVE BILL 573.** Introduced by Hansen, B., 16; McDonnell, 5.

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

**LEGISLATIVE BILL 575.** Introduced by Kauth, 31; Aguilar, 35; Albrecht, 17; Ballard, 21; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Hughes, 44; Ibach, 44; Jacobson, 42; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Murman, 38; Sanders, 45; von Gillern, 4; Armendariz, 18.

A BILL FOR AN ACT relating to schools; to adopt the Sports and Spaces Act; to provide an operative date; to provide severability; and to declare an emergency.

**LEGISLATIVE BILL 576.** Introduced by Cavanaugh, J., 9; DeKay, 40; Ibach, 44.

A BILL FOR AN ACT relating to land-management burning; to amend section 81-520.03, Reissue Revised Statutes of Nebraska; to provide limitations on liability and nuisance related to land-management burning; and to repeal the original section.

**LEGISLATIVE BILL 577.** Introduced by Cavanaugh, J., 9; Brandt, 32; Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1804, 77-1805, and 77-1818, Reissue Revised Statutes of Nebraska, and sections 77-1802 and 77-1837, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the notification of delinquent property taxes and the issuance of treasurer's tax deeds; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 578.** Introduced by DeBoer, 10; Dorn, 30; McDonnell, 5; Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate funds to the Auditor of Public Accounts; and to declare an emergency.

**LEGISLATIVE BILL 579.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Nebraska Uniform Real Property Transfer on Death Act; to amend sections 76-3401 and 76-3410, Reissue Revised Statutes of Nebraska; to change provisions relating to required warnings on transfer on death deeds and insurance policies on certain real property; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 581.** Introduced by Cavanaugh, M., 6; McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to public health; to require the Office of Juvenile Services and the Department of Correctional Services to create pilot programs for doula services as prescribed; and to define terms.

**LEGISLATIVE BILL 582.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to economic development; to adopt the Manufacturing Modernization Pilot Investment Act; and to declare an emergency.

**LEGISLATIVE BILL 588.** Introduced by Wishart, 27; Day, 49; McDonnell, 5; Hunt, 8; Hansen, B., 16; Blood, 3; DeBoer, 10; Conrad, 46.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-439, 60-6,211.08, 77-2701.48, 77-2704.09, and 77-4303, Reissue Revised Statutes of Nebraska, and sections 28-416, 71-2454, and 77-27,132, Revised Statutes Cumulative Supplement, 2022; to adopt the Medicinal Cannabis Act; to provide civil and criminal penalties; to create a fund; to change provisions relating to

controlled substances, open containers, the prescription drug monitoring system, and taxation; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 589.** Introduced by Briese, 41; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1632 and 77-1633, Revised Statutes Cumulative Supplement, 2022; to adopt the School District Property Tax Limitation Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 591.** Introduced by Hardin, 48; Ballard, 21; Brewer, 43; Halloran, 33.

A BILL FOR AN ACT relating to agricultural leases; to require notice of termination of an oral lease of land used for agricultural purposes to be given as prescribed.

**LEGISLATIVE BILL 592.** Introduced by Hardin, 48; Ballard, 21

A BILL FOR AN ACT relating to privacy; to adopt the Social Care Information Privacy Act.

**LEGISLATIVE BILL 593.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to the hearing instrument specialists; to amend sections 38-1501, 38-1502, and 38-1510, Reissue Revised Statutes of Nebraska, and section 38-1509, Revised Statutes Cumulative Supplement, 2022; to define terms; to change provisions relating to licensure and regulation of hearing instrument specialists; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 595.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2866.01, Revised Statutes Cumulative Supplement, 2022; to change the number of pharmacy interns and pharmacy technicians supervised by a pharmacist; and to repeal the original section.

**LEGISLATIVE BILL 596.** Introduced by Hardin, 48; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-168, Reissue Revised Statutes of Nebraska, and sections 53-101 and 53-169, Revised Statutes Cumulative Supplement, 2022; to authorize a manufacturer or wholesaler or an agent of a manufacturer or wholesaler to enter into a sponsorship or advertising agreement with certain licensees or organizations as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 597.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Legislative Council; and to declare an emergency.

**LEGISLATIVE BILL 598.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 599.** Introduced by Armendariz, 18.

A BILL FOR AN ACT relating to recycling; to amend sections 13-2001, 13-2003, 13-2010, 13-2023, and 13-2034, Reissue Revised Statutes of Nebraska, and sections 81-1502 and 81-15,160, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms and change provisions relating to regulatory authority over advanced recycling facilities under the Integrated Solid Waste Management Act; to define, redefine, and alphabetize terms under the Environmental Protection Act; to provide capital assistance for establishing advanced recycling facilities from the Waste Reduction and Recycling Incentive Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 600.** Introduced by Lippincott, 34; Aguilar, 35; Briese, 41; Hardin, 48; McDonnell, 5; Riepe, 12.

A BILL FOR AN ACT relating to the Transportation Innovation Act; to amend section 39-2803, Reissue Revised Statutes of Nebraska, and section 39-2806, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Transportation Infrastructure Bank Fund; to change provisions relating to the purpose of the Economic Opportunity Program; to eliminate an obsolete provision; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 601.** Introduced by Dungan, 26; Hunt, 8; Conrad, 46.

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

**LEGISLATIVE BILL 602.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2022; to exclude certain pensions and annuities from income taxes; to define a term; to limit deductions as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 604.** Introduced by Raybould, 28; Hunt, 8.

A BILL FOR AN ACT relating to elections; to amend sections 32-941 and 32-950, Reissue Revised Statutes of Nebraska, and section 32-947, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to voting early; and to repeal the original sections.



**LEGISLATIVE BILL 605.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-2102, 38-2103, and 38-2120, Reissue Revised Statutes of Nebraska, and sections 38-121, 38-2101, 38-2104, 38-2116, 38-2117, 38-2121, 38-2122, 38-2124, 38-2130, and 38-2139, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists; to define terms; to change the membership of the Board of Mental Health Practice; to provide powers and duties to the Board of Mental Health Practice; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 606.** Introduced by Albrecht, 17; McDonnell, 5; Lippincott, 34; von Gillern, 4; Holdcroft, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2022; to adopt the Nebraska Pregnancy Help Act; to provide for tax credits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 607.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-1101, Revised Statutes Cumulative Supplement, 2022; to eliminate a provision relating to an annual grant award amount for the 211 Information and Referral Network; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 608.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to transfer and appropriate funds for capital grants; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 609.** Introduced by McDonnell, 5; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to transfer and appropriate funds for construction of a memorial; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 610.** Introduced by Lippincott, 34; Aguilar, 35; Briese, 41; Hardin, 48; Hughes, 44; Ibach, 44; McDonnell, 5; Slama, 1; Dungan, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate money to the State Department of Education to fund career and technical education programs and career education student organizations; and to declare an emergency.

**LEGISLATIVE BILL 611.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Health Care Facility Licensure Act; to amend section 71-475, Reissue Revised Statutes of Nebraska; to provide requirements for health care facility-provided medications; and to repeal the original section.

**LEGISLATIVE BILL 612.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 613.** Introduced by McDonnell, 5; Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to transfer and appropriate funds to replace lead service lines as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 614.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Department of Agriculture to test emerging technologies for sustainable irrigation; and to declare an emergency.

**LEGISLATIVE BILL 615.** Introduced by McDonnell, 5; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the Nebraska Opioid Recovery Fund to the State Fire Marshal as prescribed; and to declare an emergency.

**LEGISLATIVE BILL 618.** Introduced by McDonnell, 5; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to labor; to amend sections 4-109 and 48-628.04, Reissue Revised Statutes of Nebraska; to redefine public benefits as prescribed; to change provisions of the Employment Security Law relating to the disqualification of certain aliens; and to repeal the original sections.

**LEGISLATIVE BILL 619.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 29-2221, Reissue Revised Statutes of Nebraska, and sections 28-101, 28-115, 28-929, 28-929.01, 28-929.02, 28-930, 28-931, 28-934, 28-1351, and 28-1354, Revised Statutes Cumulative Supplement, 2022; to prohibit assault on a public transportation driver; to change and eliminate provisions and penalties relating to offenses involving assault on an officer, emergency responder, certain employees, or a health care professional; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 620.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to juveniles; to amend section 43-246.01, Reissue Revised Statutes of Nebraska, and sections 29-1816 and 43-253, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to arraignment of certain juveniles; to eliminate an option to waive a hearing as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 621.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to economic development; to amend sections 81-12,147, 81-12,148, 81-12,149, and 84-612, Revised Statutes Cumulative Supplement, 2022; to provide additional uses of the Site and Building Development Fund; to provide requirements; to provide for a transfer from the Cash Reserve Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 622.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend sections 13-3102, 13-3103, and 13-3104, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to limitations on state assistance and application requirements; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 623.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend section 13-3102, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 624.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend sections 81-3710 and 81-3711, Revised Statutes Cumulative Supplement, 2022; to provide for the administration of the Nebraska Tourism Commission as prescribed; to provide duties for the Director of Economic Development; to eliminate obsolete provisions; to change commission duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 625.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-601 and 60-605, Reissue Revised Statutes of Nebraska; to define a term; to provide requirements for operation of autonomous vehicles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 627.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to schools; to adopt the Free Student Meals Act; to eliminate provisions relating to reimbursement for school breakfast programs; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 628.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to corporations and other companies; to amend sections 21-102, 21-185, 21-186, 21-188, 21-2202, and 21-2216, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to professional service by limited liability companies and professional corporations; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 631.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to parole; to amend sections 83-189, 83-190, and 83-196, Reissue Revised Statutes of Nebraska, and section 83-1,114, Revised Statutes Cumulative Supplement, 2022; to change the qualifications of members of the Board of Parole; to provide for removal of a member of the Board of Parole as prescribed; to change quorum requirements for hearings of the Board of Parole and provisions relating to grounds for parole; and to repeal the original sections.

**LEGISLATIVE BILL 633.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to economic development; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to provide duties for the Department of Economic Development; to create a fund; to provide for a transfer of funds; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 634.** Introduced by McKinney, 11; Hunt, 8.

A BILL FOR AN ACT relating to cannabis; to amend sections 28-439, 43-292, 60-6,211.08, 77-2701.02, 77-2701.48, 77-2704.09, 77-4301, 77-4302, 77-4303, 77-4304, 77-4305, 77-4306, 77-4309, 77-4310.01, and 77-4310.03, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-405, 28-416, 28-476, 28-1354, 28-1701, 71-5727, 77-27,132, 81-2,239, and 81-2,263, Revised Statutes Cumulative Supplement, 2022; to adopt the Cannabis Control Act and Cannabis Conviction Clean Slate Act; to remove cannabis as a controlled substance under the Uniform Controlled Substances Act; to change provisions relating to penalties for possession of a synthetic cannabinoid and drug paraphernalia; to define, redefine, and eliminate terms; to change provisions relating to termination of parental rights, visitation, custody, and other parenting matters; to prohibit possession of an open container of cannabis in a motor vehicle; to provide for the applicability of the Nebraska Clean Indoor Air Act and the Nebraska Pure Food Act; to impose a higher sales and use tax rate on sales of cannabis; to provide for the distribution of tax revenue; to remove cannabis from the cannabis and controlled substances tax; to rename a fund; to eliminate obsolete provisions; to harmonize provisions; to provide severability; to repeal the original sections; and to outright repeal sections 28-463, 28-464,

28-465, 28-466, 28-467, 28-468, and 28-469, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 635.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to schools; to define terms; to provide powers and duties to school districts, schools, and the Nebraska Library Commission relating to an educational resource database provided to students in kindergarten through grade twelve; to require the Nebraska Library Commission and the State Department of Education to submit a report; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 636.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to political subdivisions; to prohibit restrictions on the provision of certain energy services as prescribed; and to provide an exception.

**LEGISLATIVE BILL 637.** Introduced by Albrecht, 17; Conrad, 46.

A BILL FOR AN ACT relating to the Open Meetings Act; to amend section 84-1412, Revised Statutes Cumulative Supplement, 2022; to require a public body to allow members of the public an opportunity to speak at each meeting; and to repeal the original section.

**LEGISLATIVE BILL 638.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to education; to adopt the Nebraska K-12 Cybersecurity and Data Protection Act; and to declare an emergency.

**LEGISLATIVE BILL 640.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to insurance; to require an off-campus location of a hospital to obtain and use a separate National Provider Identifier in billing for health care services as prescribed; and to define terms.

**LEGISLATIVE BILL 641.** Introduced by Kauth, 31; at the request of the Governor; Jacobson, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the taxation of social security benefits; and to repeal the original section.

**LEGISLATIVE BILL 642.** Introduced by Brewer, 43; Kauth, 31.

A BILL FOR AN ACT relating to the Nebraska National Guard; to state findings; to provide duties for the Adjutant General relating to members of the Guard impacted by the COVID-19 vaccine mandate; and to require a report to the Legislature.

**LEGISLATIVE BILL 643.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to abandoned mobile homes; to amend sections 60-1901 and 76-14,109, Reissue Revised Statutes of Nebraska, and section 60-149, Revised Statutes Cumulative Supplement, 2022; to adopt the Abandoned Mobile Home Act; to change provisions relating to certificates of title, abandoned vehicles, and the Mobile Home Landlord and Tenant Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 644.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Site and Building Development Fund; to amend sections 81-12,146, 81-12,147, 81-12,148, 81-12,150, and 84-612, Revised Statutes Cumulative Supplement, 2022; to provide for a transfer of funds; to change provisions related to use of the Site and Building Development Fund; to provide powers and duties for the Department of Economic Development for certain projects; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 645.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to roads; to amend sections 39-1365 and 39-2804, Reissue Revised Statutes of Nebraska, and sections 39-1365.01, 39-1365.02, and 39-2507, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to legislative findings, the state highway system plan, prioritization of projects, allocation of funding, and the Accelerated State Highway Capital Improvement Program; and to repeal the original sections.

**LEGISLATIVE BILL 646.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-457, Reissue Revised Statutes of Nebraska, and sections 86-458 and 86-903, Revised Statutes Cumulative Supplement, 2022; to change provisions under the Enhanced Wireless 911 Services Act relating to surcharges and public hearings; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 648.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to education; to amend sections 79-2302, 79-2303, 79-2304, and 79-2305, Reissue Revised Statutes of Nebraska; to change provisions relating to legislative intent to appropriate funding for assistance to institutions that offer high school equivalency programs; to provide powers and duties to the State Department of Education relating to the development of a workforce diploma program as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 649.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-501, 28-502, 28-503, 28-504, 28-505, 28-520, 28-522, and 28-524, Reissue

Revised Statutes of Nebraska; to change provisions and penalties relating to arson, trespass, and unauthorized application of graffiti; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 650.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to public records; to amend section 84-712.05, Revised Statutes Cumulative Supplement, 2022; to allow certain records relating to cybersecurity to be withheld from the public as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 651.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations for cybersecurity; to state findings; to provide duties for the office of Chief Information Officer relating to cybersecurity; to provide funding for enhancing political subdivisions' cybersecurity; and to declare an emergency.

**LEGISLATIVE BILL 652.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Health and Human Services for the Jobs for America's Graduates program; and to declare an emergency.

**LEGISLATIVE BILL 653.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Health and Human Services for grants for mentorship organizations; and to declare an emergency.

**LEGISLATIVE BILL 654.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Legislative Council for the purpose of awarding a planning grant relating to criminal justice; and to declare an emergency.

**LEGISLATIVE BILL 655.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the State Fire Marshal to establish statewide firefighting crews; and to declare an emergency.

**LEGISLATIVE BILL 656.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to funds; to amend section 2-1503.01, Reissue Revised Statutes of Nebraska; to state legislative intent to transfer money from the General Fund to the Small Watersheds Flood Control Fund as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 657.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 658.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 84-1502, Revised Statutes Cumulative Supplement, 2022; to change the per diem of the Public Employees Retirement Board as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 659.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 84-1501, Revised Statutes Cumulative Supplement, 2022; to change provisions of the Public Employees Retirement Board as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 660.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Commission on Public Advocacy for Legal Education for Public Service and Rural Practice Loan Repayment Assistance aid; and to declare an emergency.

**LEGISLATIVE BILL 661.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Department of Health and Human Services for grants for food security; and to declare an emergency.

**LEGISLATIVE BILL 662.** Introduced by Ballard, 21; DeKay, 40; Erdman, 47; Hansen, B., 16; Hardin, 48; Jacobson, 42.

A BILL FOR AN ACT relating to the Nebraska Right to Farm Act; to amend sections 2-4402 and 2-4403, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to any action relating to certain public or private nuisances as prescribed; to change a statute of limitations; and to repeal the original sections.

**LEGISLATIVE BILL 663.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate funds to the Department of Health and Human Services to fund the designated health information exchange; and to declare an emergency.

**LEGISLATIVE BILL 664.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to public assistance; to amend sections 68-944, 68-945, and 68-946, Reissue Revised Statutes of Nebraska; to provide powers and duties for the state medicaid fraud control unit and the Attorney General under the False Medicaid Claims Act; to harmonize provisions; and to repeal the original sections.



**LEGISLATIVE BILL 665.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-608, Reissue Revised Statutes of Nebraska; to clarify language on rules and regulations; and to repeal the original section.

**LEGISLATIVE BILL 667.** Introduced by Hughes, 44.

A BILL FOR AN ACT relating to liquor; to amend section 53-103, Reissue Revised Statutes of Nebraska, and section 53-101, Revised Statutes Cumulative Supplement, 2022; to authorize wholesalers to employ channel pricing under the Nebraska Liquor Control Act; to define terms; and to repeal the original sections.

**LEGISLATIVE BILL 668.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to mental health; to amend sections 71-901, 71-919, 71-921, 71-922, 71-949, 71-1205, and 71-1206, Reissue Revised Statutes of Nebraska; to authorize mental health professionals and licensed independent mental health practitioners to take persons into emergency protective custody as prescribed; to provide a certification process and duties for the Department of Health and Human Services; to change provisions relating to commencement of mental health board proceedings; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 669.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to banking and finance; to amend section 8-102, Reissue Revised Statutes of Nebraska; to provide powers as prescribed to the Director of Banking and Finance; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 670.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1101, 48-1102, 48-1104, 48-1105, 48-1106, 48-1107, 48-1108.01, 48-1111, 48-1113, 48-1114, 48-1115, 48-1117, 48-1119, 48-1121, 48-1122, and 48-1124, Reissue Revised Statutes of Nebraska; to define and redefine terms; to prohibit discrimination on the basis of gender identity or sexual orientation; to prohibit discrimination by employers regardless of size; to provide an unlawful employment practice for a covered entity; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 672.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the Drinking Water Facilities Loan Fund to the Department of Environment and Energy for grants to municipal drinking water treatment plants; and to declare an emergency.

**LEGISLATIVE BILL 673.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to schools; to provide grants to the school board or board of education of a school district, or the governing authority of a private, denominational, or parochial school to adopt a policy to provide emergency response mapping data to local law enforcement agencies as prescribed; and to provide powers and duties to the State Department of Education and the State Board of Education.

**LEGISLATIVE BILL 674.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-101.03, 8-115, 8-602, 8-3002, 8-3003, 8-3004, 8-3005, 8-3007, 8-3008, 8-3011, 8-3012, 8-3013, 8-3014, 8-3015, 8-3016, 8-3017, 8-3018, 8-3019, 8-3020, 8-3021, 8-3022, 8-3023, 8-3025, 8-3026, 8-3028, and 8-3030, Reissue Revised Statutes of Nebraska; to redefine terms; to change and eliminate provisions relating to appeals, digital asset depositories, digital asset depository accounts, charters, conditions to commence business, customers, required reports, surety bonds, voluntary dissolution, financial institutions, legislative findings and declarations, and powers and duties of the Director of Banking and Finance; to adopt updates to federal law relating to digital asset depositories and digital asset depository customers; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 675.** Introduced by Day, 49; Hunt, 8.

A BILL FOR AN ACT relating to government; to amend sections 32-308, 32-914, 32-941, 32-942, 32-943, 32-944, 32-948, 32-950, 60-484, 60-4,130, 60-4,130.02, 60-4,144, and 71-612, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-202, 32-907, 32-915, 32-947, 32-960, 32-1002, and 60-4,115, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to registering to vote and voting; to provide duties for the Secretary of State and election officials; to eliminate the fee for certain state identification cards and certified copies of birth certificates; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 676.** Introduced by Day, 49; Hunt, 8.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the Nebraska Diaper Distribution Grant program.

**LEGISLATIVE BILL 677.** Introduced by Day, 49; Hunt, 8.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the Nebraska Knowing is Doing Something pilot program.

**LEGISLATIVE BILL 678.** Introduced by Day, 49; Hunt, 8.

A BILL FOR AN ACT relating to the Nebraska Fair Employment Practice Act; to amend sections 48-1102, 48-1111, and 48-1125, Reissue Revised Statutes of

Nebraska; to change, provide, eliminate, and transfer definitions and provisions relating to discrimination on the basis of disability or pregnancy; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 679.** Introduced by Day, 49; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to education; to create the Holocaust and Genocide Education Training Grant Program; to provide powers and duties to the State Department of Education, State Board of Education, and Commissioner of Education; to create a fund; to require a report.

**LEGISLATIVE BILL 680.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Parkinson's Disease Registry Act; to amend sections 81-6,101, 81-6,102, 81-6,105, 81-6,106, and 81-6,107, Reissue Revised Statutes of Nebraska, and section 81-6,103, Revised Statutes Cumulative Supplement, 2022; to require reporting of patients with Parkinson's disease or related movement disorders as prescribed; to provide duties for the state-designated health insurance exchange and the Department of Health and Human Services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 681.** Introduced by Clements, 2; at the request of the Governor; Briese, 41; Linehan, 39; Sanders, 45.

A BILL FOR AN ACT relating to school funding; to amend sections 77-913 and 79-1021, Reissue Revised Statutes of Nebraska; to rename and change provisions relating to the Tax Equity and Educational Opportunities Fund; to transfer funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 682.** Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Department of Economic Development for a South Omaha business park; and to declare an emergency.

**LEGISLATIVE BILL 685.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to gaming; to amend sections 2-1201.01, 2-1202, 77-3002, 77-3003, 77-3004, 77-3005, and 77-3009, Reissue Revised Statutes of Nebraska, and sections 28-1107, 77-3001, 77-3003.01, 77-3003.02, 77-3006, 77-3007, 77-3010, 77-3011, and 77-5601, Revised Statutes Cumulative Supplement, 2022; to rename, transfer, and change provisions relating to the Mechanical Amusement Device Tax Act; to transfer powers and duties from the Department of Revenue to the State Racing and Gaming Commission; to change the age required to play a cash device; to provide a tax on cash devices; to increase penalties; to harmonize provisions; to eliminate provisions relating to the power to tax under the Mechanical Amusement Device Tax Act; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal section 77-3008, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 686.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to retirement; to amend section 16-1020, Reissue Revised Statutes of Nebraska; to adopt the Cities of the First Class Firefighters Cash Balance Retirement Act; to harmonize provisions; to provide severability; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 687.** Introduced by Cavanaugh, M., 6; McKinney, 11.

A BILL FOR AN ACT relating to juveniles; to create and provide duties for the Nebraska Integrated Juvenile Data Governing Body; to create the Nebraska Integrated Juvenile Data and Information System; and to provide for reports.

**LEGISLATIVE BILL 688.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to transfer and appropriate funds for purposes related to commercial drivers' licenses; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 689.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Property Tax Incentive Act; to amend section 77-6706, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to credits for community college taxes paid; and to repeal the original section.

**LEGISLATIVE BILL 690.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend sections 79-302 and 79-306, Reissue Revised Statutes of Nebraska, and section 79-301, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to powers and duties of the State Department of Education, State Board of Education, and the Commissioner of Education; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 692.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to economic development; to amend section 77-2701.02, Reissue Revised Statutes of Nebraska; to adopt the Good Life Transformational Projects Act; to change provisions relating to the sales tax rate; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 694.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.46 and 77-2701.47, Reissue Revised Statutes of Nebraska, and sections 77-2701 and 77-2701.04, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms under the Nebraska Revenue Act of 1967; to

harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 695.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2022; to provide a property tax exemption; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 696.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to settlement funds; to amend sections 59-1608.04 and 59-1608.05, Reissue Revised Statutes of Nebraska; to change provisions relating to the State Settlement Cash Fund and State Settlement Trust Fund; to provide for legislative oversight; and to repeal the original sections.

**LEGISLATIVE BILL 697.** Introduced by Conrad, 46; Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Job Creation and Mainstreet Revitalization Act; to amend sections 77-2902, 77-2903, 77-2904, 77-2905, 77-2910, and 77-2912, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to local preservation ordinances or resolutions, tax credits, and joint reports; to change certain deadlines for applications and the use of tax credits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 699.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-201, 77-5023, and 79-1036, Revised Statutes Cumulative Supplement, 2022; to change the valuation of certain real property for purposes of taxes levied by school districts; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 700.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-959, Reissue Revised Statutes of Nebraska; to remove redundant language relating to the community college system; and to repeal the original section.

**LEGISLATIVE BILL 701.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1002, Reissue Revised Statutes of Nebraska; to change legislative intent provisions; and to repeal the original section.

**LEGISLATIVE BILL 702.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to education; to amend section 79-1204, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to educational service units; and to repeal the original section.

**LEGISLATIVE BILL 704.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to the achieving a better life experience program; to amend section 77-1403, Revised Statutes Cumulative Supplement, 2022; to provide for distribution of certain account balances upon death; and to repeal the original section.

**LEGISLATIVE BILL 707.** Introduced by Dungan, 26; Conrad, 46.

A BILL FOR AN ACT relating to economic development; to amend section 58-703, Reissue Revised Statutes of Nebraska, and section 84-612, Revised Statutes Cumulative Supplement, 2022; to create the Transforming Cities of the Primary Class Program and provide for grants for construction of affordable housing; to change the Affordable Housing Trust Fund as prescribed; to transfer money from the Cash Reserve Fund as prescribed; to eliminate obsolete provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 710.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Credit Union Act; to amend sections 21-1701, 21-1702, 21-1705, 21-1725.01, 21-1729, 21-1737, 21-1743, 21-1749, 21-1767, 21-1769, 21-17,102, and 21-17,109, Reissue Revised Statutes of Nebraska; to define and redefine terms; to change provisions relating to establishing branches, articles of association, bylaws, principal place of business, records, membership, meetings, boards of directors, interest rates, credit committees, authorized investments, and mergers or consolidations; to provide for associate directors; to harmonize provisions; to repeal the original sections; and to outright repeal section 21-1788, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 711.** Introduced by Armendariz, 18.

A BILL FOR AN ACT relating to the Nebraska Uniform Trust Code; to amend section 30-3878, Reissue Revised Statutes of Nebraska, and section 30-3805, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to default and mandatory rules for trusts and the duty of a trustee to inform and report to a beneficiary; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 713.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal justice; to amend section 50-434, Reissue Revised Statutes of Nebraska; to change provisions relating to the Committee on Justice Reinvestment Oversight; to provide for a correctional forecasting tool; to require agencies to cooperate as prescribed; to require confidentiality and data security; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 714.** Introduced by Cavanaugh, J., 9; Aguilar, 35.

A BILL FOR AN ACT relating to the Nebraska Affordable Housing Act; to amend sections 58-701, 58-706, 58-707, 58-708, and 58-711, Reissue Revised Statutes of Nebraska; to change provisions relating to the Affordable Housing Trust Fund, assistance for qualified recipients, and the Department of Economic Development; to state legislative intent; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 715.** Introduced by Cavanaugh, J., 9; Aguilar, 35; Hunt, 8; Day, 49.

A BILL FOR AN ACT relating to emergency rental assistance; to require the Governor to apply for emergency rental assistance under the federal American Rescue Plan Act of 2021; and to declare an emergency.

**LEGISLATIVE BILL 716.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2135, Reissue Revised Statutes of Nebraska, and section 81-2118, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to license and registration fees and state inspection fees; and to repeal the original sections.

**LEGISLATIVE BILL 717.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juvenile justice; to amend section 43-246.01, Reissue Revised Statutes of Nebraska, and section 43-245, Revised Statutes Cumulative Supplement, 2022; to provide for criminal prosecution of persons under fourteen years of age accused of murder in the first or second degree; to change definitions and jurisdiction under the Nebraska Juvenile Code; to provide for transfers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 718.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska Arts Council; and to declare an emergency.

**LEGISLATIVE BILL 719.** Introduced by Dover, 19.

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

**LEGISLATIVE BILL 720.** Introduced by Dover, 19; Holdcroft, 36.

A BILL FOR AN ACT relating to child support; to amend section 42-371, Reissue Revised Statutes of Nebraska; to change provisions relating to liens arising from child support orders; and to repeal the original section.

**LEGISLATIVE BILL 721.** Introduced by Ballard, 21; Brandt, 32; Conrad, 46; Dorn, 30; Dungan, 26; Geist, 25; Wishart, 27; Bostar, 29; Raybould, 28.

A BILL FOR AN ACT relating to appropriations; to appropriate money to the Department of Transportation to begin planning for the East Beltway project in Lancaster County; and to declare an emergency.

**LEGISLATIVE BILL 723.** Introduced by Bostelman, 23; at the request of the Governor.

A BILL FOR AN ACT relating to natural resources; to adopt the Public Water and Natural Resources Project Contracting Act.

**LEGISLATIVE BILL 725.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to power districts and corporations; to amend sections 70-407, 70-408, 70-409, 70-701, 70-702, 70-705, 70-707, 70-712, 70-718, 70-724, 70-727, 70-728, 70-729, 70-730, 70-732, 70-736, 70-737, and 70-738, Reissue Revised Statutes of Nebraska; to change provisions relating to electric companies and electric cooperative corporations; to define and redefine terms; to restrict the use of ratepayer proceeds relating to certain activities; to provide penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 726.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to public power; to adopt the Nebraska Electric Consumer Right to Transparency and Local Control Act.

**LEGISLATIVE BILL 728.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-301, 60-302, 60-3,104, and 60-3,151, Reissue Revised Statutes of Nebraska; to define a term; to provide for boat trailer license plates and registration of such license plates every three years; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 729.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Jobs and Economic Development Initiative Fund; to amend section 61-405, Revised Statutes Cumulative Supplement, 2022; to authorize economic impact studies as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 730.** Introduced by Holdcroft, 36; Brewer, 43; Clements, 2; Halloran, 33; Hardin, 48; Ibach, 44; Kauth, 31; Linehan, 39; Lippincott, 34; Riepe, 12.

A BILL FOR AN ACT relating to financial institutions; to adopt the Fair Access to Financial Services Act.

**LEGISLATIVE BILL 731.** Introduced by Brewer, 43; Halloran, 33; Holdcroft, 36; McDonnell, 5; Riepe, 12; Sanders, 45; Slama, 1; Conrad, 46.



A BILL FOR AN ACT relating to state government; to amend section 81-108, Reissue Revised Statutes of Nebraska; to provide for service by state agency department heads in the reserve components of the armed forces of the United States; and to repeal the original section.

**LEGISLATIVE BILL 732.** Introduced by Bostar, 29; Ballard, 21; Wishart, 27.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend section 13-2612, Reissue Revised Statutes of Nebraska; to extend the application acceptance deadline; and to repeal the original section.

**LEGISLATIVE BILL 733.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to telecommunications; to adopt the Broadband Pole Placement and Undergrounding Fund Act; to state intent for appropriations; and to declare an emergency.

**LEGISLATIVE BILL 734.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-519, Reissue Revised Statutes of Nebraska; to provide for an enhanced penalty for damage to certain infrastructure facilities resulting in serious bodily injury or death; and to repeal the original section.

**LEGISLATIVE BILL 735.** Introduced by Blood, 3; Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska Apiary Act; to amend section 81-2,165.01, Reissue Revised Statutes of Nebraska; to provide for the Department of Agriculture to create a work group relating to chemical exposure to bees; to create the Nebraska Stewardship Program as prescribed; to provide for a report to the Legislature; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 736.** Introduced by Raybould, 28; Conrad, 46; Blood, 3; Walz, 15; Dungan, 26; Bostar, 29; Albrecht, 17; Ballard, 21.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate funds from the General Fund to the Department of Health and Human Services; and to declare an emergency.

**LEGISLATIVE BILL 737.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1401, Revised Statutes Cumulative Supplement, 2022; to provide a limit on contributions made to a candidate committee as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 739.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to appropriations; to increase the appropriation to the Department of Health and Human Services for domestic violence services.

**LEGISLATIVE BILL 741.** Introduced by Vargas, 7; Aguilar, 35; Briese, 41; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to transfer and appropriate funds for workforce housing; and to declare an emergency.

**LEGISLATIVE BILL 742.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to elections; to amend sections 32-307, 32-308, 32-315, 32-1506, 60-484, 60-484.02, 60-4,130, 60-4,130.02, and 60-4,144, Reissue Revised Statutes of Nebraska, and sections 32-202, 32-301, 32-301.01, 32-312, and 32-1002, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to registration of voters and voting; to change penalty provisions; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 32-309, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 743.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to public funds; to adopt the Investment Neutrality in Public Funds Act.

**LEGISLATIVE BILL 744.** Introduced by Erdman, 47; Brewer, 43; Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Game and Parks Commission for wildlife conservation.

**LEGISLATIVE BILL 745.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2602, Revised Statutes Cumulative Supplement, 2022; to increase the cigarette tax and distribute tax proceeds as prescribed; to create a fund; to harmonize provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 746.** Introduced by Cavanaugh, M., 6; Hunt, 8.

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

**LEGISLATIVE BILL 747.** Introduced by Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07 and 77-4212, Revised Statutes Cumulative Supplement, 2022; to provide an income tax credit for renters as prescribed; to change provisions relating to a property tax credit; and to repeal the original sections.

**LEGISLATIVE BILL 748.** Introduced by Cavanaugh, M., 6; Day, 49.

A BILL FOR AN ACT relating to developmental disabilities; to adopt the Persons with Intellectual and Developmental Disabilities Assistance Act; and to declare an emergency.

**LEGISLATIVE BILL 749.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to offenses; to amend sections 28-101, 28-1201, and 28-1351, Revised Statutes Cumulative Supplement, 2022; to prohibit the possession of deadly weapons in the State Capitol or on State Capitol grounds; to provide a penalty; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 750.** Introduced by Albrecht, 17; at the request of the Governor.

A BILL FOR AN ACT relating to property taxes; to amend section 77-201, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the valuation of agricultural land and horticultural land; and to repeal the original section.

**LEGISLATIVE BILL 752.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to discrimination; to prohibit discrimination by entities receiving state funding.

**LEGISLATIVE BILL 755.** Introduced by Vargas, 7; Brandt, 32; Hunt, 8.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund for purposes of the meatpacking industry worker rights coordinator; and to declare an emergency.

**LEGISLATIVE BILL 756.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Nebraska Job Creation and Mainstreet Revitalization Act; to amend sections 77-2902, 77-2903, 77-2904, 77-2905, 77-2910, and 77-2912, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to local preservation ordinances or resolutions, tax credits, and joint reports; to change certain deadlines for applications and the use of tax credits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 758.** Introduced by DeBoer, 10; Hunt, 8.

A BILL FOR AN ACT relating to sexual assaults; to create the Sexual Violence Review Act.

**LEGISLATIVE BILL 759.** Introduced by DeBoer, 10; Hunt, 8.

A BILL FOR AN ACT relating to protection orders; to amend section 42-901, Reissue Revised Statutes of Nebraska, and sections 28-311.09, 28-311.11, and 42-924.02, Revised Statutes Cumulative Supplement, 2022; to provide for notification of pending expiration of a protection order; to provide duties for the Nebraska State Patrol and the State Court Administrator; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 760.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Nebraska Commission on Law Enforcement and Criminal Justice; to state intent and requirements for victim advocate grants as prescribed.

**LEGISLATIVE BILL 761.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Supreme Court for staffing; and to declare an emergency.

**LEGISLATIVE BILL 763.** Introduced by DeBoer, 10; Hunt, 8; Conrad, 46.

A BILL FOR AN ACT relating to public assistance; to adopt the Emergency Food Assistance Act; and to declare an emergency.

**LEGISLATIVE BILL 764.** Introduced by Lippincott, 34.

A BILL FOR AN ACT relating to presidential electors; to amend sections 32-710, 32-713, 32-714, and 32-1038, Reissue Revised Statutes of Nebraska; to change provisions relating to ballots cast by presidential electors; and to repeal the regional sections.

**LEGISLATIVE BILL 766.** Introduced by DeKay, 40; Halloran, 33; Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Environment and Energy for reverse osmosis systems; and to declare an emergency.

**LEGISLATIVE BILL 767.** Introduced by DeKay, 40; Aguilar, 35; Brandt, 32; Brewer, 43; Dorn, 30.

A BILL FOR AN ACT relating to court fees; to amend section 33-156, Reissue Revised Statutes of Nebraska; to increase the indigent defense fee; and to repeal the original section.

**LEGISLATIVE BILL 768.** Introduced by DeKay, 40; Dover, 19; Slama, 1; Wishart, 27; Brewer, 43.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to provide for a transfer of money from the Cash Reserve Fund as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 770.** Introduced by Cavanaugh, M., 6; Hunt, 8.

A BILL FOR AN ACT relating to elections; to amend section 32-101, Revised Statutes Cumulative Supplement, 2022; to provide duties for the Secretary of State regarding an audit of certain offices to determine compliance with the federal Americans with Disabilities Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 771.** Introduced by Sanders, 45; Aguilar, 35; Albrecht, 17; Holdcroft, 36; Linehan, 39; Lippincott, 34.

A BILL FOR AN ACT relating to the Department of Veterans' Affairs; to provide for a postsecondary institution grant program as prescribed; to provide powers and duties for the department; to state legislative intent for appropriations; and to declare an emergency.

**LEGISLATIVE BILL 773.** Introduced by Vargas, 7; Ballard, 21; Hardin, 48; Lowe, 37; Hunt, 8.

A BILL FOR AN ACT relating to wireless services; to require voters to approve certain taxes on wireless and prepaid wireless services as prescribed.

**LEGISLATIVE BILL 776.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to elections; to amend sections 32-212, 32-314, 32-401, 32-502, 32-503, 32-506, 32-507, 32-509, 32-517, 32-518, 32-519, 32-520, 32-521, 32-522, 32-523, 32-524, 32-525, 32-526, 32-528, 32-529, 32-557, 32-564, 32-603, 32-605, 32-609, 32-616, 32-617, 32-619.01, 32-622, 32-624, 32-625, 32-710, 32-720, 32-801, 32-810, 32-811, 32-813, 32-814, 32-817, 32-912, 32-1028, and 32-1032, Reissue Revised Statutes of Nebraska, and sections 32-223, 32-230, 32-312, 32-602, 32-607, 32-615, 32-618, 32-623, 32-716, 32-809, 32-961, 32-1002, 32-1027, and 32-1033, Revised Statutes Cumulative Supplement, 2022; to provide for nomination and election of candidates on a nonpartisan ballot; to change and eliminate provisions relating to selection of election workers, voter registration, the statewide primary election, filling vacancies, filing for office, write-in candidates, selection of Lieutenant Governor candidates, declining a nomination, political party provisions, ballot preparation, poll watchers, provisional ballots, county canvassing boards, and certificates of nomination; to harmonize provisions; to repeal the original sections; and to outright repeal sections 32-611, 32-612, 32-621, 32-627, 32-702, 32-721, 32-815, and 32-1507, Reissue Revised Statutes of Nebraska, and 32-610, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 777.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Automatic License Plate Reader Privacy Act; to amend sections 60-3203, 60-3204, 60-3205, 60-3206, 60-3207, and 60-3208, Reissue Revised Statutes of Nebraska; to provide for use of automatic license plate reader systems to investigate misdemeanors and felonies, recording of manual entry logs, and use of captured plate data and evidence derived from captured plate data as evidence as prescribed; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 778.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Pharmacy Benefit Manager Licensure and Regulation Act; to amend sections 44-4601, 44-4603, 44-4608, and 44-4611, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to an appeal process; to prohibit pharmacy benefit managers from taking certain actions; to provide for pharmacy benefit manager duties; to prohibit spread pricing as prescribed; to change enforcement provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 779.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to limit the out-of-pocket cost of prescription insulin drugs to a covered individual.

**LEGISLATIVE BILL 782.** Introduced by DeKay, 40; Dungan, 26.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-171, 60-173, 60-1401, and 60-1401.02, Reissue Revised Statutes of Nebraska; to change provisions relating to salvage branded certificates of title; to define and redefine terms; to provide requirements for consumer care of motor vehicles as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 783.** Introduced by Murman, 38; at the request of the Governor; Albrecht, 17; Briese, 41; Kauth, 31; Linehan, 39; von Gillern, 4.

A BILL FOR AN ACT relating to community colleges; to amend sections 85-1402, 85-1517, 85-1520, 85-1521, and 85-1535, Reissue Revised Statutes of Nebraska, and sections 77-3442 and 77-6706, Revised Statutes Cumulative Supplement, 2022; to eliminate the levy authority of community college areas; to harmonize provisions; to provide state funding to community college areas as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 784.** Introduced by McKinney, 11.

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

**LEGISLATIVE BILL 785.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to

appropriate funds to the Department of Natural Resources and the Department of Economic Development; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 786.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Department of Economic Development; and to declare an emergency.

**LEGISLATIVE BILL 788.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend section 47-918, Reissue Revised Statutes of Nebraska; to require a report by the Inspector General of the Nebraska Correctional System; to designate the Nebraska State Patrol as the agency to investigate criminal activity within correctional facilities operated by the Department of Correctional Services as prescribed; to provide powers and duties for the patrol; to provide for confidentiality of certain records; to harmonize provisions; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 789.** Introduced by Wayne, 13.

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

**LEGISLATIVE BILL 791.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Commission on African American Affairs; and to declare an emergency.

**LEGISLATIVE BILL 792.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to health and human services; to provide for a pilot program for assessing and treating post traumatic stress disorder as prescribed; to state legislative intent to appropriate money; and to declare an emergency.

**LEGISLATIVE BILL 793.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to courts; to amend section 24-1302, Reissue Revised Statutes of Nebraska; to provide duties for judges relating to problem solving courts; to provide for allocation of duties by the Supreme Court; and to repeal the original section.

**LEGISLATIVE BILL 794.** Introduced by Wayne, 13; Hunt, 8.

A BILL FOR AN ACT relating to nursing; to adopt the Nursing Incentives Scholarship Act; and to declare an emergency.

**LEGISLATIVE BILL 795.** Introduced by Wayne, 13; Hansen, B., 16; Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-470, Revised Statutes Cumulative Supplement, 2022; to provide for immunity for administration of naloxone or other federally approved opioid antagonists as prescribed; to eliminate and provide definitions; and to repeal the original section.

**LEGISLATIVE BILL 797.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Convention Center Facility Financing Assistance Act; to amend sections 13-2603, 13-2610, and 13-2612, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to the Convention Center Support Fund; to extend the application acceptance deadline; and to repeal the original sections.

**LEGISLATIVE BILL 798.** Introduced by Vargas, 7; McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds from the General Fund to the Department of Economic Development for economic recovery; and to declare an emergency.

**LEGISLATIVE BILL 800.** Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; Erdman, 47; Halloran, 33; Linehan, 39; McDonnell, 5; Sanders, 45; Slama, 1; Vargas, 7; Wayne, 13.

A BILL FOR AN ACT relating to schools; to amend sections 79-566, 79-567, 79-1219, 79-2401, and 79-2402, Reissue Revised Statutes of Nebraska, and section 79-594, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Superintendent Pay Transparency Act; to change provisions relating to and provide a limit for superintendent and educational service unit administrator compensation; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 801.** Introduced by Vargas, 7; Aguilar, 35; Conrad, 46.

A BILL FOR AN ACT relating to funds; to state legislative intent to transfer money from the General Fund to the Middle Income Workforce Housing Investment Fund and the Affordable Housing Trust Fund; and to declare an emergency.

**LEGISLATIVE BILL 802.** Introduced by Vargas, 7; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to transfer and appropriate funds for pediatric cancer research; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 803.** Introduced by von Gillern, 4; Lippincott, 34.



A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend sections 13-3102 and 13-3108, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to the Sports Arena Facility Support Fund; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 804.** Introduced by von Gillern, 4; at the request of the Governor; Aguilar, 35; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; DeKay, 40; Dover, 19; Geist, 25; Hansen, B., 16; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2734.02, Revised Statutes Cumulative Supplement, 2022; to change corporate income tax rates as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 806.** Introduced by von Gillern, 4; at the request of the Governor; Aguilar, 35; Albrecht, 17; Brewer, 43; Briese, 41; Clements, 2; DeKay, 40; Dover, 19; Geist, 25; Hansen, B., 16; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2715.03, Revised Statutes Cumulative Supplement, 2022; to change individual income tax rates as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 807.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 18-1736, 18-1737, 37-327.04, 60-163, 60-180, 60-301, 60-308, 60-366, 60-370, 60-373, 60-374, 60-375, 60-376, 60-377, 60-378, 60-380, 60-382, 60-393, 60-395, 60-396, 60-397, 60-398, 60-399, 60-3,100, 60-3,104, 60-3,104.01, 60-3,104.02, 60-3,105, 60-3,106, 60-3,107, 60-3,108, 60-3,109, 60-3,113, 60-3,114, 60-3,115, 60-3,116, 60-3,117, 60-3,120, 60-3,121, 60-3,122.01, 60-3,122.04, 60-3,129, 60-3,130, 60-3,130.01, 60-3,130.03, 60-3,130.04, 60-3,130.05, 60-3,134, 60-3,135, 60-3,141, 60-3,144, 60-3,145, 60-3,146, 60-3,147, 60-3,149, 60-3,150, 60-3,151, 60-3,157, 60-3,167, 60-3,175, 60-3,176, 60-3,180, 60-3,183, 60-3,205, 60-3,222, 60-3,228, 60-3,236, 60-3,254, 60-495, 60-653, 60-683, 60-6,197.01, 60-1306, 60-1901, 60-1902, 60-1903, 60-1908, and 81-2005, Reissue Revised Statutes of Nebraska, and sections 37-112, 37-811, 60-392, 60-3,101, 60-3,102, 60-3,119, 60-3,122, 60-3,122.02, 60-3,122.03, 60-3,123, 60-3,124, 60-3,125, 60-3,126, 60-3,130.02, 60-3,135.01, 60-3,198, 60-3,203, 60-3,221, 60-3,253, 60-501, 66-1406.02, 80-414, 80-415, 80-416, 80-417, 81-8,310, 81-2517, 82-139, and 82-334, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to license plates and provide for the issuance of one license plate; to eliminate a fund; to eliminate obsolete provisions; to eliminate provisions relating to certain license plates; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-3,127, 60-3,223, 60-3,224, 60-3,225, 60-3,227, 60-3,230, 60-3,231, 60-3,234, 60-3,235, 60-3,238, 60-3,239, 60-3,240, 60-3,242,

60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,255, 60-3,256, 60-3,257, and 60-3,258, Reissue Revised Statutes of Nebraska, and sections 60-3,128, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, and 60-3,251, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 808.** Introduced by Halloran, 33; Erdman, 47; Hughes, 44.

A BILL FOR AN ACT relating to elections; to amend sections 32-1118 and 32-1119, Reissue Revised Statutes of Nebraska, and sections 32-101, 32-103, and 32-1041, Revised Statutes Cumulative Supplement, 2022; to define a term; to provide for the option of a hand count for elections and recounts; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 809.** Introduced by Murman, 38; Dorn, 30; Halloran, 33; Lippincott, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Rural Development Act; to amend section 77-27,187.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to applications for tax credits; and to repeal the original section.

**LEGISLATIVE BILL 810.** Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Brewer, 43; Clements, 2; DeKay, 40; Halloran, 33; Hardin, 48; Holdcroft, 36; Ibach, 44; Kauth, 31; Lippincott, 34; Riepe, 12; von Gillern, 4.

A BILL FOR AN ACT relating to health care; to adopt the Medical Ethics and Diversity Act; and to provide severability.

**LEGISLATIVE BILL 811.** Introduced by Murman, 38; Albrecht, 17; Brewer, 43; Clements, 2; Halloran, 33; Hardin, 48; Holdcroft, 36; Lippincott, 34; Moser, 22.

A BILL FOR AN ACT relating to education; to amend sections 9-812, 79-254, 79-259, and 79-2,146, Reissue Revised Statutes of Nebraska, and sections 79-258, 79-2,144, and 79-1001, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to lottery funds used for education; to change provisions relating to the Student Discipline Act; to provide for use of physical contact or physical restraint or removal from a class in response to student behavior; to create a fund; to provide for behavioral awareness and intervention training; to provide powers and duties to the state school security director; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 812.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to funds; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to appropriate funds; to transfer money from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 817.** Introduced by Arch, 14; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as prescribed; to state intent; to require program statements and a request for funding; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 819.** Introduced by Arch, 14; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2022; to provide for and change fund transfers; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 820.** Introduced by Albrecht, 17; at the request of the Governor; Briese, 41; Clements, 2; Linehan, 39; Sanders, 45.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 19-2428, 46-294.03, 76-710.04, 77-103.01, 77-1327, 77-1359, 77-1371, 77-1507.01, 77-5007, and 77-5022, Reissue Revised Statutes of Nebraska, and sections 77-201, 77-1363, 77-4212, 77-5023, 79-1016, 79-1036, and 86-1403, Revised Statutes Cumulative Supplement, 2022; to adopt the Agricultural Valuation Fairness Act; to change and eliminate provisions relating to the valuation of agricultural land and horticultural land; to change the Tax Equalization and Review Commission Act; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-1343, 77-1345, 77-1345.01, 77-1346, and 77-1347.01, Reissue Revised Statutes of Nebraska, and sections 77-1344 and 77-1347, Revised Statutes Cumulative Supplement, 2022; and to declare an emergency.

## RESOLUTIONS

**LEGISLATIVE RESOLUTION 1CA.** Introduced by Blood, 3; Raybould, 28; Brewer, 43.

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

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

To amend Article III, section 22:

III-22 (1) Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to the Legislature.

(2) Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

(3) The Legislature shall not impose responsibility for a program created after the year 2024 or an increased level of service required under an existing program after the year 2024 on any political subdivision of the state unless the subdivision is fully reimbursed by the state for the cost of such program or increase in level of service. Reimbursement by the state shall be in the form of a specific appropriation or an increase in state distribution of revenue to such political subdivision.

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

A constitutional amendment to require the state to reimburse political subdivisions for responsibilities imposed or increased levels of service required after the year 2024.

For

Against.

**LEGISLATIVE RESOLUTION 2CA.** Introduced by Erdman, 47; Halloran, 33.

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

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

To amend Article III, sections 1, 2, 5, 6, 7, 10, 11, 12, 13, 14, 17, 22, 24, and 27; Article IV, sections 1, 4, 7, 10, 12, 15, 16, and 27; Article V, section 5; Article VII, sections 10 and 14; Article XIII, section 1; and Article XVI, sections 1 and 2:

III-1 (1) Until the regular legislative session that begins in January 2027, the legislative authority of the state shall be vested in a Legislature consisting of one chamber. Beginning with the regular legislative session that begins in January 2027, the legislative authority of the state shall be vested in a Legislature consisting of two chambers: a House of Representatives and a

Senate.

(2) The people reserve for themselves the power to propose laws and amendments to the Constitution and to enact or reject the same at the polls, independent of the Legislature, which power shall be called the power of initiative. The people also reserve power at their own option to approve or reject at the polls any act, item, section, or part of any act passed by the Legislature, which power shall be called the power of referendum.

III-2 The first power reserved by the people is the initiative whereby laws may be enacted and constitutional amendments adopted by the people independently of the Legislature. This power may be invoked by petition wherein the proposed measure shall be set forth at length. If the petition be for the enactment of a law, it shall be signed by seven percent of the registered voters of the state, and if the petition be for the amendment of the Constitution, the petition therefor shall be signed by ten percent of such registered voters. In all cases the registered voters signing such petition shall be so distributed as to include five percent of the registered voters of each of two-fifths of the counties of the state, and when thus signed, the petition shall be filed with the Secretary of State who shall submit the measure thus proposed to the electors of the state at the first general election held not less than four months after such petition shall have been filed. The same measure, either in form or in essential substance, shall not be submitted to the people by initiative petition, either affirmatively or negatively, more often than once in three years. If conflicting measures submitted to the people at the same election be approved, the one receiving the highest number of affirmative votes shall thereby become law as to all conflicting provisions. The constitutional limitations as to the scope and subject matter of statutes enacted by the Legislature shall apply to those enacted by the initiative. Initiative measures shall contain only one subject. The Legislature shall not amend, repeal, modify, or impair a law enacted by the people by initiative, contemporaneously with the adoption of this initiative measure or at any time thereafter, except upon a vote of at least two-thirds of all the members of each house of the Legislature.

III-5 (1) The Legislature shall by law determine the number of members to be elected to the House of Representatives, except that there shall not be more than sixty-three representatives. The legislative districts in effect on January 1, 2023, shall continue as the districts for the House of Representatives until such districts are redrawn following the 2030 federal census as provided in this section. Members of the unicameral Legislature elected or appointed to serve terms beginning in the regular legislative session that begins in January 2025 shall be representatives of the House of Representatives in January 2027 until their terms expire, they are not reelected, or they are otherwise removed from office in accordance with this Constitution.

(2) The Legislature shall by law and divide the state into legislative districts for the House of Representatives. Any bill to draw districts of the House of Representatives shall originate in the Senate. In the creation of such districts, any county that contains population sufficient to entitle it to two or more representatives members of the Legislature shall be divided into separate and distinct legislative districts, as nearly equal in population as may be and composed of contiguous and compact territory. One representative member of the Legislature shall be elected from each such district. The basis of apportionment shall be the population excluding aliens, as shown by the next preceding federal census. The Legislature shall redistrict the state for the House

of Representatives after each federal decennial census. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature.

(3)(a) The Senate shall consist of thirty-one members. Each senator shall represent a district composed of three contiguous counties.

(b) On or before May 1, 2025, the Legislature shall by law divide the state into legislative districts for the Senate. Thereafter, the Legislature may by law redistrict such districts whenever deemed appropriate, except that such districts shall always consist of three contiguous counties and such districts shall not be redrawn more often than once every ten years. Any bill to redistrict such districts shall originate in the House of Representatives.

~~III-6 The Legislature shall consist of not more than fifty members and not less than thirty members.~~ The sessions of the Legislature shall be annual except as otherwise provided by this constitution or as may be otherwise provided by law.

III-7 (1) The members of the House of Representatives from even-numbered districts shall be elected for terms of four years at the statewide general election in November 2026 and each four years thereafter. The members of the House of Representatives from the odd-numbered districts shall be elected for terms of four years at the statewide general election in November 2028 and each four years thereafter.

(2) The members of the Senate from even-numbered districts shall be elected for terms of four years at the statewide general election in November 2026 and each four years thereafter. The members of the Senate from odd-numbered districts shall be elected for a term of two years at the statewide general election in November 2026. The members of the Senate from odd-numbered districts shall be elected for a term of four years at the statewide general election in November 2028 and each four years thereafter.

~~(3) The At the general election to be held in November 1964, one half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such elections shall election to be determined by the Legislature.~~

(4) When the House of Representatives or Senate Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term.

(5) Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

~~III-10 (1) Regular Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to each~~

house of the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to each house of the Legislature.

(2) Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment.

(3) Neither house of the Legislature shall adjourn for more than three days without the consent of the other house.

(4) The Lieutenant Governor shall preside in the Senate, but shall vote only when the Senate Legislature is equally divided.

(5) A majority of the members elected to each house of the Legislature shall constitute a quorum for each house. Each house; the Legislature shall determine the rules of its proceedings; and be the judge of the election, returns, and qualifications of its members; and shall choose its own officers, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor.

(6) The Senate shall choose a President pro tempore to preside when the Lieutenant Governor is absent, incapacitated, or acting as Governor.

(7) The House of Representatives shall choose a Speaker. Beginning in 2027, the Secretary of State shall call the House of Representatives to order at the opening of each regular session of the Legislature and preside over the house until a Speaker is chosen.

(8) No member shall be expelled except by a vote of two-thirds of all members elected to such member's house of the Legislature, and no member shall be twice expelled for the same offense. The House of Representatives or Senate Legislature may punish by imprisonment any person not a member thereof who is shall be guilty of disrespect to the House of Representatives or Senate Legislature by disorderly or contemptuous behavior in its presence. No, but no such imprisonment shall extend beyond twenty-four hours at one time, unless the person persists shall persist in such disorderly or contemptuous behavior.

III-11 The House of Representatives and Senate Legislature shall each keep a journal of its proceedings and publish them, except such parts as may require secrecy, and the yeas and nays of the members on any question shall at the desire of any one of them be entered on the journal of the respective house. All votes shall be viva voce. The doors of the Legislature and of the committees of the Legislature shall be open, except when the business shall be such as ought to be kept secret. The yeas and nays of each member of any committee of the Legislature shall be recorded and published on any question in committee to advance or to indefinitely postpone any bill.

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

(2) (4) No person shall be eligible to serve as a member of the Senate Legislature for four years next after the expiration of two consecutive terms in the Senate regardless of the district represented.

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

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

III-13 (1) The style of all bills shall be, Be it enacted by the people of the State of Nebraska, and no law shall be enacted except by bill. No bill shall be passed by the Legislature unless by the assent of a majority of all members elected to each house and the yeas and nays on the question of final passage of any bill shall be entered upon the journal of each house.

(2) All bills passed by one house may be amended by the other house. No amendment to a bill by one house shall be concurred in by the other house and no conference committee report as to any bill shall be adopted by either house, except by the assent of the same number of members as is required for the passage of the original bill. Any bill may originate in either house, except that bills appropriating money shall originate only in the House of Representatives and except as provided in section 5 of this article.

III-14 Every bill and resolution shall be read by title when introduced, and a printed or electronic copy thereof provided for the use of each member. The bill and all amendments thereto shall be made available in printed or electronic form ~~printed and presented~~ before the vote is taken upon its final passage and shall be read at large in each house unless three-fifths of all the members elected to such house ~~the Legislature~~ vote not to read the bill and all amendments at large. No vote upon the final passage of any bill shall be taken until five legislative days after its introduction nor until it has been on file for final reading and passage for at least one legislative day. No bill shall contain more than one subject, and the subject shall be clearly expressed in the title. No law shall be amended unless the new act contains the section or sections as amended and the section or sections so amended shall be repealed. The presiding officer of each house ~~Lieutenant Governor, or the Speaker if acting as presiding officer,~~ shall sign, in the presence of the respective house ~~Legislature~~ while it is in session and capable of transacting business, all bills and resolutions passed by such house ~~the Legislature~~.

III-17 (1) The Senate and House of Representatives in joint session ~~Legislature~~ shall have the sole power of impeachment, but a majority of all the members elected to each house must concur therein. Upon the introduction of a resolution of impeachment by either house, the other house shall at once be notified, and the two houses shall meet in joint session for the purpose of acting upon such resolution within five calendar days after such notification. Proceedings may be initiated in either a regular session or a special session of the Legislature.

(2) Upon the adoption of a resolution of impeachment, which resolution shall give reasonable notice of the acts or omissions alleged to constitute impeachable offenses but need not conform to any particular style, a notice of an impeachment of any officer, other than a Judge of the Supreme Court, shall be forthwith served upon the Chief Justice, by the Clerk of the House of Representatives ~~Legislature~~, who shall thereupon call a session of the Supreme Court to meet at the Capitol in an expeditious fashion after such notice to try the impeachment. A notice of an impeachment of the Chief Justice or any Judge of the Supreme Court shall be served by the Clerk of the House of Representatives ~~Legislature~~, upon the clerk of the judicial district within which the Capitol is located, and he or she thereupon shall choose, at random, seven Judges of the District Court in the State to meet within thirty days at the Capitol, to sit as a Court to try such impeachment, which Court shall organize by electing one of its number to preside.

(3) The case against the impeached civil officer shall be brought in the name of the Legislature and shall be managed by one Senator and one Representative



~~two senators~~, appointed by their respective house ~~the Legislature~~, who may make technical or procedural amendments to the articles of impeachment as they deem necessary. The trial shall be conducted in the manner of a civil proceeding and the impeached civil officer shall not be allowed to invoke a privilege against self-incrimination, except as otherwise applicable in a general civil case. No person shall be convicted without the concurrence of two-thirds of the members of the Court of impeachment that clear and convincing evidence exists indicating that such person is guilty of one or more impeachable offenses, but judgment in cases of impeachment shall not extend further than removal from office and disqualification to hold and enjoy any office of honor, profit, or trust, in this State, but the party impeached, whether convicted or acquitted, shall nevertheless be liable to prosecution and punishment according to law. No officer shall exercise his or her official duties after he or she shall have been impeached and notified thereof, until he or she shall have been acquitted.

III-22 Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to each house of the Legislature. Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

III-24 (1) Except as provided in this section, the Legislature shall not authorize any game of chance or any lottery or gift enterprise when the consideration for a chance to participate involves the payment of money for the purchase of property, services, or a chance or admission ticket or requires an expenditure of substantial effort or time.

(2) The Legislature may authorize and regulate a state lottery pursuant to subsection (3) of this section and other lotteries, raffles, and gift enterprises which are intended solely as business promotions or the proceeds of which are to be used solely for charitable or community betterment purposes without profit to the promoter of such lotteries, raffles, or gift enterprises.

(3)(a) The Legislature may establish a lottery to be operated and regulated by the State of Nebraska. The proceeds of the lottery shall be appropriated by the Legislature for the costs of establishing and maintaining the lottery and for the following purposes, as directed by the Legislature:

- (i) The first five hundred thousand dollars after the payment of prizes and operating expenses shall be transferred to the Compulsive Gamblers Assistance Fund;
- (ii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska Environmental Trust Fund to be used as provided in the Nebraska Environmental Trust Act;
- (iii) Forty-four and one-half percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be used for education as the Legislature may direct;
- (iv) Ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska State Fair Board if the most populous city within the county in which the fair is located provides matching funds equivalent to ten percent of

the funds available for transfer. Such matching funds may be obtained from the city and any other private or public entity, except that no portion of such matching funds shall be provided by the state. If the Nebraska State Fair ceases operations, ten percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the General Fund; and

- (v) One percent of the money remaining after the payment of prizes and operating expenses and the initial transfer to the Compulsive Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers Assistance Fund.

(b) No lottery game shall be conducted as part of the lottery unless the type of game has been approved by a majority of the members of each house of the Legislature.

(4) Nothing in this section shall be construed to prohibit (a) the enactment of laws providing for the licensing and regulation of wagering on the results of horseraces, wherever run, either within or outside of the state, by the parimutuel method, when such wagering is conducted by licensees within a licensed racetrack enclosure or (b) the enactment of laws providing for the licensing and regulation of bingo games conducted by nonprofit associations which have been in existence for a period of five years immediately preceding the application for license, except that bingo games cannot be conducted by agents or lessees of such associations on a percentage basis.

(5) This section shall not apply to any law which is enacted contemporaneously with the adoption of this subsection or at any time thereafter and which provides for the licensing, authorization, regulation, or taxation of all forms of games of chance when such games of chance are conducted by authorized gaming operators within a licensed racetrack enclosure.

III-27 No act shall take effect until three calendar months after the adjournment of the session at which it passed, unless in case of emergency, which is expressed in the preamble or body of the act, the Legislature ~~shall~~ otherwise directs ~~to each house otherwise direct~~. All laws shall be published within sixty days after the adjournment of each session and distributed among the several counties in such manner as the Legislature may provide.

IV-1 The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and the heads of such other executive departments as set forth herein or as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish.

The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer shall be chosen at the general election held in November 1974, and in each alternate even-numbered year thereafter, for a term of four years and until their successors shall be elected and qualified.

Each candidate for Governor shall select a person to be the candidate for Lieutenant Governor on the general election ballot. In the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor. The Governor shall be ineligible to the office of Governor for four years next after the expiration of two consecutive terms for which he or she was

elected.

The records, books, and papers of all executive officers shall be kept at the seat of government. Executive officers shall reside within the State of Nebraska during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law.

The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all members elected to each house of the Legislature, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments.

IV-4 The returns of every election for the officers of the executive department shall be sealed up and transmitted by the returning officers to the Secretary of State, directed to the President pro tempore of the Senate ~~Speaker of the Legislature~~, who shall immediately after the organization of the Legislature, and before proceeding to other business, open and publish the same in a joint session of the Senate and House of Representatives and in the presence of a majority of the members of each house the Legislature. The person having the highest number of votes for each of such said offices shall be declared duly elected; but if two or more have an equal and the highest number of votes, the Legislature shall choose one of such persons for said office. The conduct of election contests for any of such said offices shall be in such manner as may be prescribed by law.

IV-7 The Governor may, at the commencement of each session, and at the close of the Governor's his term of office and whenever the Legislature may require, give by message to the Legislature information of the condition of the state, and shall recommend such measures as the Governor he shall deem expedient. At a time fixed by law, the Governor he shall present, by message, a complete itemized budget of the financial requirements of all departments, institutions, and agencies of the state and a budget bill to be introduced by the Speaker of the House of Representatives Legislature at the request of the Governor. Such Said budget bill shall be prepared with such expert assistance and under such regulations as may be required by the Governor. No appropriations shall be made in excess of the recommendation contained in such budget including any amendment the Governor may make thereto unless by three-fifths vote of each house of the Legislature, and such excess so approved shall be subject to veto by the Governor.

IV-10 The Governor shall appoint with the approval of a majority of each house of the Legislature, all persons whose offices are established by the Constitution, or which may be created by law, and whose appointment or election is not otherwise by law or herein provided for; and no such person shall be appointed or elected by the Legislature. The Governor shall have power to remove, for cause and after a public hearing, any person whom the Governor he may appoint for a term except officers provided for in Article V of the Constitution, and the Governor he may declare such his office vacant, and fill the same as herein provided as in other cases of vacancy. The Governor shall have power to remove any other person whom the Governor he appoints at any time and for any reason.

IV-12 If any nonelective state office, except offices provided for in Article V of this Constitution, shall be vacated by death, resignation, or otherwise, it shall

be the duty of the Governor to fill that office by appointment. If the Legislature is in session, such appointment shall be subject to the approval of a majority of the members of each house of the Legislature. If the Legislature is not in session, the Governor shall make a temporary appointment until the next session of the Legislature, at which time a majority of the members of each house of the Legislature shall have the right to approve or disapprove the appointment. All appointees shall hold their office until their successors shall be appointed and qualified. No person after being rejected by the Legislature shall be again nominated for the same office at the same session, unless at request of the Legislature, or be appointed to the same office during the recess or adjournment of the Legislature.

IV-15 Every bill passed by the Legislature, before it becomes a law, shall be presented to the Governor. If ~~the Governor he~~ approves, ~~he or she~~ shall sign it, and thereupon it shall become a law. ~~If the Governor , but if he~~ does not approve or reduces any item or items of appropriations, ~~the Governor he~~ shall return it with his ~~or her~~ objections to the Legislature, which shall enter the objections at large upon ~~the its~~ journal of each house, and proceed to reconsider the bill with the objections as a whole, or proceed to reconsider individually the item or items disapproved or reduced. If then three-fifths of the members elected to each house agree to pass the bill with objections, it shall become a law, or if three-fifths of the members elected to each house agree to repass any item or items disapproved or reduced, the bill with such repassage shall become a law. In all cases the vote shall be determined by yeas and nays, to be entered upon the journal of each house. Any bill which shall not be returned by the Governor within five days (Sundays excepted) after it shall have been presented to ~~the Governor him,~~ shall become a law in like manner as if ~~the Governor he~~ had signed it; unless the Legislature by their adjournment prevent its return; in which case it shall be filed, with ~~the Governor's his~~ objections, in the office of the Secretary of State within five days after such adjournment, or become a law. The Governor may disapprove or reduce any item or items of appropriation contained in bills passed by the Legislature, and the item or items so disapproved shall be stricken therefrom, and the items reduced shall remain as reduced unless the Legislature has reconsidered the item or items disapproved or reduced and has repassed any such item or items over the objection of the Governor by a three-fifths approval of the members elected to each house.

IV-16 In case of the conviction of the Governor on impeachment, or the Governor's his removal from office, ~~his~~ resignation, or ~~his~~ death, the Lieutenant Governor, the Speaker of the House of Representatives, ~~Legislature~~ and such other persons designated by law shall in that order be Governor for the remainder of the Governor's term.

In case of the death of the Governor-elect, the Lieutenant Governor-elect, the Speaker of the House of Representatives, ~~Legislature~~ and such other persons designated by law shall become Governor in that order at the commencement of the Governor-elect's term.

If the Governor or the person in line of succession to serve as Governor is absent from the state, or suffering under an inability, the powers and duties of the office of Governor shall devolve in order of precedence until the absence or inability giving rise to the devolution of powers ceases as provided by law. The ~~After January 1, 1975, the~~ Lieutenant Governor shall serve on all boards and commissions in lieu of the Governor whenever so designated by the Governor,

shall perform such duties as may be delegated ~~him~~ by the Governor, and shall devote his or her full time to the duties of ~~the his~~ office of Lieutenant Governor.

IV-27 No executive state office other than herein provided shall be created except by a two-thirds majority of all members elected to each house of the Legislature.

V-5 The Legislature shall divide the state into six contiguous and compact districts of approximately equal population, which shall be numbered from one to six, which shall be known as the Supreme Court judicial districts. The Legislature shall redistrict the state after each federal decennial census. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature. Such districts shall not be changed except upon the concurrence of a majority of the members of each house of the Legislature. Whenever the Supreme Court is redistricted, the judges serving prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established districts which they shall represent for the balance of their terms.

VII-10 The general government of the University of Nebraska shall, under the direction of the Legislature, be vested in a board of not less than six nor more than eight regents to be designated the Board of Regents of the University of Nebraska, who shall be elected from and by districts as herein provided and three students of the University of Nebraska who shall serve as nonvoting members. Such nonvoting student members shall consist of the student body president of the University of Nebraska at Lincoln, the student body president of the University of Nebraska at Omaha, and the student body president of the University of Nebraska Medical Center. The terms of office of elected members shall be for six years each. The terms of office of student members shall be for the period of service as student body president. Their duties and powers shall be prescribed by law; and they shall receive no compensation, but may be reimbursed their actual expenses incurred in the discharge of their duties.

The Legislature shall divide the state, along county lines, into as many compact regent districts, as there are regents provided by the Legislature, of approximately equal population, which shall be numbered consecutively.

The Legislature shall redistrict the state after each federal decennial census. Such districts shall not be changed except upon the concurrence of a majority of the members of each house of the Legislature. In any such redistricting, county lines shall be followed whenever practicable, but other established lines may be followed at the discretion of the Legislature. Whenever the state is so redistricted the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term.

VII-14 On January 1, 1992, there shall be established the Coordinating Commission for Postsecondary Education which shall, under the direction of the Legislature, be vested with the authority for the coordination of public postsecondary educational institutions. Public postsecondary educational institutions shall include each postsecondary educational campus or institution which is governed by the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, any board or boards established for the community colleges, or any other governing board for any

other public postsecondary educational institution which may be established by the Legislature.

Coordination shall mean:

- (1) Authority to adopt, and revise as needed, a comprehensive statewide plan for postsecondary education which shall include (a) definitions of the role and mission of each public postsecondary educational institution within any general assignments of role and mission as may be prescribed by the Legislature and (b) plans for facilities which utilize tax funds designated by the Legislature;
- (2) Authority to review, monitor, and approve or disapprove each public postsecondary educational institution's programs and capital construction projects which utilize tax funds designated by the Legislature in order to provide compliance and consistency with the comprehensive plan and to prevent unnecessary duplication; and
- (3) Authority to review and modify, if needed to promote compliance and consistency with the comprehensive statewide plan and prevent unnecessary duplication, the budget requests of the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, any board or boards established for the community colleges, or any other governing board for any other public postsecondary educational institution which may be established by the Legislature.

The Legislature may provide the commission with additional powers and duties related to postsecondary education as long as such powers and duties do not invade the governance and management authority of the Board of Regents of the University of Nebraska and the Board of Trustees of the Nebraska State Colleges as provided in the Constitution of Nebraska, Article VII, sections 10 and 13. The Legislature may provide that coordination of the community colleges by the commission pursuant to this section may be conducted through a board or association representing all the community colleges.

Nothing in this section providing for statewide coordination shall limit or require the use of property tax revenue by and for community colleges.

The commission shall consist of eleven members, residents of the state or the districts for which appointed, who shall be appointed by the Governor with the approval of a majority of each house of the Legislature. Six of the members shall be chosen from six districts of approximately equal population and five shall be chosen on a statewide basis.

The terms of the members of the commission shall be six years or until a successor is qualified and takes office, except that of the members initially appointed, four members shall serve for terms of two years and four members shall serve for terms of four years. The members of the commission shall receive no compensation for the performance of their duties but may be reimbursed their actual and necessary expenses.

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-fifths vote of the members elected to each house ~~thereto~~ that (1) the need for

construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and the State Board of Education may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

XVI-1 The Legislature may propose amendments to this Constitution. If the same be agreed to by three-fifths of the members elected to each house of the Legislature, such proposed amendments shall be entered on the journal of each house, with yeas and nays, and published once each week for three consecutive weeks, in at least one newspaper in each county, where a newspaper is published, immediately preceding the next election of members of the Legislature or a special election called by the vote of four-fifths of the members elected to each house of the Legislature for the purpose of submitting such proposed amendments to the electors. At such election such said amendments shall be submitted to the electors for approval or rejection upon a ballot separate from that upon which the names of candidates appear. If a majority of the electors voting on any such amendment adopt the same, it shall become a part of this Constitution, provided the votes cast in favor of such amendment shall not be less than thirty-five per cent of the total votes cast at such election. When two or more amendments are submitted at the same election, they shall be so submitted as to enable the electors to vote on each amendment separately.

XVI-2 When three-fifths of the members elected to each house of the Legislature deem it necessary to call a convention to revise, amend, or change this constitution, they shall recommend to the electors to vote at the next election of members of the Legislature, for or against a convention, and if a majority of the electors voting on the proposition, vote for a convention, the Legislature shall, at its next session provide by law for calling the same;

Provided, the votes cast in favor of calling a convention shall not be less than thirty-five per cent of the total votes cast at such election. The convention shall consist of not more than one hundred members, the exact number to be determined by the Legislature, and to be nominated and elected from districts in the manner to be prescribed by the Legislature. Such members shall meet within three months after their election, for the purpose aforesaid. No amendment or change of this constitution, agreed upon by such convention, shall take effect until the same has been submitted to the electors of the state, and adopted by a majority of those voting for and against the same.

~~To repeal Article XVII, section 1:~~

~~Article XVII, section 1, of the Constitution of Nebraska is repealed.~~

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. ~~Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization.~~ Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

III-10 Beginning with the year 1975, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment. The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members elected to the Legislature shall constitute a quorum; the Legislature shall determine the rules of its proceedings and be the judge of the election, returns, and qualifications of its members, shall choose its own officers and committee chairpersons by a public vote, viva voce, including a Speaker to preside when the Lieutenant Governor shall be absent, incapacitated, or shall act as Governor. No member shall be expelled except by a vote of two-thirds of all members elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person not a member thereof who shall be guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment



shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

III-11 The Legislature shall keep a journal of its proceedings and publish them, except such parts as may require secrecy, and the yeas and nays of the members on any question shall at the desire of any one of them be entered on the journal. All votes shall be viva voce. The doors of the Legislature and of the committees of the Legislature shall be open, ~~except when the business shall be such as ought to be kept secret.~~ The yeas and nays of each member of any committee of the Legislature shall be recorded and published on any question in committee to advance or to indefinitely postpone any bill.

Sec. 4. The proposed amendments shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the Legislature from a unicameral body to a bicameral body with a House of Representatives and a Senate.

For

Against.

A constitutional amendment to change elections for members of the Legislature from a nonpartisan ballot to a partisan ballot.

For

Against.

A constitutional amendment to require election of legislative officers and committee chairpersons by public vote of the members of the Legislature and to require all meetings of the Legislature to be open to the public.

For

Against.

**LEGISLATIVE RESOLUTION 3CA.** Introduced by Cavanaugh, J., 9; Blood, 3; Hunt, 8.

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

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

To amend Article IV, section 1:

IV-1 (1) The executive officers of the state shall be the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, State Treasurer, Attorney General, and the heads of such other executive departments as set forth herein or as may be established by law. The Legislature may provide for the placing of the above named officers as heads over such departments of government as it may by law establish.

(2) The Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer shall be:

(a) Chosen ~~chosen~~ at the general election held in November 1974, and in each alternate even-numbered year thereafter, for a term of four years and until their successors shall be elected and qualified; ~~and-~~

(b) Nominated and elected in a nonpartisan manner and without any indication on the ballot that they are affiliated with or endorsed by any political party or organization.

(3) Each candidate for Governor shall select a person to be the candidate for Lieutenant Governor on the general election ballot. In the general election one vote shall be cast jointly for the candidates for Governor and Lieutenant Governor. The Governor shall be ineligible to the office of Governor for four years next after the expiration of two consecutive terms for which he or she was elected.

(4) The records, books, and papers of all executive officers shall be kept at the seat of government. Executive officers shall reside within the State of Nebraska during their respective terms of office. Officers in the executive department of the state shall perform such duties as may be provided by law.

(5) The heads of all executive departments established by law, other than those to be elected as provided herein, shall be appointed by the Governor, with the consent of a majority of all members elected to the Legislature, but officers so appointed may be removed by the Governor. Subject to the provisions of this Constitution, the heads of the various executive or civil departments shall have power to appoint and remove all subordinate employees in their respective departments.

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

A constitutional amendment to provide for nonpartisan nomination and election of the Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, and State Treasurer.

For

Against.

**LEGISLATIVE RESOLUTION 4CA.** Introduced by Cavanaugh, M., 6; Cavanaugh, J., 9; Hunt, 8.

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

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

To amend Article VI, section 2:

VI-2 No person shall be qualified to vote who is non compos mentis, or who has been convicted of treason ~~or felony~~ under the laws of the state or of the United States, unless restored to civil rights.

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

A constitutional amendment to remove felony convictions other than treason from being a disqualification for voting.

For

Against.

**LEGISLATIVE RESOLUTION 5.** Introduced by Blood, 3.

WHEREAS, the Sixty-eighth Congress of the United States of America at its first session, passed by the House of Representatives on April 26, 1924, and the United States Senate on June 2, 1924, resolved by a Constitutional majority of

two-thirds of each house that the following article be proposed as an amendment to the Constitution of the United States of America:

JOINT RESOLUTION

Proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein), that the following article is proposed as an amendment to the Constitution of the United States, which, when ratified by the legislature of three-fourths of the several States, shall be valid to all intents and purposes as a part of the Constitution:

ARTICLE

Section 1. The Congress shall have the power to limit, regulate, and prohibit the labor of persons under eighteen years of age.

Section 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress.

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

1. That the Legislature ratifies the article proposed as an amendment to the Constitution of the United States as set forth in United States House Joint Resolution 184, dated June 2, 1924.

2. That the Secretary of State certify copies of this resolution by attaching the Great Seal of Nebraska to each copy and forwarding one such copy to each of the following: The Archivist of the United States, the Administrator of the United States General Services Administration, the President pro tempore of the United States Senate, the Speaker of the United States House of Representatives, and each member of Nebraska's congressional delegation.

**LEGISLATIVE RESOLUTION 6CA.** Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

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

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

VIII-14 Notwithstanding any other provision of this Constitution, beginning January 1, 2026, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

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

A constitutional amendment to provide that, beginning January 1, 2026, no governmental entity in the State of Nebraska may impose taxes other than retail consumption taxes or excise taxes.

For

Against.

**LEGISLATIVE RESOLUTION 7CA.** Introduced by Erdman, 47; Brewer, 43; Clements, 2; Halloran, 33; McDonnell, 5; Murman, 38.

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

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

VIII-15 Beginning January 1, 2026, the State of Nebraska shall impose a retail consumption tax or an excise tax on all new goods and services, and the Legislature may authorize political subdivisions to do the same. There shall be no exemption from such taxes except for grocery items purchased for off-premises consumption.

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

A constitutional amendment to provide that the State of Nebraska shall impose a retail consumption tax or an excise tax on all new goods and services, that the Legislature may authorize political subdivisions to do the same, and that there shall be no exemption from such taxes except for grocery items purchased for off-premises consumption.

For

Against.

**LEGISLATIVE RESOLUTION 14CA.** Introduced by Briese, 41; Hunt, 8.

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

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

XVII-12 The Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts or any member of the Legislature may be recalled from office through the procedure and in the manner provided for by law. The procedure shall be known as recall and shall be in addition to any other method of removal from office provided by this Constitution.

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

A constitutional amendment to provide for recall of the Governor, Lieutenant Governor, Secretary of State, State Treasurer, Attorney General, or Auditor of Public Accounts and members of the Legislature as provided by law.

For

Against.

**LEGISLATIVE RESOLUTION 17CA.** Introduced by McKinney, 11; Hunt, 8.

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

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

To amend Article I, section 9:

I-9 (1) All persons shall be bailable by sufficient sureties, except for treason, sexual offenses involving penetration by force or against the will of the victim, and murder, where the proof is evident or the presumption great. Excessive bail shall not be required, nor excessive fines imposed, nor cruel and unusual punishment inflicted.

(2) The death penalty shall not be imposed for any offense. Any sentence of death is commuted to a sentence of life imprisonment.

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

A constitutional amendment to eliminate the death penalty and commute sentences of death to life imprisonment.

For

Against.

**LEGISLATIVE RESOLUTION 18CA.** Introduced by Hunt, 8.

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

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

To amend Article I, section 1:

I-1 All persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, reproductive freedom, the pursuit of happiness, and the right to keep and bear arms for security or defense of self, family, home, and others, and for lawful common defense, hunting, recreational use, and all other lawful purposes, and such rights shall not be denied or infringed by the state or any subdivision thereof. To secure these rights, and the protection of property, governments are instituted among people, deriving their just powers from the consent of the governed.

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

A constitutional amendment to protect the right to reproductive freedom.

For

Against.

**LEGISLATIVE RESOLUTION 19CA.** Introduced by Hunt, 8.

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

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

I-31 (1) Every individual has a fundamental right to reproductive freedom, which entails the right to make and effectuate decisions about all matters

relating to pregnancy, including, but not limited to, prenatal care, childbirth, postpartum care, contraception, sterilization, abortion care, miscarriage management, and infertility care.

(2) The state shall not penalize, prosecute, or otherwise take adverse action against an individual based on the individual's actual, potential, perceived, or alleged pregnancy outcomes, including, but not limited to, miscarriage, stillbirth, or abortion, nor shall the state penalize, prosecute, or otherwise take adverse action against any person for aiding or assisting a pregnant individual in exercising such individual's right to reproductive freedom with such individual's voluntary consent.

(3) This section shall be self-executing.

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

A constitutional amendment to protect individuals' right to reproductive freedom and protect persons aiding and assisting pregnant individuals in exercising such right.

For

Against.

**LEGISLATIVE RESOLUTION 20CA.** Introduced by Conrad, 46; Cavanaugh, M., 6; Hunt, 8.

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

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

I-31 The right of individual privacy is essential to the well-being of a free society and shall not be infringed without the showing of a compelling state interest.

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

A constitutional amendment to prohibit infringement of the right of individual privacy without a compelling state interest.

For

Against.

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

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

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

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

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

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

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

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

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

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

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

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

To amend Article III, section 12:

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

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

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

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

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

For

Against.

**LEGISLATIVE RESOLUTION 23CA.** Introduced by Riepe, 12; Lippincott, 34.

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

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

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

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

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

For

Against.

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

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

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

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

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

~~VII-4 The Governor State Board of Education shall appoint and fix the compensation of a the Commissioner of Education, who shall be the executive officer of the State Board of Education and the administrative head of the State Department of Education, and who shall have such powers and duties as the Legislature may direct. The board shall appoint all employees of the State Department of Education on the recommendation of the Commissioner of Education.~~

XIII-1 The state may, to meet casual deficits, or failures in the revenue, contract debts never to exceed in the aggregate one hundred thousand dollars, and no greater indebtedness shall be incurred except for the purpose of repelling invasion, suppressing insurrection, or defending the state in war, and provision shall be made for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue, which law providing for the payment of such interest by such tax shall be irrevocable until such debt is paid; Provided, that if the Legislature determines by a three-



fifths vote of the members elected thereto that (1) the need for construction of highways in this state requires such action, it may authorize the issuance of bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge any tolls to be received from such highways or it may irrevocably pledge for the term of the bonds all or a part of any state revenue closely related to the use of such highways, such as motor vehicle fuel taxes or motor vehicle license fees and (2) the construction of water retention and impoundment structures for the purposes of water conservation and management will promote the general welfare of the state, it may authorize the issuance of revenue bonds for such construction, and for the payment of the interest and the retirement of such bonds it may pledge all or any part of any state revenue derived from the use of such structures; and provided further, that the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and at the direction of the Governor, the Commissioner of Education ~~the State Board of Education~~ may issue revenue bonds to construct, purchase, or otherwise acquire, extend, add to, remodel, repair, furnish, and equip dormitories, residence halls, single or multiple dwelling units, or other facilities for the housing and boarding of students, single or married, and faculty or other employees, buildings and structures for athletic purposes, student unions or centers, and for the medical care and physical development and activities of students, and buildings or other facilities for parking, which bonds shall be payable solely out of revenue, fees, and other payments derived from the use of the buildings and facilities constructed or acquired, including buildings and facilities heretofore or hereafter constructed or acquired, and paid for out of the proceeds of other issues of revenue bonds, and the revenue, fees, and payments so pledged need not be appropriated by the Legislature, and any such revenue bonds heretofore issued by either of such boards are hereby authorized, ratified, and validated. Bonds for new construction shall be first approved as the Legislature shall provide.

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

A constitutional amendment to eliminate the State Board of Education and transfer the power to appoint the Commissioner of Education to the Governor and the power to issue revenue bonds to the Commissioner of Education at the direction of the Governor.

For

Against.

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

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

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

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

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

For

Against.

**LEGISLATIVE RESOLUTION 27CA.** Introduced by McKinney, 11; Hunt, 8.

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

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

To amend Article IV, section 13:

IV-13 (1) For purposes of this section, offense means any offense against the criminal laws of this state except treason and cases of impeachment.

(2) The Legislature shall provide by law for the establishment of a Board of Parole and the qualifications of its members. Said board, or a majority thereof, shall have power to grant paroles after conviction and judgment, under such conditions as may be prescribed by law, for any ~~offense~~ offenses committed against the criminal laws of this state except treason and cases of impeachment.

(3)(a) The Board of Pardons ~~Governor, Attorney General and Secretary of State, sitting as a board,~~ shall have power to remit fines and forfeitures and to grant respites, reprieves, pardons, or commutations in all cases of conviction for an ~~offense~~ offenses against the laws of the state, except treason and cases of impeachment.

(b) The Board of Pardons shall consist of the Governor, the Attorney General, the Secretary of State, and the following members appointed by the Governor and approved by the Legislature to serve for the remainder of the Governor's term in office:

- (i) An individual who was formerly incarcerated;
- (ii) An individual with experience in restorative justice and reentry into society;
- (iii) An individual with experience as a victim's rights representative; and
- (iv) An individual with experience in mental health, conflict resolution, trauma counseling, and trauma therapy.

(c) The Board of Parole may advise the ~~Board of Pardons~~ Governor, Attorney General and Secretary of State on the merits of any application for remission, respite, reprieve, pardon or commutation but such advice shall not be binding on the Board of Pardons ~~them~~.

(4) The Governor shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, or commute the sentence, or direct the execution, or grant a further reprieve.

IV-13 (1) For purposes of this section, offense means any offense against the criminal laws of this state except treason and cases of impeachment.

(2) The Legislature shall provide by law for the establishment of a Board of Parole and the qualifications of its members. Said board, or a majority thereof, shall have power to grant paroles after conviction and judgment, under such conditions as may be prescribed by law, for any ~~offense~~ offenses committed against the criminal laws of this state except treason and cases of

~~impeachment.~~

~~(3)(a) The Governor, Attorney General and Secretary of State, sitting as a Board of Pardons board, shall have power to remit fines and forfeitures and to grant respites, reprieves, pardons, or commutations in all cases of conviction for an offense offenses against the laws of the state, except treason and cases of impeachment.~~

~~(b) An individual is eligible for pardon immediately after conviction of an offense.~~

~~(c) The Board of Pardons shall not deny a hearing for a pardon for any individual convicted of an offense.~~

~~(d) The Board of Pardons shall make an individual decision for each request for a pardon.~~

~~(e) All members of the Board of Pardons shall meet at least twice each month to hear any requests for pardons from any individual convicted of an offense.~~

~~(f) The Board of Parole may advise the Board of Pardons Governor, Attorney General and Secretary of State on the merits of any application for remission, respite, reprieve, pardon or commutation but such advice shall not be binding on the Board of Pardons them.~~

(4) The Governor shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, ~~or~~ commute the sentence, ~~or~~ direct the execution, or grant a further reprieve.

IV-13 (1) For purposes of this section, offense means any offense against the criminal laws of this state except treason and cases of impeachment.

(2) The Legislature shall provide by law for the establishment of a Board of Parole and the qualifications of its members. Said board, or a majority thereof, shall have power to grant paroles after conviction and judgment, under such conditions as may be prescribed by law, for any ~~offense offenses committed against the criminal laws of this state except treason and cases of impeachment.~~

~~(3)(a) The Governor, Attorney General and Secretary of State, sitting as a Board of Pardons board, shall have power to remit fines and forfeitures and to grant respites, reprieves, pardons, or commutations in all cases of conviction for an offense offenses against the laws of the state, except treason and cases of impeachment.~~

~~(b) All members of the Board of Pardons shall meet at least twice each month to hear any requests for pardons from any individual convicted of an offense. If the Board of Pardons fails to meet as required by this subsection during three months within a calendar year, for the remainder of the calendar year the Judiciary Committee of the Legislature may hear and may grant or deny any requests for pardons received during such calendar year.~~

~~(c) The Board of Parole may advise the Board of Pardons Governor, Attorney General and Secretary of State on the merits of any application for remission, respite, reprieve, pardon or commutation but such advice shall not be binding on the Board of Pardons them.~~

(4) The Governor shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, ~~or~~ commute the sentence, ~~or~~ direct the execution, or grant a further reprieve.

IV-13 (1) For purposes of this section, offense means any offense against the criminal laws of this state except treason and cases of impeachment.

(2) The Legislature shall provide by law for the establishment of a Board of Parole and the qualifications of its members. Said board, or a majority thereof, shall have power to grant paroles after conviction and judgment, under such conditions as may be prescribed by law, for any offense offenses committed against the criminal laws of this state except treason and cases of impeachment.

(3)(a) The Governor, Attorney General and Secretary of State, sitting as a Board of Pardons board, shall have power to remit fines and forfeitures and to grant respites, reprieves, pardons, or commutations in all cases of conviction for an offense offenses against the laws of the state, except treason and cases of impeachment.

(b) The Board of Parole may advise the Board of Pardons Governor, Attorney General and Secretary of State on the merits of any application for remission, respite, reprieve, pardon or commutation but such advice shall not be binding on the Board of Pardons them.

(4)(a) The Board of Commutation shall have power to commute the sentence of any individual convicted of an offense.

(b) The Board of Commutation shall consist of the following members:

(i) Two members shall be elected from each congressional district for two-year terms at the general election in 2026 and at each general election thereafter. If a vacancy occurs, the Governor shall appoint a replacement member to serve the remainder of the term. Such replacement member shall be subject to approval by the Legislature; and

(ii) One member appointed by the Governor in December of 2026 and during December of each even-numbered year thereafter. Such appointed member shall serve for a two-year term and shall have experience in restorative justice and reentry into society. Such appointed member shall be subject to approval by the Legislature. If a vacancy occurs, the Governor shall appoint a replacement member to serve the remainder of the term. Such replacement member shall be subject to approval by the Legislature.

(5) The Governor shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, or commute the sentence, or direct the execution, or grant a further reprieve.

Sec. 5. The proposed amendments shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to change the membership of the Board of Pardons.

For

Against.

A constitutional amendment to change the powers and duties of the Board of Pardons.

For

Against.

A constitutional amendment to allow the Judiciary Committee of the Legislature to hear requests for pardons during a year in which the Board of Pardons fails to meet as required.

For

Against.

A constitutional amendment to create the Board of Commutation and provide for its powers and membership.

For  
Against.

**LEGISLATIVE RESOLUTION 28CA.** Introduced by Linehan, 39.

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

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

To amend Article VII, section 3:

VII-3 The State Board of Education shall be composed of seven ~~eight~~ members, who shall be appointed by the Governor, with the advice and consent of the Legislature, with initial appointments of two members for a term of two years, two members for a term of four years, and three members for a term of six years. As the terms of the members expire, the Governor shall appoint or reappoint a member for a term of six years to succeed the member whose term expires ~~elect~~ ~~from eight districts of substantially equal population as provided by the Legislature. Their term of office shall be for four years each.~~ Their duties and powers shall be prescribed by the Legislature, and they shall receive no compensation, but shall be reimbursed their actual expense incurred in the performance of their duties. The members of the State Board of Education shall not be actively engaged in the educational profession ~~and they shall be elected on a nonpartisan ballot.~~

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

A constitutional amendment to change the composition of the State Board of Education to seven members appointed by the Governor with the advice and consent of the Legislature.

For  
Against.

**LEGISLATIVE RESOLUTION 29CA.** Introduced by Linehan, 39.

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

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

To amend Article VII, section 3:

VII-3 The State Board of Education shall be composed of eight members, who shall be elected from eight districts of substantially equal population as provided by the Legislature. Their term of office shall be for four years each and members shall not serve more than two consecutive terms. Their duties and powers shall be prescribed by the Legislature, and they shall receive no compensation, but shall be reimbursed their actual expense incurred in the performance of their duties. The members of the State Board of Education shall not be actively engaged in the educational profession and they shall be elected on a nonpartisan ballot.

Sec. 2. The proposed amendment shall be submitted to the electors in the

manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to limit the terms of the members of the Board of Education to not more than two consecutive terms.

For

Against.

**LEGISLATIVE RESOLUTION 30CA.** Introduced by Murman, 38.

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

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

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may provide that commercial real property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing commercial real property which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon

all property within the class of commercial real property; (7) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (8) (~~7~~) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (9) (~~8~~) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

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

A constitutional amendment allowing the Legislature to provide for a different method of taxing commercial real property.

For

Against.

**LEGISLATIVE RESOLUTION 31.** Introduced by Halloran, 33; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Clements, 2; Dorn, 30; Erdman, 47; Hansen, B., 16; Hardin, 48; Holdcroft, 36; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Moser, 22; Murman, 38; Sanders, 45; Slama, 1; DeKay, 40.

WHEREAS, the Founders of the Constitution of the United States empowered state legislators to be guardians of liberty against future abuses of power by the federal government; and WHEREAS, the federal government has created a crushing national debt through improper and imprudent spending; and WHEREAS, the federal government has invaded the legitimate roles of the states through the manipulative process of federal mandates, most of which are unfunded to a great extent; and WHEREAS, the federal government has ceased to live under a proper interpretation of the Constitution of the United States; and WHEREAS, it is the solemn duty of the states to protect the liberty of our people, particularly for the generations to come, to propose amendments to the Constitution of the United States through a convention of states under Article V to place clear restraints on these and related abuses of power; and WHEREAS, in 2022 the One Hundred Seventh Legislature, Second Session, adopted

Legislative Resolution 14 which contained an application for an Article V Convention to propose constitutional amendments identical to those proposed in this resolution, but provided that the application would be rescinded on February 1, 2027, five years after the passage of Legislative Resolution 14.

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

1. That the Legislature hereby applies to Congress, under the provisions of Article V of the Constitution of the United States, for the calling of a convention of states limited to proposing amendments to the Constitution that impose fiscal restraints on the federal government, limit the power and jurisdiction of the federal government, and limit the terms of office for its officials and members of Congress.

2. That the Legislature adopts this application with the following understandings, reservations, and declarations:

- (a) An application to Congress for an Article V convention confers no power on Congress other than to perform a ministerial function to call for a convention;
- (b) Such ministerial duty shall be performed by Congress only when Article V applications for substantially the same purpose are received from two-thirds of the legislatures of the several states;
- (c) The power of Congress to call a convention solely consists of the authority to name a reasonable time and place for the initial meeting of the convention;
- (d) Congress possesses no power whatsoever to name delegates to the convention, as this power remains exclusively within the authority of the legislatures of the several states;
- (e) Congress possesses no power to set the number of delegates to be sent by any of the states;
- (f) Congress possesses no power whatsoever to determine any rules for such convention;
- (g) By definition, a convention of states means that states vote on the basis of one state, one vote;
- (h) A convention of states convened pursuant to this application is limited to consideration of topics specified in this resolution and no other;
- (i) The Legislature may recall its delegates at any time for breach of their duties or violations of their instructions pursuant to the procedures adopted in this resolution;
- (j) Pursuant to the text of Article V, Congress may determine whether proposed amendments shall be ratified by the legislatures of the several states or by special state ratification conventions. The Legislature recommends that Congress specify its choice on ratification methodology contemporaneously with the call for the convention;
- (k) Congress possesses no power whatsoever with regard to the Article V convention beyond the two powers acknowledged in this resolution; and
- (l) Nebraska places express reliance on prior legal and judicial determinations that Congress possesses no power under Article I of the Constitution relative to the Article V process, and that Congress must act only as expressly specified in Article V.

3. That this application hereby repeals, rescinds, cancels, renders null and void, and supersedes the application to the Congress for a convention under



Article V of the Constitution of the United States by this state in Legislative Resolution 14 as adopted by the One Hundred Seventh Legislature of Nebraska, Second Session, in 2022; and

4. That the Clerk of the Legislature shall prepare an official copy of this resolution to the President and Secretary of the United States Senate, the Speaker and Clerk of the United States House of Representatives, each member of the Nebraska Congressional delegation, and the presiding officers of each of the legislative houses in the several states requesting their cooperation.

5. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications to Congress for an Article V convention on the same subject.

**LEGISLATIVE RESOLUTION 146.** Introduced by Conrad, 46; Dungan, 26.

WHEREAS, the people living on the land that would eventually be designated as the District of Columbia were provided the right to vote for representation in Congress when the United States Constitution was ratified in 1788; and

WHEREAS, the passage of the Organic Act of 1801 placed the District of Columbia under the exclusive authority of the United States Congress and abolished residents' right to vote for members of Congress and the President and Vice President of the United States; and

WHEREAS, residents of the District of Columbia were granted the right to vote for the President and Vice President through passage of the Twenty-Third Amendment to the United States Constitution in 1961; and

WHEREAS, as of 2021, the United States Bureau of the Census data estimates that the District of Columbia's population at approximately 689,545 residents, which is comparable to the populations of Wyoming (576,851), Vermont (643,077), Alaska (733,391), and North Dakota (779,094); and

WHEREAS, residents of the District of Columbia share all the responsibilities of United States citizenship, including paying more federal taxes than residents of twenty-two states, service on federal juries, and defending the United States as members of the United States Armed Forces in every war since the War for Independence, yet they are denied full representation in Congress; and

WHEREAS, the residents of the District of Columbia themselves have endorsed statehood for the District of Columbia and passed a District-wide referendum on November 8, 2016, which favored statehood by eighty-six percent; and

WHEREAS, no other democratic nation denies the right of self-government, including participation in its national legislature, to the residents of its capital; and

WHEREAS, the residents of the District of Columbia lack full democracy, equality, and citizenship enjoyed by the residents of the fifty states; and

WHEREAS, the United States Congress repeatedly has interfered with the District of Columbia's limited self-government by enacting laws that affect the District of Columbia's expenditure of its locally raised tax revenue, including barring the usage of locally raised revenue, thus violating the fundamental principle that states and local governments are best suited to enact legislation that represents the will of their citizens; and

WHEREAS, although the District of Columbia has passed consecutive balanced budgets since Fiscal Year 1997, it still faces the possibility of being

shut down yearly because of Congressional deliberations over the federal budget; and

WHEREAS, District of Columbia Delegate Eleanor Holmes Norton and Delaware United States Senator Tom Carper introduced in the 117th Congress H.R. 51 and S. 51, the Washington, D.C. Admission Act, that provides that the State of Washington, D.C. would have all the rights of citizenship as taxpaying American citizens, including two Senators and at least one House member; and

WHEREAS, the United Nations Human Rights Committee has called on the United States Congress to address the District of Columbia's lack of political equality, and the Organization of American States has declared the disenfranchisement of the District of Columbia residents a violation of its charter agreement, to which the United States is a signatory.

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

1. That the Legislature urges the members of the United States Congress to enact federal legislation granting statehood to the people of Washington, D.C.

2. That copies of this resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Nebraska congressional delegation.

**FIRST DAY - JANUARY 3, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 3, 2024

**PRAYER**

The prayer was offered by Speaker Arch.

**PRESENTATION OF COLORS**

Presentation of Colors by the Nebraska State Patrol - Headquarters Troop Honor Guard.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

Pursuant to the provisions of Article III, Section 10 of the Constitution of Nebraska, the One Hundred Eighth Legislature, Second Session, 2024 of the Legislature of Nebraska assembled in the George W. Norris Legislative Chamber of the State Capitol at the hour of 10:00 a.m., on Wednesday, January 3, 2024, and was called to order by President Kelly.

The roll was called and the following members were present:

Aguilar, Raymond	Dover, Robert	McKinney, Terrell
Albrecht, Joni	Dungan, George III	Meyer, Fred
Arch, John	Erdman, Steve	Murman, Dave
Armendariz, Christy	Fredrickson, John	Sanders, Rita
Ballard, Beau	Halloran, Steve	Slama, Julie
Blood, Carol	Hansen, Ben	Vargas, Tony
Bosn, Carolyn	Hardin, Brian	von Gillern, R. Brad
Bostar, Eliot	Holdcroft, Rick	Walz, Lynne
Bostelman, Bruce	Hughes, Jana	Wayne, Justin
Brandt, Tom	Hunt, Megan	Wishart, Anna
Brewer, Tom	Ibach, Teresa	
Cavanaugh, John	Jacobson, Mike	

Cavanaugh, Machaela	Kauth, Kathleen
Clements, Robert	Linehan, Lou Ann
Conrad, Danielle	Lippincott, Loren
Day, Jen	Lowe, John S. Sr.
DeBoer, Wendy	McDonnell, Mike
Dorn, Myron	

The following members were excused:

Moser, Mike	Raybould, Jane	Riepe, Merv
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**CERTIFICATE**

State of Nebraska

United States of America, )	Secretary of State
) ss.	State Capitol
State of Nebraska )	Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the State of Nebraska do hereby certify that the attached is a true and correct copy of the Official Roster of members of the Nebraska Unicameral Legislature elected or appointed to serve in the One Hundred Eighth Legislature, Second Session, 2024.

Further, I hereby certify that the members so listed on the Official Roster attached hereto are the duly elected or appointed members of the Unicameral Legislature in the State of Nebraska for the One Hundred Eighth Legislature, Second Session, 2024.

Finally, I hereby certify that all election returns, abstracts, canvass and appointment records with reference to said members are on file in the office of the Secretary of State and are a matter of public record.

Nothing further is certified.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of January 3, 2024.

(SEAL)	(Signed) Robert B. Evnen
	Secretary of State

DISTRICT/NAME	ELECTED
1 Julie Slama	November 3, 2020
2 Robert Clements	November 8, 2022
3 Carol Blood	November 3, 2020
4 R. Brad von Gillern	November 8, 2022

5	Mike McDonnell	November 3, 2020
6	Machaela Cavanaugh	November 8, 2022
7	Tony Vargas	November 3, 2020
8	Megan Hunt	November 8, 2022
9	John Cavanaugh	November 3, 2020
10	Wendy DeBoer	November 8, 2022
11	Terrell McKinney	November 3, 2020
12	Merv Riepe	November 8, 2022
13	Justin T. Wayne	November 3, 2020
14	John Arch	November 8, 2022
15	Lynne M. Walz	November 3, 2020
16	Ben Hansen	November 8, 2022
17	Joni Albrecht	November 3, 2020
18	Christy Armendariz	November 8, 2022
19	Robert Dover*	Appointed July 22, 2022
20	John A. Fredrickson	November 8, 2022
21	Beau Ballard*	Appointed January 4, 2023
22	Mike Moser	November 8, 2022
23	Bruce Bostelman	November 3, 2020
24	Jana Hughes	November 8, 2022
25	Carolyn Bosn*	Appointed April 7, 2023
26	George C. Dungan III	November 8, 2022
27	Anna Wishart	November 3, 2020
28	Jane Raybould	November 8, 2022
29	Eliot Bostar	November 3, 2020
30	Myron Dorn	November 8, 2022
31	Kathleen R. Kauth	November 8, 2022
32	Tom Brandt	November 8, 2022
33	Steve Halloran	November 3, 2020
34	Loren Lippincott	November 8, 2022
35	Raymond M. Aguilar	November 3, 2020
36	Rick Holdcroft	November 8, 2022
37	John S. Lowe Sr.	November 3, 2020
38	Dave Murman	November 8, 2022
39	Lou Ann Linehan	November 3, 2020
40	Barry DeKay	November 8, 2022
41	Fred Meyer*	Appointed November 15, 2023
42	Mike Jacobson	November 8, 2022
43	Tom Brewer	November 3, 2020
44	Teresa J. Ibach	November 8, 2022
45	Rita Sanders	November 3, 2020
46	Danielle Conrad	November 8, 2022
47	Steve Erdman	November 3, 2020
48	Brian Hardin	November 8, 2022
49	Jen Day	November 3, 2020

**RESIGNATION**

October 17, 2023

Dear Governor Pillen,

This letter is to inform you that I will be resigning from the Legislature effective at 11:59 PM on October 31, 2023. Thank you for the opportunity to serve as the State Treasurer for our Great State. I look forward to working with you in my new capacity.

Sincerely,  
(Signed) Tom Briese

cc: Senator Arch, Speaker of the Legislature  
Brandon Metzler, Clerk of the Legislature

**MESSAGE(S) FROM THE GOVERNOR**

November 15, 2023

Fredric C Meyer  
1580 Hwy 281  
St Paul, NE 68873-3410

Dear Senator Meyer:

It is my pleasure to appoint you as a member of the Nebraska Legislature representing District 41 effective November 15, 2023. Your knowledge and input are valuable and your willingness to serve in this important position is appreciated. Working together we can make wise decisions while keeping the best interests of our citizens in mind.

Congratulations and best wishes.

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosure

**GUBERNATORIAL APPOINTMENT**

Greetings To All Who Shall See These Presents Know Ye, that I Jim Pillen, on behalf of the State of Nebraska and as Governor, do hereby appoint Fredric C Meyer as a member of the Nebraska Legislature representing District 41.

Reposing special trust in your ability, integrity and patriotism, I do authorize and empower you to discharge the duties of said appointment, according to law.

This appointment shall take effect on November 15, 2023, and continue until January 7, 2025 provided you shall satisfactorily perform all the duties imposed by law.

(Signed) Jim Pillen  
Governor

(Signed) Robert B. Evnen  
Secretary of State

**OFFICIAL OATH**

STATE OF NEBRASKA )  
  ) ss.  
County of Lancaster )

"I, Fredric C. Meyer, do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Constitution of the State of Nebraska, and will faithfully discharge the duties of Member of the Legislature, District 41 according to the best of my ability, and that at the election at which I was chosen to fill said office, I have not improperly influenced in any way the vote of any elector, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, company or person, or any promise of office, for any official act or influence (for any vote may give or withhold on any bill, resolution, or appropriation)."\*

(Signed) Fredric C. Meyer

Subscribed in my presence and sworn to before me this 15th day of November 2023.

(SEAL) (Signed) Robert B. Evnen  
Secretary of State

\*Constitution of the State of Nebraska, Article XV, Section One.  
For Executive, Judicial Officers and Members of the Legislature.

**EXECUTIVE BOARD REPORT**

The Executive Board reported the following committee assignments made over the interim:

Senator Meyer was appointed to fill the vacancy on the Education Committee and Revenue Committee.

**MESSAGE(S) FROM THE GOVERNOR**

June 5, 2023

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

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

Contingent upon your approval, the following individual is being appointed as Adjutant General for the State of Nebraska:

Craig Strong, 525 Half Moon Bay, Lincoln, NE 68527

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

June 5, 2023

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

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

Contingent upon your approval, the following individual is being appointed as Director of the Nebraska Department of Economic Development:

KC Belitz, 2509 34<sup>th</sup> Street, Columbus, NE 68601

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



June 12, 2023

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

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

Contingent upon your approval, the following individual is being appointed as Executive Director of the Nebraska Crime Commission:

Bryan Tuma, 5421 NW Fairway Drive, Lincoln, NE 68521

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

June 20, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Crime Victim's Reparations Committee:

Michael D Jones, 1007 Wicklow Road, Papillion, NE 68046

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

June 26, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Nebraska Liquor Control Commission:

Bruce D Bailey, 118 Pelican Bay Pl, Lincoln, NE 68528

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

June 27, 2023

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

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

Contingent upon your approval, the following individual is being appointed as Director of the Nebraska Broadband Office:

Patrick Haggerty, 2500 White Pine Way, Stillwater, MN 55082

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

July 10, 2023

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

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

Contingent upon your approval, the following individual is being appointed as the Nebraska State Patrol representative to the Public Employees Retirement Board:

Luke H. Splattstoesser, 4600 Innovation Drive, Lincoln, NE 68521

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

August 2, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Nebraska Educational Telecommunications Commission:

Courtney C. Wittstruck, 5937 Woodstock Avenue, Lincoln, NE 68512  
Patricia M Kircher, 15715 California Street, Omaha, NE 68118  
Dorothy C Anderson, 3210 Van Dorn Street, Lincoln NE 68502

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

July 31, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Nebraska Crime Victim's Reparations Committee - Public Member representing a Charitable Organization:

Ann E Ames, 2128 Lake Street, Lincoln, NE 68502

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

July 31, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Crime Victim's Reparations Committee - Public Member - Experience with Victims and Survivors:

John Brazda, 1717 Harney Street, 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

August 10, 2023

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

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

Contingent upon your approval, the following individual is being appointed as the Tax Commissioner of the Nebraska Department of Revenue:

James R Kamm, 2804 North 160 Avenue, Omaha, NE 68116

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

August 15, 2023

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

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

Contingent upon your approval, the following individual is being appointed as the Chief Executive Officer of the Nebraska Department of Health and Human Services:

Steven L. Corsi, PsyD, 1229 143<sup>rd</sup> Street NE, Marysville, WA 98271

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

August 15, 2023

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Board of Parole:

Layne Gissler, 10655 W Mill Road, Malcolm, NE 68402

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

August 15, 2023

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

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

Contingent upon your approval, the following individual is being appointed to the Coordinating Commission for Postsecondary Education:

Dannika L Nelson, 534 24<sup>th</sup> Road, Oakland, NE 68045

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

August 16, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Commission of Industrial Relations:

Dallas Jones, 1900 South 25<sup>th</sup> Street, Lincoln, NE 68502

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

August 17, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the State Racing and Gaming Commission:

John (Chris) Stinson, 1715 Columbia Circle, Grand Island, NE 68801

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

September 1, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the State Highway Commission:

Richard W Meginnis, 2720 Katy Circle, Lincoln, NE 68506

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

September 15, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Nebraska Technical Advisory Committee for Statewide Assessment:

Christy Hovanetz, PhD, 7326 Willow Lane, Brooklyn Park, MN 55444  
Jeffrey Nellhaus, 4017 48<sup>th</sup> Street NW, Washington, DC 20016  
Linda Poole, 5054 South 171<sup>st</sup> Avenue, Omaha, NE 68135

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

October 2, 2023

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

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



Contingent upon your approval, the following individual is being appointed as Director of the Nebraska Public Employees Retirement Systems:

John Murante, 16423 Leavenworth Circle, Omaha, NE 68118

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

Enclosure

cc: Senator McDonnell – Chairman of Retirement Committee

October 23, 2023

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

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

Contingent upon your approval, the following individual is being appointed as Director of the Department of Health and Human Services - Division of Children and Family Services:

Alyssa L. Bish, PhD, 3303 Snow Leopard Dr, Columbia, MO 65202

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

October 25, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the State Highway Commission:

Heath Mello, 3424 South 94<sup>th</sup> Street, Omaha, NE 68124

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

October 30, 2023

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

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

Contingent upon your approval, the following individuals are being appointed as members of the Nebraska Environmental Trust Board:

Theodore E Vasko, 500 Windsor Drive, Papillion, NE 68046 , District 1  
Roger Helgoth, 2517 South 126<sup>th</sup> Street, Omaha, NE 68144, District 2  
Eric Hansen, 3723 West Foothill Rd, North Platte, NE 69101, District 3

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 6, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Nebraska Board of Health:

John Kuehn, DVM, 1101 43 Road, Heartwell, NE 68945, Veterinarian  
Daniel J Rosenthal, PE, 7211 Woody Creek Lane, Lincoln, NE 68516,  
Engineer

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

November 22, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the State Highway Commission:

Greg Wolford, 702 Airport Road, McCook, NE 69001, District 7  
David Copple, 3405 Rolling Hills Drive, Norfolk, NE 68701, District 3  
James Kindig, 201 E Pine Street – PO Box 336, Kenesaw, NE 68956,  
District 4

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

November 29, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as member of the Nebraska Oil and Gas Conservation Commission:

John Arley Rundel, 416 East C Street, Trenton, NE 69044

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

December 4, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Nebraska Ethanol Board:

Tracy Zink, 39495 Rd 719, Indianola, NE 69034, Sorghum Production  
Jan K tenBensel, 703 Nasby Street, Cambridge, NE 69022, Wheat  
Production

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 22, 2023

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

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

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

Gail Werner-Robertsen, 1215 North 136th, Omaha, NE 68154

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

December 18, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Board of Educational Lands and Funds:

Dwayne B Probyn, 813 Western Hills Drive, Papillion, NE 68046

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

December 18, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Power Review Board:

William F Austin, 2511 South 77th Place, Lincoln, NE 68506

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

December 18, 2023

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

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

Contingent upon your approval, the following individuals are being appointed as members of the Nebraska Arts Council:

Jon Gross, 2626 Ridgeline Ct, Lincoln, NE 68512, District 1  
Lovell James Wright, 4369 S 153rd Circle, Omaha, NE 68137, District 2

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 18, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Nebraska Arts Council:

Jana Goranson, 899903 Dillon Rd, Gordon, NE 69343, District 3

Clark Roush, 525 N Ohio Avenue, York, NE 68467-3330, District 3  
Brian Botsford, 411 East 26th, Kearney, NE 68847, District 3  
Zachary Cheek, 3021 N 170th Street, Omaha, NE 68116, District 2

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 18, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Tax Equalization and Review Commission:

Steven Keetle, 14812 Berry Circle, Omaha, NE 68137

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

December 22, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Board of Educational Lands and Funds - At Large:

Jon W Abegglen, 3114 8th Avenue, Kearney, NE 68845

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

December 22, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Power Review Board:

David Liegl, 8100 Myrtle Street, Lincoln, NE 68506

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

December 22, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Coordinating Commission for Postsecondary Education - At Large:

Dr. LeDonna Griffin, 2865 Newport Avenue, Omaha, NE 68112

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

December 22, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Coordinating Commission for Postsecondary Education:

Dr. Dennis Headrick, 5808 Box Canyon Circle, Lincoln, NE 68516,  
District 1

Dr. Deborah Frison, 6945 North 118th Circle, Omaha, NE 68142, District 2  
Timothy Daniels, 9214 Crown Point Avenue, Omaha, NE 68134, At Large

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 27, 2023

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

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

Contingent upon your approval, the following individuals are being reappointed as members of the Game and Parks Commission:

John M Hoggatt, 10210 14th Avenue, Kearney, NE 68847, District 4-Ag-  
Independent

Donna Kush, 4001 South 173rd Circle, Omaha, NE 68130, District 2-  
Republican

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

December 28, 2023

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Public Employees Retirement Board:

Charles Neumann, 908 North Kansas Avenue, Hastings, NE 68901, County  
Retirement Program

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

December 28, 2023

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

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

Contingent upon your approval, the following individual is being reappointed as a member of the Public Employees Retirement Board:

Gerald Clausen, 7855 South 25th Street, Lincoln, NE 68512, Public  
Member (Non-State Employee)

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

### COMMUNICATION(S)

Received communication to President Kelly, Speaker Arch, and Members of the Legislature from Timothy Tesmer, M.D., Chief Medical Officer, Division of Public Health, Department of Health and Human Services, regarding the appointment of the following to the Nebraska Stem Cell Research Advisory Committee:

Dr. Rui Yi  
Dr. Dennis Roop  
Dr. David Owens.

### ATTORNEY GENERAL'S OPINION

#### Nebraska Department of Justice

Opinion No. 23-009 — December 15, 2023

Opinion for Senator Tom Brewer

#### **The Power of Municipalities to Regulate the Possession of Weaponry at Public Parks, Trails, and Sidewalks.**

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**Summary:** Municipalities lack authority to regulate the possession of firearms and certain weapons in quintessential public spaces, such as parks, trails, and sidewalks. A statute enacted in 2023, L.B. 77, deprives municipalities of regulatory authority over the possession of firearms or other weapons. And municipalities cannot use their common law proprietary authority to evade this regulatory restriction. Additionally, a blanket ban on firearms possession in such spaces would infringe constitutional rights under the Second Amendment and the Nebraska Constitution.

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This year, the Legislature passed L.B. 77, which, after becoming law, significantly changes the way the possession, carriage, and sale of firearms and other weapons are regulated in Nebraska. L.B. 77, 108th Leg., 1st Sess. (2023) (enacted). Relevant here, L.B. 77 declared the regulation of

the "ownership, possession, storage, transportation, sale, and transfer" of weaponry to be a "matter of statewide concern" and stripped municipalities of nearly all regulatory authority in that space. Neb. Rev. Stat. § 13-330 (Cum. Supp. 2023). In the wake of L.B. 77's passage, several Nebraska municipalities have issued executive orders that purport to restrict or ban the possession of weaponry on property the municipality owns or controls. These orders include public buildings (such as courthouses), and in some cases expand beyond buildings to include quintessential public places that are usually held open to the public at large, such as parks, trails, and sidewalks. See, e.g., *Prohibition of Firearms on City of Omaha Property*, Executive Order No. S-48-23 (Aug. 30, 2023), <https://perma.cc/N6KY-M47S>; *City of Lincoln Weapons Policy*, Executive Order No. 97985 (Sep. 12, 2023), <https://perma.cc/RBL8-MKXB>.

You have asked whether existing law "prevent[s] Nebraska municipalities from regulating the possession of firearms and other weapons in public spaces, e.g., public parks, trails, and sidewalks." It does. You have also asked whether additional legislation would be necessary to prevent municipalities from regulating weapon possession in these places. None is needed. Municipal action—regardless of the form it takes (enacted ordinance, executive order, informal policy, etc.)—that restricts or bans the possession of weaponry in quintessential public spaces, like those public places identified in your opinion request (parks, trails, sidewalks, and the like), violates at least two rules of law.

First, L.B. 77 forbids municipalities from "regulat[ing] the . . . possession [and] transportation . . . of firearm or other weapons, except as expressly provided by state law." Neb. Rev. Stat. § 13-330(2), (3). The public spaces identified in your request are not public buildings or like areas where municipal corporations can properly exercise significant common law "proprietary" authority; as such, restrictions on weapon possession in places such as parks, trails, and sidewalks necessarily are regulatory in nature. No matter the form of the restriction nor the way in which it is described, these prohibitions are in conflict with L.B. 77. Second, there is an individual constitutional right to bear arms in public secured by the constitutions of the United States and the State of Nebraska. Thus, even if a municipality possessed and could properly exercise proprietary authority over quintessential public spaces such as parks, trails, and sidewalks, a total ban or significant restriction on the possession of weaponry would violate those constitutionally protected rights.

Accordingly, measures like Omaha Executive Order S-48-23 and Lincoln Executive Order 97985 are unlawful, at least to the extent they restrict or prohibit the possession of weaponry in those quintessential public spaces traditionally held open to the public at large, such as public parks,

trails, and sidewalks. No additional legislation would be needed to cabin the authority of Nebraska municipalities to regulate the possession of firearms and other weapons in such spaces.

Because your opinion request expressly is directed towards these spaces, and not to specific public buildings such as courthouses, this opinion does not address the legality of the orders in those respects. Indeed, the question as to whether and to what extent a governmental entity may restrict possession in these facilities is a subject of ongoing jurisprudential and scholarly debate.

## I.

### A.

We begin with L.B. 77, the Legislature's 2023 law that deprived Nebraska municipalities of any regulatory authority over the possession of firearms and other weapons. The Act provides, in pertinent part:

- (1) The Legislature finds and declares that the regulation of the ownership, possession, storage, transportation, sale, and transfer of firearms and other weapons is a matter of statewide concern.
- (2) Notwithstanding the provisions of any home rule charter, counties, cities, and villages shall not have the power to:
  - (a) Regulate the ownership, possession, storage, transportation, sale, or transfer of firearms or other weapons, except as expressly provided by state law; or
  - (b) Require registration of firearms or other weapons.
- (3) Any county, city, or village ordinance, permit, or regulation in violation of subsection (2) of this section is declared to be null and void.

Neb. Rev. Stat. § 13-330. For L.B. 77 to make an executive order or other municipal action "null and void," three factors must be present. Voidable action must (1) regulate, (2) cover the "the ownership, possession, storage, transportation, sale, or transfer of firearms or other weapons," and (3) not be grounded in some express authority provided elsewhere in state law.

The second and third factors clearly apply to the Omaha and Lincoln executive orders. Omaha's order provides that "no person shall have in his or her possession any firearm on City Property" which is broadly

defined to include "all City managed buildings/facilities/parks/public spaces" and the "surrounding areas such as sidewalks, driveways, and parking lots under the City's Control." Executive Order No. S-48-23, <https://perma.cc/N6KY-M47S>. Lincoln's order prohibits the "possession of weapons" on "City property," which is defined as "any premises under the care and control of the City of Lincoln" including "sidewalks . . . [and] parks . . . ." Executive Order No. 97985, <https://perma.cc/RBL8-MKXB>.<sup>1</sup> Thus, both concern the possession of firearms or other weaponry. And neither cites to any provision of state law that "expressly provides" municipalities authority to regulate the possession of weaponry. Nor are we aware of one.

## B.

Having concluded that the Omaha and Lincoln executive orders satisfy two of the three factors that trigger the preemptive language of L.B. 77, we turn to the final factor, whether those orders "regulate." They do.

The portions of the executive orders that apply to quintessential public spaces have a regulatory character. When a municipality engages in action that is "public in nature" or "in furtherance of general law for the interest of the public at large," it is exercising governmental (regulatory) power. *Gates v. City of Dallas*, 704 S.W.2d 737, 738 (Tex. 1986). This includes the promulgation of policies that are "aimed at society as a whole" and actions that are "historically undertaken exclusively by the State as one of its unique civic responsibilities." *Sebastian v. State*, 93 N.Y.2d 790, 795 (1999). For example, "it is clear that a municipality is acting in a governmental capacity in the acquisition and allocation of resources for fighting fires." *Hall v. City of Youngstown*, 239 N.E.2d 57, 60 (Ohio 1968).

Municipalities' regulatory authority stands in contrast to their proprietary authority. Municipal corporations, like all other persons or legal entities with a possessory interest in real property, enjoy fundamental property rights recognized at common law. *See Henry v. City of Lincoln*, 93 Neb. 331, 140 N.W. 664, 666 (1913). "Property owned by [a] city used in a proprietary business enterprise . . . is regarded by the law the same as property owned by any individual or business corporation." *Borgman v. City of Fort Wayne*, 215 Ind. 201, 206 (1939).

The "right to exclude" is one of the "most essential sticks" in the "bundle of rights commonly characterized as property." *Kaiser Aetna v. United States*, 444 U.S. 164, 176 (1979). Because municipalities possess proprietary authority, they can (absent other pertinent considerations, as discussed below) exercise this fundamental right at or in property they own or control. Thus, just as a private person or business entity can bid a

houseguest or other licensee to leave property under their control by simple request, a municipality exercising its proprietary authority can do the same. *See, e.g., State v. Stanko*, 304 Neb. 675, 685, 936 N.W.2d 353, 362 (2019). And subsidiary of the power to remove is the power to condition entry. The ubiquity of "no shirt, no shoes, no service" illustrates this principle in action at the most basic level.

Given the foregoing, it follows that there are places where, relying solely on its fundamental common law proprietary authority,<sup>2</sup> a municipality can restrict (or even ban entirely) the possession of firearms or other weapons. As our Supreme Court said in *Stanko*, the common law recognizes the right of business owners to "exclude from their premises [individuals] whose actions disrupt the regular and essential operations of the premises or threaten the security of the premises and its occupants." 304 Neb. at 686, 936 N.W.2d at 362. A municipality wearing its "proprietary hat" enjoys a commensurate right.

That said, the proprietary authority of municipal corporations over quintessential public spaces, such as public parks, trails, and sidewalks, is limited.<sup>3</sup> Though municipalities may hold legal title to or otherwise exercise control over them, these spaces are held in trust for public use and are presumptively open to and accessible by the public at large. *Hague v. Comm. for Indus. Org.*, 307 U.S. 496, 515 (1939); *see also United States v. Kokinda*, 497 U.S. 720, 743–74 (1990) (Brennan, J., dissenting). A municipality that governs behavior in these places must, with limited exception, exercise regulatory, not proprietary, power. "Wherever the title of streets and parks may rest . . . [the] use of [these] public places has, from ancient times, been a part of the privileges, immunities, rights, and liberties of citizens." *Hague*, 307 U.S. at 515; *accord Abboud v. Lakeview, Inc.*, 237 Neb. 326, 335, 466 N.W.2d 442, 449 (1991) ("A park is for the benefit of and is held in trust by a city for the public").

The character of these quintessential public spaces makes them unamenable to most exercises of proprietary authority by a municipality. In *Hague*, the United States Supreme Court rejected the argument, advanced by a municipality, that because "the city's ownership of streets and parks is as absolute as one's ownership of his home" its ownership interest carried with it the "consequent power [to] altogether . . . exclude citizens from the use thereof." 307 U.S. at 514. Exercising a proprietary "right to exclude," the Court explained, is incompatible with the concept of a space that is "held in trust for the use of the public," which necessarily makes such spaces open to the public at large. *Id.* at 515.<sup>4</sup>

That does not mean these public areas are law-free zones. On the contrary, *Hague* recognized that "[t]he privilege of a citizen . . . to use the

streets and parks . . . may be *regulated* in the interest of all." *Id.* (emphasis added). But there is a material difference between the exercise of proprietary and regulatory (governmental) authority. *See, e.g., Bldg. & Const. Trades Council of Metro. Dist. v. Associated Builders & Contractors of Massachusetts/Rhode Island, Inc.*, 507 U.S. 218, 227 (1993); *City of Buffalo v. State Bd. of Equalization & Assessment*, 260 N.Y.S.2d 710, 713 (Sup. Ct. 1965), *rev'd on other grounds*, 272 N.Y.S.2d 168 (1966) ("The distinction between these capacities [proprietary and regulatory] is not semantical; nor are the consequences insignificant."). Thus, as the Supreme Court of Illinois has stated, because "public streets are held in trust for the use of the public" municipalities generally "do not possess proprietary powers over [them]." *Am. Tel. & Tel. Co. v. Vill. of Arlington Heights*, 156 Ill. 2d 399, 409, 620 N.E.2d 1040, 1044 (1993). Instead, there (and in analogous public places) "[t]hey only possess regulatory powers." *Id.*

At least insofar as they apply to public parks, trails, sidewalks and analogous spaces, the executive orders do not exercise propriety authority. Consider Lincoln Executive Order No. 97985, which applies broadly to "any premises under the care and control of the City of Lincoln" including "public sidewalks . . . [and] parks . . . under the City's ownership or control." Executive Order 97,985, <https://perma.cc/RBL8-MKXB>. The order explicitly states that it is "intended to protect and promote the health, safety, and welfare of *all* community residents." *Id.* (emphasis added). Similarly, the stated impetus for Omaha Executive Order S-48-23, which prohibits firearms at all property "owned or leased [by the] City of Omaha," is the city's "obligation to provide a safe place for [its] citizens" and the "members of the public" who have access to and are "able to use" city property. Executive Order S-48-23, <https://perma.cc/N6KY-M47S>.

On their face, these orders are "aimed at society as a whole" and the "interests of the public at large." They both apply their weapons prohibition to public parks, sidewalks, and other quintessentially public places that have "immemorially been held in trust for the use of the public." Concomitantly, these executive orders (at least the portions that apply to such quintessential public spaces) are best understood as regulatory measures.<sup>5</sup>

To sum up, because L.B. 77 deprives municipalities of any regulatory power with respect to the possession and transportation of weaponry, municipal action that bans or otherwise regulates the possession of firearms or other weapons in those quintessentially public spaces is unlawful.<sup>6</sup> There can be little doubt that portions of the municipal actions that prompted this Opinion have a regulatory character. Public parks, trails, and sidewalks are presumptively open to the public at large. General edicts designed to govern behavior in such spaces, then, are not aimed at a small



subset of the public, like municipal employees or individuals who come to a government office or other facility (akin to a customer) to interact with the municipal corporation operating in a proprietary capacity (akin to a business). Instead, they operate as a policy prescription applicable to all. Action with this sort of universal impact necessarily involves the exercise of regulatory authority.

## II.

The Lincoln and Omaha executive orders (and any similar municipal action) also violate the Constitution. Insofar as those orders limit the right to carry weapons in public for self-defense, they infringe on the right to "bear arms" secured by the constitutions of the United States and Nebraska.

Both the Second Amendment to the United States Constitution and Article I, Section 1, of the Nebraska Constitution secure the right of Nebraska citizens "to keep and bear arms." These constitutional enshrinements secure to Nebraskans the fundamental, "basic" right to carry a firearm or other weapon for the purpose of self-defense. *McDonald v. City of Chicago*, 561 U.S. 742, 767 (2010).

The United States Supreme Court has explained that the plain meaning of the phrase "bear arms" "naturally encompasses [the] public carry" of firearms. *New York State Rifle & Pistol Ass'n, Inc. v. Bruen*, 597 U.S. 1 (2022). The Second Amendment's reference to the right to "bear arms" refers to the right to "wear, bear, or carry . . . upon the person or in the clothing or in a pocket, for the purpose . . . of being armed and ready for offensive or defensive action in a case of conflict with another person." *D.C. v. Heller*, 554 U.S. 570, 584 (2008) (citations and internal quotation marks omitted). Thus, "the Second Amendment guarantees 'an individual right to possess and carry weapons in case of confrontation.'" *Bruen*, 597 U.S. at 33 (quoting *Heller*, 554 U.S. at 592). Given that a "confrontation can surely take place outside the home" a less expansive understanding of the right to bear arms—one that did not embrace a right to public carriage—would "nullify half of the Second Amendment's operative protections." *Id.*<sup>7</sup>

The import of *Bruen*, then, is clear: "The Second Amendment's plain text . . . presumptively guarantees . . . a right to 'bear' arms in public for self-defense." 597 U.S. at 33. To the extent some municipal action, like Lincoln's or Omaha's executive order, infringes on that right, it is unconstitutional.

That said, not every exercise of municipal proprietary authority that restricts firearm or other weapon possession is unconstitutional. Both

*Bruen* and *Heller* recognized that there are some "sensitive places" where it is constitutionally permissible for the possession of weapons to be "altogether prohibited." *Bruen*, 597 U.S. at 30; *D.C. v. Heller*, 554 U.S. 570, 626 (2008). "Courthouses" along with "legislative assemblies" and "polling places" have been offered as examples, *Bruen*, 597 U.S. at 30, as have "schools and government buildings," *Heller*, 554 U.S. at 626. The precise scope of the doctrine remains unsettled: *Bruen* rejected an overly broad conception—any location where "people typically congregate and where law-enforcement . . . professionals are presumptively available"—but left the task of outlining a "comprehensive definition" to a later date. *See* 597 U.S. at 30–31.

Just as was the case above, the fact that one portion of an executive order or other municipal action is unconstitutional does not necessarily render that action unlawful in its entirety.<sup>8</sup> Many public buildings where government business is conducted can be fairly described as "public places;" some, like courthouses, are even presumptively open to members of the public. *See, e.g.*, Neb. Rev. Stat. § 24-1001 (Reissue 2016) ("All judicial proceedings of all courts established in this state must be open to the attendance of the public unless otherwise specially provided by statute."). But there are many obvious and material differences between a courtroom and a public park or trail or sidewalk. That a municipality cannot constitutionally ban the possession of firearms or other weapons in a park or on its sidewalks does not mean that weapons must be allowed in the public gallery of a courtroom or other sensitive place.

Because your question is addressed to public spaces such as parks, trails, and sidewalks, not public buildings, this Opinion does not address where the "sensitive places" line exactly lies, which is a subject of ongoing jurisprudential and scholarly debate. Because state law already prohibits municipalities from regulating firearm possession, it suffices for present purposes to note that the sensitive places doctrine is but one of several possible reasons why constitutional limitations on the possession of weaponry may differ across various locations that can fairly be described as a "public space."

### III.

Existing law prevents Nebraska municipalities from regulating the possession of firearms or other weapons in public spaces like those identified in your opinion request, namely "public parks, trails, and sidewalks." Municipalities have sharply limited proprietary authority over these spaces, and L.B. 77 deprived municipalities of all regulatory authority over the possession of weaponry. Consequently, municipalities have no

lawful means of restricting or prohibiting the possession of firearms or other weapons there.

Furthermore, the right to publicly bear arms for self-defense provides a constitutional backstop that would preclude a blanket prohibition on weapon possession in those spaces, regardless of whether a municipality sought to implement such a restriction or prohibition by way of regulation or through an exercise of its common law proprietary authority.

Michael T. Hilgers  
*Attorney General of Nebraska*

<sup>1</sup> Lincoln’s executive order does exclude from its definition of “City property” “public street[s]” and “public sidewalk[s] that run[] parallel to a public street.”

<sup>2</sup> L.B. 77 contains a provision that effectively codifies the proprietary right to exclude individuals carrying a concealed handgun. L.B. 77, § 9, 108th Leg., 1st Sess. (2023) (enacted), *codified at* Neb. Rev. Stat. § 28-1202.01(2). L.B. 77 does not contain any language suggesting that this provision was intended to *restrict* the scope of proprietary authority recognized at common law. Our Supreme Court has instructed that legislative enactments should not be read or construed to “restrict[] or abolish[] common-law rights” unless “the plain words of the statute compel such result.” *Macku v. Drackett Prod. Co.*, 216 Neb. 176, 180, 343 N.W.2d 58, 61 (1984). Thus, it would be inappropriate to read L.B. 77 as a limitation, rather than a textual reinforcement, of the proprietary authority recognized at common law. Individuals or entities properly imbued with and appropriately exercising their common law proprietary authority can restrict or forbid the carriage of any type of firearm or other weaponry on property they own or control.

<sup>3</sup> The limited proprietary authority municipalities retain over these spaces can be used to do basic things, such as set hours of operation. *See, e.g., Borough of Dumont v. Caruth*, 123 N.J. Super. 331, 336 (Mun. Ct. 1973) (“[A] municipality may close a park during certain hours of the night just as it may close public buildings . . . municipalities are [not] required to hold open all public facilities for public use 24 hours a day.”).

<sup>4</sup> The inaptitude of proprietary power over such spaces also reflects practical reality. “Public access [to streets, sidewalks, parks, and other similar public spaces] is not a matter of grace by government officials but rather is inherent in the open nature of the locations.” *Kokinda*, 497 U.S. at 743 (Brennan, J., dissenting).

<sup>5</sup> Our conclusion would hold even if the orders were understood to properly exercise proprietary authority. A governmental entity cannot evade an express restriction on its regulatory authority through the exercise of its proprietary

power. See *Wisconsin Dep't of Indus., Lab. & Hum. Rels. v. Gould Inc.*, 475 U.S. 282, 290–91 (1986). “In exercising its proprietary power, a municipality may not act beyond the purposes of [a] statutory grant of power or contrary to express statutory or constitutional limitations.” *Burns v. City of Seattle*, 161 Wash. 2d 129, 154 (2007). When a municipality attempts to subvert a regulatory restriction in this way, even a legitimate exercise of proprietary power will be treated as if it were an exercise of regulatory authority, and any applicable limitations constraining an exercise of regulatory authority in that context will be respected. See *Gould*, 475 U.S. at 291; *Friends of the Eel River v. N. Coast R.R. Auth.*, 3 Cal. 5th 677, 736–37 (2017).

<sup>6</sup> Section 13-330 renders any municipal regulation of “the ownership, possession, storage, transportation, sale, or transfer of firearms or other weapons” not expressly permitted by state law to be “null and void.” Neb. Rev. Stat. § 13-330(2), (3). Whether Section 13-330 requires the *entirety* of an impermissible ordinance or other action be nullified, or instead renders only any unlawful portion of such action void, raises a severability question that is not facially resolved by the statutory text. Because there is no need to resolve that question here, we decline to wade into the murky waters of severability.

<sup>7</sup> Our Supreme Court has not directly addressed whether Article I, Section 1, of the Nebraska Constitution embraces the public carriage of firearms. That said, textual similarity between the Second Amendment and Article I, Section 1, leads us to presume, at a minimum, a congruence between the rights secured by those two authorities.

<sup>8</sup> Then again, Section 13-330 may require just that. This Opinion does not address this question of severability. See FN 6, *supra*.

#### COMMUNICATION(S)

Received a copy of HRC 1017 from the state of Oklahoma relating to an Article V Convention for proposing amendments to the United States Constitution and a gathering of the states in preparation for an Article V Convention; authorizing a delegation of commissioners from this state to attend and participate in gatherings of the states; stating purpose; providing for selection and composition of the delegation; providing that the delegation shall be bound by the rules established for the gathering of states; providing that the delegation to the convention of states shall also serve as commissioners to the Article V Convention for proposing amendments to the United States Constitution when called; providing for selection of alternates; prohibiting commissioners to the Article V convention from voting for unauthorized amendments; providing for replacement of commissioners who violate the prohibition; providing for voting; requiring the taking of an oath; establishing an Article V Convention Committee; providing composition and duties; requiring commissioner to adhere to certain principles; providing termination date; and directing filing and distribution.

Received a copy of HRC 1032 from the state of Oklahoma relating to a Constitutional Convention pursuant to Article V of the United States Constitution; application; distribution.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Jacobson - LB31  
 Conrad - LB16  
 Kauth - LB575  
 Arch - LB461  
 Brandt - LB61

**ANNOUNCEMENT(S)**

Speaker priority bill/resolution designations are as follows:  
 LBs 78, 308, and 664.

**MOTION - Chairperson of Executive Board**

Senator Holdcroft moved to proceed to the election of the Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Aguilar placed his name in nomination.

Senator M. Cavanaugh placed her name in nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Sanders, Lowe, and Holdcroft as tellers.

Senator Aguilar	38
Senator M. Cavanaugh	<u>6</u>
	44

Senator Aguilar was duly elected Chairperson of the Executive Board.

**MOTION - Vice Chairperson of Executive Board**

Senator Bosn moved to proceed to the election of the Vice Chairperson of the Executive Board of the Legislative Council.

The motion prevailed.

Senator Lowe placed his name in nomination.

Senator McKinney placed his name in nomination.

Senator Wayne placed his name in nomination.

Senator Wayne withdrew his name from nomination.

The Chair declared the nominations closed.

The Chair appointed Senators Hughes, Dungan, and J. Cavanaugh as tellers.

Senator Lowe	31
Senator McKinney	<u>15</u>
	46

Senator Lowe was duly elected Vice Chairperson of the Executive Board.

### **EASE**

The Legislature was at ease from 10:44 a.m. until 10:51 a.m.

### **MOTION - Executive Board Member**

Senator Walz moved to proceed to the election of the Third Caucus member of the Executive Board of the Legislative Council as outlined in 50-401.01.

The motion prevailed.

Senator Jacobson was nominated from District 3.

### **REPORT - Third District Congressional Caucus**

January 3, 2024

Brandon Metzler  
Clerk of the Legislature  
Room 2018 - State Capitol  
Lincoln, NE 68509

The Third District Caucus has elected Senator Mike Jacobson as the new Third District representative to the Executive Board.

Sincerely,  
(Signed) Senator John Lowe

### **MOTION - Approve Executive Board Member**

Senator Bostar moved the approval of the nominee to the Executive Board of the Legislative Council.

The motion prevailed.

The Chair declared the nominee duly elected.

### PROPOSED RULES CHANGE(S)

Senator Erdman filed the following proposed rule changes:

#### Proposed Rule Change 1

**Rule 7, Sec. 10. Cloture.** At any stage of consideration the principal introducer of the bill under consideration, a co-introducer with the consent of the principal introducer, or the chairperson of the committee, if the bill is introduced by that committee, may move for cloture to the presiding officer; however, the presiding officer may rule such motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. ~~A two-thirds majority of the elected members shall be required for the cloture motion to be successful.~~ A motion for cloture shall be deemed successful whenever passed by two-thirds of the members voting Yea or Nay with no fewer than 25 affirmative votes. A vote of Present/Not Voting shall not be counted as a vote when voting on a cloture motion. A motion for cloture on a major proposal shall require a three-fifths majority of the members voting Yea or Nay to pass. A motion for cloture which fails for lack of sufficient votes shall result in the debate on the bill or resolution ending for the day. When the Speaker chooses to resume debate on the bill or resolution, successive motions for cloture shall not be in order until one additional hour of debate has occurred. A vote on a cloture motion shall be a record machine vote.

#### Proposed Rule Change 2

##### RULE 11 – MOTIONS FOR DEBATE ON RULE CHANGES

All Rules of Procedure shall take precedence and hold priority over any motions for debate on changes to the rules.

**Sec. 1. Motion, in Writing, Withdrawal, Parameters of Debate.** (a) A motion when debating changes to the rules shall be either stated by the presiding officer or read by the Clerk before a vote is taken. All motions shall be submitted in writing if requested by the presiding officer or any senator.

(b) Once motions are stated they may be withdrawn or modified by the mover before a decision or ordering of a vote has been made. A motion to reconsider may be withdrawn only with unanimous consent or a viva voce majority vote of the elected members.

(c) The Speaker shall order the debate on the rules, shall set time parameters for debate on each proposed rule change, and shall allot up to eight hours of debate on any proposed rule change. Upon completion of the debate or expiration of the allotted time for debate as prescribed by the Speaker, which ever comes first, a record machine vote shall be taken to advance the proposed rule change. If there is a pending motion or amendment before the body when either the debate ends or the allotted time for debate expires, a record machine vote shall be taken on the pending matter followed by an immediate record machine vote to advance the proposed rule change. If the pending matter is an amendment to an amendment, following a record machine vote on the amendment to the amendment, a record machine vote shall be taken on the original amendment. If the original amendment has been divided, then the record machine vote shall be on the original undivided amendment being considered.

(d) If the Legislature has not adopted a permanent set of standardized rules by the 15<sup>th</sup> scheduled day of the session during an odd numbered year, a motion to adopt the previous year's set of standardized rules as amended shall be in order. A motion to adopt the previous year's set of standardized rules is neither amendable nor debatable.

(e) Because proposed rule changes effect parliamentary procedures rather than the constitutions or the state statutes, they shall require only one round of debate and shall not be subject to the three rounds of debate reserved for bills and resolutions for constitutional amendments.

**Sec. 2. Proposals.** Propositions considered for a standardized set of rules and propositions considered for changes in the rules shall take the form of a rules proposal and shall be known as a proposed rule change. Because proposed rule changes are neither bills nor resolutions, they must be submitted in a legible written form with new language to be added to the rule underlined or written in red ink and language to be deleted from the rule shown with a strike through.

**Sec. 3. Ordering of Priority Motions.** (a) Priority motions shall take precedence over and hold priority over non-priority motions, but shall not hold precedence over or hold priority over any of the Rules of Procedure. Priority motions shall take precedence in the following order:



- (1) To recess
- (2) To adjourn
- (3) Call the question
- (4) Motion to adopt temporary rules
- (5) For cloture
- (6) Motion to adopt permanent rules
- (7) To Recommit
- (8) To postpone to a time certain [Bracket]
- (9) To postpone indefinitely

#### **Sec. 4. Priority Motions.**

(a) Motion to Recess. (1) The motion to recess is a motion to temporarily suspend debate on a proposed rule change or an amendment to a proposed rule change. A motion to recess shall hold precedence over and hold priority over all other priority motions, but shall not be in order when another member is speaking or when a motion to adjourn or recess has just been defeated.

(2) Successive motions to recess for dilatory purposes shall never be in order and shall be subject to the dilatory rule.

(3) The motion to recess is not debatable, except that the Speaker shall be privileged to speak to the motion prior to any vote on such motion.

(4) The motion to recess shall be deemed successful whenever a viva voce majority of the members present agree.

(b) Motion to Adjourn. (1) The motion to adjourn is a motion to end debate on any rules proposals or other matters for the remainder of the day with the intention of returning for further debate on the rules at the next scheduled legislative day.

(2) A motion to adjourn to a time certain shall have precedence over a motion to adjourn. A motion to recess shall take precedence over either of such motions. Successive motions to adjourn for dilatory purposes shall never be in order and shall be subject to the dilatory rule.

(3) When a motion to adjourn has been made, the Speaker shall be privileged to speak to the motion prior to any vote on such motion. A motion to adjourn is not debatable.

(4) A motion to adjourn shall be deemed successful whenever a record majority of the members present agree.

(c) Motion to Call the Question. (1) A motion to call the question is a motion asking the presiding officer to end debate on a proposed rule change, an amendment, or a motion by calling for the previous (concluding) question. A Senator making the motion for the previous question, shall ask the presiding officer to call for the previous question. The presiding officer shall then ask the body, "Shall debate cease?"

(2) At any time during a debate on a proposed rule change any member of the body wishing to end debate on a proposed rule change, an amendment, or a motion and who has been recognized by the presiding officer to speak may call for the debate to cease by calling for the previous question.

(3) A motion to call for the question shall be made only in the normal course of speaking order and shall be in order when demanded by ten or more members, and must be sustained by a record vote of a majority of the elected members, and until decided shall, except as provided in this section of this rule, preclude further debate and all amendments and motions, except a motion to recess or a motion to adjourn.

(4) On a motion to call the question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.

(5) When the previous question shall have been ordered on a proposed rule change, the chair of the Rules Committee shall be given the right to close the debate thereon.

(6) A motion for the previous question shall be deemed successful by way of a record majority vote of the members present.

d) Motion to Adopt Temporary Rules. A motion to adopt temporary rules is a motion to adopt the rules from a previous session of the Legislature or another set of standardized rules until permanent rules have been so adopted. A motion to adopt temporary rules shall be deemed successful when passed by a record majority vote of the members elected. Once permanent rules have been adopted, the motion to adopt temporary rules shall be deemed out of order, except when preceded by a successful motion to suspend the rules.

(e) Motion to Adopt Permanent Rules. A motion to adopt permanent rules is a motion to adopt a set of standardized rules for the remainder of the Legislative session at hand. Any member of the Legislature may move to adopt a permanent set of standardized rules, provided that no permanent set of rules have yet been adopted. The presiding officer shall not recognize a

motion to adopt a permanent set of rules unless such motion is supported by one tenth of the members elected and verified by a show of hands. A motion to adopt a permanent set of rules shall be deemed successful when passed by a majority roll call vote of the members elected.

(f) Motion for Cloture. (1) The motion for cloture is a motion to end debate on the current amendment to the rules under consideration and immediately proceed to voting on the proposal along with any pending amendments to the proposal which have already been recognized by the presiding officer during the course of the debate. At any time during debate on the rules the principal introducer of a proposed rule change under consideration or the chairperson of the rules committee may move for cloture to the presiding officer. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending motion to cease. A vote on the cloture motion shall then be taken.

(2) A motion for cloture on an amendment to a proposed rule change shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately and without debate.

(3) If any Senators have left the chamber, the presiding officer shall make a call of the house before voting on a cloture motion.

(4) A motion for cloture shall be deemed successful whenever two-thirds of the members voting Yea or Nay have cast their votes as Yea or Nay and no fewer than 25 Senators have cast a vote. A vote of Present/Not voting shall not be counted as a Yea or Nay vote when voting on a cloture motion.

(5) A motion for cloture which fails for lack of sufficient votes shall result in the debate on the proposed rule change ending for the day. When the Speaker chooses to resume debate on the proposed rule change, a motion for cloture shall be out of order. Debate may continue until time expires and a record vote shall then be taken on the proposed rule change.

(g) Motion to Amend. (1) A motion to amend is a motion to remove content and/or add content to a proposed rule change.

(2) A motion to amend shall be submitted in writing and shall contain the actual words to be added to a proposed rule change and/or the actual words to be stricken from a proposed rule change.

(3) During an odd numbered year or unless otherwise directed by the Speaker, and a motion to amend is under consideration, a motion to amend that amendment shall be in order.

(4) A motion to amend the rules shall be deemed successful by way of record majority vote of the members elected.

(h) Motion to Recommit. (1) The Motion to Recommit is a motion to remove a proposed rule change from debate and send it back to the Rules Committee for reconsideration and/or amending.

(2) A motion to recommit shall not be recognized by the presiding officer until after the introducer of a proposed rule change has opened by explaining the rule or the rule change for a period up to ten minutes.

(3) Any Senator filing a motion to recommit shall do so in writing to the Clerk.

(4) The presiding officer shall not recognize a motion to recommit unless such motion is agreed to by five or more members and is verified by way of a show of hands.

(5) A motion to recommit may only be filed once on a proposed rule change, except that this limitation shall not apply to the introducer of the proposed rule change. This rule shall apply even after the motion fails to be attested to by five or more members by way of a show of hands.

(6) A motion to recommit shall be deemed successful if three-fifths of the members of the Legislature agree by way of a record machine vote.

(i) Motion to Postpone to a Time Certain [Bracket]. (1) The motion to postpone to a time certain is a motion to postpone debate on a proposed rule change to another time or to another date. The motion to postpone to a time certain is also known as a bracket motion.

(2) A motion to postpone to a time certain [Bracket] shall not be recognized by the presiding officer until after the chair of the Rules Committee or the introducer of the proposed rule change has opened on the proposal by explaining the proposal for a period up to ten minutes.

(3) The presiding officer shall not recognize a motion to postpone to a time certain [Bracket] unless such motion is agreed to by five or more members and is verified by way of a show of hands.

(4) Any Senator filing a motion to postpone to a time certain shall do so in writing to the Clerk and indicate the time or the date when debate on such rule proposal or proposed rule change should reconvene.

(5) A motion to postpone to a time certain may only be recognized by the presiding officer once on a proposed rule change, except that this limitation shall not apply to the introducer of the proposed rule change. A Senator filing a second motion to postpone to a time certain on shall be deemed out of order.

(6) A proposed rule change successfully postponed to a time certain after sine die shall be subject to the rule to indefinitely postpone.

(7) A vote to postpone to a time certain [Bracket] shall be deemed successful when three-fifths of the members of the Legislature agree by way of a record machine vote.

(i) Motion to Postpone Indefinitely. (1) A motion to postpone a proposed rule change effectively kills it. A proposed rule change which has been indefinitely postponed means that no further action may be taken on the proposal.

(2) A motion to indefinitely postpone a proposed rule change shall not be recognized by the presiding officer until the proposal is read and the introducer of the proposal has been given up to ten minutes to open on the proposed rule change by explaining the proposal.

(3) The presiding officer shall not recognize a motion to indefinitely postpone a rules proposal or a proposed rule change unless such motion is agreed to by five or more members and is verified by way of a show of hands.

(4) The motion to indefinitely postpone a proposed rule change shall not be recognized by the presiding officer more than once for a proposal being debated. A member who files a second motion to indefinitely postpone a proposed rule change shall be deemed out of order. This rule shall apply even after the motion fails to be attested to by five or more Senators by way of a show of hands

**Sec. 5. Incidental Motions.** Incidental motions may pertain to correcting breaches of good parliamentary procedure.

(a) Motion of Germaneness. (1) No motion, proposition, or subject different from that under consideration shall be admitted under color of amendment. Any amendment that is not germane is out of order and is subject to the germaneness rule. Germane amendments relate only to the details of the specific subject of the bill or resolution and must be in a natural and logical sequence to the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject. A motion of germaneness shall be deemed successful whenever a viva voce majority of the members agree.

(b) Motion to Divide the Question. (1) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings.

(2) Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert.

(3) A motion to divide the question shall be deemed successful whenever a viva voce majority of the members present agree.

(4) Following a successful vote of the members to divide the question, the Lieutenant Governor or the presiding officer shall decide how the question is to be divided. Such decision shall not be subject to any further debate.

(c) Motion for a Call of the House. (1) Members of the Legislature are expected to remain inside the chamber during floor debates; however, members of the body on occasion may have good reason to leave. When members are absent from the chamber and have not been excused, such members may be called to return to the chamber by way of a motion for a Call of the House.

(2) A call of the house may be made by any member in the manner following: "I move for a call of the house." The presiding officer shall direct that the board be cleared and the members shall then vote on placing themselves under call.

(3) If a majority of the members present and voting vote in favor of such a motion, then the Legislature shall be deemed to be under call. Each member present shall indicate his or her presence upon the electric roll call system and shall remain in his or her seat during the call. After the Clerk shall note the names of the absentees, proceedings under the call may be suspended at any time by a majority vote of the members then present, and when so suspended shall not again be ordered on the proposition pending, except by a majority vote of the members elected.

(4) The presiding officer may declare a motion to place the house under call out of order if all of the absentees were to vote on one side of the question and if their combined vote would be insufficient to change a result of the vote.

(5) When a member is recognized to close on a motion and requests a call of the house, the time spent waiting for the members to record their presence shall be counted against the member's closing time.

(d) Motion to Suspend for Dilatory Purposes. (1) Motions shall not be filed for dilatory purposes. If more than two motions are offered to a proposed rule change which are believed to delay progress of the debate, the Speaker or the principal introducer of the proposal may file a motion to suspend for dilatory purposes, stating that he or she believes the motions are being used for dilatory purposes. The motion to suspend for dilatory purposes shall be filed in writing with the Clerk and each motion charged with being dilatory shall be named and/or identified in the motion.

(2) The presiding officer shall recognize the Speaker and/or the principal introducer of the proposed rule change for five minutes to explain why the motions are of a dilatory nature. The presiding officer shall then recognize the Senator or Senators filing the motions for five minutes each to explain why such motions are not of a dilatory nature. The motion to suspend for dilatory purposes is a non-debatable motion and no Senator may yield time to another Senator.

(3) Without any further debate, the presiding officer shall ask, "Are the motions of a dilatory nature?" and a machine vote shall be taken among the members present.

(4) If the majority of the members present decide by way of a record machine vote that the motions are of a dilatory nature, the motions shall be withdrawn and the Senator or Senators who filed such motions shall be precluded from filing any further motions to the proposed rule change.

**Proposed Rule Change 3**

**Rule 3, Section 8: Chairperson, Vice Chairperson.** (a) The chairperson of each standing and select committee shall be selected by ~~secret ballot~~ a roll call majority vote of the elected members ~~vote on the floor~~ of the legislature, whereby each Senator shall state the name of the candidate of his or her choice.

**Proposed Rule Change 4**

**Rule 3, Sec. 16. Executive Sessions and Closed Meetings.** (a) Executive session shall mean any meeting or portion of a meeting which is closed to the general public and members of the news media, and the proceedings of which are not electronically recorded and transcribed, unless the chair of the committee so provides, but the records of which shall be available for public inspection. ~~Executive sessions shall be open to members of the news media who may report on action taken and on all discussions in executive session.~~

(b) ~~Except as provided in Rule 3, Section 5(c)(ii), all other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.~~

**Proposed Rule Change 5**

**Rule 7, Section 11. Motions and Amendments for Dilatory Purposes.** Motions and amendment shall not be filed for dilatory purposes. If more than two amendments and/or motions are offered to a bill or resolution the ~~principal introducer of the bill or resolution may raise a point of order stating that he or she believes the amendments and or motions are being used for dilatory purposes. If, in the opinion of the Speaker, the motions and or amendments are not dilatory, debate on the pending measure shall continue. If the Speaker has reason to believe that one or more of the amendments and/or motions are dilatory, the Speaker shall consult with the principal introducer of the original bill or resolution and the principal introducers of the amendments and/or motions in an attempt to reach an accord as to which amendments and/or motions should be considered by the Legislature. For that purpose, the Speaker may temporarily remove the entire bill or resolution from the agenda. After consultation, the Speaker shall forthwith decide which, if any, amendments and/or motions are dilatory and shall rule such amendments and/or motions out of order. A motion to overrule the chair on any decision made pursuant to this section is not in order except that a ruling of the chair may be challenged by an introducer of amendments and /or motions ruled to be dilatory in which instance the challenge shall be to all amendments and/or motions included~~



in the Speaker's ruling. The consultation and the Speaker's ruling subsequent to consultation provided for in this section, shall in no case result in a bill or resolution being removed from the agenda for more than the current legislative day. Any amendment and /or motion ruled out of order by the Speaker shall not in any form, version, or substance be in order if again offered by any member at the same stage of debate. A motion to overrule the chair after a ruling is out of order. which are believed to be used to delay progress on the debate, the principal introducer of the bill or resolution or the chair of the committee if the bill is a committee bill may file a motion to suspend for dilatory purposes, stating that he or she believes the motions are being used for dilatory purposes. The motion to suspend for dilatory purposes shall be filed in writing with the Clerk and shall be recognized by the presiding officer when verified by a show of ten hands or more. Each motion and/or amendment charged with being dilatory shall be named and/or identified in the motion along with the name(s) of the Senators filing such motions and/or amendments.

(2) The presiding officer shall recognize the Speaker and/or the principal introducer of the bill or resolution or the committee chair if the bill is a committee bill for five minutes each to explain why the motion(s) and/or amendment(s) are of a dilatory nature. The presiding officer shall then recognize the Senator or Senators filing the motion(s) and/or amendment(s) for five minutes each to explain why such motions and/or amendments are not of a dilatory nature. The motion to suspend for dilatory purposes is a non-debatable motion and no Senator may yield time to another Senator.

(3) Without any further debate, the presiding officer shall ask, "Are the motions or amendments of a dilatory nature?" and a record machine vote shall be taken among the members present.

(4) If a three-fifths majority of the members present decide by way of a record machine vote that the motion(s) and/or amendment(s) are of a dilatory nature, the motion(s) and/or amendment(s) shall be withdrawn and the Senator or Senators who filed such motion(s) and/or amendment(s) shall be precluded from filing any further motion(s) and/or amendment(s) to the bill or resolution under consideration until the bill or resolution advances to the next stage of debate.

(5) Once a motion or amendment has been declared dilatory by way of a successful vote of the Legislature, a motion to reconsider shall be out of order.

#### **Proposed Rule Change 6**

**Rule 7, Sec. 4. Shall the Debate Cease. Motion to Call the Question.** The previous question shall be in the form, "Shall the debate now close?"

~~The previous question shall be made only in the normal course of speaking order and shall be in order when demanded by five or more members, and must be sustained by the vote of a majority of the elected members, and until decided shall, except as provided in this section of this rule, preclude further debate and all amendments and motions, except one motion to adjourn. The presiding officer may rule the previous question out of order if in the presiding officer's opinion a full and fair debate has not been afforded, due to the complexity of the subject matter. The ruling of the presiding officer shall be subject to overrule in accordance with Rule 1, Section 12 of these rules.~~

~~On a previous question there shall be no debate. All incidental questions of order, arising after a motion is made for a previous question, and pending such motion, shall be decided, whether on appeal or otherwise, without debate.~~

~~When the previous question shall have been ordered on a proposition under debate, the mover, proponents, or introducer of such proposition shall be given the right to close debate thereon.~~

(1) The motion to call the question is a motion asking the presiding officer to end debate on a bill, a resolution, an amendment, or a motion by calling for the previous (concluding) question. A Senator making the motion to call the question, shall ask the presiding officer to call for the previous question. The presiding officer shall then ask the body, "Shall debate cease?"

(2) At any time during a debate on a bill or resolution any member of the body wishing to end debate on a bill, a resolution, an amendment, or a motion and who has been recognized by the presiding officer to speak may call for the debate to cease by calling for the question.

(3) Calling for the question shall be made only in the normal course of speaking order and shall be in order when demanded by ten or more members and verified by way of a show of hands.

(4) On a motion to call the question there shall be no debate.

(5) When the previous question shall have been ordered on a proposition under debate, the mover, proponent, or introducer of such proposition shall be given the right to close the debate thereon.

(6) A motion to call the question shall be deemed successful by way of a viva voce majority vote of the members present.

(7) A motion to call the question shall hold priority over all other motions, except a motion to recess, a motion to adjourn, and a motion for cloture.

### **Proposed Rule Change 7**

#### **Rule 7, Sec. 2. Machine Voting, Electronic Roll Call, and Show of Hands.**

(a) All votes shall be taken viva voce ~~unless otherwise provided for herein.~~ Questions shall be distinctly put in this form, to wit: "Those who are in favor of the question say 'aye'; those who are opposed to the question say 'nay.' "

...

(f) The presiding officer shall not recognize a motion to call the question, to reconsider, to postpone to a time certain, to recommit to a committee, or to postpone indefinitely unless five or more Senators agree to the motion and the motion is sustained by a show of hands of five or more Senators, except that a motion to call the question shall require the approval of ten or more Senators by way of a show of hands.

### **Proposed Rule Change 8**

**Rule 7, Sec. 3 Motion, in Writing, Withdrawal.** (a) A motion shall be either stated by the presiding officer or read by the Clerk before a vote is taken. All motions shall be submitted in writing if requested by the presiding officer or any senator.

(b) The presiding officer shall not recognize any of the following motions more than once per each stage of debate on a bill or resolution: The motion to reconsider, the motion to postpone to a time certain, the motion to recommit to a committee, and the motion to postpone indefinitely.

(c) For General File and Select File the presiding officer shall allow the Introducer of a bill or resolution and the chair of a committee who is introducing a committee amendment to open on any such bill, resolution or committee amendment by allowing such individual to speak for a period not to exceed ten minutes. The introducer's amendments, if any, shall be considered following the consideration of the standing committee amendments and any amendments thereto. Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 1, Section 17.

(d) Once motions are stated they may be withdrawn or modified by the mover before a decision, an amendment, or ordering of a vote has been made. A motion to reconsider may be withdrawn only with unanimous consent of a majority vote of the elected members.

(e) When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated.

- ~~a~~. 1. To recess
- ~~b~~. 2. To adjourn
- ~~c~~. 3. For cloture
- ~~d~~. 4. Call for the previous question
- ~~e~~. 5. To reconsider
- ~~f~~. 6. To postpone to a time certain
- ~~g~~. 7. To recommit to a committee
- ~~h~~. 8. To amend
- ~~i~~. 9. To postpone indefinitely

(f) Such motions shall have precedence in the order in which they are arranged except as provided in for in Rule 1, Section 17 and Chapter 11, Section 3. Motions to postpone indefinitely and amend do not yield to each other.

(g) When any of the following motions shall be made, any actions on such motion shall be delayed at least one legislative day and the motion shall be printed in the Legislative Journal:

- ~~a~~. 1. Motion to postpone indefinitely on General File or Select File, unless the introducer(s) of the bill, or the committee chairperson in the case of committee bills, request(s) that the motion to postpone indefinitely be considered immediately without the one day delay.
- ~~b~~. 2. Motion to place on General File pursuant to Rule 3, Section 20(b).
- ~~c~~. 3. Motion to place bills on General File, notwithstanding the action of a standing committee.

(h) When a motion or other proposition is under consideration, a motion to amend and a motion to amend that amendment shall be in order.

(i) Amendments to the title shall be made by the Enrollment and Review Committee.

(j) No motion, proposition, or subject, different from that under consideration, shall be admitted under color of amendment. Any amendment that is not germane is out of order. German amendments relate only to details of the specific subject of the bills and must be in a natural

and logical sequences to the subject matter of the original proposal. A nongermane amendment includes one that relates to a substantially different subject.

(k) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. Once a division is ordered by the presiding officer, each component shall be treated as a separate and distinct proposition. For purposes of germaneness, even if a question is germane prior to a request for division, each and every other component or proposition of the divided question will be subject to germaneness rulings. Once a vote or change has occurred on any of the divisible questions, the remaining divided sections may not be withdrawn without a majority of those voting or without unanimous consent. A motion to strike out and insert shall be deemed indivisible, but a motion to strike out being lost, shall not preclude an amendment or a motion to strike out or insert. Such call for division shall not be allowed when considering motions under Rule 6, Section 6. Such a call for division shall not be allowed for the mainline budget bill, the deficit bill, the capital construction bill, and the funds transfer bill.

(l) When motions are made for reference of the same subject to a select committee and to a standing committee, the question on reference to the standing committee shall be considered first.

~~Rule 6, Sec. 3 (b) Each section shall be open to amendment. Following the reading of the title of the bill, the introducer shall first be recognized for ten minutes to move to advance and explain the bill. The amendments, if any, recommended by standing committees, shall then be considered. The introducer's amendments, if any, shall be considered following the consideration of the standing committee amendments and any amendments thereto. Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3 and Rule 1, Section 17.~~

~~Rule 7, Sec. 6. Postpone to Time Certain. No motion to postpone to a time certain, to commit, or to postpone indefinitely being decided, shall again be allowed on the same day at the same stage of the bill or proposition.~~

### **Rule 6, Sec. 3. General File ...**

(b) Each section shall be open to amendment. Following the reading of the title of the bill, the introducer shall first be recognized for ten minutes to move to advance and explain the bill. The amendments, if any, recommended by standing committees, shall then be considered. The introducer's amendments, if any, shall then be considered following the

consideration of the standing committee amendments and any amendments thereto. Other amendments ~~and motions~~ permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3 and Rule 1, Section 17. Other motions may then be filed with the Clerk, provided that the motion to reconsider, the motion to postpone to a time certain, the motion to recommit to a committee, and the motion to postpone indefinitely are only filed once by the collective membership of the body on a bill when it is debated on General File.

**Rule 6, Sec. 5. Select File.** When the Legislature considers bills on Select File, any of the following motions may be in order, provided that the motion to reconsider, the motion to postpone to a time certain, the motion to recommit to a committee, and the motion to postpone indefinitely are only filed once by the collective membership of the body on a bill when it is debated on Select File.

### **Proposed Rule Change 9**

**Rule 3, Sec. 6. Redistricting Committee.** (a) The Redistricting Committee of the Legislature shall be established as a special committee of the Legislature in January of each year ending in one. The committee is authorized to introduce and exercise jurisdiction over legislative bills and resolutions relating to redistricting and hold hearings regarding such legislation.

(b) The committee shall be comprised of nine members of the Legislature, three from each congressional district existing on January 1 of each year ending in zero. The Executive Board shall appoint the members of the committee in January of each year ending in one. ~~No more than five members appointed to the committee shall be affiliated with the same political party.~~ A vacancy on the committee shall be filled by the Executive Board as soon as possible after the vacancy occurs.

(c) At the first meeting of the committee, the members shall select from among themselves by majority vote one member to serve as chairperson of the committee and one member to serve as vice chairperson of the committee. ~~The chair and vice chair shall not be a member of the same political party.~~

### **Proposed Rule Change 10**

**Rule 1, Sec. 12. Override Ruling of the Chair.** The President or presiding officer may speak to a point of order in preference to members, and shall decide the questions or order, subject to a challenge to the Legislature by any member, and shall be in order when such challenge be demanded by five or more members. ~~on which challenge no member may speak more~~

~~than once, unless by leave of the Legislature. No member may yield time to another member. In the event to a challenge to the ruling of the chair, the President or presiding officer shall ask for five hands, and if seeing such shall allow the challenging member five minutes to speak, or a designee to speak on their behalf. Afterwards, the Speaker and or the Chair of the Rules Committee may request five minutes each to speak to the challenge with no further debate. ¶The ruling shall be restated and the question shall be phrased: "Shall the Chair be overruled?" A viva voce majority vote of those present shall be required to overrule the chair. A motion to overrule the chair shall not be subject to a reconsideration motion, nor shall the President or presiding officer be required to recognize another motion to overrule the chair that addresses the same question or order.~~

### **Proposed Rule Change 11**

**Rule 1, Sec. 7. Senator Desiring to Speak.** (a) When a member desires to speak in debate or to deliver any matter to the Legislature, he or she shall rise from his or her seat and respectfully address himself or herself to "Mr. or Madame President." A member shall speak only when recognized and shall confine his or her remarks to the question before the Legislature.

(b) No member shall interrupt the business of the Legislature nor speak to another who has the floor, except when he or she may yield to a question. No guest will be introduced during the legislative session except dignitaries and such dignitaries shall only be introduced by the presiding officer, provided that the presiding officer can announce the presence of visiting groups or organizations at his or her discretion. Those individuals and groups not introduced may be inserted in the Journal by request. ~~No member shall use profane or abusive language when speaking to or about another member.~~

**Rule 1, Sec. 8. Transgression of Rules, Call Member to Order Germane Speech** ~~If any member, in speaking or otherwise, transgresses the Rules of the Legislature, the presiding officer shall, or any member may, call such member to order, in which case he or she shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he or she shall be at liberty to proceed, but not otherwise, and if the case requires it, he or she shall be liable to censure or such punishment as the Legislature may deem proper.~~

(a) When speaking, senators shall maintain germane speech by confining their speech to address the question under consideration in an orderly manner. The presiding officer shall, or a member may, call another member to order for non-germane speech,

(b)(i) Germane speech is relevant speech that pertains to the question under consideration or the main subject that has been opened by the underlying bill, resolution, amendment, debatable motion, or rule to which such current question is related, or how it may interact with current law. It may include the discussion of comparisons and interrelated aspects of other bills, resolutions, amendments, or rules that are currently introduced or were previously introduced that are logically connected. It may also include philosophy, principles, research, or lessons that could be logically applied to the question or subject under consideration. This definition shall be liberally applied by the presiding officer and members.

(ii) Non-germane speech is irrelevant or disorderly speech that is persistent in its irrelevance or repetition. Non-germane speech shall be addressed in the manner as expressed in subsections (c) through (e) of this section.

(c) When the presiding officer or another member first calls a member to order for non-germane speech, the presiding officer shall issue a warning and direct the member to keep their remarks germane to the question before the legislature. If the relevance of their speech is unclear, the presiding officer may allow the member called to order to quickly explain the relevant point they seek to make and then allow them to continue.

(d) If the same member persistently engages in non-germane speech, after at least one warning, the presiding officer shall, or another member may, call the member to order, in which case such member shall sit down, unless permitted on motion of another member to explain. The presiding officer shall then state their ruling on the matter and if in agreement say "The member's speech is non-germane and therefore out of order." If so ruled, the member shall not be permitted to speak on the bill, resolution, rule, or report during the remainder of that stage of debate. A motion to overrule the chair is in order for this subsection.

(e) When a member who has been previously ruled out of order on any stage of debate for non-germane speech is again called to order during any further stage of debate of the same bill or resolution, the presiding officer shall state "Shall the member be twice ruled out of order for non-germane speech?" and the legislature shall decide the case without debate. If the member is twice ruled out of order for non-germane speech, the member shall immediately sit down and not be permitted to speak for the remainder of the debate on that bill or resolution. For this subsection, a motion to overrule the chair shall not be in order. Subsection (e) shall be used for any subsequent non-germane speech by such member on any other bill, resolution, amendment or rule.



**Rule 1, Sec. 9. Words Excepted To.** No member shall use profane or abusive language, or use the same when speaking to or about another member.

If a member is called to order for words spoken in debate, the member calling him or her to order shall indicate the words excepted to, and they shall be taken down in writing at the Clerk's desk and read aloud to the Legislature, but he or she shall not be held to answer, nor be subject to the censure of the Legislature therefore, if further debate or other business shall have intervened.

...

**Rule 1, Sec. 12. Transgression of Rules, Call Member to Order.** If any member, in speaking or otherwise, transgresses the Rules of the Legislature, the presiding officer shall, or any member may, call such member to order, in which case he or she shall immediately sit down, unless permitted on motion of another member to explain, and the Legislature shall, if appealed to, decide the case without debate. If the decision be in favor of the member called to order, he or she shall be at liberty to proceed, but not otherwise, and if the case requires it, he or she shall be liable to censure or such punishment as the Legislature may deem proper.

#### **Proposed Rule Change 12**

Proposed Rule Change 12 is on file in the Clerk's Office.

Speaker Arch filed the following proposed rule changes:

#### **Proposed Rule Change 13**

**Rule 4, Sec. 7. Engrossed Resolutions.** Only those resolutions specified in Sections 2 and ~~3~~ 4 of this rule shall be engrossed unless otherwise ordered by the Legislature or unless the Clerk determines the nature of the resolution is such that upon its adoption it must be engrossed to properly achieve the purpose for which it was presented. All resolutions which are engrossed shall be enrolled and signed by the Lieutenant Governor or Speaker and certified to by the Clerk as to the date of final passage.

#### **Proposed Rule Change 14**

~~**Rule 8, Sec. 6. Bill, Setting Tax Rates.** The Legislature's tax rate bill shall be passed no later than the 85th legislative day in a 90 day session and the 55th legislative day in a 60 day session.~~

#### **Proposed Rule Change 15**

**Rule 5, Sec. 7. Fiscal Analyst.** (a) A copy of every bill introduced shall be transmitted by the Clerk to the Legislative Fiscal Analyst. The Legislative

Fiscal Analyst shall review each bill and make an estimate of the anticipated change in state, county, or municipal expenditures or revenue under the provisions of the bill. The Legislative Fiscal Analyst shall prepare a statement to be known as a fiscal note ~~to be attached to~~ for each bill prior to its public hearing by a committee, or its first consideration on General File if the bill is referred directly to General File. The fiscal note shall set forth the fiscal impact of the bill and the governmental subdivision affected by the fiscal impact as determined by the Legislative Fiscal Analyst. No bill which has a fiscal impact shall be heard by a committee or considered on General File unless the fiscal note is available.

...

(d) The fiscal note shall be transmitted by the Legislative Fiscal Analyst to the Clerk electronically at least twenty-four hours prior to the public hearing on the bill or, in the event the bill is referred directly to General File, twenty-four hours prior to the first consideration of the bill on General File. ~~The Clerk shall present the fiscal note to the principal introducer~~ The principal introducer shall be presented the fiscal note electronically. If extenuating circumstances prevent the Legislative Fiscal Analyst from meeting this deadline, he or she shall present to the principal introducer an unofficial summary of all available fiscal information on the bill by this deadline and deliver to the Clerk the fiscal note when it is available. ~~The Clerk shall attach the fiscal note to the bill and to all copies prepared for members.~~

#### **Proposed Rule Change 16**

**Rule 8, Sec. 5. Bills, Held on Final Reading.** The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all bills containing a transfer to or from the Cash Reserve Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature. Provided the Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all tax expenditure bills; all bills containing a transfer to or from the Cash Reserve

Fund; and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

#### **Proposed Rule Change 17**

**Rule 2, Sec. 5. Absent Members, Explanation of Vote.** Members who are shown as excused and not voting on Final Reading may have inserted into the Journal how he or she would have voted had he or she been present.

#### **Proposed Rule Change 18**

##### **Rule 6, Sec. 5. Select File.**

(a) The Select File Enrollment and Review amendment, as prepared by the Revisor's Office, shall be neither debatable, amendable, nor divisible prior to its initial adoption. The amendment shall not be read by the Clerk. Amendments to make changes to the language in an enrollment and review amendment shall be offered as amendments to the bill and ordered pursuant to the provisions in these rules, following the initial adoption of the enrollment and review amendment.

(b) When the Legislature considers bills on Select File, any of the following motions shall be in order, after adoption or rejection of the Enrollment and Review Amendments, in accordance with the provisions of Rule 7, Section 3:

~~(a) A motion to approve or reject any or all of the changes recommended by the Chairperson of Enrollment and Review.~~

~~(b) (i) A motion to adopt an amendment to a bill or an amendment to an amendment which shall require a majority vote of the elected members, except amendments which are substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members.~~

~~(c) (ii) A motion to recommit to the proper standing committee.~~

~~(d) (iii) A motion to postpone indefinitely. After a motion to indefinitely postpone a bill has been offered, and the introducer of the motion has made his or her opening remarks on the motion, the principal introducer of the bill shall immediately be permitted to speak for five minutes on such motion.~~

(e) ~~(iv)~~ Motions made pursuant to subsections ~~b, e, and d~~ i, ii, and iii hereof may be adopted only upon the affirmative vote of a majority of the elected members.

~~(f) Amendments recommended by Enrollment and Review shall not be read by the Clerk except upon the request of a member of the Legislature.~~

~~(g)~~ (v) Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific Enrollment and Review Committee amendments may be considered.

~~(h)~~ (vi) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Final after two attempts shall be indefinitely postponed.

### **Proposed Rule Change 19**

#### **Rule 7, Sec. 3. Motion, in Writing, Withdrawal.**

...

(e) Any member may call for the division of a question, which shall be divided if it comprehends propositions in substance so distinct that, one being taken away, a substantive proposition shall remain for the decision of the Legislature. ... Such a call for division shall not be allowed for ~~the mainline budget bill, the deficit bill, the capital construction bill, and the funds transfer bill~~ bills listed under Rule 8, Section 1(b).

**Rule 8, Section 1.** Purpose. (a) The purpose of this rule is to provide a procedure for the Legislature to develop appropriations for all state agencies, boards, and commissions. Such procedure shall consider the need to (1) continue the services and financial assistance provided by state agencies and programs, (2) restrict the growth in state appropriations, and (3) provide for the efficient and effective use of state revenue by utilizing standing committee subject-matter expertise in the review of agency, board, and commission budget requests.

(b) For purposes of these rules, the appropriations bills shall consist of the mainline budget bill, the deficit bill, the capital construction bill, the funds transfer bill, the bill making appropriations for the pay of members of the Legislature, the bill making appropriations for the salaries of constitutional officer of the Government, and the cash reserve fund transfer bill. The appropriations bills shall also include any instances of the aforementioned bills for the purposes of mid-biennium adjustments. These bills shall always be referred to the Appropriations Committee for purposes of public hearing and review.

(c) The bill changing judges' salaries as part of the standard biennial budgeting process shall be considered at each stage of floor debate following the appropriations bills listed above, followed by bills providing for approval and disapproval of claims against the state.

### **Proposed Rule Change 20**

**Rule 6, Sec. 6. Return to Select File.** (a) On a motion to return a bill to Select File for a specific amendment, a majority of the elected members must concur. No other amendment shall be considered when the bill is so returned. Such amendment when considered may be adopted by a majority vote of the elected members, except an amendment which is substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members. Both a motion to return a bill to Select File for a specific amendment, and the specific amendment once the bill has been returned to Select File, are neither divisible nor amendable.

(b) A point of order to determine the germaneness of a specific amendment may be considered during a motion to return a bill to Select File for that specific amendment.

### **Proposed Rule Change 21**

**Rule 6, Sec. 3. General File. ...**

(b) Each section shall be open to amendment. Following the reading of the title of the bill, the introducer shall first be recognized for ten minutes to move to advance and explain the bill. The amendments, if any, recommended by standing committees, shall then be ~~considered~~ introduced. After the introduction of the bill and the introduction of the committee amendment, other priority motions shall have precedence in the order in which they are arranged under Rule 7, Section 3, except as provided for in Rule 1, Section 17. Motions to adjourn or recess shall remain in order except as limited by Rule 7, Section 9. The introducer's amendments, if any, shall be ~~considered~~ introduced following the ~~consideration~~ introduction of the standing committee amendments and any amendments thereto. ~~Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3 and Rule 1, Section 17. Further amendments will be considered in the order in which they are filed with the Clerk.~~

### **Proposed Rule Change 22**

**Rule 2, Sec. 10. Time Limit on Speaking.** Only the ~~The~~ introducer of the matter pending may speak for ten minutes when he or she first presents the

matter to the Legislature, except that a committee chair may designate the vice chair or a member of the committee to introduce a committee bill or a committee's amendment in the absence of that committee chair. Each member shall be allowed to speak up to three times for not more than five minutes on each occasion, upon any one question in deliberation during the legislative day, without leave of the Legislature, unless he or she be the introducer of the matter pending in which case he or she shall be permitted to close after every other member choosing to speak shall have spoken or after a motion to cease debate has prevailed. The introducer's close shall be included within the three opportunities permitted for speaking to an issue.

### **Proposed Rule Change 23**

**Rule 7, Sec. 6. ~~Postpone to Time Certain.~~ Offering of Debatable Priority Motions.** No motion to postpone to a time certain, to recommit, or to postpone indefinitely being ~~decided~~ offered, shall again be allowed ~~on the same day~~ at the same stage of the bill or proposition, except that the primary introducer of the bill, resolution, or main motion under consideration may offer one additional motion to recommit or to postpone indefinitely, if the Legislature has not previously decided on a motion to recommit or postpone indefinitely.

### **Proposed Rule Change 24**

#### **Rule 5, Sec. 6. Consent Calendar. ...**

(c) Any bill placed on consent calendar shall be removed at the written request of ~~three~~ seven or more senators. Such request must be filed with the Clerk prior to the ~~expiration of fifteen minutes of debate at that stage of consideration~~ reading of the bill at each stage of debate, on the bill to be removed.

### **Proposed Rule Change 25**

**Rule 7, Sec. 10. Cloture.** At any stage of consideration the principal introducer of the underlying, bill, resolution, or main motion under consideration, a cointroducer with the consent of the principal introducer, or the chairperson of the committee, if the bill, resolution, or main motion is introduced by that committee, may move for cloture to the presiding officer, except that motions to adopt permanent rules or amendments to the permanent rules may not be subject to cloture.; ~~however, †~~The presiding officer may rule ~~such a~~ motion for cloture out of order if, in the presiding officer's opinion, a full and fair debate has not been afforded. Such ruling by the presiding officer shall not be subject to challenge. Whenever a motion for cloture is offered, the presiding officer shall immediately recognize such introducer or chairperson and shall then order debate on the pending amendment or motion to cease. A vote on the cloture motion shall be taken immediately. A two-thirds majority of the elected members shall be required

for the cloture motion to be successful. A motion for cloture shall be in order except while a member is speaking, and a motion for cloture is not debatable. If the motion for cloture is successful, a vote on the pending matter shall be taken immediately, without debate. If the pending matter is an amendment to an amendment, following a vote on the amendment to the amendment, a vote shall be taken on the original amendment. If the original amendment has been divided, then the vote shall be on the original undivided amendment being considered. Finally, a vote on the advancement of the bill shall be taken.

A motion for cloture shall have precedence over all other motions except a motion to recess or adjourn.

#### **Proposed Rule Change 26**

**Rule 1, Sec. 12. Overrule Ruling of the Chair.** The President may speak to a point of order in preference to members, and shall decide the questions or order, subject to a challenge to the Legislature by any member, on which challenge no member may speak more than once, unless by leave of the Legislature, except that the challenging member may also open on their challenge. No member may yield time to another member, but may ask another member to yield to questioning. Challenges to the chair shall not be considered for purposes of determining full and fair debate in relation to a cloture motion. A motion for the previous question shall not be in order during debate on a challenge of the chair. In the event of a challenge to a ruling of the chair, the ruling shall be restated and the question shall be phrased: "Shall the Chair be overruled?" A majority of those present shall be required to overrule the chair.

#### **Proposed Rule Change 27**

##### **Rule 5, Sec. 4. Introducers Signing Bills. ...**

(e) The introducers of all bills must submit a statement of intent for each bill to the appropriate committee chairperson at least ~~24 hours~~ five calendar days prior to the bill's hearing. The statement of intent should discuss clearly and completely the purposes and effects of the bill.

#### **Proposed Rule Change 28**

##### **Rule 7, Sec. 3. Motion, in Writing, Withdrawal. ...**

When a question is under debate, no motion shall be considered except one of the following, which motions shall take precedence in the order stated.

- a. To recess
- b. To adjourn

c. For cloture

**d. To approve dilatory designation**

~~d. e.~~ To reconsider

~~e. f.~~ For the previous question

~~f. g.~~ To postpone to a time certain

~~g. h.~~ To recommit to a committee

~~h. i.~~ To amend

~~i. j.~~ To postpone indefinitely

...

**~~Sec. 11. Motions and Amendments for Dilatory Purposes.~~** Motions and amendments shall not be filed for dilatory purposes. If more than two amendments and/or motions are offered to a bill or resolution, the principal introducer of the bill or resolution may raise a point of order stating that he or she believes the amendments and/or motions are being used for dilatory purposes. If, in the opinion of the Speaker, the motions and/or amendments are not dilatory, debate on the pending measure shall continue. If the Speaker has reason to believe that one or more of the amendments and/or motions are dilatory, the Speaker shall consult with the principal introducer of the original bill or resolution and the principal introducers of the amendment and/or motions in an attempt to reach an accord as to which amendments and/or motions should be considered by the Legislature. For that purpose, the Speaker may temporarily remove the entire bill or resolution from the agenda. After consultation, the Speaker shall forthwith decide which, if any, amendments and/or motions are dilatory and shall rule such amendments and/or motions out of order. A motion to overrule the chair on any decision made pursuant to this section is not in order except that a ruling of the chair may be challenged by an introducer of amendments and/or motions ruled to be dilatory in which instance the challenge shall be to all amendments and/or motions included in the Speaker's ruling. The consultation and the Speaker's ruling subsequent to consultation provided for in this section, shall in no case result in a bill or resolution being removed from the agenda for more than the current legislative day. Any amendment and/or motion ruled out of order by the Speaker shall not in any form, version, or substance be in order if again offered by any member at the same stage of debate. A motion to overrule the chair after a ruling is out of order.

**Rule 7, Sec. 11. Dilatory Designation**

**Motions and amendments shall not be filed for dilatory purposes. If the primary introducer of a pending bill, resolution, or main motion believes that the bill, resolution, or main motion is the subject of dilatory action, the primary introducer may offer a motion to approve dilatory designation. A motion to approve dilatory designation is not debatable, amendable, nor divisible. It shall require a four-fifths vote of elected members to approve the dilatory designation.**



**If the motion is approved, all amendments and motions, except for a motion to invoke cloture, including those amendments and motions currently pending, are out of order, unless designated as in order by direction of the Speaker. No member shall be allowed to offer a motion to overrule the chair concerning amendments and motions ruled out of order after a bill, resolution, or main motion has received a dilatory designation. If no further amendments or motions have been designated as in order by direction of the Speaker and all members wishing to speak have exhausted their opportunities pursuant to Rule 2, Section 10, a motion to advance the bill is presumed to be in order.**

**After the motion is approved, the bill, resolution, or main motion shall carry its dilatory designation for the remainder of the stage of consideration that the designation was assigned on. Subsequent stages of consideration shall require an additional designation.**

**If the motion is not approved, debate shall resume and another motion to approve dilatory designation is not in order until an additional two hours of debate on the bill, resolution, or main motion has occurred.**

**Motions to adjourn and recess will remain in order regardless of dilatory designation, subject to the provisions of Rule 7, Section 9.**

Senator Hansen filed the following proposed rule change:

#### **Proposed Rule Change 29**

**Rule 5, Sec. 4. Introducers Signing Bills.** (d) Individual members shall ~~not~~ be limited as to ~~bill introduction~~ to no more than 14 bills introduced at any one session. If individual members limit the number of bills they introduce to five bills or less, they will be allowed to designate two bills as priority bills. Each committee shall be limited to 8 bills each session. Bills introduced as a result of an interim study of the Legislative Council shall be included within the limitations prescribed by this section. Special committees created as a result of an interim study resolution and as authorized by the Executive Board shall be considered as separate committees for purposes of the limitations prescribed by this section. Bills introduced under Rule 5, Section 3(a), Rule 5, Section 4(c)(3), and bills introduced at the request of the Governor will not be included in the limitation.

**Rule 5, Sec. 5. Scheduling of Bills, Priority Bills.** (a) Each senator may designate one bill as a priority bill, except as otherwise outlined under the provisions of Rule 5, Sec. 4(d). Such priority bill need not be the designator's bill, but the principal introducer must concur with the

designation as a priority bill and with the withdrawal of the designation once made.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Hunt - LB307

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 821.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to students; to amend section 79-215, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the preliminary enrollment in a school district by children of military families; to require any preliminary or advanced enrollment provisions of a school district apply to students with an individualized education program or students that receive special education as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 822.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health; to amend sections 28-327, 38-2101, 38-2116, and 38-2139, Revised Statutes Cumulative Supplement, 2022, and section 38-131, Revised Statutes Supplement, 2023; to adopt the Social Worker Licensure Compact; to change provisions relating to criminal background checks under the Uniform Credentialing Act; to provide for issuance of multistate licenses to practice social work under the compact and require criminal background checks; to provide powers and duties under the Mental Health Practice Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 823.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health; to amend section 38-2001, Revised Statutes Cumulative Supplement, 2022, and section 38-131, Revised Statutes Supplement, 2023; to adopt the Physician Assistant (PA) Licensure Compact; to change provisions relating to criminal background checks under the Uniform Credentialing Act; to require criminal background checks under the Medicine and Surgery Practice Act as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 824.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health; to amend section 38-1101,

Revised Statutes Cumulative Supplement, 2022, and section 38-131, Revised Statutes Supplement, 2023; to adopt the Dentist and Dental Hygienist Compact; to change provisions relating to criminal background checks under the Uniform Credentialing Act; to require criminal background checks under the Dentistry Practice Act as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 825.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Nebraska Farmers of Color Opportunity Act; to provide tax credits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 826.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-411 and 37-421, Reissue Revised Statutes of Nebraska, and section 37-438, Revised Statutes Cumulative Supplement, 2022; to authorize resident and nonresident veterans and active duty military personnel to acquire certain combination permits and stamps and state park entry permits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 827.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to child labor; to amend sections 48-301 and 48-310.02, Reissue Revised Statutes of Nebraska; to adopt the Entertainment Industry Child Performer Protection Act; to redefine a term; to eliminate exemptions for employment in the performing arts; to harmonize provisions; to repeal the original sections; and to outright repeal section 48-310.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 828.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Nebraska Apiary Act; to amend sections 81-2,165.01, 81-2,165.02, 81-2,166, and 81-2,179, Reissue Revised Statutes of Nebraska; to restate legislative intent; to define and redefine terms; to provide a penalty; to create the Pollinator Task Force and provide powers and duties to the task force; to provide duties to the Department of Agriculture, Director of Agriculture, Director of Natural Resources, Director of Environment and Energy, secretary of the Game and Parks Commission, and Director-State Engineer; to require a report; to create the Nebraska Apiary Registry; to provide immunity for certain damages related to bees as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 829.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to insurance; to amend section 44-7,102, Revised Statutes Supplement, 2023; to change provisions relating to coverage for screening for colorectal cancer; and to repeal the original section.

**LEGISLATIVE BILL 830.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to state government; to designate a state tartan.

**LEGISLATIVE BILL 831.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Noxious Weed Control Act; to amend sections 2-945.01, 2-945.02, 2-952, 2-953, 2-954, 2-961, 2-963, and 2-965.01, Reissue Revised Statutes of Nebraska; to restate legislative findings and declarations; to define and redefine terms; to provide a duty for the Director of Agriculture; to provide a penalty; to provide for the control of restricted plants as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 832.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to government; to amend section 84-168, Reissue Revised Statutes of Nebraska; to authorize acceptance of cession or retrocession of federal jurisdiction for juvenile matters; to change provisions and provide duties relating to such acceptance; to authorize certain agreements; and to repeal the original section.

**LEGISLATIVE BILL 833.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health; to adopt the Prescription Drug Affordability Act.

**LEGISLATIVE BILL 834.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1123, Reissue Revised Statutes of Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement, 2022; to establish requirements for a resident license; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 835.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health; to amend section 38-3113, Reissue Revised Statutes of Nebraska; to adopt the School Psychologist Interstate Licensure Compact; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 836.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-101, Revised Statutes Supplement, 2023; to provide requirements for retail licensees displaying co-branded alcoholic beverages immediately adjacent to any soft drink, fruit juice, bottled water, candy, or snack food portraying cartoons or youth-oriented images as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 837.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend sections 70-604.03 and 70-612, Reissue Revised Statutes of Nebraska; to provide for the division of voting precincts for purposes of establishing boundary lines for operating areas, chartered territory, and district elections and eliminate the requirement of approval by the Secretary of State; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 838.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Arts Council; to amend section 82-309, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment of members to the council; and to repeal the original section.

**LEGISLATIVE BILL 839.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the State Racing and Gaming Commission; to amend sections 2-1201 and 2-1202, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment, qualifications, and removal of members of the commission; to change provisions relating to the executive director of the commission; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 840.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to cities; to adopt the Poverty Elimination Action Plan Act.

**LEGISLATIVE BILL 841.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to schools; to adopt the School Leadership Engagement Act; to provide an operative date; and to provide severability.

**LEGISLATIVE BILL 842.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to housing; to amend sections 19-901, 19-902, 19-5503, 58-701, 58-706, 71-1575, and 71-15,124, Reissue Revised

Statutes of Nebraska; to define and redefine terms under the Municipal Density and Missing Middle Housing Act, the Nebraska Affordable Housing Act, and the Nebraska Housing Agency Act; to change provisions relating to the activities that are eligible for assistance from the Affordable Housing Trust Fund; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 843.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Middle Income Workforce Housing Investment Act; to amend section 81-1238, Revised Statutes Supplement, 2023; to change workforce housing grant maximums and a matching funds requirement as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 844.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to the Farm Labor Contractors Act; to amend sections 48-1701, 48-1702, and 48-1714, Reissue Revised Statutes of Nebraska; to define terms; to require certain actions by certain seed corn producers; to provide duties to the Director of Agriculture and the Department of Agriculture; to provide a penalty; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 845.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1401, Revised Statutes Cumulative Supplement, 2022; to prohibit evictions of certain tenants during the school year; to define terms; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 846.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to bed bugs; to adopt the Bed Bug Detection and Treatment Act.

**LEGISLATIVE BILL 847.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Interstate Civil Defense and Disaster Compact; to amend sections 81-829.47, 81-829.52, and 81-829.56, Reissue Revised Statutes of Nebraska; to change provisions relating to emergency response agreements with other states; to withdraw from the Interstate Civil Defense and Disaster Compact; to harmonize provisions; to repeal the original sections; and to outright repeal section 1-109, Appendix, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 848.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend sections 55-134 and 55-136, Reissue Revised Statutes of Nebraska; to

change the maximum age for the Adjutant General; and to repeal the original sections.

**LEGISLATIVE BILL 849.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to insurance; to amend section 44-7509, Reissue Revised Statutes of Nebraska; to change provisions relating to rate adjustments; and to repeal the original section.

**LEGISLATIVE BILL 850.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to appropriations; to change the use of reappropriated funds as prescribed; and to declare an emergency.

**LEGISLATIVE BILL 851.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend section 81-1210.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to internship grants; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 852.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Medicare Supplement Insurance Minimum Standards Act; to amend sections 44-3601 and 44-3602, Reissue Revised Statutes of Nebraska; to provide limitations regarding reimbursement for durable medical equipment, prosthetics, orthotics, and supplies; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 853.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3501.01 and 77-3507, Reissue Revised Statutes of Nebraska, section 77-3508, Revised Statutes Cumulative Supplement, 2022, and section 77-3506, Revised Statutes Supplement, 2023; to redefine a term; to change provisions relating to homestead exemptions; to harmonize provisions; to repeal the original sections; to outright repeal sections 77-3505.02 and 77-3506.03, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 854.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to certified public accountants; to amend sections 1-116, 1-124, 1-136, and 1-136.02, Reissue Revised Statutes of Nebraska; to change the examination eligibility, certification, and permitting requirements relating to certified public accountants; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 855.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to schools; to prohibit a school board or board of education of a school district from using a debt collection agency to collect or attempt to collect outstanding debts on a school lunch or breakfast account of a student or from assessing or collecting any interest, fees, or other monetary penalties for such debts as prescribed.

**LEGISLATIVE BILL 856.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to the child care subsidy program; to amend section 68-1206, Revised Statutes Supplement, 2023; to change eligibility requirements; and to repeal the original section.

**LEGISLATIVE BILL 857.** Introduced by Dungan, 26; Bosn, 25; Hughes, 24.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to create the Nebraska Prenatal Plus Program as prescribed.

**LEGISLATIVE BILL 858.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to state intent to appropriate funds to the State Department of Education; and to declare an emergency.

**LEGISLATIVE BILL 859.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1499.03, Reissue Revised Statutes of Nebraska; to change requirements for certain persons holding elective office relating to potential conflicts of interest; to provide an exception; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 860.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education: to amend section 79-1103, Reissue Revised Statutes of Nebraska; to change a reporting requirement relating to the Early Childhood Education Grant Program; and to repeal the original section.

**LEGISLATIVE BILL 861.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to election petitions; to amend sections 32-632 and 32-1546, Reissue Revised Statutes of Nebraska, and section 32-1305, Revised Statutes Cumulative Supplement, 2022; to change procedures for removal of a name from a petition; to provide a penalty; and to repeal the original sections.



**LEGISLATIVE BILL 862.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to schools; to amend section 79-611, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the transportation of students; to provide a reporting duty to school districts; to provide powers and duties to the State Department of Education; and to repeal the original section.

**LEGISLATIVE BILL 863.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to change provisions relating to an income tax adjustment for federal retirement annuities; and to repeal the original section.

**LEGISLATIVE BILL 864.** Introduced by Dungan, 26.

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

**LEGISLATIVE BILL 865.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Broadband Bridge Act; to amend section 86-1301, Revised Statutes Cumulative Supplement, 2022; to require a provider to submit an annual report to the Nebraska Broadband Office as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 866.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1003, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to board composition, eligibility, terms, and compensation; and to repeal the original section.

**LEGISLATIVE BILL 867.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Cumulative Supplement, 2022; to define terms; to provide for a voluntary hunting and fishing guide and outfitter database; to provide powers and duties for the Game and Parks Commission; to provide for a fee; to provide for applicability; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 868.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the Petroleum Release Remedial Action Cash Fund; to amend section 66-1519, Revised Statutes Cumulative Supplement, 2022; to extend a sunset date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 869.** Introduced by Bostar, 29; Jacobson, 42.

A BILL FOR AN ACT relating to county veterans service committees; to amend section 80-102, Reissue Revised Statutes of Nebraska, and section 80-104, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the provision of veterans aid and burial services; and to repeal the original sections.

**LEGISLATIVE BILL 870.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Sexual Assault Victims' Bill of Rights Act; to amend section 29-4313, Revised Statutes Cumulative Supplement, 2022; to provide for rights of notification and information for victims of sexual assault as prescribed; to require preservation of sexual assault forensic evidence as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 871.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Temporary Assistance for Needy Families program; to require the Department of Health and Human Services to submit a report as prescribed.

**LEGISLATIVE BILL 872.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to government; to amend sections 13-609 and 81-118.01, Reissue Revised Statutes of Nebraska; to prohibit payment to government entities by means of central bank digital currency; to define terms; and to repeal the original sections.

**LEGISLATIVE BILL 873.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to real estate; to amend section 76-2,122, Reissue Revised Statutes of Nebraska, and section 76-2,121, Revised Statutes Cumulative Supplement, 2022; to redefine a term; to change provisions relating to requirements of real estate closing agents; and to repeal the original sections.

**LEGISLATIVE BILL 874.** Introduced by Bostar, 29; Ibach, 44.

A BILL FOR AN ACT relating to child care licensing and child care facilities; to amend sections 71-1911 and 71-1911.03, Reissue Revised Statutes of Nebraska, and sections 28-713, 71-1908, 71-1912, and 77-202, Revised Statutes Cumulative Supplement, 2022; to change requirements for child care licensing, liability insurance for child care license applicants, background checks for child care employees, and use of blankets in child care facilities; to provide reporting requirements to the Legislature for the Department of Health and Human Services, the State Fire Marshal, and municipalities; to provide a property tax exemption; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 875.** Introduced by Hughes, 24; Lowe, 37.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-101, Revised Statutes Supplement, 2023; to prohibit the sale of alcoholic liquor or beer at less than cost as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 876.** Introduced by Holdcroft, 36; Cavanaugh, M., 6; Hardin, 48; Lippincott, 34; Sanders, 45.

A BILL FOR AN ACT relating to infants; to amend section 29-121, Reissue Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act; to prohibit prosecution for persons complying with the Newborn Safe Haven Act; and to repeal the original section.

#### ANNOUNCEMENT(S)

Priority designation(s) received:

Holdercroft - LB137

#### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 877.** Introduced by Holdcroft, 36; Bostar, 29; Lippincott, 34.

A BILL FOR AN ACT relating to assessment of property; to amend sections 77-1344 and 77-1347, Revised Statutes Supplement, 2023; to change provisions relating to the special valuation of agricultural or horticultural land; to provide for retroactive applicability; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 878.** Introduced by Holdcroft, 36; DeKay, 40; Kauth, 31; Linehan, 39; Lippincott, 34; von Gillern, 4.

A BILL FOR AN ACT relating to elections; to amend sections 10-702, 13-519, 13-809, 13-2507, and 79-10,105, Reissue Revised Statutes of Nebraska, and sections 32-559, 32-1203, 77-3444, 79-1029, 79-1098, 79-10,117, and 79-10,118, Revised Statutes Cumulative Supplement, 2022; to provide, change, and eliminate provisions regarding elections for certain purposes; to harmonize provisions; to repeal the original sections; and to outright repeal section 10-703.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 879.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-178, 38-179, 38-192, 38-193, 38-196, 38-2021, and 38-2894,

Revised Statutes Supplement, 2023; to change provisions relating to discipline under the Uniform Credentialing Act; to eliminate the Let them Grow Act and the Preborn Child Protection Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-6912, 71-6913, 71-6914, 71-6915, 71-6916, 71-6917, 71-7301, 71-7302, 71-7303, 71-7304, 71-7305, 71-7306, and 71-7307, Revised Statutes Supplement, 2023.

**LEGISLATIVE BILL 880.** Introduced by Hughes, 24.

A BILL FOR AN ACT relating to the Drinking Water State Revolving Fund Act; to amend sections 71-5318 and 71-5322, Revised Statutes Cumulative Supplement, 2022; to change a requirement relating to the Land Acquisition and Source Water Loan Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 881.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to the Middle Income Workforce Housing Investment Act; to amend section 81-1237, Revised Statutes Supplement, 2023; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 882.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the federal Supplemental Nutrition Assistance Program; to amend section 68-1017.02, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to provide coverage for online ordering delivery fees; and to repeal the original section.

**LEGISLATIVE BILL 883.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to public safety; to amend sections 28-636, 69-2409.01, 71-904.01, 71-961, and 71-963, Reissue Revised Statutes of Nebraska, and section 83-109, Revised Statutes Supplement, 2023; to eliminate provisions relating to handgun purchase requirements; to change and transfer provisions on criminal history records checks relating to firearms and explosives; to provide a penalty; to harmonize provisions; to repeal the original sections; and to outright repeal sections 69-2401, 69-2402, 69-2403, 69-2404, 69-2405, 69-2406, 69-2407, 69-2408, 69-2409, 69-2410, 69-2411, 69-2412, 69-2413, 69-2414, 69-2415, 69-2416, 69-2417, 69-2418, 69-2419, 69-2420, 69-2421, 69-2422, 69-2423, 69-2424, and 69-2425, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 884.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-919, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to medicaid estate recovery by the Department of Health and Human Services; and to repeal the original section.

**LEGISLATIVE BILL 885.** Introduced by Bostar, 29; Ballard, 21; von Gillern, 4.

A BILL FOR AN ACT relating to insurance; to provide requirements for coverage of lung cancer screening as prescribed.

**LEGISLATIVE BILL 886.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to homeowner associations; to provide restrictions and exceptions for the regulation of political signs as prescribed.

**LEGISLATIVE BILL 887.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to nonprofit organizations; to adopt the Nebraska Nonprofit Security Grant Program Act.

**LEGISLATIVE BILL 888.** Introduced by Vargas, 7; Aguilar, 35; Dorn, 30; Dungan, 26; Hughes, 24.

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

**LEGISLATIVE BILL 889.** Introduced by Vargas, 7; Aguilar, 35; Dorn, 30; Dungan, 26; Hughes, 24; Ibach, 44.

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

**LEGISLATIVE BILL 890.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-2,108.05, Revised Statutes Cumulative Supplement, 2022; to provide for certified copies of sealed juvenile records to attorneys as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 891.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend section 60-1401.24, Reissue Revised Statutes of Nebraska; to redefine manufacturer; and to repeal the original section.

**LEGISLATIVE BILL 892.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend sections 28-405 and 28-416, Revised Statutes Supplement, 2023; to change provisions relating to controlled substances schedules; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 893.** Introduced by Ibach, 44; Vargas, 7.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6831, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the types of property receiving a property tax exemption; and to repeal the original section.

**LEGISLATIVE BILL 894.** Introduced by Ibach, 44; Hughes, 24.

A BILL FOR AN ACT relating to county sheriffs; to amend section 23-1701.01, Reissue Revised Statutes of Nebraska; to change law enforcement officer certification requirements for candidates for sheriff as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 895.** Introduced by Sanders, 45; Albrecht, 17; Bostelman, 23; Brewer, 43; Holdcroft, 36; Meyer, 41.

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend section 55-157.03, Reissue Revised Statutes of Nebraska; to change incentive payment provisions relating to recruitment and retention; and to repeal the original section.

**LEGISLATIVE BILL 896.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to telehealth services; to amend section 71-8505, Revised Statutes Cumulative Supplement, 2022; to eliminate a requirement relating to patient consent; and to repeal the original section.

**LEGISLATIVE BILL 897.** Introduced by Lippincott, 34; Aguilar, 35; Brandt, 32; DeKay, 40; Dorn, 30; Hardin, 48; Holdcroft, 36; Ibach, 44; Vargas, 7.

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

**LEGISLATIVE BILL 898.** Introduced by Ibach, 44; Ballard, 21; Holdcroft, 36; Vargas, 7.

A BILL FOR AN ACT relating to criminal history record information; to adopt the National Crime Prevention and Privacy Compact; and to provide powers and duties for the Superintendent of Law Enforcement and Public Safety and the Nebraska State Patrol.

**LEGISLATIVE BILL 899.** Introduced by Hughes, 24; Ballard, 21; Bostelman, 23; Brandt, 32; Brewer, 43; DeKay, 40; Dover, 19; Hansen, 16; Ibach, 44; Jacobson, 42; Lippincott, 34; Lowe, 37.

A BILL FOR AN ACT relating to schools; to amend section 79-265.01, Revised Statutes Supplement, 2023; to exempt Class III school districts

from the prohibition on suspending a student in pre-kindergarten through second grade; and to repeal the original section.

**LEGISLATIVE BILL 900.** Introduced by Brandt, 32; DeKay, 40; Dorn, 30; Halloran, 33; Ibach, 44; Lippincott, 34; Meyer, 41; Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,290, Reissue Revised Statutes of Nebraska; to change provisions relating to the length of vehicles; and to repeal the original section.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 275CA.** Introduced by Blood, 3.

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

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

To repeal Article XV, sections 13, 14, and 15:

Article XV, sections 13, 14, and 15, of the Constitution of Nebraska are repealed.

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

A constitutional amendment to repeal provisions that prohibit a person from being denied employment because of such person's membership in or nonmembership in a labor organization.

For

Against.

**LEGISLATIVE RESOLUTION 276.** Introduced by Ibach, 44; Brandt, 32; Brewer, 43; Holdcroft, 36; Jacobson, 42; Vargas, 7.

WHEREAS, all the counties located east of the Nebraska panhandle would benefit by being located entirely in the central time zone; and

WHEREAS, changing all the counties located east of the Nebraska panhandle to the central time zone would create greater consistency for commerce, transportation, and communication in Nebraska; and

WHEREAS, the convenience and uniformity gained from this change would positively impact education, recreation, health care, and religious worship for the counties located east of the Nebraska panhandle as well as benefit the general Nebraska economy; and

WHEREAS, changing the location of a time zone in the United States is the purview of the federal government and may only be changed through federal legislation by the United States Congress or through regulation by the Department of Transportation.

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

1. That the Legislature urges the members of the United States Congress to enact federal legislation changing all counties in Nebraska east of Sheridan County, Garden County, and Deuel County to the central time zone.

2. That copies of this resolution be sent to the Speaker of the United States House of Representatives, the President of the United States Senate, and each member of the Nebraska congressional delegation.

Laid over.

#### **ANNOUNCEMENT(S)**

Priority designation(s) received:

Dungan - LB857

Day - LB126

Fredrickson - LB856

Government, Military and Veterans Affairs - LB43

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Blood name added to LB52.

Senator von Gillern name added to LB52.

Senator Brewer name added to LB126.

Senator Holdcroft name added to LB137.

Senator Brandt name added to LB137.

Senator Lowe name added to LB137.

Senator DeKay name added to LB137.

Senator Jacobson name added to LB137.

Senator Murman name added to LB165.

Senator Holdcroft name added to LB292.

Senator Blood name added to LB430.

Senator Murman name added to LB441.

Senator M. Cavanaugh name added to LB461.

#### **VISITOR(S)**

Visitors to the Chamber were Nancy and Luke Weller.

The Doctor of the Day was Dr. Patrick Hotovy of York.



**ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Aguilar, the Legislature adjourned until 10:00 a.m., Thursday, January 4, 2024.

Brandon Metzler  
Clerk of the Legislature



**SECOND DAY - JANUARY 4, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 4, 2024

**PRAYER**

The prayer was offered by Pastor Tevin Eddy, Berean Bible Church, Hastings.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Albrecht.

**ROLL CALL**

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

The roll was called and all members were present except Senators Moser and Raybould who were excused; and Senators Conrad, Day, Dover, Hansen, Jacobson, Linehan, and Wishart who were excused until they arrived.

**CORRECTIONS FOR THE JOURNAL**

Page 154, line 22, strike "Erin" and insert "Eric".  
The Journal for the first day was approved as corrected.

**2023 INTERIM REPORT  
ON THE DISPOSITION OF  
INTERIM STUDY RESOLUTIONS**

Due to technical difficulties the report will be posted in a subsequent Legislative Journal.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Lippincott - LB600

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 901.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.12, Revised Statutes Supplement, 2023; to provide a sales and use tax exemption for purchases by certain nonprofit organizations as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 902.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to assisted-living facilities; to amend section 71-5905, Reissue Revised Statutes of Nebraska; to prohibit a facility from requiring a third-party guarantee of payment as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 903.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Alzheimer's Disease and Other Dementia Advisory Council; to amend sections 71-564 and 71-567, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the membership of the council and the State Alzheimer's Plan; and to repeal the original sections.

**LEGISLATIVE BILL 904.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to child care; to amend section 43-536, Revised Statutes Cumulative Supplement, 2022; to change child care reimbursement rates; and to repeal the original section.

**LEGISLATIVE BILL 905.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-911, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to submit a waiver or state plan amendment for medical respite care as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 906.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to child labor laws; to amend sections 48-311 and 48-312, Reissue Revised Statutes of Nebraska; to change penalties; to provide enforcement powers for the Department of Labor; and to repeal the original sections.

**LEGISLATIVE BILL 907.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Supplement, 2023; to require comprehensive coverage for treatment of obesity; and to repeal the original section.

**LEGISLATIVE BILL 908.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Legislature; to eliminate provisions relating to a legislative policy on telephones and telefax machines; and to outright repeal section 50-401.05, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 909.** Introduced by Aguilar, 35.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-910, Revised Statutes Cumulative Supplement, 2022; to change a requirement relating to agency notice to the Executive Board of the Legislative Council; and to repeal the original section.

**LEGISLATIVE BILL 910.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to emergency medical services; to amend sections 38-1201 and 38-3321, Revised Statutes Cumulative Supplement, 2022; to authorize emergency care providers to provide emergency medical care to injured law enforcement canines; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 911.** Introduced by Blood, 3; Fredrickson, 20.

A BILL FOR AN ACT relating to the Nebraska Indian Child Welfare Act; to amend section 43-1501, Reissue Revised Statutes of Nebraska; to provide duties for the Department of Health and Human Services and Office of Probation Administration relating to cases under the act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 912.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Uninsured and Underinsured Motorist Insurance Coverage Act; to amend section 44-6401, Reissue Revised Statutes of Nebraska; to authorize provisions in contracts reducing the limitations period for insured claims; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 913.** Introduced by Hunt, 8.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to submit a state plan amendment for postpartum coverage under the Children's Health Insurance Program as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 914.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to real property; to adopt the Uniform Unlawful Restrictions in Land Records Act; and to provide severability.

**LEGISLATIVE BILL 915.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Board of Trustees of the Nebraska State Colleges; to amend section 85-304, Revised Statutes Cumulative Supplement, 2022; to change and provide powers and duties of the board of trustees; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 916.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to forfeiture; to amend sections 28-439, 28-440, 28-445, 28-1439.02, 28-1439.03, 28-1601, 28-1602, 28-1603, 29-820, 37-1299, 37-12,102, 60-1901, 60-1903.01, and 81-2004.05, Reissue Revised Statutes of Nebraska, sections 28-441, 28-442, and 81-2004.10, Revised Statutes Cumulative Supplement, 2022, and sections 28-101 and 28-416, Revised Statutes Supplement, 2023; to adopt the Controlled Substance Offenses Forfeiture Act; to eliminate and transfer provisions relating to forfeiture and disposition of seized contraband; to eliminate an obsolete provision; to harmonize provisions; to repeal the original sections; and to outright repeal sections 28-431, 28-1439.04, and 28-1439.05, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 917.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to insurance; to define terms; to require the establishment of a standard prior authorization process; to require approval and use of prior authorization forms as prescribed; and to provide certain response time requirements for prior authorization requests.

**LEGISLATIVE BILL 918.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to law enforcement; to amend sections 4-108, 4-111, 23-2306, 81-1410, 81-2016, and 84-1504, Reissue Revised Statutes of Nebraska, and sections 81-1401 and 84-1307, Revised Statutes Cumulative Supplement, 2022; to allow individuals who have received Deferred Action for Childhood Arrivals status to receive law enforcement officer training and certification; to allow such persons to participate in retirement programs for such law enforcement positions; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 919.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to correctional facilities; to define a term; and to require demolition of the Nebraska State Penitentiary as prescribed.

**LEGISLATIVE BILL 920.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Supplemental Nutrition Assistance Program; to amend section 68-1017.02, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to establish a Restaurant Meals Program; and to repeal the original section.

**LEGISLATIVE BILL 921.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to provide for mentorship programs by probation and parole officers; to state legislative purpose; to define terms; to provide duties; and to require evaluations and reports.

**LEGISLATIVE BILL 922.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to criminal justice; to adopt the Parolee and Probationer Business Empowerment Act.

**LEGISLATIVE BILL 923.** Introduced by McKinney, 11; Brewer, 43.

A BILL FOR AN ACT relating to tribal enrollment cards; to amend sections 53-167.02, 53-180.06, 69-2404, and 69-2430, Reissue Revised Statutes of Nebraska, and section 28-1202.03, Revised Statutes Supplement, 2023; to define a term; to allow the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws; to eliminate an obsolete provision; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 924.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3501, 77-3501.01, 77-3505.02, 77-3506.02, 77-3506.03, 77-3509.01, 77-3509.03, 77-3510, 77-3511, 77-3514, 77-3516, 77-3521, and 77-3529, Reissue Revised Statutes of Nebraska, sections 77-3517 and 77-3523, Revised Statutes Cumulative Supplement, 2022, and sections 77-3512, 77-3513, 77-3522, and 77-4212, Revised Statutes Supplement, 2023; to define a term; to provide a homestead exemption for individuals that reside in qualified census tracts; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 925.** Introduced by Aguilar, 35; Kauth, 31; Lippincott, 34.

A BILL FOR AN ACT relating to government contracting; to adopt the Firearm Industry Nondiscrimination Act.

**LEGISLATIVE BILL 926.** Introduced by Aguilar, 35; Lippincott, 34.

A BILL FOR AN ACT relating to museums; to amend sections 51-703, 51-705, 51-708, and 51-709, Reissue Revised Statutes of Nebraska; to change provisions of the Museum Property Act; and to repeal the original sections.

**LEGISLATIVE BILL 927.** Introduced by Fredrickson, 20; Conrad, 46.

A BILL FOR AN ACT relating to child welfare; to amend section 71-1924, Revised Statutes Cumulative Supplement, 2022; to require suicide awareness and prevention training for employees of child-placing agencies and child welfare workers; and to repeal the original section.

**LEGISLATIVE BILL 928.** Introduced by Fredrickson, 20; Bosn, 25; McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska Correctional Health Care Services Act; to amend section 83-4,153, Reissue Revised Statutes of Nebraska, and section 83-4,157, Revised Statutes Cumulative Supplement, 2022; to create the position of mental health director; to establish duties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 929.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-1025 and 86-1029.02, Revised Statutes Cumulative Supplement, 2022; to state legislative findings; to provide for dual capability between the 911 service system and the 988 Suicide and Crisis Lifeline; to provide duties; to provide immunity from liability; and to repeal the original sections.

**LEGISLATIVE BILL 930.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 198; to change provisions relating to an appropriation to the University of Nebraska; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 931.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to appropriations; to change the use of reappropriated Federal Funds as prescribed; to reduce and increase certain appropriations related to behavioral health purposes; and to declare an emergency.

**LEGISLATIVE BILL 932.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to the Mental Health Practice Act; to amend section 38-2123, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to provisional mental health practitioner licenses; and to repeal the original section.



**LEGISLATIVE BILL 933.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Supplement, 2023; to change coverage requirements for continuous glucose monitors; and to repeal the original section.

**LEGISLATIVE BILL 934.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to consumer protection; to amend sections 59-1608.01, 59-1611, 59-1623, 87-303.02, and 87-306, Reissue Revised Statutes of Nebraska; to change provisions relating to venue for actions under the Consumer Protection Act; to change enforcement and investigation powers of the Attorney General for violations of such act and the Uniform Deceptive Trade Practices Act; to provide for jury trials; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 935.** Introduced by Ibach, 44; Brandt, 32; Holdcroft, 36; Vargas, 7; Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

**LEGISLATIVE BILL 936.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to county government; to eliminate provisions relating to the regulation of certain recreation, entertainment, and amusements; and to outright repeal sections 23-808, 23-809, 23-810, 23-811, 23-812, 23-813, 23-814, 23-815, 23-816, 23-817, and 23-818, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 937.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2023; to adopt the Caregiver Tax Credit Act; to provide for tax credits; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 938.** Introduced by Brandt, 32; Dorn, 30.

A BILL FOR AN ACT relating to the County Purchasing Act; to amend sections 23-3104, 23-3105, 23-3107, 23-3108, 23-3109, 23-3111, and 23-3115, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to the county board, purchasing agent, purchases, competitive bidding, and surplus property; to allow auctions and trades; to eliminate special purchases; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 939.** Introduced by Erdman, 47; Halloran, 33; Lowe, 37.

A BILL FOR AN ACT relating to school funding; to adopt the My Student, My Choice Act; and to provide an operative date.

**LEGISLATIVE BILL 940.** Introduced by Dorn, 30; Brandt, 32.

A BILL FOR AN ACT relating to county government; to amend sections 23-103, 23-104, 23-104.01, and 23-104.03, Reissue Revised Statutes of Nebraska; to provide the authority for counties to plan, initiate, fund, maintain, administer, and evaluate facilities, programs, and services for survivors of domestic violence or sexual assault as prescribed; to provide for counties to enter into agreements as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 941.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid assisted-living facilities to the Department of Health and Human Services.

**LEGISLATIVE BILL 942.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations for medicaid nursing facilities and reports by the Department of Health and Human Services regarding appropriations for medicaid nursing facilities.

**LEGISLATIVE BILL 943.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 91; to appropriate additional funds to the Department of Health and Human Services for behavioral health aid; to state intent; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 944.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to public assistance; to amend section 68-996, Revised Statutes Cumulative Supplement, 2022; to provide for use of the Medicaid Managed Care Excess Profit Fund for behavioral health needs of adults and children as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 945.** Introduced by Hughes, 24.

A BILL FOR AN ACT relating to children; to amend section 43-285, Revised Statutes Cumulative Supplement, 2022, and section 43-1311.03, Revised Statutes Supplement, 2023; to require certain documents,

information, and materials be granted to children before leaving foster care; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 946.** Introduced by Day, 49.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1206, Revised Statutes Supplement, 2023; to change requirements relating to payments to Child Care Subsidy program providers; and to repeal the original section.

**LEGISLATIVE BILL 947.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Building Construction Act; to amend section 71-6401, Revised Statutes Supplement, 2023; to allow virtual inspection for certain building permits as prescribed; to require certain inspection records be made available to the public; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 948.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2119, Reissue Revised Statutes of Nebraska; to provide certain requirements for redevelopment contracts; and to repeal the original section.

**LEGISLATIVE BILL 949.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to county assessors; to amend section 77-1311.03, Reissue Revised Statutes of Nebraska; to change provisions relating to inspection of real property; and to repeal the original section.

**LEGISLATIVE BILL 950.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to occupation taxes; to amend sections 14-109, 15-202, 15-203, 16-205, 17-525, and 18-1208, Reissue Revised Statutes of Nebraska; to change provisions relating to the collection of occupation taxes; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 951.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to public officials; to adopt the Public Officials on Private Boards Open Meetings Act.

**LEGISLATIVE BILL 952.** Introduced by Day, 49; Aguilar, 35; Blood, 3; Bosn, 25; Bostar, 29; Cavanaugh, J., 9; Cavanaugh, M., 6; Conrad, 46; DeBoer, 10; Dungan, 26; Fredrickson, 20; Hughes, 24; Hunt, 8; McKinney, 11; Vargas, 7; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to require the Department of Health and Human Services to establish the Summer Electronic Benefits Transfer program; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 953.** Introduced by Kauth, 31; Lippincott, 34.

A BILL FOR AN ACT relating to teachers; to provide tuition waivers for student teachers as prescribed.

**LEGISLATIVE BILL 954.** Introduced by Kauth, 31; Clements, 2; Hardin, 48; Lippincott, 34.

A BILL FOR AN ACT relating to biometric data; to adopt the Biometric Autonomy Liberty Law; and to provide an operative date.

**LEGISLATIVE BILL 955.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to business practices; to require certain notice to purchasers of gift certificates and gift cards; and to provide penalties.

**LEGISLATIVE BILL 956.** Introduced by Bostar, 29; Brewer, 43.

A BILL FOR AN ACT relating to wind energy; to define terms; and to provide for installation and operation of light-mitigating technology systems on certain wind turbines as prescribed.

**LEGISLATIVE BILL 957.** Introduced by Dungan, 26; Blood, 3; Cavanaugh, J., 9; Conrad, 46; DeBoer, 10; Hunt, 8; Vargas, 7; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1001, 79-1009, 79-1017.01, 79-1021, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised Statutes Supplement, 2023; to provide for early childhood aid; to change provisions relating to net option funding, local system formula resources, the Education Future Fund, and certain certification dates; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 958.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2023; to provide for annual adjustment of certain reimbursement rates; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 959.** Introduced by Dungan, 26; Cavanaugh, J., 9; Hunt, 8.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1816, Revised Statutes Cumulative Supplement, 2022; to require transfer of cases to juvenile court if a county or district court fails to rule on a motion to transfer within thirty days after the hearing; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 960.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the State Athletic Commissioner; to amend sections 81-8,129, 81-8,130.01, 81-8,132, 81-8,133, 81-8,133.01, 81-8,134, 81-8,135, 81-8,138, and 81-8,139, Revised Statutes Cumulative Supplement, 2022; to provide powers and duties to the State Athletic Commissioner relating to the regulation of professional bare-knuckle mixed martial arts, amateur kickboxing, amateur bare-knuckle boxing, amateur bare-knuckle mixed martial arts, and amateur sparring matches and exhibitions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 961.** Introduced by Dungan, 26; Hunt, 8.

A BILL FOR AN ACT relating to labor; to prohibit noncompete agreements for lower-wage employees as prescribed; to define terms; and to provide for applicability.

**LEGISLATIVE BILL 962.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to schools; to prohibit the use of certain projection maps in public schools as prescribed; and to require each school board to adopt a policy relating to projection maps.

**LEGISLATIVE BILL 963.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to county attorneys; to amend sections 23-1201, 23-1205, 23-1212, 23-1218, 23-1220, and 77-5007.01, Reissue Revised Statutes of Nebraska, and sections 32-567 and 32-604, Revised Statutes Cumulative Supplement, 2022; to provide for the powers and duties of county attorneys and deputy county attorneys to be performed by district attorneys and deputy district attorneys appointed by the Attorney General; to eliminate provisions relating to powers and duties and elections of county attorneys; to provide powers and duties for the Attorney General; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 23-1201.01, 23-1201.02, 23-1204, 23-1204.01, 23-1204.03, 23-1204.04, 23-1204.05, 23-1204.06, 23-1206.01, 23-1206.02, 23-1209, 23-1221, 23-1222, 23-1223, and 32-522, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 964.** Introduced by Dungan, 26; Blood, 3; Cavanaugh, J., 9; Conrad, 46; DeBoer, 10; Fredrickson, 20; Hughes, 24; Hunt, 8; Walz, 15.

A BILL FOR AN ACT relating to teachers; to amend section 85-3004, Revised Statutes Cumulative Supplement, 2022; to adopt the Special Education Teacher Forgivable Loan Program Act; to provide for scholarships under the Nebraska Career Scholarship Act; and to repeal the original section.

**LEGISLATIVE BILL 965.** Introduced by Holdcroft, 36; Erdman, 47; Halloran, 33; Lowe, 37; Murman, 38; Riepe, 12.

A BILL FOR AN ACT relating to license plates; to amend sections 60-3,113 and 60-3,122.04, Reissue Revised Statutes of Nebraska, and sections 60-3,122.03, 60-3,123, 60-3,124, and 60-3,125, Revised Statutes Cumulative Supplement, 2022; to change and provide provisions relating to Military Honor Plates, prisoner-of-war license plates, disabled veteran license plates, and Purple Heart license plates; to provide duties to the Department of Motor Vehicles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 966.** Introduced by DeKay, 40; Brandt, 32.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-6,123 and 66-4,144, Reissue Revised Statutes of Nebraska; to change provisions relating to traffic control signals and excise tax rates; and to repeal the original sections.

**LEGISLATIVE BILL 967.** Introduced by DeKay, 40.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-830 and 81-1429.02, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms relating to trafficking; to change provisions relating to the Human Trafficking Victim Assistance Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 968.** Introduced by DeKay, 40; Conrad, 46; Hardin, 48; Holdcroft, 36; Hughes, 24; Kauth, 31; Linehan, 39; Lippincott, 34; Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 81-1429.02 and 81-1429.03, Revised Statutes Cumulative Supplement, 2022; to adopt the Live Adult Entertainment Establishment Fee Act; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 969.** Introduced by DeKay, 40; Jacobson, 42.

A BILL FOR AN ACT relating to public power and irrigation districts; to amend section 70-637, Reissue Revised Statutes of Nebraska; to change provisions relating to contracts and sealed bids; and to repeal the original section.

**LEGISLATIVE BILL 970.** Introduced by Lippincott, 34; Aguilar, 35; Albrecht, 17; Ballard, 21; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Hardin, 48; Holdcroft, 36; Jacobson, 42; Kauth, 31; Lowe, 37; Meyer, 41; Murman, 38; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the death penalty; to amend sections 83-964, 83-965, 83-966, 83-967, 83-968, 83-969, 83-970, 83-971, and 83-972, Revised Statutes Cumulative Supplement, 2022; to provide for execution by nitrogen hypoxia; to define terms; to transfer provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 971.** Introduced by Lippincott, 34; Aguilar, 35; Albrecht, 17; Ballard, 21; Blood, 3; Brewer, 43; DeKay, 40; Dorn, 30; Halloran, 33; Hardin, 48; Holdcroft, 36; Hughes, 24; Jacobson, 42; Kauth, 31; Lowe, 37; McDonnell, 5; Meyer, 41; Murman, 38; Slama, 1; Wayne, 13.

A BILL FOR AN ACT relating to the Game Law; to amend sections 37-420 and 37-421, Reissue Revised Statutes of Nebraska; to provide for a free hunting permit for veterans on Veterans Day; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 972.** Introduced by Lippincott, 34; Aguilar, 35; Albrecht, 17; Blood, 3; Brewer, 43; Clements, 2; Dorn, 30; Erdman, 47; Halloran, 33; Hardin, 48; Holdcroft, 36; Jacobson, 42; Kauth, 31; Lowe, 37; McDonnell, 5; Meyer, 41; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-401, Revised Statutes Cumulative Supplement, 2022, and section 28-405, Revised Statutes Supplement, 2023; to prohibit kratom as a controlled substance; to define a term; and to repeal the original sections.

**LEGISLATIVE BILL 973.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-421, Reissue Revised Statutes of Nebraska; to change provisions relating to the issuance of annual combination fishing, fur-harvesting, and hunting permits, habitat stamps, aquatic habitat stamps, and Nebraska migratory waterfowl stamps; and to repeal the original section.

**LEGISLATIVE BILL 974.** Introduced by Holdcroft, 36; Albrecht, 17; DeKay, 40; Halloran, 33; Ibach, 44; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to the Homicide of the Unborn Child Act; to amend section 28-394, Reissue Revised Statutes of Nebraska; to change penalties for motor vehicle homicide of an unborn child as prescribed; and to repeal the original section.

**SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR276 was referred to the Reference Committee.

**PROPOSED RULES CHANGE(S)**

Senator Wayne filed the following proposed rule changes:

**Proposed Rule Change 30**

**Rule 2 Sec. 2. Rules, Suspension, Amendment.** The rules may only be suspended by a three-fifths majority of the elected members by a machine vote, and such a motion shall not be amendable or divisible. A vote to suspend the rules shall always be recognized as a separate vote from any subsequent motion for which the rules are suspended. The permanent rules may be amended by a three-fifths majority vote of the members elected; provided, any proposed amendment must first be referred to the Committee on Rules for consideration and report.

**Proposed Rule Change 31****Rule 7, Sec. 2. Voting, Electric Roll Call. ...**

(c) Upon the final passage of a bill, or of a resolution if the same required the same consideration as a bill, the vote shall only be by yeas and nays with all members present required to vote, unless excused by the Legislature, and the electric roll call system shall be used. Voice votes shall be accepted on Final Reading.

...

**Proposed Rule Change 32****Rule 2, Sec. 3. Chamber, Guests, Distribution of Material. ...**

(b) No person shall be admitted to the floor of the Legislature, as described in this rule, except the following:

- (i) Members of the Legislature and their immediate families.
- (ii) Officers and employees of the Legislature.
- (iii) Reporters of regularly accredited newspapers and broadcasting stations. Any photos or recordings produced by media on the legislature floor are a public record and cannot be copyrighted.

Senator J. Cavanaugh filed the following proposed rule changes:



**Proposed Rule Change 33**

**Rule 6, Sec. 5. Select File.** When the Legislature considers bills on Select File, any of the following motions shall be in order.

(a) A motion to approve or reject any or all of the changes recommended by the Chairperson of Enrollment and Review. The Enrollment and Review amendments shall be allotted fifteen minutes for introduction and debate. Upon either the completion of debate on the Enrollment and Review amendments or the expiration of fifteen minutes, whichever comes first, a vote shall be taken to adopt the amendments. No amendment which adds new material shall be in order until after the Enrollment and Review amendments are considered.

(b) A motion to adopt an amendment to a bill or an amendment to an amendment which shall require a majority vote of the elected members, except amendments which are substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members.

(c) A motion to recommit to the proper standing committee.

(d) A motion to postpone indefinitely. After a motion to indefinitely postpone a bill has been offered, and the introducer of the motion has made his or her opening remarks on the motion, the principal introducer of the bill shall immediately be permitted to speak for five minutes on such motion.

(e) Motions made pursuant to subsections b, c, and d hereof may be adopted only upon the affirmative vote of a majority of the elected members.

(f) Amendments recommended by Enrollment and Review shall not be read by the Clerk except upon the request of a member of the Legislature.

(g) Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific Enrollment and Review Committee amendments may be considered.

(h) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Final after two attempts shall be indefinitely postponed.

**Proposed Rule Change 34**

**Rule 7, Sec. 6. Postpone to Time Certain.** No motion to postpone to a time certain, to commit, or to postpone indefinitely being decided, shall again be

allowed on the same day at the same stage of the bill or proposition. Such motion may be withdrawn only with unanimous consent or a majority vote of the elected members.

#### AMENDMENT(S) - Print in Journal

Senator Halloran filed the following amendment to LB262:  
AM2020

(Amendments to Standing Committee amendments, AM719)

- 1 1. Strike sections 17, 18, 22, 30, 31, and 32 and insert the
- 2 following new sections:
- 3 Sec. 17. Section 81-2,239, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 81-2,239 Sections 81-2,239 to 81-2,292 and sections 21, 24, and 25
- 6 of this act and the provisions of the Food Code and the Current Good
- 7 Manufacturing Practice In Manufacturing, Packing, or Holding Human Food
- 8 adopted by reference in sections 81-2,257.01 and 81-2,259, shall be known
- 9 and may be cited as the Nebraska Pure Food Act.
- 10 Sec. 18. Section 81-2,240, Revised Statutes Supplement, 2023, is
- 11 amended to read:
- 12 81-2,240 For purposes of the Nebraska Pure Food Act, unless the
- 13 context otherwise requires, the definitions found in sections 81-2,241 to
- 14 81-2,254 and sections 21, 24, and 25 of this act shall be used. In
- 15 addition, the definitions found in the code and practice adopted by
- 16 reference in sections 81-2,257.01 and 81-2,259 shall be used.
- 17 2. Renumber the remaining sections and correct the repealer and
- 18 internal references accordingly.

Senator Linehan filed the following amendment to LB299:  
AM2031

- 1 1. Strike section 1.

#### ANNOUNCEMENT(S)

Priority designation(s) received:

J. Cavanaugh - LB184  
Halloran - LR31  
Slama - LB912

#### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Bostar name added to LB137.  
Senator Ballard name added to LB137.  
Senator Fredrickson name added to LB822.  
Senator Holdcroft name added to LB844.  
Senator Halloran name added to LB876.  
Senator Murman name added to LB876.  
Senator Lowe name added to LB876.

Senator Walz name added to LB876.  
Senator Jacobson name added to LB876.  
Senator Slama name added to LB910.  
Senator Day name added to LB933.  
Senator McDonnell name added to LR275CA.

**VISITOR(S)**

Visitors to the Chamber were Travis Beck and Suzanne LaChasse, Los Angeles, CA.

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

**ADJOURNMENT**

At 12:02 p.m., on a motion by Senator McKinney, the Legislature adjourned until 10:00 a.m., Friday, January 5, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRD DAY - JANUARY 5, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 5, 2024

**PRAYER**

The prayer was offered by Senator M. Cavanaugh.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Bosn.

**ROLL CALL**

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

The roll was called and all members were present except Senators Armendariz, Fredrickson, and Moser who were excused; and Senators Bostar, Hunt, Jacobson, McDonnell, and Raybould who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the second day was approved.

**REPORTS**

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

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB821	Education
LB822	Health and Human Services
LB823	Health and Human Services

LB824	Health and Human Services
LB825	Revenue
LB826	Natural Resources
LB827	Business and Labor
LB828	Agriculture
LB829	Banking, Commerce and Insurance
LB830	Government, Military and Veterans Affairs
LB831	Agriculture
LB832	Government, Military and Veterans Affairs
LB833	Banking, Commerce and Insurance
LB834	Health and Human Services
LB835	Education
LB836	General Affairs
LB837	Natural Resources
LB838	General Affairs
LB839	General Affairs
LB840	Urban Affairs
LB841	Education
LB842	Urban Affairs
LB843	Urban Affairs
LB844	Business and Labor
LB845	Judiciary
LB846	Judiciary
LB847	Government, Military and Veterans Affairs
LB848	Government, Military and Veterans Affairs
LB849	Banking, Commerce and Insurance
LB850	Appropriations
LB851	Business and Labor
LB852	Banking, Commerce and Insurance
LB853	Revenue
LB854	Banking, Commerce and Insurance
LB855	Education
LB856	Health and Human Services
LB857	Health and Human Services
LB858	Appropriations
LB859	Government, Military and Veterans Affairs
LB860	Education
LB861	Government, Military and Veterans Affairs
LB862	Education
LB863	Revenue
LB864	Appropriations
LB865	Transportation and Telecommunications
LB866	Natural Resources
LB867	Natural Resources
LB868	Natural Resources
LB869	Government, Military and Veterans Affairs
LB870	Judiciary
LB871	Health and Human Services
LB872	Banking, Commerce and Insurance

LB873 Banking, Commerce and Insurance  
 LB874 Health and Human Services  
 LB875 General Affairs  
 LB876 Judiciary  
 LB877 Revenue  
 LB878 Government, Military and Veterans Affairs  
 LB879 Health and Human Services  
 LB880 Natural Resources  
 LB881 Urban Affairs  
 LB882 Health and Human Services  
 LB883 Judiciary  
 LB884 Judiciary  
 LB885 Banking, Commerce and Insurance  
 LB886 Judiciary  
 LB887 Government, Military and Veterans Affairs  
 LB888 Appropriations  
 LB889 Appropriations  
 LB890 Judiciary  
 LB891 Transportation and Telecommunications  
 LB892 Judiciary  
 LB893 Revenue  
 LB894 Judiciary  
 LB895 Government, Military and Veterans Affairs  
 LB896 Health and Human Services  
 LB897 Appropriations  
 LB898 Judiciary  
 LB899 Education  
 LB900 Transportation and Telecommunications  
 LR275CA Business and Labor

Abegglen, Jon W. - Board of Educational Lands and Funds - Education  
 Ames, Ann E. - Crime Victim's Reparations Committee - Judiciary  
 Anderson, Dorothy C. - Nebraska Educational Telecommunications  
 Commission - Education  
 Austin, William F. - Nebraska Power Review Board - Natural Resources  
 Bailey, Bruce, D. - Nebraska Liquor Control Commission - General Affairs  
 Belitz, KC - Director, Department of Economic Development - Banking,  
 Commerce and Insurance  
 Bish, Alyssa L. - Director, Division of Children and Family Services-  
 Department of Health and Human Services - Health and Human Services  
 Botsford, Brian - Nebraska Arts Council - General Affairs  
 Brazda, John - Crime Victim's Reparations Committee - Judiciary  
 Cheek, Zachary - Nebraska Arts Council - General Affairs  
 Clausen, Gerald - Public Employees Retirement Board - Nebraska  
 Retirement Systems  
 Cople, David - State Highway Commission - Transportation and  
 Telecommunications  
 Corsi, Steven L. - Chief Executive Officer, Department of Health and  
 Human Services - Health and Human Services

Daniels, Timothy - Coordinating Commission for Postsecondary Education - Education  
Frison, Deborah - Coordinating Commission for Postsecondary Education - Education  
Gissler, Layne - Board of Parole - Judiciary  
Goranson, Jana - Nebraska Arts Council - General Affairs  
Griffin, LeDonna - Coordinating Commission for Postsecondary Education - Education  
Gross, Jon - Nebraska Arts Council - General Affairs  
Haggerty, Patrick - Director, Nebraska Broadband Office - Transportation and Telecommunications  
Hansen, Eric - Nebraska Environmental Trust Board - Natural Resources  
Headrick, Dennis - Coordinating Commission for Postsecondary Education - Education  
Helgoth, Roger - Nebraska Environmental Trust Board - Natural Resources  
Hoggatt, John M. - Game and Parks Commission - Natural Resources  
Hovanetz, Christy - Technical Advisory Committee for Statewide Assessment - Education  
Jones, Dallas - Commission of Industrial Relations - Business and Labor  
Jones, Michael D. - Crime Victim's Reparations Committee - Judiciary  
Kamm, James R. - Tax Commissioner, Department of Revenue - Revenue  
Keetle, Steven - Tax Equalization and Review Commission - Revenue  
Kindig, James - State Highway Commission - Transportation and Telecommunications  
Kircher, Patricia M. - Nebraska Educational Telecommunications Commission - Education  
Kuehn, John - State Board of Health - Health and Human Services  
Kush, Donna - Game and Parks Commission - Natural Resources  
Liegl, David - Nebraska Power Review Board - Natural Resources  
Meginnis, Richard W. - State Highway Commission - Transportation and Telecommunications  
Mello, Heath - State Highway Commission - Transportation and Telecommunications  
Murante, John - Director, Nebraska Public Employees Retirement Systems - Nebraska Retirement Systems  
Nellhaus, Jeffrey - Technical Advisory Committee for Statewide Assessment - Education  
Nelson, Dannika L. - Coordinating Commission for Postsecondary Education - Education  
Neumann, Charles - Public Employees Retirement Board - Nebraska Retirement Systems  
Owens, David - Stem Cell Research Advisory Committee - Health and Human Services  
Poole, Linda - Technical Advisory Committee for Statewide Assessment - Education  
Probyn, Dwayne B. - Board of Educational Lands and Funds - Education  
Roop, Dennis - Stem Cell Research Advisory Committee - Health and Human Services  
Rosenthal, Daniel J. - State Board of Health - Health and Human Services



Roush, Clark - Nebraska Arts Council - General Affairs  
Rundel, John Arley - Nebraska Oil and Gas Conservation Commission -  
Natural Resources  
Splattstoesser, Luke H. - Public Employees Retirement Board - Nebraska  
Retirement Systems  
Stinson, John (Chris) - State Racing and Gaming Commission - General  
Affairs  
Strong, Craig - Adjutant General, Military Department - Government,  
Military and Veterans Affairs  
tenBensel, Jan K. - Nebraska Ethanol Board - Natural Resources  
Tuma, Bryan - Executive Director, Nebraska Crime Commission - Judiciary  
Vasko, Theodore E. - Nebraska Environmental Trust Board - Natural  
Resources  
Werner-Robertson, Gail - Nebraska Investment Council - Nebraska  
Retirement Systems  
Wittstruck, Courtney C. - Nebraska Educational Telecommunications  
Commission - Education  
Wolford, Greg - State Highway Commission - Transportation and  
Telecommunications  
Wright, Lovell James - Nebraska Arts Council - General Affairs  
Yi, Rui - Stem Cell Research Advisory Committee - Health and Human  
Services  
Zink, Tracy - Nebraska Ethanol Board - Natural Resources

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**MOTION(S) - Print in Journal**

Speaker Arch filed the following Motions:

Recommit Proposed Rule Change 18 to the Rules Committee.

Amend Proposed Rule Change 18, page 1, line 2 as follows: strike ", nor  
divisible" and show as stricken.

Amend Proposed Rule Change 18, page 1, line 3 as follows: strike "not" and  
show as stricken.

Suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the  
immediate adoption of the Proposed Rule Change 18, without further  
debate, amendment, or motion.

Recommit Proposed Rule Change 21 to the Rules Committee.

Amend Proposed Rule Change 21, lines 3 and 8 as follows: strike  
"introduced" and show as stricken. On line 8, strike "introduction" and show  
as stricken. On lines 3 and 7, reinsert "considered". On line 8, reinsert  
"consideration".

Amend Proposed Rule Change 21, line 8 as follows: strike "introduction" and show as stricken and reinsert "consideration".

Suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the immediate adoption of the Proposed Rule Change 21, without further debate, amendment, or motion.

Recommit Proposed Rule Change 23 to the Rules Committee.

Amend Proposed Rule Change 23, line 3 as follows: reinsert stricken language.

Amend Proposed Rule Change 23, lines 4, 5, and 6 as follows: strike new language.

Suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the immediate adoption of the Proposed Rule Change 23, without further debate, amendment, or motion.

Recommit Proposed Rule Change 25 to the Rules Committee.

Amend Proposed Rule Change 25, line 2 as follows: strike "underlying" and show as stricken.

Amend Proposed Rule Change 25, line 6 as follows: strike "a" and show as stricken and reinsert the stricken language.

Suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the immediate adoption of the Proposed Rule Change 25, without further debate, amendment, or motion.

**2023 INTERIM REPORT  
ON THE DISPOSITION OF  
INTERIM STUDY RESOLUTIONS**

Below is the 2023 Interim Report on the Disposition of Interim Study Resolutions as read across on Thursday, January 4, 2024.

Agriculture

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
106	Interim study to examine interests in agricultural lands in Nebraska held by foreign individuals, business entities, and governments		X		

176	Interim study to examine the Nebraska Right to Farm Act in comparison to similar laws in other states that rely on agriculture and recruitment of agriculture-related businesses as a significant portion of the economy			X	
212	Interim study to examine issues within the jurisdiction of the Agriculture Committee			X	
219	Interim study to review the credentialing requirements under the Pesticide Act for purposes of the Occupational Board Reform Act	X			

Appropriations

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
200	Interim study to examine the progress and ability to expend Federal Funds allocated to the State of Nebraska from the federal Coronavirus State Fiscal Recovery Fund	X			10/20/23
167	Interim study to examine the long-term fiscal sustainability of and how to best direct funding towards the most effective uses of Nebraska's federal Temporary Assistance for Needy Families (TANF) funds	X			10/27/23
182	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund	X			10/27/23
169	Interim study to examine the long-term fiscal sustainability of the Nebraska Health Care Cash Fund	X			10/27/23

208	Interim study to examine the current funding mechanisms and operations of Nebraska's Mesonet system		Briefing by Introducer		
206	Interim study to examine potential funding and other solutions to the crisis of rising costs relating to providing care and services to individuals with disabilities			X	
198	Interim study to explore support and supplemental funding for public and nonprofit providers of emergency medical services			X	
218	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			X	
153	Interim study to examine the fiscal impact of statutory tuition and fee waivers for various constituencies on Nebraska's public university, state colleges, and community colleges			X	
183	Interim study to examine issues within the jurisdiction of the Appropriations Committee			X	

Banking, Commerce and Insurance

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
118	Interim study to review the credentialing requirements in the Nebraska Real Estate License Act for purposes of the Occupational Board Reform Act		X		
119	Interim study to review the credentialing requirements in the Collection Agency Act		X		

	for purposes of the Occupational Board Reform Act				
120	Interim study to review the credentialing requirements in the Abstracters Act for purposes of the Occupational Board Reform Act		X		
121	Interim study to review the credentialing requirements for the business of debt management found in sections 69-1201 to 69-1217 for purposes of the Occupational Board Reform Act		X		
122	Interim study to examine issues within the jurisdiction of the Banking, Commerce and Insurance Committee		X		
123	Interim study to examine the economic impact of manufacturing and processing in Nebraska and to examine the role advanced manufacturing and smart technologies can play in increasing productivity and economic growth		X		
137	Interim study to examine whether legislation should be enacted to provide for comprehensive regulation of the business practices of pharmacy benefit managers		X		
175	Interim study to determine the impact on commerce, commercial and economic activity, and the community by having a United States Postal Service office in the West Haymarket area of downtown Lincoln		X		
180	Interim study to examine the Nebraska Trust Company Act and other Nebraska statutes related to trust companies			X	

181	Interim study to examine the insurance statutes of the State of Nebraska with specific emphasis on the impact of the insurance industry on tort reform and related matters		X		
197	Interim study to conduct a comprehensive examination of the need for Nebraska to foster development of large industrial and commercial business sites		X		
237	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		X		

Business and Labor

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
174	Interim study to examine issues raised in LB335, 2023, relating to the impact health care staffing agencies have on the delivery of health care services		X		
193	Interim study to research and explore employee privacy concerns related to digital tracking in nonemergency situations		X		
210	Interim study to examine the emigration of skilled and educated individuals out of the State of Nebraska		X		
225	Interim study to determine ways to incentivize the growth in the number of apprenticeship programs and youth apprenticeship participants in Nebraska		X		

## Education

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
129	Interim study to examine the shortage of sports officials in Nebraska registered by the Nebraska School Activities Association	12/7/23			
166	Interim study to examine the impact of government-imposed mandates on school districts		11/28/23		11/28/23
148	Interim study to examine the use of federal funds from the federal Elementary and Secondary School Emergency Relief Fund and the use of the Launch Nebraska website		7/31/23		7/31/23
149	Interim study related to social-emotional learning in the classroom		7/31/23		7/31/23
147	Interim study relating to parental involvement in public schools		7/31/23		7/31/23
145	Interim study to explore the role of both the State of Nebraska and individual school districts in finding solutions to address the impact of the inability of students to afford menstrual products			X	
144	Interim study to examine the subject of school choice where all education funding is distributed on a per-student basis and follows the student to the school of choice			X	
240	Interim study to examine the impact of consolidation of educational service units			X	
152	Interim study to examine all factors that may impact a school district's ability to attract and retain qualified superintendents and administrators			X	

170	Interim study to assess and examine whether student journalists and student journalism is supported and promoted in public high schools and postsecondary institutions and free from censorship and inappropriate government interference			X	
251	Interim study to explore the development of registered apprenticeship program sponsors within Nebraska's education system for early childhood care and education		12/1/23		12/1/23
192	Interim study to examine the relationship between joint public agencies and public education matters			X	
228	Interim study to examine issues raised in LB320, 2023, relating to an evaluation of equalization aid to school districts			X	
220	Interim study to examine laws governing school security policy		12/1/23		12/1/23
246	Interim study to research the Metropolitan Omaha Educational Consortium			X	

Executive Board

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
164	Interim study on improving the handicapped accessibility of parking, entryways, and interior spaces around the Nebraska State Capitol			X	
179	Interim study to review the laws, procedures, rules and regulations, and general standards of practice related to the public's participation in the legislative process in a representative form of government	X			



188	Interim study to examine issues related to the committee system of the Legislature and the referencing of legislative bills by the Reference Committee of the Legislature			X	
135	Interim study to create a Select Committee to examine the current use of technology in the Legislature and to identify ways to improve it		X		
178	Interim study for created Select Committee to examine the feasibility of constructing and operating small modular nuclear reactors to generate electric power in Nebraska		X		10/27/23

## General Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
84	Interim study to examine different methods to address concerns raised by a restaurant, bar, craft brewery, microdistillery, and farm winery owners relating to receiving shipments of alcoholic liquor		X		
103	Interim study to examine entertainment district licenses issued under the Nebraska Liquor Control Act		X		9/22/23
104	Interim study to examine statutes relating to the State Racing and Gaming Commission and its members		X		
105	Interim study to examine and review occupational licenses and regulations under the State Electrical Act	Report is being drafted.			
98	Interim study to examine issues within the jurisdiction		X		10/20/23

of the General Affairs Committee				
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Government, Military and Veterans Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
142	Interim study to examine Nebraska's policies relating to veterans and the competitiveness of Nebraska for veterans and current service members when choosing where to live after retirement		X		9/29/23
156	Interim study to examine the firefighting response to wildfires in Nebraska		X		9/29/23
221	Interim study to review the credentialing requirements for interior designers for purposes of the Occupational Board Reform Act	X			9/22/23
222	Interim study to review the credentialing requirements for landscape architects for purposes of the Occupational Board Reform Act	X			9/22/23
223	Interim study to review the credentialing requirements for notaries public for purposes of the Occupational Board Reform Act	X			9/22/23
247	Interim study to examine issues raised in LB133, 2023, relating to laws regarding the use of eminent domain by state agencies, boards, commissions, and other political subdivisions		X		10/20/23

Health and Human Services

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
234	Interim study to examine the effectiveness of the State of Nebraska's response to the COVID-19 pandemic	X			11/1/23

213	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			X	
168	Interim study to examine the impact on the services provided to eligible recipients of and how to best use Nebraska's federal Temporary Assistance for Needy Families (TANF) funds			X	
229	Interim study to examine the lack of education and support services and any other obstacles for foster parents		X		12/6/23
151	Interim study to examine the results of the Nebraska Child Care Cost Model developed as a product of the Preschool Development Grant			X	
136	Interim study to examine the critical role federally qualified health centers play in expanding access to health care in Nebraska		X		10/11/23
171	Interim study to examine the cost and needed frequency of rebasing medicaid inpatient per diem rates for psychiatric facilities, hospital-based psychiatric units, and psychiatric residential facilities		X		10/25/23
154	Interim study to examine Nebraska's maternal care deserts		X		10/25/23
190	Interim study to examine streamlining communications on rule and regulation changes proposed by the Department of Health and Human Services relating to the medical assistance program		X		9/20/23

199	Interim study to research, through collaboration among stakeholders, ways to address youth and adult behavioral health issues		X		10/11/23
203	Interim study to review how the State of Nebraska can ensure it has effective emergency medical services in rural communities		X		10/27/23
232	Interim study to examine the plausibility of the State of Nebraska joining the Social Work Licensure Compact		X		9/20/23
132	Interim study to examine the plausibility of the State of Nebraska becoming a participant in the Dentist and Dental Hygienist Compact		X		9/20/23
233	Interim study to examine the plausibility of the State of Nebraska joining the Physician Assistant Licensure Compact		X		9/20/23
202	Interim study to examine the mental and behavioral health care needs of Nebraskans		X		9/20/23
226	Interim study regarding dental offices sharing information with patients on the chance of patients getting infections in artificial body parts due to dental cleanings			X	
241	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		X		10/25/23
211	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			X	

191	Interim study to examine the process for conducting the statutorily required fingerprint-based national criminal history record information check for the child care workforce pursuant to section 71-1912		X		10/11/23
196	Interim study to review ways to eliminate or reduce the current waiting list for services that adults with developmental disabilities experience		X		10/11/23
252	Interim study to examine issues within the jurisdiction of the Health and Human Services Committee			X	
150	Interim study to examine the gap in services such as emergency shelters and transitional housing for individuals experiencing domestic violence and human trafficking		X		12/6/23

## Judiciary

2023 Interim Report on the Disposition of Interim Study Resolutions  
Report Was Not Submitted.

## Natural Resources

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
133	Interim study to examine issues under the jurisdiction of the Natural Resources Committee			X	
162	Interim study to examine issues within the jurisdiction of the Game and Parks Commission			X	
163	Interim study to examine opportunities to increase recycling of municipal solid waste			X	
216	Interim study to examine the economic and climate			X	

	impacts of the current reliance on fossil fuel energy generation in Nebraska				
224	Interim study to examine laws governing the ring-necked pheasant upland game bird in hopes of improving the population of the species			X	
248	Interim study to examine issues raised in LB320, 2023, relating to an evaluation of equalization aid to school districts			X	

Nebraska Retirement Systems

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
157	Interim study to examine the retirement systems administered by the Public Employees Retirement Board	X			12/7/23
158	Interim study to carry out the provisions of section 13-2402, which requires the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans	X			12/6/23
159	Interim study to examine the retirement system for firefighters of cities of the first class and the creation of a cash balance retirement system			X	
160	Interim study to examine the retirement system for firefighters of cities of the first class and the changes proposed in LB406, 2023			X	
161	Interim study to examine the Nebraska State Patrol Retirement System and the changes proposed in LB196, 2023		X		11/9/23

## Revenue

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
236	Interim study to examine issues within the jurisdiction of the Revenue Committee			11/28/23	
97	Interim study to examine revenue and other funding options for the Nebraska Tourism Commission		11/28/23		11/9/23
186	Interim study to examine issues raised in LB820, 2023, relating to valuation of land in Nebraska			11/28/23	
243	Interim study to examine tax incentives for the film industry in Nebraska		11/28/23		11/9/23
155	Interim study to examine Nebraska's disability classifications for the homestead exemption			11/28/23	
242	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		11/28/23		11/9/23
235	Interim study to examine the delinquent tax sale and tax deed process for delinquent real property taxes			11/28/23	

## Transportation and Telecommunications

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
184	Interim study to examine the deployment of broadband services within the State of Nebraska		X		12/6/23
185	Interim study to examine issues under the jurisdiction of the Transportation and Telecommunications Committee		X		

227	Interim study to examine issues related to public rest areas along highways in Nebraska and the lack of updates, maintenance, and cleanliness of facilities			X	
130	Interim study to examine the potential construction of the proposed East Beltway administered jointly by the city of Lincoln and Lancaster County			X	
172	Interim study to examine the occupation taxes imposed on wireless telecommunications services			X	
214	Interim study to examine the possibility of the creation of an intrastate airline to assist with statewide travel			X	
195	Interim study to conduct a comprehensive examination of Nebraska's state highway system and the priorities and resource allocation methods for the system			X	

Urban Affairs

LR	Subject	Completed Report Issued	Completed No Report Issued	Deferred	Date Hearing Held
138	Interim study to examine the meaning of affordable housing in Nebraska		X		9/25/23
141	Interim study to examine the reports received under the Municipal Density and Missing Middle Housing Act		X		9/25/23
189	Interim study to examine issues regarding potholes and road maintenance in Nebraska municipalities			X	
238	Interim study to examine the location of recreational vehicle parks, entertainment venues, and other recreational development and the impact of zoning regulations related		X		9/26/23



	to flooding on locating such facilities				
239	Interim study to explore the feasibility and 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		X		9/26/23
139	Interim study to review the credentialing requirements for home inspectors for purposes of the Occupational Board Reform Act		X		9/26/23
140	Interim study to examine issues within the jurisdiction of the Urban Affairs Committee			X	
250	Interim Study to consider changes to the Property Assessed Clean Energy Act and to property assessed clean energy financing for real estate development projects			X	

#### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 975.** Introduced by Ibach, 44; Ballard, 21; Bostar, 29; Brandt, 32; Holdcroft, 36; Vargas, 7.

A BILL FOR AN ACT relating to the Shovel-Ready Capital Recovery and Investment Act; to amend section 81-12,221, Revised Statutes Supplement, 2023; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 976.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to courts; to provide for an education and training program on child abuse and custody determinations; and to provide powers and duties for the State Court Administrator.

**LEGISLATIVE BILL 977.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to discrimination; to amend sections 18-1724, 20-113, 20-132, 20-134, 20-139, 20-317, 20-318, 20-320, 20-321,

20-322, 20-325, 23-2525, 23-2531, 23-2541, 29-401, 45-1056, 48-215, 48-628.13, 48-1101, 48-1104, 48-1105, 48-1106, 48-1107, 48-1108, 48-1111, 48-1113, 48-1115, 48-1117, 48-1119, 48-1122, 48-1124, 48-1125, 49-801, 51-211, 58-216, 58-808, 58-809, 58-810, 68-1605, 75-325, and 76-1495, Reissue Revised Statutes of Nebraska, and sections 25-1645, 32-221, 32-230, 39-210, and 81-885.24, Revised Statutes Cumulative Supplement, 2022; to prohibit discrimination based upon military or veteran status as prescribed; to transfer provisions; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 978.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to adoptions; to amend sections 43-104.15 and 43-107, Reissue Revised Statutes of Nebraska, and sections 43-101, 43-101.01, 43-102, 43-104, 43-104.08, and 43-104.13, Revised Statutes Cumulative Supplement, 2022; to provide for adoption by a second adult person; to define a term; to change provisions relating to consent to adoption, home studies, and terminology; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 979.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to treatment and corrections; to require an annual report on active cases by the Department of Correctional Services, Office of Probation Administration, and Division of Parole Supervision.

**LEGISLATIVE BILL 980.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the death penalty; to amend section 83-970, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to persons to be present at an execution; and to repeal the original section.

**LEGISLATIVE BILL 981.** Introduced by Holdcroft, 36; Brewer, 43; Lowe, 37.

A BILL FOR AN ACT relating to gaming; to amend sections 9-402, 9-422, 9-426, 9-427, 9-429, 9-502, 9-511, and 28-1105.01, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Lottery and Raffle Act and the Nebraska Small Lottery and Raffle Act; to harmonize provisions; to eliminate provisions relating to a small lottery; to repeal the original sections; and to outright repeal section 9-510, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 982.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-6038 and 71-6039, Reissue Revised Statutes of Nebraska; to provide for employment of nurse aides in intellectual and developmental disability facilities; and to repeal the original sections.

**LEGISLATIVE BILL 983.** Introduced by Cavanaugh, J., 9; Dungan, 26.

A BILL FOR AN ACT relating to criminal procedure; to provide duties and procedures relating to plea agreements and sentencing; and to define a term.

**LEGISLATIVE BILL 984.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to health care; to define terms; to prohibit certain actions relating to 340B entities; to provide for an injunction; and to provide severability.

**LEGISLATIVE BILL 985.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Nebraska Teacher Recruitment and Retention Act; to amend section 79-8,114, Revised Statutes Supplement, 2023; to change provisions relating to grant eligibility; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 986.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Teach in Nebraska Today Act; to amend sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150, 79-8,151, and 79-8,152, Revised Statutes Cumulative Supplement, 2022; to terminate provisions relating to loan repayment assistance under the act as prescribed; to provide for grants to teachers under the act as prescribed; to increase the program amount limitation; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 987.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the Quality Education Accountability Act; to amend sections 79-760.03, 79-760.05, and 79-2603, Revised Statutes Cumulative Supplement, 2022; to require each public school and each approved or accredited private, denominational, or parochial school to administer an age-appropriate national assessment instrument to students in kindergarten through twelfth grade each school year; to require such schools to submit testing data to the State Department of Education; to provide and change powers and duties of the State Board of Education and the State Department of Education; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 988.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to elections; to amend sections 2-222, 2-223, 3-504, 3-602, 3-603, 10-401, 10-404, 10-406, 10-407, 10-409, 10-410, 10-501, 10-606, 10-607, 10-702, 10-801, 10-802, 12-1001, 13-306, 13-519, 13-809, 13-2507, 13-3109, 13-3207, 14-202, 14-365.07, 14-521, 14-1206, 14-1211, 14-1216, 14-1251, 14-2120, 14-2142, 16-216, 16-676,

16-680, 16-695, 16-697.02, 16-6,101, 16-806, 17-527, 17-529.08, 17-534, 17-903, 17-905, 17-908, 17-939, 17-950, 17-954, 17-963, 18-412, 18-506.01, 18-610, 18-623, 18-1502, 18-1503, 18-2706, 18-2713, 19-1307, 19-2103, 23-120, 23-125, 23-128, 23-397, 23-501, 23-3501, 23-3508, 23-3513, 23-3515, 23-3552, 23-3555, 23-3616, 23-3621, 39-836, 39-837, 39-838, 39-840, 39-841, 46-151, 46-162, 46-167, 46-194, 46-198, 46-1,104, 46-1,113, 46-1,122, 46-305, 46-312, 46-564, 46-565, 46-566, 47-302, 47-304, 57-106, 57-107, 71-1622, 71-1629, 71-1638, 72-2309, 74-1427, 77-27,142.01, 77-27,142.02, 77-27,142.03, 79-10,105, and 85-1518, Reissue Revised Statutes of Nebraska, sections 32-559, 32-1203, 77-3444, 79-1029, 79-1098, 79-10,117, and 79-10,118, Revised Statutes Cumulative Supplement, 2022, and section 13-2611, Revised Statutes Supplement, 2023; to provide, change, and eliminate provisions regarding elections for certain purposes; to require an election for issuance of bonds as prescribed; to harmonize provisions; to repeal the original sections; to outright repeal sections 10-408, 10-703.01, and 39-839, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 989.** Introduced by Dungan, 26; Slama, 1.

A BILL FOR AN ACT relating to real property; to amend sections 76-3201, 76-3203.02, 76-3206, and 76-3220, Reissue Revised Statutes of Nebraska, and sections 76-2233, 76-2233.01, 76-3202, 76-3203, 76-3207, and 76-3216, Revised Statutes Cumulative Supplement, 2022; to change and eliminate provisions of the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; to provide civil and criminal immunity for the Real Property Appraiser Board; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal sections 76-3209 and 76-3211, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 990.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Pharmacy Benefit Manager Licensure and Regulation Act; to amend sections 44-4603, 44-4604, 44-4606, and 44-4610, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to applicability of the act; to prohibit certain actions by pharmacy benefit managers; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 991.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to digital assets; to adopt the Blockchain Basics Act.

**LEGISLATIVE BILL 992.** Introduced by Dungan, 26; Slama, 1.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2241 and 76-2249, Reissue Revised Statutes of

Nebraska, and sections 76-2201, 76-2203, 76-2207.30, 76-2218.02, 76-2219.02, 76-2221, 76-2228.01, 76-2228.02, 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.01, 76-2233.02, and 76-2236, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to exemptions, qualifications, credentials, scope of real property appraisal practice, terminology, continuing education, fees, and the directory of appraisers; to eliminate a random fingerprint audit program; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 993.** Introduced by Ibach, 44; Bostar, 29; DeBoer, 10; Dungan, 26.

A BILL FOR AN ACT relating to apprenticeships; to adopt the Apprenticeship Grant Act.

**LEGISLATIVE BILL 994.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 81-101 and 81-102, Revised Statutes Cumulative Supplement, 2022; to provide that the Legislature shall have general management, control, and government of the Department of Correctional Services; to provide for appointment of the Director of Correctional Services by the Legislature; to provide a duty for the Judiciary Committee of the Legislature; to provide operative dates; and to repeal the original sections.

**LEGISLATIVE BILL 995.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-2292, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to deferred judgments; and to repeal the original section.

**LEGISLATIVE BILL 996.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 16-252, 17-566, 47-105, 47-105.01, 47-117, and 47-120, Reissue Revised Statutes of Nebraska; to provide that the Department of Correctional Services shall operate the county jails; to provide a duty for the Judiciary Committee of the Legislature; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 997.** Introduced by Ibach, 44; Bostar, 29.

A BILL FOR AN ACT relating to child care funding; to amend section 84-612, Revised Statutes Supplement, 2023; to create a fund; to provide duties for the State Department of Education and the Department of Health and Human Services; to provide for a transfer from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 998.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to state government; to amend sections 12-1301, 81-176, and 81-1108.33, Reissue Revised Statutes of Nebraska, and section 81-1213.04, Revised Statutes Supplement, 2023; to adopt the State Acceptance of Gifts Act; to change and eliminate provisions relating to acceptance of gifts; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 30-241, 30-242, and 30-243, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 999.** Introduced by Ibach, 44; Ballard, 21; Blood, 3; Bostelman, 23; Brandt, 32; DeKay, 40; Holdcroft, 36; Hughes, 24; Lowe, 37; Meyer, 41; Sanders, 45; von Gillern, 4; Walz, 15.

A BILL FOR AN ACT relating to agriculture; to amend sections 2-501, 2-503, 2-505, 2-509, 2-515, 2-518, and 2-958, Reissue Revised Statutes of Nebraska, and sections 28-401, 28-476, and 81-2,162.27, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms under the Nebraska Hemp Farming Act; to change federal references; to change provisions relating to the cultivation, possession, handling, transportation, processing, use, and consumption of hemp as prescribed; to provide an exception; to terminate funds and make fund transfers; to provide for reimbursement of certain licensee fees; to eliminate obsolete provisions; to redefine terms under the Controlled Substances Act; to eliminate provisions relating to industrial hemp; to harmonize provisions; to provide severability; to repeal the original sections; to outright repeal sections 2-502, 2-504, 2-506, 2-507, 2-508, 2-510, 2-511, 2-512, 2-513, 2-514, 2-516, 2-517, 2-519, and 2-5701, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1000.** Introduced by Brandt, 32; Aguilar, 35; Blood, 3; DeKay, 40; Dorn, 30; Dungan, 26; Halloran, 33; Hughes, 24; McKinney, 11; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to the state lottery; to amend section 9-823, Reissue Revised Statutes of Nebraska, and section 84-712.05, Revised Statutes Cumulative Supplement, 2022; to provide for the anonymity of winners of certain prizes; to change public records disclosure provisions as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1001.** Introduced by Conrad, 46; Brewer, 43.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-201, Revised Statutes Cumulative Supplement, 2022; to provide for a migratory waterfowl hunting season for veterans as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1002.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections

77-7012 and 77-7015, Revised Statutes Supplement, 2023; to change provisions relating to the total annual limit of tax credits and limitation on new applications under the Nebraska Biodiesel Tax Credit Act; and to repeal the original sections.

**LEGISLATIVE BILL 1003.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to child care licensure; to amend section 71-1914, Reissue Revised Statutes of Nebraska; to eliminate a requirement for cities, villages, or counties; and to repeal the original section.

**LEGISLATIVE BILL 1004.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,279 and 60-6,282, Revised Statutes Supplement, 2023; to change provisions relating to protective helmets; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1005.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Excellence in Teaching Act; to amend sections 85-3103, 85-3105, and 85-3112, Revised Statutes Supplement, 2023; to change provisions relating to the Attracting Excellence to Teaching Program; to provide a definition; to change provisions relating to eligible uses for the Excellence in Teaching Cash Fund; to harmonize provisions; to repeal the original sections; to provide an operative date; and to declare an emergency.

**LEGISLATIVE BILL 1006.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1005.01, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to allocated income tax funds; and to repeal the original section.

**LEGISLATIVE BILL 1007.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to public assistance; to amend section 68-911, Revised Statutes Supplement, 2023; to require medicaid eligibility for aged, blind, and disabled recipients eligible for the federal Supplemental Security Income Program; and to repeal the original section.

**LEGISLATIVE BILL 1008.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Department of Education for grants for security-related infrastructure projects; and to transfer funds as prescribed.

**LEGISLATIVE BILL 1009.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Barber Act; to amend sections 71-211, 71-212, 71-217, 71-220, 71-222.01, and 71-223, Reissue Revised Statutes of Nebraska; to change a provision regarding examinations; to eliminate obsolete language; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1010.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to education; to amend sections 79-1021 and 79-1142, Revised Statutes Supplement, 2023; to provide transfers to the Education Future Fund for reimbursements for special education; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1011.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1003 and 79-1007.11, Revised Statutes Cumulative Supplement, 2022, and sections 79-1001 and 79-1017.01, Revised Statutes Supplement, 2023; to redefine terms; to provide for early childhood education aid; to provide a new allowance; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1012.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to schools; to amend section 79-10,110.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to certain tax levy and bonding authority of school districts; and to repeal the original section.

**LEGISLATIVE BILL 1013.** Introduced by Walz, 15; Conrad, 46.

A BILL FOR AN ACT relating to schools; to define terms; and to create the Family Engagement Grant Program.

**LEGISLATIVE BILL 1014.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Psychology Practice Act; to amend section 38-3113, Reissue Revised Statutes of Nebraska; to change requirements relating to school psychologists; and to repeal the original section.

**LEGISLATIVE BILL 1015.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend sections 71-5650 and 71-5652, Reissue Revised Statutes of Nebraska, and sections 71-5662, 71-5663, and 71-5668, Revised Statutes Supplement, 2023; to restate the purposes of the Rural Health Systems and Professional Incentive Act; to change provisions



relating to loan repayments, financial assistance amounts, and loan repayment recipient agreements under the Rural Health Systems and Professional Incentive Act; to provide for financial assistance in the form of loan repayments to certain dentists who agree to provide dental services to medicaid patients as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1016.** Introduced by Walz, 15; Cavanaugh, M., 6.

A BILL FOR AN ACT relating to developmental disabilities services; to amend section 83-1216.02, Revised Statutes Cumulative Supplement, 2022; to eliminate a termination date; and to repeal the original section.

**LEGISLATIVE BILL 1017.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to workers' compensation; to amend section 48-121, Reissue Revised Statutes of Nebraska; to change the schedule of compensation for loss or loss of use of more than one specific part of the body from injury or illness resulting in disability as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1018.** Introduced by Holdcroft, 36; Albrecht, 17; Linehan, 39; Meyer, 41; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to government; to provide that positions of public employment shall not require a postsecondary degree as prescribed; to require equal consideration for wages and benefits; and to define terms.

**LEGISLATIVE BILL 1019.** Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1613.02, Reissue Revised Statutes of Nebraska; to change provisions relating to the correction of assessment and tax rolls; and to repeal the original section.

**LEGISLATIVE BILL 1020.** Introduced by Cavanaugh, M., 6; Day, 49; Dungan, 26; McKinney, 11; Wayne, 13.

A BILL FOR AN ACT relating to public contracts; to require public contractors to provide information to members of the Legislature as prescribed.

**LEGISLATIVE BILL 1021.** Introduced by Cavanaugh, M., 6; Dungan, 26; McKinney, 11.

A BILL FOR AN ACT relating to labor; to amend sections 29-2414, 29-2415, 29-2708, 47-208, and 48-1202, Reissue Revised Statutes of Nebraska, and sections 83-183 and 83-183.01, Revised Statutes Cumulative Supplement, 2022; to require city and county jails and the Department of

Correctional Services to pay inmates the minimum wage for work by such inmates; to provide that such employees and inmates are subject to the Wage and Hour Act; to define and redefine terms; to provide for bank accounts for inmates; to change and eliminate provisions relating to the distribution of wages earned by inmates; to provide duties for the Jail Standards Board and the department; to require payment of the minimum wage to state and political subdivision employees; to eliminate obsolete and inconsistent provisions relating to inmates of jails; to harmonize provisions; to repeal the original sections; and to outright repeal sections 47-403, 47-404, and 47-406, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1022.** Introduced by Sanders, 45.

A BILL FOR AN ACT relating to film incentives; to amend section 81-1220, Revised Statutes Cumulative Supplement, 2022, and sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Cast and Crew Nebraska Act; to provide for tax credits; to provide for grants; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1023.** Introduced by von Gillern, 4; Aguilar, 35; Ballard, 21; Bostar, 29; Brandt, 32; Conrad, 46; DeKay, 40; Holdcroft, 36; Hughes, 24; Ibach, 44; Kauth, 31; Linehan, 39; Lowe, 37; Murman, 38; Riepe, 12; Vargas, 7.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701 and 77-2716, Revised Statutes Supplement, 2023; to allow income tax deductions for the cost of certain property and for certain research or experimental expenditures as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1024.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Health Carrier External Review Act; to amend section 44-1308, Reissue Revised Statutes of Nebraska; to change provisions relating to documents and information provided to an independent review organization; and to repeal the original section.

**LEGISLATIVE BILL 1025.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Individuals with Intellectual and Developmental Disabilities Support Act; to provide tax credits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1026.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to the achieving a better life experience

program; to amend section 77-1407, Reissue Revised Statutes of Nebraska; to exempt accounts from levy, execution, judgment, garnishment, and other judicial enforcement as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1027.** Introduced by Clements, 2; Holdcroft, 36; Lowe, 37; Sanders, 45.

A BILL FOR AN ACT relating to education; to amend section 79-1601, Reissue Revised Statutes of Nebraska; to change provisions relating to schools which elect not to meet accreditation or approval requirements; and to repeal the original section.

**LEGISLATIVE BILL 1028.** Introduced by Clements, 2; Hughes, 24; Lowe, 37; Sanders, 45.

A BILL FOR AN ACT relating to local public health departments; to amend sections 71-1612 and 71-1630, Reissue Revised Statutes of Nebraska; to require city-county health departments to obtain the approval of the Department of Health and Human Services in issuing directed health measures; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1029.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to education; to amend section 79-201, Reissue Revised Statutes of Nebraska; to change provisions relating to compulsory attendance relating to illness; and to repeal the original section.

**LEGISLATIVE BILL 1030.** Introduced by Bostelman, 23; Aguilar, 35; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Conrad, 46; DeKay, 40; Dorn, 30; Dover, 19; Dungan, 26; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McKinney, 11; Meyer, 41; Murman, 38; Sanders, 45; Slama, 1; von Gillern, 4; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-2805 and 66-4,100, Revised Statutes Supplement, 2023; to create a working group; to change the County Bridge Match Program; to provide for transfers of funds; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1031.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to telecommunications and technology; to amend sections 86-324.02, 86-577, 86-1101, and 86-1102, Revised Statutes Cumulative Supplement, 2022; to change speed test requirements for ongoing high-cost support from the Nebraska Telecommunications Universal Service Fund; to change defined terms relating to the lease of dark fiber by any agency or political subdivision of the state and broadband

services; to change legislative intent; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1032.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to the First Responder Recruitment and Retention Act; to amend section 85-2602, Revised Statutes Supplement, 2023; to redefine terms; and to repeal the original section.

**LEGISLATIVE BILL 1033.** Introduced by Lippincott, 34; Aguilar, 35; Holdcroft, 36; Ibach, 44; Lowe, 37; Meyer, 41; Sanders, 45; von Gillern, 4.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,179.01, Reissue Revised Statutes of Nebraska; to provide for enforcement of the prohibition against using a handheld wireless communication device as a primary action; and to repeal the original section.

**LEGISLATIVE BILL 1034.** Introduced by Lippincott, 34; Aguilar, 35; Ballard, 21; Bostelman, 23; Clements, 2; Hardin, 48; Holdcroft, 36; Ibach, 44; Kauth, 31; Lowe, 37; Meyer, 41; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to schools; to prohibit a school district from punishing an employee for or prohibiting an employee from engaging in religious expression when an employee is on duty at school as prescribed.

**LEGISLATIVE BILL 1035.** Introduced by Hughes, 24; Aguilar, 35; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dungan, 26; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34; Lowe, 37; McKinney, 11; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1; von Gillern, 4; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Prescription Drug Donation Program Act.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 277CA.** Introduced by Sanders, 45; Ballard, 21; Bostelman, 23; DeKay, 40; Hardin, 48; Holdcroft, 36; Lippincott, 34; Lowe, 37; Slama, 1.

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

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

To add a new section 27 to Article XV:

XV-27 The Legislature shall enact all laws necessary to protect children of this state from child predators. To that end, the Legislature shall enact laws providing that any individual who is convicted of a criminal offense involving sex trafficking of a minor, labor trafficking of a minor, or paying for sex with a minor shall be sentenced to a minimum term of life imprisonment.

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

A constitutional amendment to require the Legislature to enact laws providing for a minimum sentence of life imprisonment for a criminal offense involving sex trafficking of a minor, labor trafficking of a minor, or paying for sex with a minor.

For

Against.

### NOTICE OF COMMITTEE HEARING(S)

Rules

Room 1525 1:30 PM

Monday, January 8, 2024

Rule Change 30 - Senator Wayne

Note: Rule 2 Section 2

Rule Change 31 - Senator Wayne

Note: Rule 7 Section 2

Rule Change 32 - Senator Wayne

Note: Rule 2 Section 3

Rule Change 33 - Senator J. Cavanaugh

Note: Section 5

Rule Change 34 - Senator J. Cavanaugh

Note: Rule 7 Section 6

Rule Change 13 - Senator Arch

Note: Rule 4 Section 7

Rule Change 14 - Senator Arch

Note: Rule 8 Section 6

Rule Change 15 - Senator Arch

Note: Rule 5 Section 7

Rule Change 16 - Senator Arch

Note: Rule 8 Section 5

Rule Change 17 - Senator Arch

Note: Rule 2 Section 5

Rule Change 18 - Senator Arch

Note: Rule 6 Section 5

Rule Change 19 - Senator Arch

Note: Rule 7 Section 3

Rule Change 20 - Senator Arch

Note: Rule 5 Section 6

Rule Change 21 - Senator Arch

Note: Rule 6 Section 3  
Rule Change 22 - Senator Arch  
Note: Rule 2 Section 10  
Rule Change 23 - Senator Arch  
Note: Rule 7 Section 6  
Rule Change 24 - Senator Arch  
Note: Rule 5 Section 6  
Rule Change 25 - Senator Arch  
Note: Rule 7 Section 10  
Rule Change 26 - Senator Arch  
Note: Rule 1 Section 12  
Rule Change 27 - Senator Arch  
Note: Rule 5 Section 4  
Rule Change 28 - Senator Arch  
Note: Rule 7 Section 3  
Rule Change 1 - Senator Erdman  
Note: Rule 7 Section 10  
Rule Change 2 - Senator Erdman  
Note: Rule 11  
Rule Change 3 - Senator Erdman  
Note: Rule 3 Section 8  
Rule Change 4 - Senator Erdman  
Note: Rule 3 Section 16  
Rule Change 5 - Senator Erdman  
Note: Rule 7 Section 11  
Rule Change 6 - Senator Erdman  
Note: Rule 7 Section 4  
Rule Change 7 - Senator Erdman  
Note: Rule 7 Section 2  
Rule Change 8 - Senator Erdman  
Note: Rule 7 Section 3  
Rule Change 9 - Senator Erdman  
Note: Rule 3 Section 6  
Rule Change 10 - Senator Erdman  
Note: Rule 1 Section 12  
Rule Change 11 - Senator Erdman  
Note: Rule 1 Section 7  
Rule Change 12 - Senator Erdman  
Rule Change 29 - Senator Hansen  
Note: Rule 5 Section 4

(Signed) Steve Erdman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Hunt filed the following amendment to LB970:

[AM2065](#)

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

3 Section 1. For purposes of sections 1 to 11 of this act:

4 (1) Department means the Department of Correctional Services;

5 (2) Director means the Director of Correctional Services;

6 (3) Legislative firing squad means a firing squad composed of all  
7 members of the Legislature, who shall use firearms to shoot the convicted  
8 person; and

9 (4) Lethal injection means intravenous injection of a substance or  
10 substances in a quantity sufficient to cause death.

11 Sec. 2. Section 83-964, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 ~~83-964~~ A sentence of death shall be enforced by either lethal  
14 injection or legislative firing squad, with the method to be determined  
15 by the department the intravenous injection of a substance or substances  
16 in a quantity sufficient to cause death. The execution shall be carried  
17 out lethal substance or substances shall be administered in compliance  
18 with an execution protocol created and maintained by the department  
19 Department of Correctional Services.

20 Sec. 3. Section 83-965, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 ~~83-965~~ (1) A sentence of death shall be enforced by the director  
23 Director of Correctional Services. Upon receipt of an execution warrant,  
24 the director shall proceed at the time named in the warrant to enforce  
25 the sentence, unless the director is informed that enforcement of the  
26 sentence has been stayed by competent judicial authority, the sentence  
27 has been commuted, or the conviction has been pardoned.

1 (2) The director shall create, modify, and maintain a written  
2 execution protocol describing the process and procedures by which an  
3 execution will be carried out consistent with this section. The director  
4 shall (a) select the substance or substances to be employed in an  
5 execution by lethal injection, (b) select the equipment, methods, and any  
6 nonlegislative personnel to be employed in an execution by legislative  
7 firing squad, (c) create a documented process for obtaining the necessary  
8 substances or equipment, (e) (d) for executions by lethal injection,  
9 designate an execution team composed of one or more executioners and any  
10 other personnel deemed necessary to effectively and securely conduct an  
11 execution, (e) (d) describe the respective responsibilities of each  
12 member of the execution team, (f) (e) describe the training required of  
13 each member of the execution team, and (g) (f) perform or authorize any  
14 other details deemed necessary and appropriate by the director.

15 (3) For an execution by lethal injection, the ~~The~~ execution protocol  
16 shall require that the first or only substance injected be capable of  
17 rendering the convicted person unconscious and that a determination  
18 sufficient to reasonably verify that the convicted person is unconscious  
19 be made before the administration of any additional substances, if any.

20 Sec. 4. Section 83-966, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 ~~83-966~~ Notwithstanding any other provision of law:

23 (1) Any prescription, preparation, compounding, dispensing,  
24 obtaining, or administration of the substances or equipment deemed  
25 necessary to perform an execution by a lethal injection shall not  
26 constitute the practice of medicine or any other profession relating to  
27 health care which is subject by law to regulation, licensure, or  
28 certification;

29 (2) A pharmacist or pharmaceutical supplier may dispense the  
30 designated substances, without a prescription, to the Director of  
31 Correctional Services or the director's designee upon production of a  
1 written request from the director for the designated substances necessary  
2 to conduct an execution;

3 (3) Obtaining, preparing, compounding, dispensing, and administering  
4 the substance or substances designated by the execution protocol does not

5 violate the Uniform Controlled Substances Act or sections 71-2501 to  
6 71-2512; and

7 (4) If a person who is a member of the execution team is licensed by  
8 a board or department, the licensing board or department shall not  
9 censure, reprimand, suspend, revoke, or take any other disciplinary  
10 action against that person's license as a result of that person's  
11 participation in a court-ordered execution.

12 Sec. 5. ~~For an execution by lethal injection, the director may~~  
13 ~~designate any person qualified under the terms of the execution protocol~~  
14 ~~to administer to the convicted person the substances necessary to comply~~  
15 ~~with the execution protocol.~~

16 Sec. 6. Section 83-967, Revised Statutes Cumulative Supplement,  
17 2022, is amended to read:

18 ~~83-967 (1) The Director of Correctional Services may designate any~~  
19 ~~person qualified under the terms of the execution protocol to administer~~  
20 ~~to the convicted person the substances necessary to comply with the~~  
21 ~~execution protocol.~~

22 ~~Except for the members of a legislative firing squad, the (2) The~~  
23 identity of all members of the execution team, and any information  
24 reasonably calculated to lead to the identity of such members, shall be  
25 confidential and exempt from disclosure pursuant to sections 84-712 to  
26 84-712.09 and shall not be subject to discovery or introduction as  
27 evidence in any civil proceeding unless extraordinary good cause is shown  
28 and a protective order is issued by a district court limiting  
29 dissemination of such information.

30 Sec. 7. Section 83-968, Revised Statutes Cumulative Supplement,  
31 2022, is amended to read:

1 ~~83-968~~ No death sentence shall be voided or reduced as a result of a  
2 determination that a method of execution was declared unconstitutional  
3 under the Constitution of Nebraska or the Constitution of the United  
4 States. In any case in which an execution method is declared  
5 unconstitutional, the death sentence shall remain in force until the  
6 sentence can be lawfully executed by any valid method of execution.

7 Sec. 8. Section 83-969, Revised Statutes Cumulative Supplement,  
8 2022, is amended to read:

9 ~~83-969~~ When any convicted person is sentenced to death, such  
10 punishment shall be inflicted at a ~~department~~ Department of Correctional  
11 Services facility under the supervision of the ~~director~~ Director of  
12 Correctional Services and in such a manner as to exclude the view of all  
13 persons except those permitted to be present as provided in sections 9  
14 and 10 of this act ~~83-970 and 83-971.~~

15 Sec. 9. Section 83-970, Revised Statutes Cumulative Supplement,  
16 2022, is amended to read:

17 ~~83-970~~ Besides the ~~director~~ Director of Correctional Services and  
18 those persons required to be present under the execution protocol, the  
19 following persons, and no others, except as provided in section 10 of  
20 this act ~~83-971~~, may be present at the execution: (1) The member of the  
21 clergy in attendance upon the convicted person; (2) no more than three  
22 persons selected by the convicted person; (3) no more than three persons  
23 representing the victim or victims of the crime; and (4) such other  
24 persons, not exceeding six in number, as the director may designate. At  
25 least two persons designated by the director shall be professional  
26 members of the Nebraska news media.

27 Sec. 10. Section 83-971, Revised Statutes Cumulative Supplement,  
28 2022, is amended to read:

29 ~~83-971~~ Whenever the ~~director~~ Director of Correctional Services shall  
30 deem the presence of a military force necessary to carry into effect the  
31 provisions of sections 2 and 8 of this act ~~83-964 and 83-969~~, he or she  
1 shall make the fact known to the Governor of the state, who ~~may is hereby~~  
2 ~~authorized to~~ call out so much of the military force of the state as in



3 his or her judgment may be necessary for the purpose.  
 4 Sec. 11. Section 83-972, Revised Statutes Cumulative Supplement,  
 5 2022, is amended to read:  
 6 ~~83-972~~ Whenever the ~~director~~ Director of Correctional Services shall  
 7 inflict the punishment of death upon a convicted person, in obedience to  
 8 the command of the court, he or she shall make return of his or her  
 9 proceedings as soon as may be to the clerk of the court where the  
 10 conviction was had, and the clerk shall subjoin the return to the record  
 11 of conviction and sentence.  
 12 Sec. 12. Original sections 83-964, 83-965, 83-966, 83-967, 83-968,  
 13 83-969, 83-970, 83-971, and 83-972, Revised Statutes Cumulative  
 14 Supplement, 2022, are repealed.

### **MOTION(S) - Print in Journal**

Senator Kauth filed the following motion to LB953:  
[MO1161](#)  
 Bracket until April 15, 2024.

Senator Kauth filed the following motion to LB953:  
[MO1162](#)  
 Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Kauth filed the following motion to LB954:  
[MO1163](#)  
 Bracket until April 15, 2024.

Senator Kauth filed the following motion to LB954:  
[MO1164](#)  
 Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

### **ANNOUNCEMENT(S)**

Priority designation(s) received:

Bosn - LB934

### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB31.  
 Senator Lippincott name added to LB31.  
 Senator DeKay name added to LB51.  
 Senator Brewer name added to LB137.  
 Senator Lippincott name added to LB141.  
 Senator Lippincott name added to LB200.  
 Senator Aguilar name added to LB215.  
 Senator Lippincott name added to LB241.  
 Senator Lippincott name added to LB244.

Senator Dungan name added to LB307.  
Senator Brewer name added to LB461.  
Senator Slama name added to LB575.  
Senator Lowe name added to LB685.  
Senator Brewer name added to LB771.  
Senator Holdcroft name added to LB821.  
Senator Hughes name added to LB822.  
Senator Holdcroft name added to LB822.  
Senator Hughes name added to LB823.  
Senator Holdcroft name added to LB823.  
Senator Hughes name added to LB824.  
Senator Holdcroft name added to LB824.  
Senator Holdcroft name added to LB826.  
Senator Ibach name added to LB826.  
Senator Lippincott name added to LB826.  
Senator Hughes name added to LB829.  
Senator Ibach name added to LB829.  
Senator Ibach name added to LB830.  
Senator Dorn name added to LB830.  
Senator von Gillern name added to LB832.  
Senator Holdcroft name added to LB832.  
Senator Lippincott name added to LB844.  
Senator Hughes name added to LB876.  
Senator Albrecht name added to LB876.  
Senator von Gillern name added to LB876.  
Senator DeKay name added to LB876.  
Senator Brewer name added to LB876.  
Senator Erdman name added to LB876.  
Senator Brewer name added to LB910.  
Senator Albrecht name added to LB933.  
Senator Hughes name added to LB933.  
Senator Ibach name added to LB933.  
Senator Blood name added to LB933.  
Senator Brewer name added to LB933.  
Senator Vargas name added to LB964.  
Senator von Gillern name added to LB974.  
Senator Lippincott name added to LR14CA.

#### **WITHDRAW - Cointroducer(s)**

Senator Conrad name withdrawn from LB968.

#### **VISITOR(S)**

Visitors to the Chamber were Senator Machaela Cavanaugh's children, Della, Hattie, and Barry, Cindy Maxwell-Ostdiek, Former Senator John McCollister, Former Senator Al Davis, Mary, Everette, and Emmalyn von Gillern, Omaha.

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

**ADJOURNMENT**

At 12:03 p.m., on a motion by Senator Sanders, the Legislature adjourned until 10:00 a.m., Monday, January 8, 2024.

Brandon Metzler  
Clerk of the Legislature



**FOURTH DAY - JANUARY 8, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 8, 2024

**PRAYER**

The prayer was offered by Senator Aguilar.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Retired Colonel Dan Benes, 35th, Army, Valparaiso.

**ROLL CALL**

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

The roll was called and all members were present except Senators Armendariz and Moser who were excused; and Senators Bostar, M. Cavanaugh, Day, Hunt, Linehan, McDonnell, Raybould, Slama, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the third day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB901	Revenue
LB902	Health and Human Services
LB903	Health and Human Services
LB904	Health and Human Services
LB905	Health and Human Services
LB906	Business and Labor
LB907	Health and Human Services

LB908	Executive Board
LB909	Executive Board
LB910	Health and Human Services
LB911	Judiciary
LB912	Banking, Commerce and Insurance
LB913	Health and Human Services
LB914	Judiciary
LB915	Education
LB916	Judiciary
LB917	Banking, Commerce and Insurance
LB918	Judiciary
LB919	Judiciary
LB920	Health and Human Services
LB921	Judiciary
LB922	Judiciary
LB923	Judiciary
LB924	Revenue
LB925	Government, Military and Veterans Affairs
LB926	General Affairs
LB927	Health and Human Services
LB928	Judiciary
LB929	Transportation and Telecommunications
LB930	Appropriations
LB931	Appropriations
LB932	Health and Human Services
LB933	Health and Human Services
LB934	Judiciary
LB935	Appropriations
LB936	Government, Military and Veterans Affairs
LB937	Revenue
LB938	Government, Military and Veterans Affairs
LB939	Education
LB940	Government, Military and Veterans Affairs
LB941	Appropriations
LB942	Appropriations
LB943	Appropriations
LB944	Appropriations
LB945	Judiciary
LB946	Health and Human Services
LB947	Urban Affairs
LB948	Urban Affairs
LB949	Revenue
LB950	Revenue
LB951	Government, Military and Veterans Affairs
LB952	Health and Human Services
LB953	Education
LB954	Judiciary
LB955	Banking, Commerce and Insurance
LB956	Natural Resources

LB957 Education  
 LB958 Appropriations  
 LB959 Judiciary  
 LB960 General Affairs  
 LB961 Business and Labor  
 LB962 Education  
 LB963 Judiciary  
 LB964 Education  
 LB965 Transportation and Telecommunications  
 LB966 Transportation and Telecommunications  
 LB967 Judiciary  
 LB968 Revenue  
 LB969 Natural Resources  
 LB970 Judiciary  
 LB971 Natural Resources  
 LB972 Judiciary  
 LB973 Natural Resources  
 LB974 Judiciary  
 LR276 Government, Military and Veterans Affairs

(Signed) Raymond Aguilar, Chairperson  
Executive Board

#### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 7, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Abboud, Chris - Public Affairs Group  
   Completely Kids  
   Madonna Rehabilitation Hospital  
   MasterCard  
 Abraham, Christine K.  
   League of Nebraska Municipalities  
 Adler, Joseph  
   OpenSky Policy Institute  
 Albrecht, Tim  
   Apple Inc.  
 Alston, Garth R.  
   Altria Client Services LLC and its Affiliates  
 Amack, Angela K.  
   Center for People in Need  
   Everytown for Gun Safety Action Fund  
   Grand Island Public Schools  
   International Brotherhood of Electrical Workers (IBEW)

Jensen Rogert Associates, Inc.  
Nebraska Professional Fire Fighters Association (NPFFA)  
American Communications Group, Inc.  
AARP Nebraska  
Advanced Power Alliance  
ALLO Communications  
American Cancer Society Cancer Action Network  
Autism Speaks  
Cedars Youth Services  
Center for Rural Affairs  
City of Lincoln  
EHPV Lottery Services LLC aka Big Red Keno  
Empyrean Brewing Company  
Food Bank of Lincoln  
Food Bank of the Heartland  
Legal Aid of Nebraska  
NC2-Nebraska Cancer Coalition  
Nebraska Association of Behavioral Health Organizations  
Nebraska Association of Local Health Directors  
Nebraska Association of Public Employees NAPE/AFSCME Local 61  
Nebraska Chapter of the American Physical Therapy Association  
Nebraska Chapter of the National Association of Social Workers  
Nebraska Child Health and Education Alliance  
Nebraska Commission on Public Advocacy, The  
Nebraska Cures  
Nebraska Investment Finance Authority  
Nebraska Occupational Therapy Association  
Nebraska School Psychologists Association  
Nebraska Society for Respiratory Care  
Nebraska Speech-Language-Hearing Association (NSLHA)  
Nebraska State AFL-CIO  
Nebraskans for Better Governance  
Nonprofit Association of the Midlands  
North Central States Regional Council of Carpenters  
OneMain Holdings, Inc.  
Regions II and V  
YMCA's of Nebraska

Ames, Ann  
Independent Insurance Agents of Nebraska

Anderson, Josh  
Christensen Farms & Feedlots, Inc.

Arneal, Lincoln  
Nebraska Children and Families Foundation

Atkins, Michaela  
Elevate Omaha Inc.

Avery, David  
Windstream Communications

Baier, Richard J.  
Nebraska Bankers Association



Baird Holm LLP  
BHE Renewables, LLC  
Brickway Brewery & Distillery  
EOlian Energy  
Kinkaidler Brewing Co, LLC  
Nebraska Craft Brewers Guild  
Ranger Power  
The National Audubon Society/Audubon Great Plains

Baker, A. J.  
Caesars Enterprise Services, LLC

Barko, Ruthie  
TechNet

Barrett, John R.  
Great Plains Communications, Inc.

Barwig, Michael  
AARP Nebraska

Bass, Katherine  
First Five Nebraska

Beck, Joyce  
AARP Nebraska

Becker, Jill  
Black Hills Energy

Becket, Deanna  
Convention of States Action

Bell, Robert  
Nebraska Insurance Federation

Benjamin, Melody  
Nebraska Cattlemen, Inc.

Bennett, Amy  
Young Woman's Christian Association of Grand Island, NE Inc.

Benson, Jenni  
Nebraska State Education Association

Billy, Stephen  
Susan B. Anthony Pro-Life America

Black, David  
Union Pacific Railroad

Blake, Jeremiah  
Blue Cross and Blue Shield of Nebraska

Bodeen, Carol  
Nebraska Housing Developers Association

Bohrer, Bruce J.  
Lincoln Chamber of Commerce

Bolte, Lacie  
Nebraska AIDS Project

Bolz, Kate  
Cedars Youth Services

Bonkiewicz, Luke  
Nebraska Association of County Officials

Bousquet, Kris

Nebraska State Dairy Association  
Bowling, Karen  
Nebraska Family Alliance  
Bracht, David L.  
Catalyst Public Affairs  
Brady, Justin J.  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Brandt, Horan, Hallstrom and Stilmock  
National Federation of Independent Business (NFIB)  
National Guard Association of Nebraska  
Nebraska Bankers Association  
Nebraska Bankers Insurance and Services Company (NBISCO)  
Nebraska Fire Chiefs' Association  
Nebraska Pharmacists Association  
Nebraska State Volunteer Firefighters' Association  
Nebraskans for Workers' Compensation Equity and Fairness  
Brodkey, Sharon  
Jewish Community Relations Council of Omaha  
Bromm & Associates  
Aflac  
Douglas County West Community Schools  
Education Service Unit #3  
Educational Service Unit Coordinating Council  
Nebraska Council of School Administrators  
Nebraska Vape Vendors Association  
Springfield Platteview Community Schools  
Verizon Communications, Inc.  
Brown, Paige  
Nebraska Catholic Conference  
Brown, Scott  
Vertex Pharmaceuticals Incorporated  
Brunkhorst, Kelly  
Nebraska Corn Growers Association  
Burk, Adelle  
Planned Parenthood North Central States  
Burkhardt, Carly  
Husch Blackwell Strategies LLC  
Byrnes, Alex  
Hy-Vee  
Caldwell, Dawn  
Renewable Fuels Nebraska  
Cannon, Jonathan  
Nebraska Association of County Officials  
Carpenter, Jalene  
Nebraska Health Care Association, Inc.  
Carroll-Shern, Linda  
Pharmaceutical Research and Manufacturers of America  
Catalyst Public Affairs  
Bellino Enterprises

Binti, Inc.  
Columbus Exposition and Racing  
CRH Americas, Inc.  
Health Center Association of Nebraska  
Invenergy LLC  
Jewish Community Relations Council of Omaha  
Jobs for America's Graduates Nebraska  
Koch Companies Public Sector, LLC and Affiliates  
KVC Health Systems, Inc.  
Lutheran Family Services of Nebraska  
MAXIMUS, Inc.  
Nebraska Alliance of Child Advocacy Centers  
Nebraska Board of Engineers and Architects  
Nebraska Health Information Initiative, Inc.  
Nebraska Intergovernmental Risk Management Association  
NextEra Energy Resources, LLC  
Omaha Municipal Land Bank  
Papillion - La Vista School District  
Papio-Missouri River Natural Resources District  
Radius  
Sarpy County and Cities Wastewater Agency  
Sarpy County Board of Commissioners  
Chaffin, Lash  
League of Nebraska Municipalities  
Christensen, Alicia  
Together Inc. of Metropolitan Omaha  
Christensen, Graham  
GC Resolve, LLC  
GC ReVOLT, LLC  
Clark, Mitchell  
First Five Nebraska  
Coash, Colby  
Nebraska Association of School Boards  
Couture-Lovelady, Travis  
National Rifle Association  
CP Strategies LLC  
American Federation for Children  
Centene Corporation on behalf of its affiliates and subsidiaries  
KAAPA Ethanol, LLC  
Nebraska Petroleum Producers Association  
Nomi Health, Inc.  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Satoshi Action Fund  
Summit Carbon Solutions  
T-Mobile  
Creager, Jennifer  
Greater Omaha Chamber  
Crimmins, Michelle  
Prime Therapeutics, LLC

Curry, Heather  
Barry Goldwater Institute for Public Policy Research

Danek, Sandy  
Nebraska Right to Life

Dannenfelser, Marjorie  
Susan B. Anthony Pro-Life America

Davis, Al  
Independent Cattlemen of Nebraska (ICON)  
Nebraska Chapter of the Sierra Club

Davis, Jeffrey N.  
Burlington Northern Sante Fe (BNSF) Railway Company

Decamp, Suzan  
AARP Nebraska

Delka, Krissa  
Nebraska Health Care Association, Inc.

DeLong, Danny  
AARP Nebraska

Dentlinger, Courtney  
Nebraska Public Power District

DeRossett, Dennis M.  
Nebraska Press Association

Dobler, James B.  
Professional Insurance Agents of Nebraska

Dover, David  
Omaha Public Power District

Dubas, Annette  
Nebraska Association of Behavioral Health Organizations

Dukesherer, James  
Nebraska Rural Electric Association

Dukette, Aaron  
U.S. Term Limits

Dulaney, Michael S.  
Nebraska Council of School Administrators

Duren, Todd J.  
Loup River Public Power District

Edson, Dean E.  
Nebraska Association of Resources Districts

Edwards Westerhold Moore  
Adams Central Public Schools  
Anheuser-Busch Companies  
Bryan Health  
Deloitte Consulting LLP  
Elkhorn Public Schools  
Metropolitan Utilities District  
National Utility Contractors Association of Nebraska, Inc. (NUCA)  
Nebraska Academy of Family Physicians  
Nebraska Association of Area Agencies on Aging  
Nebraska Association of County Officials  
Nebraska Cattlemen, Inc.

Nebraska Funeral Directors Association  
Nebraska Home Care Association  
Nebraska Pork Producers Association  
Nebraska Poultry Industries, Inc.  
Nebraska Public Media Foundation  
Nebraska Public Power District  
Nebraska Rural Community Schools Association  
Nebraska Sheriffs' Association  
Nebraska Society of Radiologic Technologists  
Nebraska State College System  
Nebraska Water Coalition  
Nebraska Well Drillers Association  
Police Chiefs Association of Nebraska  
Police Officers' Association of Nebraska  
Rural Telecommunications Coalition of Nebraska  
Southern Public Power District  
Tallgrass Energy  
Union Pacific Railroad  
US Assets, LLC  
Winners Marketing, Inc.

Edwards, Jon  
Edwards Westerhold Moore

Ehlert, Tim  
Amazon.com Services LLC

Eickholt, Christopher/Spike  
ACLU Nebraska  
Education Rights Counsel  
Nebraska Criminal Defense Attorneys Association  
Nebraskans For Alternatives to the Death Penalty  
Voices for Children in Nebraska

Ekeler, Jeremy  
Opportunity Scholarships of Nebraska

Erdman, Phil  
Iowa-Nebraska Equipment Dealers Association

Erickson, Julie S.  
American Communications, Inc.

Everett, Elizabeth  
First Five Nebraska

Fairbairn, Kyle  
Greater Nebraska Schools Association

Falk, W. Jarad  
Charter Communications Operating, LLC

Farias, Andrew  
Asian Community and Cultural Center

Faustman, Nicholas  
Alzheimer's Association

Feagler, Mike  
Nebraska Hospital Association

Feely, William

Nebraska Republican Party  
Feichtinger, Erin  
Women's Fund of Greater Omaha, Inc.  
Fellers, Ansley  
Nebraska Grocery Industry Association  
SHAZAM  
Ferrell, Beth Bazyn  
Nebraska Association of County Officials  
Ferris, Jay  
Nebraska Farm Bureau Federation  
Feser, Adam  
Nebraska Cooperative Council  
Ficke, Melissa  
Opportunity Solutions Project  
Field, Laura  
Nebraska Cattlemen, Inc.  
Finke, Alex  
Uber Technologies, Inc.  
Firestone, Rebecca  
OpenSky Policy Institute  
Foust, Andrew  
SMART-TD  
Fox, Nicole  
Platte Institute for Economic Research  
Fraizer, Theodore D. (Tad)/Fraizer & Fraizer  
Mutual of Omaha  
Friedman, Grant  
ACLU Nebraska  
Gage, John  
Americans for Prosperity  
Gatson, Demetrius  
Q.U.E.E.N.S. Butterfly House  
Gay, Tim  
Catalyst Public Affairs  
Geis, Gavin Lawrence  
Common Cause National  
George, Dee D  
Novartis Services, Inc.  
Gerrard, Eric  
American Communications, Inc.  
Gibson, Rachel  
League of Women Voters of Nebraska  
Gilbertson, Korby M.  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Givens-Dunn, Taylor  
I Be Black Girl  
Glaser, Dylan  
CP Strategies LLC  
Godinez, Rosangela

ACLU Nebraska  
Gould, John 'Jack'  
Common Cause National  
Grabow, Richard  
Lincoln Electric System  
Graeme, Iain  
Gun Owners of America, Inc.  
Grasz, Nate  
Nebraska Family Alliance  
Greene, Steven  
Opportunity Solutions Project  
Griffith, Amy  
McCain Foods  
Grisham, Kent  
Nebraska Trucking Association  
Guereca, Dunixi  
Stand for Schools  
Guinan, Trish  
Nebraska State Education Association  
Gunsalus, Catherine  
Heritage Action for America  
Hale, Andy  
Nebraska Hospital Association  
Hallstrom, Robert  
Brandt, Horan, Hallstrom and Stilmock  
Hansen, Amanda  
Nebraska Municipal Power Pool  
Hansen, John K.  
Nebraska Farmers Union  
Hapgood, Wade  
United Healthcare Services, Inc.  
Harbeke, Dan  
Google LLC and its Affiliates  
Harner, Shannon R.  
Nebraska Investment Finance Authority  
Harr, Burke  
Houghton Bradford Whitted PC, LLO  
Harris, Jasmine  
RISE  
Harris, Julie  
Bike Walk Nebraska  
Hartman, Spencer R.  
Nebraska Farm Bureau Federation  
Harvey, William F.  
EHPV Lottery Services LLC aka Big Red Keno  
Hasebrook, Kristen  
University of Nebraska  
Haugaard, Treva  
Council of Independent Nebraska Colleges

Hayes, Jason W.  
Nebraska State Education Association

Head, Bill  
Pharmaceutical Care Management Association

Head, Craig J.  
Nebraska Farm Bureau Federation

Henderson, Paul  
Nebraska Medical Association

Hendrickson, Ashlee  
Nebraska Realtors Association

Hettle, Arlo  
Nebraska Civic Engagement Table

Higgins, Kersten  
Mutual of Omaha

Hill, Justin  
Binti, Inc.

Hilton, Felicia  
North Central States Regional Council of Carpenters

Hilton, Mary  
Nebraska Christian Home Educators Association (Withdrawn  
12/30/2023)

Hind, Wendy  
Elevance Health, and its Affiliates

Hladik, Johnathan  
Tallgrass Energy

Holland-Baldwin, Ari  
American Kidney Fund

Holman, Caitlin  
Neilan Strategy Group

Holmquist, David  
AARP Nebraska

Honan, Scott  
NioCorp

Houghton Bradford Whitted PC, LLO  
City of Ralston  
Completely Kids  
Gretna Public Schools  
Houghton Bradford Whitted PC, LLO  
Madonna Rehabilitation Hospital  
Omaha Performing Arts  
Siena Francis House

Houghton, David A.  
Kelley Plucker, LLC

Howard, Sara  
First Five Nebraska

Hrdlicka, Joseph  
Genentech, Inc.

Hruska, Elizabeth  
Catalyst Public Affairs



Hruza, Timothy  
Mueller Robak, LLC  
Huber, Eli  
Heritage Action for America  
Hubly, Justin  
Nebraska Association of Public Employees NAPE/AFSCME Local 61  
Hunt, Kara  
Nebraska Municipal Power Pool  
Hunzeker, Jonathan C.  
Nebraska State Education Association  
Husch Blackwell LLP  
Nebraska Chiropractic Physicians Association  
Husch Blackwell Strategies  
AHIP - America's Health Insurance Plans  
American Chemistry Council  
American Hotel and Lodging Association  
Blue Cross and Blue Shield of Nebraska  
Cameco Resources  
Cargill  
Charter Communications Operating, LLC  
City of Ralston  
EBSCO  
Fonner Park  
GeoComm  
Great Plains Communications, Inc.  
Grow Grand Island  
Hawkins Construction  
Lindsay Corporation  
Magellan Health  
Meta Platforms, Inc.  
Monolith Materials  
National Association of Insurance and Financial Advisors (NAIFA)  
Nebraska Agri-Business Association  
Nebraska Corn Growers Association  
Nebraska State Athletic Trainers Association  
Nucor Corporation  
Paige Wireless  
Prime Therapeutics, LLC  
Renewable Fuels Nebraska  
Syngenta  
Therap Services  
Turo  
Waste Management, Inc.  
yes. every. kid.  
Irsik, Ryan  
Walmart Inc.  
Jensen Rogert Associates, Inc.  
ABATE of Nebraska, Inc.  
All Lines Interlocal Cooperative Aggregate Pool (ALICAP)

Altria Client Services LLC and its Affiliates  
American Amusements Co.  
American Massage Therapy Association, Nebraska Chapter  
Associated Builders and Contractors, Inc.  
AT&T, Inc.  
Doane University  
Eli Lilly and Company  
LeadingAge Nebraska  
Learning Community of Douglas and Sarpy Counties  
Molina Healthcare, Inc.  
Mosaic  
Nebraska Association for Behavior Analysis  
Nebraska Association of Former State Legislators  
Nebraska Association of Nurse Anesthetists  
Nebraska Dental Hygienists' Association  
Nebraska Intellectual Disabilities Services Providers  
Nebraska Optometric Association  
Nebraska Podiatric Medical Association  
Ponca Tribe of Nebraska  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Statewide Property Owners' Association  
The Digg Site Productions/ENFO  
Wine Institute  
Joekel, Tiffany  
Nebraska Medicine  
Johnson, Michael B.  
Nebraska Chamber of Commerce & Industry  
Johnson, Rachael A.  
Ho-Chunk, Inc.  
Johnson-Wiles, Milissa  
FOP 88  
Jonas, Carlie  
Center for Rural Affairs  
Jones, Christine  
Nebraska Children's Home Society  
Juhnke, Alan R.  
Nebraska Pork Producers Association  
Karbo, Michael  
American Petroleum Institute  
Kathurima, Joy  
ACLU Nebraska  
Kay, Sara  
American Institute of Architects, Nebraska Chapter  
Nebraska County Attorneys Association  
Keener, Chris  
U.S. Term Limits  
Keigher & Associates, LLC  
Central Nebraska Public Power and Irrigation  
Credit Management Services

Iowa-Nebraska Equipment Dealers Association  
Molson Coors Beverage Company USA LLC  
Nebraska AirBoaters Association  
Nebraska Auctioneers Association  
Nebraska Aviation Trade Association  
Nebraska Community College Association (Withdrawn 01/05/2024)  
Nebraska Independent Auto Dealers Association  
Nebraska Land Improvement Contractors Association  
Nebraska Manufactured Housing Association  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Keigher, Timothy P.  
Keigher & Associates, LLC  
Nebraska Petroleum Marketers & Convenience Store Association  
Kelley Governmental Relations, LLC  
Metro Area Transit (O-Metro)  
Kelley Plucker, LLC  
Advantage Capital  
American Society of Interior Designers  
American Staffing Association  
Bennington Public Schools  
Buildertrend Solutions, Inc.  
Charles Drew Health Center, Inc.  
Charter Communications Operating, LLC  
Cigar Association of America, Inc.  
City of Omaha  
Community Alliance, Inc.  
Consortium of Interior Design  
Creighton University  
CVS Health  
Douglas County, Nebraska  
Eastern Nebraska Human Services Agency  
EHPV Lottery Services LLC aka Big Red Keno  
Elevator Industry Work Preservation Fund  
Guardian Tax Partners  
Johnson Brothers of Nebraska  
Lincoln Police Union  
Nebraska Auto Body Association  
Nebraska Collectors Association  
Nebraska Cooperative Council  
Nebraska Credit Union League  
Nebraska School Activities Association  
Nebraska State Lodge of the Fraternal Order of Police  
Omaha Airport Authority  
Omaha Police Officers Association  
Sustainable Beef, LLC  
Westside Community Schools  
Kelley, Sean  
Kelley Governmental Relations, LLC  
Kelley Plucker, LLC

Kibbe, Scot  
American Property Casualty Insurance Association (APCIA)

Kilgarin, Karen  
Nebraska State Education Association

Kingery, Shannon L.  
RAI Services Co. (Reynolds American Inc.)

Kissel Kohout ES Associates, LLC  
Accel Entertainment, Inc.  
Aksarben Equine, Inc.  
Alliance Soccer Omaha LLC d/b/a Union Omaha  
ALS Association  
Associated Beverage Distributors of Nebraska  
Autism Center of Nebraska  
Burlington Northern Sante Fe (BNSF) Railway Company  
Caseys General Stores, Inc.  
Enbridge (U.S.) Inc. (Formerly Spectra Energy)  
Hands of Heartland  
History Nebraska Foundation  
Lancaster County Board of Commissioners  
Lumen  
Mentor Nebraska  
Metropolitan Area Planning Agency  
Nebraska Association of Regional Administrators  
Nebraska CASA Association  
Nebraska Golf Alliance  
Nebraska Hearing Society  
Nebraska Medicine  
Nebraska Municipal Power Pool  
Nebraska Psychological Association  
Nebraska Regional Officials Council  
Ollie Webb Center, Inc.  
Omaha Public Schools  
Park'N Go of Nebraska, LLC  
Professional Engineers Coalition  
Railway Supply Institute  
Ralston Public School District  
Unite Us  
United Cities of Sarpy County

Kissler, Kieran  
Nebraska Appleseed

Klute, Anne M. N.  
Associated Builders and Contractors, Inc.

Kohout, Joseph D.  
Kissel Kohout ES Associates, LLC

Krannawitter, Brian  
American Heart Association

Kruse Company  
Nebraska Alliance for Family and Child Service Providers  
Neilan Strategy Group

People United for Privacy  
Philanthropy Roundtable  
RAI Services Co. (Reynolds American Inc.)  
Welcome Home

Kubat, Rick  
Metropolitan Utilities District

Kuehn, John  
Sand Creek Strategy Group LLC  
Smart Approaches to Marijuana Nebraska

Larson, Olivia  
RISE

Larson, Tyson  
SecurityScorecard, Inc.

Lee-Chambers, Gayla  
Saratoga History - Arts- Humanities Multicultural Center  
Together We Achieve Miracles Inc - Ernie Chambers History-Arts-  
Humanities Museum

LeFlore-Ejike, JoAnna  
The Malcolm X Memorial Foundation

Levy, David C.  
Baird Holm LLP

Lien, Ross  
National Association of Mutual Insurance Companies (NAMIC)

Linden, Alexander  
Central Nebraska Public Power and Irrigation

Lindsay, John C.  
O'Hara Lindsay & Associates, Inc.

Linster, Jillian  
Center for Rural Affairs

Lofquist, Kraig  
Educational Service Unit Coordinating Council

Lombardi, Richard A.  
American Communications, Inc.

Loontjer, Pat  
Gambling with the Good Life

Lopez, Itzel  
LEDC (Latino Economic Development Council)

Lostroh, David L.  
Nebraska Christian Home Educators Association

Loughman, Heather  
Community Action Partnership of Lancaster and Saunders Counties

Luebbe, Lori  
Nebraska Soybean Association

Luedtke, Joselyn  
Zulkoski Weber LLC

Luetkenhaus, Brandon  
Nebraska Credit Union League

MacDonald, Blair E.  
O'Hara Lindsay & Associates, Inc.

Mallett, Rochelle  
Husch Blackwell Strategies LLC

Martin, Becca  
Cargill

Martin, Susan L.  
Nebraska State AFL-CIO

McClure, Jeanne  
American Council of Engineering Companies/Nebraska

McClure, John C.  
Nebraska Public Power District

McDonald, Edison  
Arc of Nebraska, The  
GC Resolve, LLC  
GC ReVOLT, LLC

McDonald, Vickie  
Nebraska Association of Former State Legislators

McGowan, Kyle  
Nebraska Council of School Administrators

McHargue, Mark  
Nebraska Farm Bureau Federation

McIntosh, Ryan  
Brandt, Horan, Hallstrom and Stilmock

McNally, John  
Nebraska Public Power District

McNally, Lynne  
Nebraska Horsemen's Benevolent and Protective Association  
Nebraska Propane Gas Association

Melotz, Shawn  
Papio Valley Preservation Association, Inc.

Menzel, Elaine  
Nebraska Association of County Officials

Meredith, Candace  
Nebraska Association of County Officials

Meurrens, Bradley  
Disability Rights Nebraska

Michalakes, Emily  
Everytown for Gun Safety Action Fund

Mikkelsen, Brian  
Nebraska State Education Association

Mikolajczyk, Megan  
Nebraska Civic Engagement Table

Miller, Brennen  
Kissel Kohout ES Associates, LLC

Miner, Marion  
Nebraska Catholic Conference

Mines, Mick  
Husch Blackwell Strategies LLC

Mischo, Craig  
Bayer U.S. LLC

Moles, Jack  
Nebraska Rural Community Schools Association  
Moore, Scott D.  
Edwards Westerhold Moore  
Morfeld, Adam  
Civic Nebraska  
Mortensen, Wayne  
Neighborhoods, Inc. (dba NeighborWorks Lincoln)  
Moulton, MaryLee  
League of Women Voters of Nebraska  
Mueller Robak  
American Express Travel Related Services, Inc.  
Associated General Contractors of America, Nebraska Chapter  
Chief Industries, Inc.  
Children and Family Coalition of Nebraska  
COPIC Insurance Company  
Duncan Aviation, Inc.  
Eastern Nebraska Development Council  
Fiserv  
Google LLC and its Affiliates  
Innocence Project, The  
Integrated Life Choices  
Iowa-Nebraska Rental Dealers Association  
Lincoln Airport Authority  
LKQ Corporation  
Lower Platte South Natural Resources District  
Madonna Rehabilitation Hospital  
Millard Public Schools  
Millard Roofing and Gutter Company  
Nature Conservancy, The  
Nebraska Academy of Eye Physicians and Surgeons  
Nebraska Association of Airport Officials  
Nebraska Association of Commercial Property Owners  
Nebraska Council of School Administrators  
Nebraska Dental Association  
Nebraska District Court Judges Association  
Nebraska Interactive  
Nebraska Land Title Association  
Nebraska Medical Association  
Nebraska Methodist Health Systems  
Nebraska Oncology Society  
Nebraska Press Association  
Nebraska Society of Independent Accountants  
Nebraska State Bar Association  
Nebraska Winery and Grape Growers Association (NWGGA)  
Olsson  
PayPal  
Pharmaceutical Research and Manufacturers of America  
POET

Smithfield Foods, Inc.  
Southeast Community College  
Stand for Schools  
State Troopers Association of Nebraska, Inc.  
Uber Technologies, Inc.  
Union Bank & Trust Company  
Werner Enterprises, Inc. and Subsidiaries  
Mueller, William J.  
Mueller Robak, LLC  
Muetting, Marcia  
Nebraska Pharmacists Association  
Murty, Dayton  
Charter Communications Operating, LLC  
Neal, John P.  
Lincoln Public Schools  
Nebraska Strategies  
Amazon.com Services LLC  
Bayer U.S. LLC  
Consumer Data Industry Association  
Independent Insurance Agents of Nebraska  
Keith County Area Development  
Lancaster County Agricultural Society, Inc.  
Mark Anthony Brands  
Nebraska Licensed Beverage Association  
Pharmaceutical Care Management Association  
Plasma Games  
Tesla, Inc.  
U.S. Cellular  
Windstream Communications  
Neilan Strategy Group  
Chase Marketing  
Critical Response Group  
People United for Privacy  
Philanthropy Roundtable  
Tenaska  
Welcome Home  
Wireless Infrastructure Association c/o MultiState Associates LLC  
Neilan, Jenn  
Neilan Strategy Group  
Neilan, Perre S.  
Neilan Strategy Group  
Neiles-Brasch, Megan  
Omaha Public Schools  
Nelson, Richard  
Nebraska Rural Electric Association  
Neville, Brennan S.  
National Indemnity Company  
Nolan, James  
Mutual of Omaha



Norby, Scott J.  
Nebraska State Education Association

Nordquist, Jeremy  
Nebraska Hospital Association

Nungesser, Katie  
Voices for Children in Nebraska

O'Connor, Sheila  
Associated General Contractors - Nebraska Building Chapter

O'Hara Lindsay & Associates, Inc.  
All American Games LLC  
Alliance for Automotive Innovation  
Alter Trading Corporation  
Black Hills Energy  
City of Hastings  
City of Lexington  
Council of Independent Nebraska Colleges  
First National of Nebraska, Inc.  
Greater Nebraska Cities  
Institute of Scrap Recycling Industries, Upper Mid-West Chapter  
Michael J. Fox Foundation for Parkinson's Research  
Motorola Solutions, Inc.  
National Association of Housing and Redevelopment Officials, Nebraska  
Chapter  
Nebraska Association of Independent Ambulatory Centers  
Nebraska Association of Trial Attorneys  
Nebraska Beverage Association  
Nebraska County Judges Association  
Nebraska Nurses Association  
Nebraska Rural Broadband Coalition  
Nebraska State Electrical Division  
Nebraskans for Rate Equity  
Northern Natural Gas  
Omaha Public Power District  
Self Storage Association  
Tallgrass Energy  
Winnebago Tribe of Nebraska

O'Neill, Thomas, Jr.  
Nebraska Telecommunications Association

Ortner, Brian  
AAA Nebraska and The Auto Club Group

Orton, Leroy W.  
Nebraska Onsite Waste Water Association  
Nebraska State Irrigation Association  
Nebraska Well Drillers Association

Otto, James A.  
Nebraska Hospitality Association  
Nebraska Retail Federation

Otto, Richard J.  
Nebraska Grocery Industry Association

Nebraska Hospitality Association  
Nebraska Retail Federation  
Owen, Rob  
Bio Nebraska  
Parr, Ann L.  
Farmers Mutual of Nebraska  
Pederson, Kole  
Nebraska Farm Bureau Federation  
Peetz & Company  
Advocates for Behavioral Health  
Canopy South  
CHI Health  
Children's Nebraska  
Community Lottery System, Inc.  
Cox Communications  
CQuence Health Group  
Durham Museum  
First Five Nebraska  
Friends of Knox County  
Kiewit Corporation  
Metropolitan Entertainment & Convention Authority  
Microsoft Corporation  
Nebraska Nurse Practitioners  
Nebraska Trucking Association  
Omaha Zoological Society  
Quality Living, Inc.  
Rural Media Consortium  
State Farm Insurance Companies  
Telcoin  
Tenaska  
Trusting in Nebraska  
University of Nebraska  
Peetz, Jack  
Peetz & Company  
Peetz, Natalie  
Peetz & Company  
Perkins-Wade, Jaden  
Heartland Workers Center  
Peters, Deb  
Association of National Advertisers  
Peterson, Chris  
CP Strategies LLC  
Peterson, Patricia Schuett  
Nebraska Investment Finance Authority  
Pfeifer, Pat  
Nebraska State Legislative Board - Brotherhood of Locomotive  
Engineers and Trainmen  
Pinto, Rachel  
Everytown for Gun Safety Action Fund

Pitts, Kathleen  
Nebraska Appleseed

Plucker, Julia  
Kelley Plucker, LLC

Plumadore, Genevieve  
Bristol Myers Squibb Co.

Pollock, Andy  
Rembolt Ludtke, LLP

Pollock, Shawn  
Mutual of Omaha

Ponce, Laurie  
Coalition for a Strong Nebraska

Potter, Cara E.  
Medica

Potter, Tim  
AARP Nebraska

Prem, Sara  
American Lung Association

Prokop, Matthew  
ALS Association

Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Altria Client Services LLC and its Affiliates  
American Institute of Architects, Nebraska Chapter  
American Property Casualty Insurance Association (APCIA)  
Apple Inc.  
Bellevue Public Schools  
Enterprise Rent-A-Car  
Farm Credit Services of America  
Father Flanagan's Boys' Home  
Friends of Nebraska Parks  
Growth Energy  
Habitat for Humanity of Omaha  
HBAL/MOBA Coalition  
Ho-Chunk, Inc.  
Housing Policy Network  
League of Nebraska Municipalities  
Lincoln Public Schools  
Live On Nebraska  
Media of Nebraska, Inc.  
Metropolitan Community College  
Motion Picture Association, Inc.  
Nebraska Association of Health Underwriters (NAHU)  
Nebraska Broadcasters Association  
Nebraska Chapter of the American College of Obstetricians and  
Gynecologists  
Nebraska Cultural Endowment  
Nebraska Health Care Association, Inc.  
Nebraska Horsemen's Benevolent and Protective Association  
Nebraska Liquor Wholesalers

Nebraska New Car & Truck Dealers Association  
Nebraska Optometric Association  
Nebraska Realtors Association  
Nebraska Society of Certified Public Accountants  
Nebraska State Cemetery Association  
Nebraska State Fair Board  
Nebraska State Home Builders Association  
Nebraska Telecommunications Association  
Orsted  
Pinnacle Bank  
Speedway Motors, Inc.  
Tyson Foods, Inc.  
War Horse Gaming, LLC  
Woodmen of the World Life Insurance Society and Subordinate Entities  
Ragland, Jina  
AARP Nebraska  
Reandeu, Noah  
Sandoz  
Reece, Kaitlin  
Catalyst Public Affairs  
Reisher, Peggy  
Brain Injury Alliance of Nebraska  
Reljic, Boro  
Abbott  
Reuss, Alexis M.  
Nebraska Chamber of Commerce & Industry  
Rex, L. Lynn  
League of Nebraska Municipalities  
Reynolds, Josh  
Nebraska State Pest Control Association  
Reynolds, Margaret  
Cigna Corporate Services LLC (Withdrawn 01/02/2024)  
Reynoldson, Amy  
Nebraska Medical Association  
Richters, Rebecca S.  
ACLU Nebraska  
Rieker, Bruce R.  
Nebraska Farm Bureau Federation  
Riley, Christopher T.  
Archer Daniels Midland Company  
Robak, Kim M.  
Mueller Robak, LLC  
Roberts, Eva  
Front Porch Investments  
Robertson, Rob J.  
Nebraska Farm Bureau Federation  
Rockenbach, Tina  
Community Action of Nebraska  
Rogert, Kent

Jensen Rogert Associates, Inc.  
Roque, Matthew  
ProRail Nebraska, Inc.  
Rush Chipman, Mindy  
ACLU Nebraska  
Russell, Daniel  
Stand for Schools  
Russell, David  
Nebraska Municipal Power Pool  
Sahling-Zart, Shelley R.  
Lincoln Electric System  
Salazar, AnahÃ-  
Voices for Children in Nebraska  
Sanaie, Kandice  
Cigna Corporate Services LLC  
Sanchez, Adrian  
Nebraska Association of Nurse Anesthetists  
Nebraska Optometric Association  
Sand Creek Strategy Group LLC  
Caesars Enterprise Services, LLC  
Opportunity Solutions Project  
Schaefer, Matthew T.  
Mueller Robak, LLC  
Schilz, Kenneth  
Nebraska Strategies  
Schrader, Cora  
Peetz & Company  
Schrag, Wendy  
Fresenius Medical Care North America  
Schrodt, Dexter  
Nebraska Independent Community Bankers  
Schwend, Adam  
Susan B. Anthony Pro-Life America  
Scoggin, Bay  
Innocence Project, The  
Scott, Randi K.  
O'Hara Lindsay & Associates, Inc.  
Sedlacek, Ronald J.  
Husch Blackwell LLP  
Husch Blackwell Strategies LLC  
Nebraska Chamber of Commerce & Industry  
Seelhoff, Janet  
National Utility Contractors Association of Nebraska, Inc. (NUCA)  
Nebraska Home Care Association  
Nebraska Optometric Association  
Seu, Jane  
ACLU Nebraska  
Severino, Dylan  
ACLU Nebraska

Shortall, Jessica  
R Street Institute

Silke, Vanessa  
Baird Holm LLP

Simpson, Schmeeka  
The Malcolm X Memorial Foundation

Sims, Jim  
NioCorp

Slattery, David  
Nebraska Hospital Association

Slone, Bryan  
Nebraska Chamber of Commerce & Industry

Smith, Aleyah  
I Be Black Girl

Smith, Jim  
Platte Institute for Economic Research

Smoyer, Brent  
Rembolt Ludtke, LLP

Snowden, Kerrie  
Farmers Mutual of Nebraska

Spatz, John  
Nebraska Association of School Boards

Spivey, Ashlei  
I Be Black Girl

Splonskowski, David  
Nebraska Christian Home Educators Association

Stembridge, Kurt  
Jazz Pharmaceuticals, Inc.

Stilmock, Gerald M.  
Brandt, Horan, Hallstrom and Stilmock

Stubbendieck, Todd  
AARP Nebraska

Sullivan, J. Scott  
Nebraska Credit Union League

Sundquist, Joni  
Nebraska Society of Certified Public Accountants

Svoboda, Ivy  
Nebraska Alliance of Child Advocacy Centers

Swanson, Garret  
Holland Children's Movement

Synhorst, Robert  
Nebraska Right to Life

Tang, Cathy  
Everytown for Gun Safety Action Fund

Thomas, Laura  
GC Resolve, LLC

Thompson, Brian  
Consolidated Companies, Inc.

Tierney, Joelle

Neurocrine Biosciences, Inc.  
Tillinghast, Jill  
American Council of Engineering Companies/Nebraska  
Todd, A. Loy, Jr.  
Nebraska New Car & Truck Dealers Association  
Torpy, Katie  
Nature Conservancy, The  
Tripple, Todd  
Millard Public Schools  
Trocinski, Carol A.  
United Healthcare Services, Inc.  
Troyer, Adria  
Google LLC and its Affiliates  
Uhing, Heidi  
Civic Nebraska  
Vaggalis, Mary  
Nebraska Strategies  
Vandeventer, Cheyenne  
Students for Life Action  
Vaughan, Dustin  
Husch Blackwell Strategies LLC  
Venzor, Tom  
Nebraska Catholic Conference  
Vinton, Andrew  
ALLO Communications  
Voyles, Seth  
Omaha Public Power District  
Wagelie, Sarah  
Kissel Kohout ES Associates, LLC  
Waggoner, Erin  
Verizon Communications, Inc.  
Wagner, Chris  
Project Extra Mile  
Watson, James S.  
Nebraska Association of Medicaid Health Plans  
Watson, Todd  
Nebraska Republican Party  
Weber, Michelle  
Zulkoski Weber LLC  
Weber, Rocky  
Nebraska Cooperative Council  
Welding, Nicholas J.  
Nebraska State Education Association  
Wesely, Don  
O'Hara Lindsay & Associates, Inc.  
Westerhold, Russell  
Edwards Westerhold Moore  
Wickersham, William R.  
Nebraska Association of Former State Legislators

Wicks, Cheryl  
Mosaic

Wightman, Anna Castner  
First National of Nebraska, Inc.

Wiltgen, Jennifer  
Centene Corporation on behalf of its affiliates and subsidiaries

Witmer, Jason  
ACLU Nebraska

Wittstruck, Courtney  
Nebraska Community College Association

Word, Megan  
American Cancer Society Cancer Action Network

Wurster, Donald F.  
National Indemnity Company

Wyvill, John  
Cox Communications

Young, Gary  
FOP 88

Young, Hannah  
Nonprofit Association of the Midlands

Zakery, Jordan  
Excellence in Education National, Inc., d/b/a Excellence in Education in Action

Zetzsche, Hannes  
Baird Holm LLP

Zielske, Pamela  
Dialysis Patient Citizens

Zulkoski Weber LLC  
American Council of Engineering Companies/Nebraska  
Americans for Affordable Clean Energy  
Archer Daniels Midland Company  
Audubon Nebraska  
Bosselman Enterprises  
Consortia Consulting  
Dexcom, Inc.  
Ducks Unlimited, Inc.  
Kum & Go  
McCain Foods  
Merck Sharp and Dohme LLC  
Nebraska Academy of Nutrition and Dietetics  
Nebraska Academy of Physician Assistants  
Nebraska Association of Resources Districts  
Nebraska Broadband Coalition  
Nebraska County Attorneys Association  
Nebraska Domestic Violence Sexual Assault Coalition  
Nebraska Early Childhood Collaborative  
Nebraska Economic Developers Association  
Nebraska Emergency Medical Services Association  
Nebraska Hospital Association



Nebraska Humane Society  
Nebraska Independent Community Bankers  
Nebraska Veterinary Medical Association  
NetChoice  
Novo Nordisk Inc.  
OmniTRAX (NKCR)  
Rio Grande (NCRC)  
Special Olympics Nebraska  
Viaero Wireless  
Zulkoski, Katie W.  
Zulkoski Weber LLC

#### ANNOUNCEMENT(S)

Priority designation(s) received:

Blood - LB829

#### MOTION(S) - Print in Journal

Senator DeKay filed the following motion to LB968:

[MO1165](#)

Withdraw LB968.

#### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1036.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-421, Reissue Revised Statutes of Nebraska; to change provisions relating to the issuance of annual combination fishing, fur-harvesting, and hunting permits, habitat stamps, aquatic habitat stamps, and Nebraska migratory waterfowl stamps; and to repeal the original section.

**LEGISLATIVE BILL 1037.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to veterans; to prohibit unethical conduct and improper collection of fees relating to assistance or referrals in veterans benefits matters; to define terms; to provide ethical standards; to provide severability; and to declare an emergency.

**LEGISLATIVE BILL 1038.** Introduced by DeKay, 40; DeBoer, 10.

A BILL FOR AN ACT relating to the Nebraska Information Technology Commission; to amend section 86-515, Revised Statutes Cumulative Supplement, 2022; to change the membership of the commission as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1039.** Introduced by Vargas, 7; Aguilar, 35.

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

**LEGISLATIVE BILL 1040.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to income taxes; to amend section 77-27,241, Revised Statutes Supplement, 2023; to change provisions relating to tax credits for food donations; and to repeal the original section.

**LEGISLATIVE BILL 1041.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3506.02, 77-3506.03, and 77-3507, Reissue Revised Statutes of Nebraska; to change provisions relating to homestead exemptions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1042.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to elections; to amend sections 32-307, 32-315, 32-1506, 60-484, 60-484.02, 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, sections 32-312 and 32-1002, Revised Statutes Cumulative Supplement, 2022, and sections 32-202, 32-308, and 60-4,144, Revised Statutes Supplement, 2023; to change provisions relating to registration of voters and voting; to change penalty provisions; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-309, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1043.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to economic development; to define terms; to require the development of certain real property located in high-poverty areas; to prohibit certain practices when selling such property; and to provide severability.

**LEGISLATIVE BILL 1044.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to reparations for slavery; to amend sections 77-4310.01 and 77-4310.03, Reissue Revised Statutes of Nebraska; to create the Task Force to Study and Develop Reparation Proposals for African Americans; to state findings and declarations; to provide powers and duties for the task force; to create a fund; to provide for termination of the task force and fund; to change provisions relating to distribution of a tax on marijuana; to provide for transfers from the Marijuana and Controlled Substances Tax Administration Cash Fund; to state intent regarding appropriations; and to repeal the original sections.

**LEGISLATIVE BILL 1045.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to juries; to amend section 25-1645, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to legislative intent regarding juries; to state legislative intent; to prohibit the use of peremptory challenges against jurors based on their membership in certain groups; to provide duties for courts and court reporters; and to repeal the original section.

**LEGISLATIVE BILL 1046.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-15,139, Reissue Revised Statutes of Nebraska; to require appointment of counsel for termination hearings and eviction proceedings for residents of public housing located in a city of the metropolitan class; to require the city to pay for such counsel; to provide duties for housing agencies; and to repeal the original section.

**LEGISLATIVE BILL 1047.** Introduced by Brandt, 32; Dorn, 30.

A BILL FOR AN ACT relating to motor fuel taxes; to amend section 66-489, Reissue Revised Statutes of Nebraska, and section 66-482, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to change provisions relating to payment of an excise tax and exemption from a motor fuels tax as prescribed; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 66-4,146.01, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1048.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to civil defense; to define terms; to state legislative findings; to require certain chemical facilities to utilize a federal chemical security program as prescribed; and to provide duties for the Nebraska Emergency Management Agency and the Department of Environment and Energy.

**LEGISLATIVE BILL 1049.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-704, Reissue Revised Statutes of Nebraska; to change a municipal occupation tax on the sale of telecommunications service as prescribed; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1050.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to schools; to require school districts to

provide menstrual products to students as prescribed; to define terms; to limit liability; and to provide powers and duties to school districts, the State Department of Education, and the State Board of Education.

**LEGISLATIVE BILL 1051.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-2257, 29-2258, 43-246.01, 43-247, 43-254.01, 43-255, 43-256, 43-258, 43-272.01, and 43-284, Reissue Revised Statutes of Nebraska, and sections 29-1816, 43-247.02, 43-248, 43-250, 43-251.01, 43-253, 43-254, and 43-281, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to filing deadlines; to eliminate obsolete provisions; to reorganize and harmonize provisions; to provide duties for the Revisor of Statutes; to repeal the original sections; and to outright repeal section 43-247.04, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1052.** Introduced by Walz, 15; Conrad, 46; Vargas, 7.

A BILL FOR AN ACT relating to education; to allow a teacher employed at an approved or accredited public, private, denominational, or parochial school in this state to receive reimbursement for school supplies paid for by such teacher as prescribed; and to provide powers and duties to the State Board of Education and the State Department of Education.

**LEGISLATIVE BILL 1053.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Nebraska Teacher Recruitment and Retention Act; to amend sections 79-8,114 and 79-8,118, Revised Statutes Supplement, 2023; to authorize extended-career retention grants under the act as prescribed; to change a termination date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1054.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to child care; to adopt the Child Care Safety and Security Act.

**LEGISLATIVE BILL 1055.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to education; to amend section 79-2607, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Reading Improvement Act; to provide powers and duties to the State Department of Education related to the creation and support of a professional learning system and programming for adult education and literacy as prescribed; to require teachers who teach students in grades kindergarten through fifth grade at an approved and accredited school receive certain training related to instruction in reading; to create a Literacy Steering Committee; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 1056.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to schools; to create the School Construction Assistance Task Force; to provide powers and duties; and to declare an emergency.

**LEGISLATIVE BILL 1057.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to juveniles; to amend sections 29-1816 and 43-274, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to arraignments, filing of juvenile petitions, and juvenile court jurisdiction; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1058.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to income taxes; to amend section 77-2716, Revised Statutes Supplement, 2023; to exclude pensions and annuities from income taxes as prescribed; to define a term; and to repeal the original section.

**LEGISLATIVE BILL 1059.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2776, Revised Statutes Cumulative Supplement, 2022, and sections 77-2727 and 77-2734.01, Revised Statutes Supplement, 2023; to change provisions relating to the taxation of partnerships and small business corporations and notices of deficiency; and to repeal the original sections.

**LEGISLATIVE BILL 1060.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-519, Revised Statutes Cumulative Supplement, 2022; to provide an exemption from newborn screening as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1061.** Introduced by Ibach, 44; Brandt, 32; Brewer, 43; Dorn, 30; Erdman, 47; Halloran, 33; Holdcroft, 36; Meyer, 41; Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Corn Resources Act; to amend sections 2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, and 2-3635, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the Corn Development, Utilization, and Marketing Board; to eliminate the ex officio members of the board; to change the fee levied on corn; to eliminate provisions relating to fee adjustments and a pledge or mortgage of corn as security; to change provisions relating to the annual report of the board; to harmonize

provisions; to repeal the original sections; and to outright repeal sections 2-3616, 2-3627, and 2-3628, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1062.** Introduced by Ibach, 44; Brewer, 43; Erdman, 47; Halloran, 33; Holdcroft, 36; Hughes, 24; Murman, 38.

A BILL FOR AN ACT relating to the Rural Health Systems and Professional Incentive Act; to amend sections 71-5650, 71-5651, 71-5652, 71-5653, 71-5654, 71-5655, and 71-5664, Reissue Revised Statutes of Nebraska, and sections 71-5661, 71-5662, 71-5663, and 71-5668, Revised Statutes Supplement, 2023; to restate legislative findings under and the purposes of the Rural Health Systems and Professional Incentive Act; to define a term; to change the purpose, duties, and members of the Nebraska Rural Health Advisory Commission; to provide for financial assistance in the form of repayment of qualified educational debts owed by veterinarians as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1063.** Introduced by Halloran, 33; Bostelman, 23; Brewer, 43; Clements, 2; Dorn, 30; Erdman, 47; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34; Lowe, 37; Wayne, 13.

A BILL FOR AN ACT relating to schools; to amend section 79-10,120, Revised Statutes Cumulative Supplement, 2022; to require a vote prior to a school district using special building funds as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1064.** Introduced by Lippincott, 34; Aguilar, 35; Brewer, 43; Clements, 2; Dorn, 30; Erdman, 47; Halloran, 33; Hardin, 48; Holdcroft, 36; Kauth, 31; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to education; to amend sections 85-106, 85-606, 85-1511, and 85-1530, Reissue Revised Statutes of Nebraska, and section 85-304, Revised Statutes Cumulative Supplement, 2022; to prohibit the practice of academic tenure at postsecondary educational institutions governed by the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, or a community college board of governors for any community college area established by section 85-1504 as prescribed; to provide powers and duties to the Board of Regents of the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, and any community college board of governors; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1065.** Introduced by Lippincott, 34; Brewer, 43; Clements, 2; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Kauth, 31; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to education; to amend sections 79-804, 79-805, and 79-814.01, Reissue Revised Statutes of Nebraska; to allow a school district to hire a chaplain to perform the duties of a school counselor

without a certificate issued by the Commissioner of Education as prescribed; to provide powers and duties to the State Board of Education; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1066.** Introduced by Lippincott, 34; Brewer, 43; Clements, 2; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Lowe, 37; Murman, 38.

A BILL FOR AN ACT relating to education; to authorize a school board to adopt a policy allowing a student in kindergarten through twelfth grade to attend released time to participate in an elective course in religious instruction conducted off school district property by a sponsoring entity as prescribed; to provide powers and duties to school boards and the State Board of Education; and to declare an emergency.

**LEGISLATIVE BILL 1067.** Introduced by Clements, 2; Aguilar, 35; Albrecht, 17; Ballard, 21; Bosn, 25; Bostelman, 23; Brewer, 43; DeKay, 40; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Meyer, 41; Murman, 38; Sanders, 45; von Gillern, 4.

A BILL FOR AN ACT relating to counties; to amend sections 13-518, 47-120, 77-2018, and 83-4,133, Reissue Revised Statutes of Nebraska, sections 77-2004, 77-2005, and 77-2006, Revised Statutes Cumulative Supplement, 2022, and sections 77-2015, 81-3717, and 81-3720, Revised Statutes Supplement, 2023; to adopt the State Prisoner Reimbursement Act; to eliminate the inheritance tax as prescribed; to change provisions relating to inheritance tax reporting and refund procedures; to change the authorized uses of the County Visitors Promotion Fund and the County Visitors Improvement Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1068.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to elections; to amend section 32-713, Reissue Revised Statutes of Nebraska; to change provisions relating to the designated meeting location and date for the convening of presidential electors; to require inclusion of a security feature with the state's certificate of ascertainment submitted by the Governor; to change a federal reference; and to repeal the original section.

**LEGISLATIVE BILL 1069.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 28-1250, 81-520.01, 81-546, 81-550, and 81-5,159, Reissue Revised Statutes of Nebraska, and sections 81-502 and 81-5,172, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to obtaining a permit to conduct open burning, civil penalties, the Nebraska Natural Gas Pipeline Safety Cash Fund, pipeline facility assessments, contractor

certificates, and the Boiler Inspection Act; to eliminate the Nebraska Fire Safety Appeals Board, appeals procedures, and obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-502.01, Reissue Revised Statutes of Nebraska, section 81-502.02, Revised Statutes Cumulative Supplement, 2022, and section 81-502.03, Revised Statutes Supplement, 2023.

**LEGISLATIVE BILL 1070.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1461, Reissue Revised Statutes of Nebraska; to change closing dates and filing deadlines for campaign statements filed by a ballot question committee as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1071.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to journalism; to define terms; to provide protection for freedom of speech and freedom of the press for student journalists; to provide protection for student media advisers; and to provide exceptions.

**LEGISLATIVE BILL 1072.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to revenue and taxation; to provide a sales and use tax credit for the sale and use of sustainable aviation fuel.

#### **MOTION(S) - Print in Journal**

Senator Clements filed the following motion to LB1028:

[MO1166](#)

Withdraw LB1028.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator DeBoer name added to LB31.

Senator Wayne name added to LB165.

Senator Brewer name added to LB823.

Senator Brewer name added to LB824.

Senator DeBoer name added to LB829.

Senator Bostar name added to LB829.

Senator Brewer name added to LB830.

Senator Hansen name added to LB876.

Senator Aguilar name added to LB876.

Senator Dorn name added to LB876.

Senator Ibach name added to LB1015.



**VISITOR(S)**

Visitor to the Chamber was Collie Benes, Valparaiso.

The Doctor of the Day was Dr. Eric Thomsen of Beatrice.

**ADJOURNMENT**

At 11:45 a.m., on a motion by Senator Wayne, the Legislature adjourned until 1:30 p.m., Tuesday, January 9, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTH DAY - JANUARY 9, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 9, 2024

**PRAYER**

The prayer was offered by Senator Blood.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by MM3 R. G. Smith, Auxiliary, Navy, Bellevue.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 1:30 p.m., President Kelly presiding.

The roll was called and all members were present except Senators Hughes, Moser, and Slama who were excused; and Senators Day, Hunt, Linehan, Raybould, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fourth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB832	Judiciary (rereferred)
LB975	Appropriations
LB976	Judiciary
LB977	Judiciary
LB978	Judiciary
LB979	Judiciary
LB980	Judiciary
LB981	General Affairs

LB982	Health and Human Services
LB983	Judiciary
LB984	Banking, Commerce and Insurance
LB985	Education
LB986	Education
LB987	Education
LB988	Government, Military and Veterans Affairs
LB989	Banking, Commerce and Insurance
LB990	Banking, Commerce and Insurance
LB991	Banking, Commerce and Insurance
LB992	Banking, Commerce and Insurance
LB993	Business and Labor
LB994	Executive Board
LB995	Judiciary
LB996	Judiciary
LB997	Education
LB998	Government, Military and Veterans Affairs
LB999	Agriculture
LB1000	General Affairs
LB1001	Natural Resources
LB1002	Revenue
LB1003	Health and Human Services
LB1004	Transportation and Telecommunications
LB1005	Education
LB1006	Education
LB1007	Health and Human Services
LB1008	Appropriations
LB1009	Health and Human Services
LB1010	Education
LB1011	Education
LB1012	Education
LB1013	Education
LB1014	Education
LB1015	Health and Human Services
LB1016	Health and Human Services
LB1017	Business and Labor
LB1018	Government, Military and Veterans Affairs
LB1019	Revenue
LB1020	Executive Board
LB1021	Judiciary
LB1022	Revenue
LB1023	Revenue
LB1024	Banking, Commerce and Insurance
LB1025	Revenue
LB1026	Revenue
LB1027	Education
LB1028	Health and Human Services
LB1029	Education
LB1030	Transportation and Telecommunications

LB1031 Transportation and Telecommunications  
 LB1032 Revenue  
 LB1033 Transportation and Telecommunications  
 LB1034 Education  
 LB1035 Health and Human Services  
 LR277CA Judiciary

(Signed) Raymond Aguilar, Chairperson  
 Executive Board

**COMMITTEE REPORT(S)**  
 Government, Military and Veterans Affairs

**LEGISLATIVE BILL 541.** Placed on General File with amendment.

[AM1062](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 32-404, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 32-404 (1) When any political subdivision holds an election in  
 6 conjunction with the statewide primary or general election, the election  
 7 shall be held as provided in the Election Act. Any other election held by  
 8 a political subdivision shall be held as provided in the act unless  
 9 otherwise provided by the charter, code, or bylaws of the political  
 10 subdivision.  
 11 (2) No later than December 1 of each odd-numbered year, the  
 12 Secretary of State, election commissioner, or county clerk shall give  
 13 notice to each political subdivision of the filing deadlines for the  
 14 statewide primary election. No later than January 5 of each even-numbered  
 15 year, the governing board of each political subdivision which will hold  
 16 an election in conjunction with a statewide primary election shall  
 17 certify to the Secretary of State, the election commissioner, or the  
 18 county clerk the name of the subdivision, the number of officers to be  
 19 elected, the length of the terms of office, the vacancies to be filled by  
 20 election and length of remaining term, and the number of votes to be cast  
 21 by a registered voter for each office.  
 22 (3) No later than June 15 of each even-numbered year, the governing  
 23 board of each reclamation district, county weed district, village, county  
 24 under township organization, public power district receiving annual gross  
 25 revenue of less than five hundred forty million dollars, or educational  
 26 service unit which will hold an election in conjunction with a statewide  
 27 general election shall certify to the Secretary of State, the election  
 28 commissioner, or the county clerk the name of the subdivision, the number  
 29 of officers to be elected, the length of the terms of office, the  
 30 vacancies to be filled by election and length of remaining term, and the  
 31 number of votes to be cast by a registered voter for each office.  
 32 (4) The Secretary of State shall prescribe the forms to be used for  
 33 certification to him or her, and the election commissioner or county  
 34 clerk shall prescribe the forms to be used for certification to him or  
 35 her.  
 36 Sec. 2. Section 32-512, Reissue Revised Statutes of Nebraska, is  
 37 amended to read:  
 38 32-512 (1) After the selection of the original board of directors of  
 39 a public power district as provided for in sections 70-803 and 70-805 or  
 40 a district as provided for in sections 70-604 and 70-609, their  
 41 successors shall be:  
 42 (a) Nominated and elected on the partisan ballot for districts

16 ~~receiving annual gross revenue of five hundred million dollars or more;~~  
 17 ~~and~~

18 ~~(b) Elected nominated and elected on the nonpartisan ballot for~~  
 19 ~~districts receiving annual gross revenue of less than five hundred~~  
 20 ~~million dollars. Candidates, except that in districts receiving annual~~  
 21 ~~gross revenue of less than forty million dollars, the candidates for the~~  
 22 ~~board of directors in such districts shall not appear on the ballot in~~  
 23 ~~the primary election.~~

24 (2) The term of each elected director shall be not more than six  
 25 years or until his or her successor is elected and qualified. Candidates  
 26 for the board of directors shall meet the qualifications found in  
 27 sections 70-610 and 70-619.

28 (3) (2) Registered voters residing within the chartered territory  
 29 and registered voters duly certified in accordance with section 70-604.03  
 30 shall be qualified to vote in the district as certified pursuant to  
 31 section 70-611. The registered voters of a subdivision created under  
 1 subsection (1) of section 70-612 may only cast their ballots for  
 2 candidates for directors to be elected from such subdivision and for  
 3 candidates for directors to be elected at large from the whole district.  
 4 The registered voters of a subdivision created under subsection (2) or  
 5 (3) of section 70-612 may only cast their ballots for candidates for  
 6 directors to be elected from such subdivision.

7 Sec. 3. Section 32-606, Revised Statutes Cumulative Supplement,  
 8 2022, is amended to read:

9 32-606 (1) Any candidate may place his or her name on the primary  
 10 election ballot by filing a candidate filing form prescribed by the  
 11 Secretary of State as provided in section 32-607. Except as otherwise  
 12 provided in subsection (4) of this section, if a candidate for an  
 13 elective office is an incumbent of any elective office, the filing period  
 14 for filing the candidate filing form shall be between January 5 and  
 15 February 15 prior to the date of the primary election. No incumbent who  
 16 resigns from elective office prior to the expiration of his or her term  
 17 shall file for any office after February 15 of that election year. All  
 18 other candidates shall file for office between January 5 and March 1  
 19 prior to the date of the primary election. A candidate filing form and a  
 20 copy of payment of the filing fee, if applicable, may be transmitted by  
 21 facsimile for the offices listed in subdivision (1) of section 32-607 if  
 22 (a) the transmission is received in the office of the filing officer by  
 23 the filing deadline and (b) the original filing form and payment of the  
 24 filing fee, if applicable, is mailed to the filing officer with a legible  
 25 postmark bearing a date on or prior to the filing deadline and is in the  
 26 office of the filing officer no later than seven days after the filing  
 27 deadline.

28 (2) Any candidate for a township office in a county under township  
 29 organization, the board of trustees of a village, the board of directors  
 30 of a reclamation district, the county weed district board, the board of  
 31 directors of a public power district receiving annual gross revenue of  
 1 less than ~~five hundred forty~~ million dollars, or the board of an  
 2 educational service unit may place his or her name on the general  
 3 election ballot by filing a candidate filing form prescribed by the  
 4 Secretary of State as provided in section 32-607. Except as otherwise  
 5 provided in subsection (4) of this section, if a candidate for an  
 6 elective office is an incumbent of any elective office, the filing period  
 7 for filing the candidate filing form shall be between January 5 and July  
 8 15 prior to the date of the general election. No incumbent who resigns  
 9 from elective office prior to the expiration of his or her term shall  
 10 file for any office after July 15 of that election year. All other  
 11 candidates shall file for office between January 5 and August 1 prior to  
 12 the date of the general election. A candidate filing form may be  
 13 transmitted by facsimile for the offices listed in subdivision (1) of

14 section 32-607 if (a) the transmission is received in the office of the  
15 filing officer by the filing deadline and (b) the original filing form is  
16 mailed to the filing officer with a legible postmark bearing a date on or  
17 prior to the filing deadline and is in the office of the filing officer  
18 no later than seven days after the filing deadline.

19 (3) Any city having a home rule charter may provide for filing  
20 deadlines for any person desiring to be a candidate for the office of  
21 council member or mayor.

22 (4) If a candidate for an elective office was appointed to an  
23 elective office to fill a vacancy after the deadline for an incumbent to  
24 file a candidate filing form in subsection (1) or (2) of this section but  
25 before the deadline for all other candidates, the candidate may file a  
26 candidate filing form for any office on or before the deadline for all  
27 other candidates.

28 Sec. 4. Section 32-608, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30 32-608 (1) Except as provided in subsection (4) or (5) of this  
31 section, a filing fee shall be paid by or on behalf of each candidate  
32 prior to filing for office. For candidates who file in the office of the  
3 Secretary of State as provided in subdivision (1) of section 32-607, the  
3 filing fee shall be paid to the Secretary of State who shall remit the  
4 fee to the State Treasurer for credit to the Election Administration  
5 Fund. For candidates for any city or village office, the filing fee shall  
6 be paid to the city or village treasurer of the city or village in which  
7 the candidate resides. For candidates who file in the office of the  
8 election commissioner or county clerk, the filing fee shall be paid to  
9 the election commissioner or county clerk in the county in which the  
10 office is sought. The election commissioner or county clerk shall remit  
11 the fee to the county treasurer. The fee shall be placed in the general  
12 fund of the county, city, or village. No candidate filing forms shall be  
13 filed until the proper payment or the proper receipt showing the payment  
14 of such filing fee is presented to the filing officer. On the day of the  
15 filing deadline, the city or village treasurer's office shall remain open  
16 to receive filing fees until the hour of the filing deadline.

17 (2) Except as provided in subsection (4) or (5) of this section, the  
18 filing fees shall be as follows:

19 (a) For the office of United States Senator, state officers,  
20 including members of the Legislature, Representatives in Congress, county  
21 officers, and city or village officers, except the mayor or council  
22 members of cities having a home rule charter, a sum equal to one percent  
23 of the annual salary as of November 30 of the year preceding the election  
24 for the office for which he or she files as a candidate;

25 (b) For directors of public power and irrigation districts in  
26 districts receiving annual gross revenue of ~~five hundred forty~~ million  
27 dollars or more, twenty-five dollars, and in districts receiving annual  
28 gross revenue of less than ~~five hundred forty~~ million dollars, ten  
29 dollars;

30 (c) For directors of reclamation districts, ten dollars; and

31 (d) For Regents of the University of Nebraska, members of the State  
1 Board of Education, and directors of metropolitan utilities districts,  
2 twenty-five dollars.

3 (3) All declared write-in candidates shall pay the filing fees that  
4 are required for the office at the time that they present the write-in  
5 affidavit to the filing officer.

6 (4) No filing fee shall be required for any candidate filing for an  
7 office in which a per diem is paid rather than a salary or for which  
8 there is a salary of less than five hundred dollars per year. No filing  
9 fee shall be required for any candidate for membership on a school board,  
10 on the board of an educational service unit, on the board of governors of  
11 a community college area, on the board of directors of a natural

12 resources district, or on the board of trustees of a sanitary and  
13 improvement district.

14 (5) No filing fee shall be required of any candidate completing an  
15 affidavit requesting to file for elective office in forma pauperis. A  
16 pauper shall mean a person whose income and other resources for  
17 maintenance are found under assistance standards to be insufficient for  
18 meeting the cost of his or her requirements and whose reserve of cash or  
19 other available resources does not exceed the maximum available resources  
20 that an eligible individual may own. Available resources shall include  
21 every type of property or interest in property that an individual owns  
22 and may convert into cash except:

23 (a) Real property used as a home;

24 (b) Household goods of a moderate value used in the home; and

25 (c) Assets to a maximum value of three thousand dollars used by a  
26 recipient in a planned effort directed towards self-support.

27 (6) If any candidate dies prior to an election, the spouse of the  
28 candidate may file a claim for refund of the filing fee with the proper  
29 governing body prior to the date of the election. Upon approval of the  
30 claim by the proper governing body, the filing fee shall be refunded.

31 Sec. 5. Section 32-609, Reissue Revised Statutes of Nebraska, is  
1 amended to read:

2 32-609 The candidate filing form filed pursuant to sections 32-606  
3 and 32-607 by each candidate for the State Board of Education, member of  
4 the Legislature, Regent of the University of Nebraska, director of a  
5 public power and irrigation district receiving annual gross revenue of  
6 less than five hundred million dollars, reclamation district, or natural  
7 resources district, every other nonpartisan office created by law, member  
8 of a school board of a Class IV or V school district, and candidate for  
9 elective office of a city of the first or second class or a village shall  
10 not in any way refer to or designate the political affiliation of the  
11 candidate except as otherwise provided pursuant to section 32-557.

12 Sec. 6. Section 70-611, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 70-611 (1) Not later than January 5 in each even-numbered year, the  
15 secretary of the district in districts grossing five hundred forty  
16 million dollars or more annually shall certify to the Secretary of State  
17 on forms prescribed by the Secretary of State the names of the counties  
18 in which all registered voters are eligible to vote for public power  
19 district candidates and for other counties the names of the election  
20 precincts within each county excluding the municipalities in which voters  
21 are not eligible to vote on public power district candidates. The  
22 secretary shall also certify the number of directors to be elected and  
23 the length of terms for which each is to be elected.

24 (2) Districts grossing less than five hundred forty million dollars  
25 annually shall prepare the same type of certification as districts  
26 grossing over five hundred forty million dollars annually and file such  
27 certification with the Secretary of State not later than June 15 of each  
28 even-numbered year.

29 (3) The secretary of each district shall, at the time of filing the  
30 certification, cause to be published once in a newspaper or newspapers of  
31 general circulation within the district a list of the incumbent directors  
1 and naming the counties or election precincts excluding those  
2 municipalities in which voters are not eligible to vote for public power  
3 district candidates in the same general form as the certification filed  
4 with the Secretary of State. A certified copy of the published notice  
5 shall be filed with the Secretary of State within ten days after such  
6 publication.

7 Sec. 7. Original sections 32-512 and 32-609, Reissue Revised  
8 Statutes of Nebraska, and sections 32-404, 32-606, 32-608, and 70-611,  
9 Revised Statutes Cumulative Supplement, 2022, are repealed.



**LEGISLATIVE RESOLUTION 31.** Placed on General File.

(Signed) Tom Brewer, Chairperson

**MOTION(S) - Withdraw LB968**

Senator DeKay offered [MO1165](#), found on page 305, to withdraw LB968.

The DeKay motion to withdraw the bill prevailed with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

**MOTION(S) - Withdraw LB1028**

Senator Clements offered [MO1166](#), found on page 312, to withdraw LB1028.

The Clements motion to withdraw the bill prevailed with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1073.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to the Third-Party Administrator Act; to amend section 44-5807, Reissue Revised Statutes of Nebraska; to change provisions relating to onsite audits of the operations of third-party administrators; and to repeal the original section.

**LEGISLATIVE BILL 1074.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-1116, 8-1120, 8-1726, and 21-1736, Reissue Revised Statutes of Nebraska, sections 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 21-17,115, 59-1722, 69-2103, 69-2104, and 69-2112, Revised Statutes Supplement, 2023, and section 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2023; to adopt updates to federal law relating to banking and finance; to change provisions of the Securities Act of Nebraska, the Commodity Code, and the Credit Union Act; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1075.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to banking and finance; to amend sections

8-2729, 8-2730, 8-2735, 45-346, 45-346.01, 45-354, 45-737, 45-905.01, 45-912, 45-1005, 45-1018, and 45-1033.01, Reissue Revised Statutes of Nebraska; to change provisions relating to applications, background checks, registrations, and required notices under the Nebraska Money Transmitters Act, the Nebraska Installment Sales Act, and the Nebraska Installment Loan Act, registrations and background checks under the Delayed Deposit Services Licensing Act, and required notices under the Residential Mortgage Licensing Act; and to repeal the original sections.

**LEGISLATIVE BILL 1076.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to public contracts; to adopt the Public Contract Provider Open Meetings Act.

**LEGISLATIVE BILL 1077.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Labor to provide grants for facility expansion relating to workforce development and career readiness programs; and to declare an emergency.

**LEGISLATIVE BILL 1078.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to health and human services; to state intent regarding an increase in rates for child welfare aid; and to declare an emergency.

**LEGISLATIVE BILL 1079.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 1080.** Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal 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; and to declare an emergency.

**LEGISLATIVE BILL 1081.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to schools; to provide required student-to-teacher ratios as prescribed; to provide a reporting requirement; and to provide powers and duties to the Commissioner of Education, the State Department of Education, and the State Board of Education.

**LEGISLATIVE BILL 1082.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska State Insurance Program; to amend sections 84-1607, 84-1608, and 84-1609, Reissue Revised Statutes of Nebraska; to require coverage for in vitro fertilization as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1083.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska Career Scholarship Act; to amend sections 85-3005 and 85-3006, Revised Statutes Cumulative Supplement, 2022; to include a program of study in education, engineering, and early childhood education as an eligible program of study for scholarship eligibility for private colleges and community colleges under the act as prescribed; to state intent regarding appropriations; and to repeal the original sections.

**LEGISLATIVE BILL 1084.** Introduced by Ibach, 44; Kauth, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908 and 77-3806, Revised Statutes Cumulative Supplement, 2022, and sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Nebraska Shortline Rail Modernization Act; to provide for tax credits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1085.** Introduced by Holdcroft, 36; Bosn, 25; DeBoer, 10; DeKay, 40; Ibach, 44.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-2,111, Reissue Revised Statutes of Nebraska, and section 43-2,119, Revised Statutes Cumulative Supplement, 2022; to eliminate provisions relating to establishment of separate juvenile court districts and separate juvenile courts by a vote; to rename certain separate juvenile court districts; to change provisions relating to the number of judges in certain such districts; to repeal the original sections; and to outright repeal section 43-2,112, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1086.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend sections 38-1,101, 43-2202, 44-7006, 68-1015, 68-1207.01, 71-504, 71-3601, 71-6042, 71-6732, and 71-9103, Reissue Revised Statutes of Nebraska, sections 43-4203, 43-4216, 43-4401, 68-1207, 71-702, 71-8803, 81-101, 81-102, 81-132, 81-1113, 81-1316, and 81-3133, Revised Statutes Cumulative Supplement, 2022, and section 71-7305, Revised Statutes Supplement, 2023; to eliminate the Department of Health and Human Services; to create the Department of Children and Family Services, the Department of Public Health, and the Department of Healthcare; to transfer programs, services, and duties; to provide for the appointment of directors; to provide for administration responsibilities; to

provide for appointment of a chief medical officer; to create the Health and Human Services Cash Fund; to provide for the creation and use of petty cash funds by the Department of Children and Family Services; to provide a duty for the Health and Human Services Committee of the Legislature; to eliminate obsolete provisions and provisions regarding divisions of the Department of Health and Human Services; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 81-3110, 81-3111, 81-3112, 81-3114, 81-3115, 81-3117, 81-3118, 81-3120, 81-3121, 81-3122, 81-3123, and 81-3124, Reissue Revised Statutes of Nebraska, and sections 81-3113, 81-3116, 81-3119, 81-3133.01, 81-3133.02, and 81-3133.03, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1087.** Introduced by Jacobson, 42; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Brewer, 43; Cavanaugh, J., 9; Clements, 2; Conrad, 46; DeKay, 40; Dorn, 30; Dover, 19; Fredrickson, 20; Holdcroft, 36; Ibach, 44; Lippincott, 34; McDonnell, 5; Meyer, 41; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to hospitals; to adopt the Hospital Quality Assurance and Access Assessment Act; and to declare an emergency.

**LEGISLATIVE BILL 1088.** Introduced by Linehan, 39; Jacobson, 42; McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5723, 77-5727, and 77-5735, Revised Statutes Cumulative Supplement, 2022; to change the time period in which the required levels of employment and investment must be met for certain projects; to provide for applicability; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1089.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to courts; to amend sections 25-1914, 25-3010, 29-1920, 29-2207, 29-2258, 29-2262.04, 29-2262.06, 29-2704, 29-4106, 29-4121, 33-103, 33-107.01, 33-107.03, 33-126.05, 33-154, 33-155, 33-156, 33-157, 43-261, 43-290, 47-633, and 81-1429, Reissue Revised Statutes of Nebraska, sections 24-703, 25-1140.09, 29-1903, 33-106, 33-124, 43-254, 43-260.04, 43-272, and 43-2,129, Revised Statutes Cumulative Supplement, 2022, and section 29-2262, Revised Statutes Supplement, 2023; to exempt individuals under nineteen years of age from payment of certain court fees and costs, probation fees, and DNA collection and testing costs; to provide that such individuals are presumed to be indigent for purposes of fees related to criminal discovery; to prohibit recovery of costs and fees in proceedings under the Nebraska Juvenile Code from juveniles and their parents or guardians as prescribed; to change provisions relating to juvenile pretrial diversion programs, appointed counsel, guardians ad litem, and recoupment of certain costs; to prohibit imposition of a fine as a penalty in a juvenile proceeding; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1090.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 226; to appropriate funds to the Department of Administrative Services; and to repeal the original section.

**LEGISLATIVE BILL 1091.** Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Ballard, 21; Bosn, 25; Brewer, 43; Clements, 2; DeKay, 40; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Meyer, 41; Riepe, 12; von Gillern, 4.

A BILL FOR AN ACT relating to education; to require a school board or board of education that grants access by a professional employees' organization to a school employee's physical or electronic mailbox or a meeting to also grant such access to any other such organization that requests access; and to prohibit a school board or board of education from designating any day or break in the school calendar using the name of any professional employees' organization.

**LEGISLATIVE BILL 1092.** Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Halloran, 33; Hardin, 48; Holdcroft, 36; Ibach, 44; Linehan, 39; Lippincott, 34; Lowe, 37; Meyer, 41; von Gillern, 4.

A BILL FOR AN ACT relating to civil liability; to adopt the Online Age Verification Liability Act.

**LEGISLATIVE BILL 1093.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to first responders; to amend sections 81-1401, 81-1403, and 81-1414, Revised Statutes Cumulative Supplement, 2022, and sections 85-2601, 85-2602, 85-2603, 85-2603.01, and 85-2605, Revised Statutes Supplement, 2023; to provide for limited law enforcement officer certificates for federally trained investigators employed by state agencies; to change eligibility requirements under the First Responder Recruitment and Retention Act; to provide duties for public postsecondary institutions and the Department of Revenue; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1094.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to limit the out-of-pocket cost of medically necessary epinephrine injectors to a covered individual as prescribed; and to require coverage for certain generic and authorized generic inhaled prescription corticosteroid medication as prescribed.

**LEGISLATIVE BILL 1095.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to motor fuels; to amend sections 66-2210, 66-2211, 66-2215, and 77-7011, Revised Statutes Supplement, 2023; to change the E-15 Access Standard Act as prescribed; to change provisions relating to tax credits under the Nebraska Biodiesel Tax Credit Act; and to repeal the original sections.

**LEGISLATIVE BILL 1096.** Introduced by Armendariz, 18; Albrecht, 17; Ballard, 21; Bosn, 25; Brewer, 43; Clements, 2; Conrad, 46; DeKay, 40; Dorn, 30; Erdman, 47; Halloran, 33; Hansen, 16; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Lippincott, 34; McDonnell, 5; Meyer, 41; Murman, 38; Sanders, 45; von Gillern, 4; Walz, 15.

A BILL FOR AN ACT relating to the Uniform Deceptive Trade Practices Act; to amend section 87-302, Revised Statutes Cumulative Supplement, 2022; to provide that certain conduct relating to depictions of sexually explicit or obscene material or material harmful to minors is a deceptive trade practice; to define terms; to harmonize provisions; to provide severability; and to repeal the original section.

**LEGISLATIVE BILL 1097.** Introduced by DeKay, 40; Brewer, 43; McDonnell, 5.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1823, Revised Statutes Cumulative Supplement, 2022; to change a requirement relating to reimbursement by the Department of Health and Human Services for mentally incompetent defendants; and to repeal the original section.

**LEGISLATIVE BILL 1098.** Introduced by DeKay, 40; Brewer, 43; Holdcroft, 36; McDonnell, 5.

A BILL FOR AN ACT relating to protection orders; to amend sections 28-311.02, 28-311.05, 42-901, 42-905, 42-924.01, 42-924.03, 42-927, 42-928, 42-929, 42-931, 43-2,107, and 60-3209, Reissue Revised Statutes of Nebraska, sections 25-2740, 28-311.04, 28-311.12, 28-358.01, 28-1206, 29-404.02, 29-422, 29-2292, 42-924.02, 42-925, 42-926, 43-1609, and 43-1611, Revised Statutes Cumulative Supplement, 2022, and sections 28-1205, 42-903, and 42-924, Revised Statutes Supplement, 2023; to adopt the Protection Orders Act; to extend the initial period of protection orders; to define terms; to provide penalties; to provide for powers and duties relating to such orders; to transfer provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-311.10, Reissue Revised Statutes of Nebraska, and sections 28-311.09 and 28-311.11, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1099.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to change the use of reappropriated funds as prescribed; and to declare an emergency.

**LEGISLATIVE BILL 1100.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 44-32,180, 44-4726, 68-978, 68-979, 68-981, 68-982, 68-983, 68-985, 68-986, 68-987, 68-988, and 71-8506, Reissue Revised Statutes of Nebraska; to define and eliminate terms; to change references to the intergovernmental transfer program and capitation payments and provide for a certified public expenditure program; to change department duties and powers as prescribed; to decrease an administration fee; to update federal references; to change a provision relating to managed care contracts; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1101.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to education; to require a memorandum of understanding regarding the Public Health Early Admission Student Track Program and the Rural Health Opportunities Program; to provide for tuition waivers to eligible students as prescribed; and to state intent regarding appropriations.

**LEGISLATIVE BILL 1102.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to missing persons; to declare October 17 as Nebraska Missing Persons Day.

**AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to LB252:

AM2061

1 1. Insert the following new sections:

2 Sec. 2. Section 80-322.01, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 80-322.01 The Department of Veterans' Affairs Cash Fund is created.

5 The fund shall include any transfers by the Legislature, any gifts,

6 grants, bequests, contributions, or donations received by the department,

7 and money transferred pursuant to section 80-322. The department shall

8 administer the fund. Disbursements from the fund shall be used by the

9 department for the purposes of supporting veteran services, carrying out

10 the duties and functions of the department, paying administrative costs

11 of the department, or for the specific purposes designated by acceptance

12 of any gift, grant, bequest, contribution, or donation. Any money in the

13 fund available for investment shall be invested by the state investment

14 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska

15 State Funds Investment Act.

16 Sec. 5. Section 80-404, Reissue Revised Statutes of Nebraska, is

17 amended to read:

18 80-404 The Department of Veterans' Affairs may (1) receive gifts,

19 grants, bequests, contributions, or donations from public or private

20 sources or hold in trust testamentary or other gifts, (2) and may

21 purchase or receive gifts of such real estate as may be necessary or

22 advantageous for the carrying out the duties and functions of the

23 department, and (3) contract with public or private groups to conduct  
 24 department business of the provisions of sections 80-401 to 80-405. All  
 25 property of the department so held or owned by it shall be free from  
 26 taxation during the period of time such property is it shall be held or  
 27 used by the department it for the purpose of furnishing aid to such  
 1 veterans and their dependents authorized by the provisions of section  
 2 80-403.  
 3 2. Renumber the remaining sections and correct the repealer  
 4 accordingly.

Senator Blood filed the following amendment to LB823:

AM2073

1 1. On page 17, line 17, after the second "or" insert "as determined  
 2 by the commission".  
 3 2. On page 28, line 18, after "all" insert "Licenses and".

Senator Blood filed the following amendment to LB561:

AM2071

1 1. On page 19, line 31, strike "be immune from suit and" and insert  
 2 "have no greater liability than a state employee would have under the  
 3 same or similar circumstances, either personally or".  
 4 2. On page 20, line 1, strike "liability, both personally and".

Senator Bostelman filed the following amendment to LB61:

AM2068

1 1. On page 13, line 2, before the stricken matter insert "(1)"; in  
 2 line 6 after "resolutions" insert ", except that subsidization is  
 3 prohibited. For purposes of this subsection, subsidization means the  
 4 establishment of taxes, surcharges, or rates collected by an agency or  
 5 political subdivision (a) in the delivery of electric energy and related  
 6 services by such agency or political subdivision for costs that are  
 7 properly attributable to the leasing or licensing of dark fiber for the  
 8 provision of telecommunications or broadband services by a lessee or  
 9 licensee or (b) in the leasing or licensing of dark fiber for the  
 10 provision of telecommunications or broadband services by a lessee or  
 11 licensee for costs that are properly attributable to the delivery of  
 12 electric energy and related services by such agency or political  
 13 subdivision"; and after line 6 insert the following new subsection:  
 14 "(2) It is the intent of the Legislature that any lease or license  
 15 of dark fiber be utilized to serve locations that lack broadband Internet  
 16 service providing access to the Internet at speeds of at least one  
 17 hundred megabits per second for downloading and at least twenty megabits  
 18 per second for uploading."

Senator McKinney filed the following amendment to LB164:

AM2075 is available in the Bill Room.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 43.** Placed on General File with amendment.

AM2076 is available in the Bill Room.

(Signed) Tom Brewer, Chairperson



## Rules

The Rules Committee met on January 9, 2024, and advanced the following proposed rules:

Proposed Rule Change 13 found on page 193.  
Proposed Rule Change 15 found on page 193.  
Proposed Rule Change 16 found on page 194.  
Proposed Rule Change 19 found on page 196.  
Proposed Rule Change 20 found on page 197.  
Proposed Rule Change 30 found on page 232.

The Rule Committee met on January 9, 2024, and advanced the following amended proposed rules:

**Proposed Rule Change 18:****Rule 6, Sec. 5. Select File.**

(a) The Select File Enrollment and Review amendments, as prepared by the Revisor's Office, shall be neither debatable, amendable, nor divisible prior to its initial adoption, except that the primary introducer may be recognized to speak for five minutes prior to a vote on the Enrollment and Review amendments. The amendment shall not be read by the Clerk. Amendments to make changes to the language in an enrollment and review amendment shall be offered as amendments to the bill and ordered pursuant to the provisions in these rules, following the initial adoption of the enrollment and review amendment.

(b) When the Legislature considers bills on Select File, any of the following motions shall be in order, after adoption or rejection of the Enrollment and Review Amendments, in accordance with the provisions of Rule 7, Section 3:

~~(a) A motion to approve or reject any or all of the changes recommended by the Chairperson of Enrollment and Review.~~

~~(b) (i) A motion to adopt an amendment to a bill or an amendment to an amendment which shall require a majority vote of the elected members, except amendments which are substantially the same as any bill indefinitely postponed shall require a three-fifths vote of the elected members.~~

~~(c) (ii) A motion to recommit to the proper standing committee.~~

~~(d) (iii) A motion to postpone indefinitely. After a motion to indefinitely postpone a bill has been offered, and the introducer of the motion has made his or her opening remarks on the motion, the principal introducer of the bill shall immediately be permitted to speak for five minutes on such motion.~~

(e) ~~(iv)~~ Motions made pursuant to subsections ~~b, c, and d~~ i, ii, and iii hereof may be adopted only upon the affirmative vote of a majority of the elected members.

~~(f) Amendments recommended by Enrollment and Review shall not be read by the Clerk except upon the request of a member of the Legislature.~~

~~(g)~~ (v) Notwithstanding any other provision contained in this section, if the Enrollment and Review Committee returns a bill to Select File from engrossment, then only the specific Enrollment and Review Committee amendments may be considered.

(h) (vi) Any bill failing to receive 25 votes to be advanced to Enrollment and Review Final after two attempts shall be indefinitely postponed.

#### **Proposed Rule Change 21:**

##### **Rule 6, Sec. 3. General File. ...**

(b) Each section shall be open to amendment. Following the reading of the title of the bill, the introducer shall first be recognized for ten minutes to move to advance and explain the bill. The amendments, if any, recommended by standing committees, shall then be ~~considered~~ introduced. After the introduction of the bill and the introduction of the committee amendment, other priority motions shall have precedence in the order in which they are arranged under Rule 7, Section 3, except as provided for in Rule 1, Section 17. Motions to adjourn or recess shall remain in order except as limited by Rule 7, Section 9. The introducer's amendments, if any, shall be ~~considered~~ introduced following the consideration of the standing committee amendments and any amendments thereto. ~~Other amendments and motions permitted by these rules may then be offered and shall be considered after the introducer has explained the bill in the order in which they are filed with the Clerk, subject to the provisions of Rule 7, Section 3 and Rule 1, Section 17. Further amendments will be considered in the order in which they are filed with the Clerk.~~

#### **Proposed Rule Change 24:**

##### **Rule 5, Sec. 6. Consent Calendar. ...**

(c) Any bill placed on consent calendar shall be removed at the written request of ~~three~~ five or more senators. Such request must be filed with the Clerk prior to the ~~expiration of fifteen minutes of debate at that stage of consideration~~ reading of the bill at each stage of debate, on the bill to be removed.

#### **Proposed Rule Change 27:**

##### **Rule 5, Sec. 4. Introducers Signing Bills. ...**

(e) The introducers of all bills must submit a statement of intent for each bill to the appropriate committee chairperson at least ~~24 hours~~ three calendar days prior to the bill's hearing. The statement of intent should discuss clearly and completely the purposes and effects of the bill.

(Signed) Steve Erdman, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Urban Affairs  
Room 1510 12:00 PM

Tuesday, January 16, 2024  
AM2075 Amending LB164

(Signed) Terrell McKinney, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Raybould name added to LB174.  
Senator Hunt name added to LB830.  
Senator Dungan name added to LB830.  
Senator J. Cavanaugh name added to LB830.  
Senator Kauth name added to LB876.  
Senator Moser name added to LB876.  
Senator Linehan name added to LB876.  
Senator Dover name added to LB876.  
Senator Meyer name added to LB925.  
Senator Dungan name added to LB933.  
Senator Halloran name added to LB984.  
Senator Ibach name added to LB984.  
Senator Brewer name added to LB999.  
Senator Fredrickson name added to LB1035.  
Senator DeKay name added to LB1061.  
Senator J. Cavanaugh name added to LR275CA.

**WITHDRAW - Cointroducer(s)**

Senator Blood name withdrawn from LB999.

**VISITOR(S)**

Visitor to the Chamber was Nelson Ildefonso-Cruz an Army Reserve Ambassador to Nebraska.

**ADJOURNMENT**

At 3:25 p.m., on a motion by Senator Conrad, the Legislature adjourned until 1:30 p.m., Wednesday, January 10, 2024.

Brandon Metzler  
Clerk of the Legislature

**SIXTH DAY - JANUARY 10, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 10, 2024

**PRAYER**

The prayer was offered by Jeff Scheich, Christ Lincoln, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Clements.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 1:30 p.m., President Kelly presiding.

The roll was called and all members were present except Senators Blood and Moser who were excused; and Senators Bostar, Linehan, McDonnell, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB878	Education (rereference)
LB1036	Natural Resources
LB1037	Government, Military and Veterans Affairs
LB1038	Transportation and Telecommunications
LB1039	Appropriations
LB1040	Revenue
LB1041	Revenue
LB1042	Government, Military and Veterans Affairs
LB1043	Revenue

LB1044	Judiciary
LB1045	Judiciary
LB1046	Judiciary
LB1047	Revenue
LB1048	Government, Military and Veterans Affairs
LB1049	Revenue
LB1050	Education
LB1051	Judiciary
LB1052	Education
LB1053	Education
LB1054	Health and Human Services
LB1055	Education
LB1056	Education
LB1057	Judiciary
LB1058	Revenue
LB1059	Revenue
LB1060	Health and Human Services
LB1061	Agriculture
LB1062	Health and Human Services
LB1063	Education
LB1064	Education
LB1065	Education
LB1066	Education
LB1067	Revenue
LB1068	Government, Military and Veterans Affairs
LB1069	Business and Labor
LB1070	Government, Military and Veterans Affairs
LB1071	Judiciary
LB1072	Revenue
LB1073	Banking, Commerce and Insurance
LB1074	Banking, Commerce and Insurance
LB1075	Banking, Commerce and Insurance
LB1076	Government, Military and Veterans Affairs
LB1077	Appropriations
LB1078	Appropriations
LB1079	Appropriations
LB1080	Appropriations
LB1081	Education
LB1082	Government, Military and Veterans Affairs
LB1083	Education
LB1084	Revenue
LB1085	Judiciary
LB1086	Health and Human Services
LB1087	Health and Human Services
LB1088	Revenue
LB1089	Judiciary
LB1090	Appropriations
LB1091	Education
LB1092	Judiciary

LB1093 Revenue  
 LB1094 Banking, Commerce and Insurance  
 LB1095 Revenue  
 LB1096 Judiciary  
 LB1097 Judiciary  
 LB1098 Judiciary  
 LB1099 Appropriations  
 LB1100 Health and Human Services  
 LB1101 Education  
 LB1102 Government, Military and Veterans Affairs

(Signed) Raymond Aguilar, Chairperson  
 Executive Board

### AMENDMENT(S) - Print in Journal

Senator Slama filed the following amendment to LB94:

#### AM2063

- 1 1. Insert the following new section:
- 2 Section 1. The Uniform Commercial Code is amended by adding a new
- 3 section:
- 4 1-112 Uniform Commercial Code, how construed.
- 5 The Uniform Commercial Code shall not be construed to support,
- 6 endorse, create, or implement a national digital currency or central bank
- 7 digital currency.
- 8 2. Strike section 108.
- 9 3. On page 159, strike beginning with the second comma in line 18
- 10 through "act" in line 19.
- 11 4. On page 160, lines 5, 15, 18, and 21; page 161, lines 2, 7, 11,
- 12 13, 19, 24, 25, 29, and 31; page 162, lines 3, 14, 19, 21, and 30; page
- 13 163, lines 1, 7, 11, 21, 22, 26, and 28; and page 164, lines 8, 14, and
- 14 15, strike "operative" and insert "effective".
- 15 5. On page 161, line 22; and page 162, lines 12 and 28, strike
- 16 "operative date" and insert "effective date of this act".
- 17 6. Renumber the remaining sections accordingly.

### COMMITTEE REPORT(S)

#### Rules

The Rules Committee met on January 10, 2024, and advanced the following proposed rules:

- Proposed Rule Change 1 found on page 175.
- Proposed Rule Change 25 found on page 198.
- Proposed Rule Change 29 found on page 201.

The Rules Committee met on January 10, 2024, and advanced the following amended proposed rules:

#### **Proposed Rule Change 3:**

**Section 1. Officers to be Elected.** (a) At the commencement of each regular session in odd-numbered years the Legislature shall nominate from the floor and elect by ~~secret ballot~~ a roll call majority vote of the elected members of the legislature the following officers, whereby each Senator shall state the name of the candidate of his or her choice.:

...

**Rule 3, Section 8: Chairperson, Vice Chairperson.** (a) The chairperson of each standing and select committee shall be selected by ~~secret ballot~~ a roll call majority vote of the elected members ~~vote on the floor~~ of the legislature, whereby each Senator shall state the name of the candidate of his or her choice.

...

**Proposed Rule Change 7:**

**Rule 7, Sec. 2. Voting, Electronic Roll Call.**

...

(f) The presiding officer shall not recognize a motion to call the question, to reconsider, to postpone to a time certain, to recommit to a committee, or to postpone indefinitely unless five or more Senators agree to the motion and the motion is sustained by a show of hands of five or more Senators, except that a motion to call the question shall require the approval of ten or more Senators by way of a show of hands.

**Proposed Rule Change 23:**

**Rule 7, Sec. 6. ~~Postpone to Time Certain.~~ Offering of Debatable Priority Motions.**

No motion to postpone to a time certain, to recommit, or to postpone indefinitely being decided, shall again be allowed ~~on the same day~~ at the same stage of the bill or proposition. Such motion may be withdrawn only with unanimous consent.

(Signed) Steve Erdman, Chairperson

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1103.** Introduced by Aguilar, 35; Lippincott, 34.

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend section 81-3725, Revised Statutes Cumulative Supplement, 2022; to change provisions related to innovative tourism grants as prescribed; and to repeal the original section.



**LEGISLATIVE BILL 1104.** Introduced by Aguilar, 35; Meyer, 41.

A BILL FOR AN ACT relating to the Legislature; to amend sections 49-1480.01 and 49-1482, Reissue Revised Statutes of Nebraska; to change the amount and distribution of lobbyist registration fees; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1105.** Introduced by DeKay, 40.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 60-101, 60-171, 60-172, 60-174, 60-175, 60-176, 60-177, 60-385, 60-395, 60-397, and 60-1508, Reissue Revised Statutes of Nebraska, and sections 60-146, 60-149, and 60-3,198, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to certificates of title; to name the Branded Certificate of Title Act and provide for the issuance of destroyed-vehicle branded certificates of title; to define terms; to provide a duty for the Department of Motor Vehicles; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1106.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Supplement, 2023; to provide for coverage of lactation consultations; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 1107.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-911, Revised Statutes Supplement, 2023; to provide for coverage of electric breast pumps; and to repeal the original section.

**LEGISLATIVE BILL 1108.** Introduced by Dorn, 30; DeKay, 40; Jacobson, 42; Kauth, 31.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,156, Reissue Revised Statutes of Nebraska; to change a fee under the Motor Vehicle Registration Act; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1109.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to abortion; to amend section 28-336, Reissue Revised Statutes of Nebraska, and sections 71-6914, 71-6915, and 71-6916, Revised Statutes Supplement, 2023; to change provisions relating to a penalty for performing an abortion by other than accepted medical procedures; to define and redefine terms; to provide for an exception for an abortion in the case of a fatal fetal anomaly; to change and provide duties

for physicians; to eliminate a penalty under the Pain-Capable Unborn Child Protection Act; to harmonize provisions; to repeal the original sections; to outright repeal section 28-3,108, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1110.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to insurance; to require dental plan carriers to meet a minimum dental loss ratio and provide a report to the Department of Insurance as prescribed; and to provide powers and duties to the Department of Insurance.

**LEGISLATIVE BILL 1111.** Introduced by Clements, 2; Ballard, 21; Bosn, 25; Hardin, 48.

A BILL FOR AN ACT relating to local public health departments; to amend sections 71-1612 and 71-1630, Reissue Revised Statutes of Nebraska; to require city-county health departments to obtain the approval of the Department of Health and Human Services in issuing directed health measures in the case of a national or multi-state pandemic; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1112.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to telecommunications; to provide duties and restrictions for any local governing entity that issues permits for placement of communications infrastructure on poles and towers as prescribed; to define terms; and to provide for applicability.

**LEGISLATIVE BILL 1113.** Introduced by Meyer, 41; Albrecht, 17; Ballard, 21; Bosn, 25; Brandt, 32; DeKay, 40; Dorn, 30; Hansen, 16; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Lippincott, 34; Lowe, 37; Murman, 38; Sanders, 45; von Gillern, 4.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend section 77-6831, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the types of property receiving a property tax exemption; and to repeal the original section.

**LEGISLATIVE BILL 1114.** Introduced by Bostar, 29; Jacobson, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Endow Nebraska Act; to provide for tax credits; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1115.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and

Tenant Act; to amend sections 76-1415, 76-1442, 76-1445, and 76-1446, Reissue Revised Statutes of Nebraska, and section 76-1441, Revised Statutes Cumulative Supplement, 2022; to provide a right to a trial by jury as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1116.** Introduced by Ibach, 44; Dorn, 30; Hardin, 48; Sanders, 45.

A BILL FOR AN ACT relating to food retailers; to adopt the Grocer Reinvestment Option Act.

**LEGISLATIVE BILL 1117.** Introduced by Dungan, 26.

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

**LEGISLATIVE BILL 1118.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to cities of the second class; to amend section 17-107, Reissue Revised Statutes of Nebraska; to change provisions relating to the process for a mayor to remove an officer from office; and to repeal the original section.

**LEGISLATIVE BILL 1119.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to solar and wind energy; to amend sections 66-901 and 66-914, Reissue Revised Statutes of Nebraska; to restate legislative findings; to prohibit certain restrictions relating to solar and wind energy devices; to provide a cause of action; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 1120.** Introduced by Hardin, 48; Aguilar, 35; Albrecht, 17; Ballard, 21; Bostelman, 23; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Halloran, 33; Holdcroft, 36; Ibach, 44; Kauth, 31; Lippincott, 34; Lowe, 37; Meyer, 41; Sanders, 45; Slama, 1.

A BILL FOR AN ACT relating to real property; to amend section 76-903, Reissue Revised Statutes of Nebraska; to require affidavits for certain purchases of real property; to change provisions relating to a form used for purposes of the documentary stamp tax; and to repeal the original section.

**LEGISLATIVE BILL 1121.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Nebraska Teacher Recruitment and Retention Act; to amend section 79-8,114, Revised Statutes Supplement, 2023; to authorize additional grants under the act as prescribed; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1122.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to banking and finance; to amend section 8-2504, Reissue Revised Statutes of Nebraska; to change provisions relating to a fine; and to repeal the original section.

**LEGISLATIVE BILL 1123.** Introduced by Dungan, 26; Aguilar, 35; Cavanaugh, J., 9; McKinney, 11; Riepe, 12.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3001, Revised Statutes Supplement, 2023; to provide for postconviction relief for a claim of actual innocence; to provide exceptions for time limitations and procedural defaults; to define terms; and to repeal the original section.

**LEGISLATIVE BILL 1124.** Introduced by Vargas, 7; Bosn, 25; Dorn, 30; Hughes, 24; Kauth, 31; Lippincott, 34; Raybould, 28; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate money to the Department of Health and Human Services for evidence-based early intervention home visitation programs; and to declare an emergency.

**LEGISLATIVE BILL 1125.** Introduced by Wishart, 27; Aguilar, 35; Ballard, 21; Bosn, 25; Bostar, 29; Hughes, 24; Jacobson, 42; Lippincott, 34; Meyer, 41; Raybould, 28; Sanders, 45; Vargas, 7; von Gillern, 4; Walz, 15.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to appropriate money to the Department of Health and Human Services for evidence-based early intervention nurse home visitation programs; and to declare an emergency.

**LEGISLATIVE BILL 1126.** Introduced by Bosn, 25; Dungan, 26; Hughes, 24; Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to criminal justice; to create the National Career Readiness Certificate Pilot Program within the Department of Correctional Services; to provide duties for the department; and to state intent regarding appropriations.

**LEGISLATIVE BILL 1127.** Introduced by Bosn, 25; Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to transportation network companies; to amend section 75-326, Reissue Revised Statutes of Nebraska; to transfer a compliance provision and eliminate safety inspection provisions relating to the use of personal vehicles; to repeal the original section; and to outright repeal section 75-328, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1128.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Opioid Prevention and Treatment Act; to amend sections 71-2485, 71-2488, and 71-2490, Revised Statutes Cumulative Supplement, 2022; to rename and change provisions relating to the Nebraska Opioid Recovery Fund; to create the Opioid Cash Fund; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1129.** Introduced by Raybould, 28; Bosn, 25; Day, 49; Riepe, 12; Wishart, 27.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 37-327.04, 60-301, 60-393, 60-395, 60-396, 60-3,104, 60-3,104.01, 60-3,104.02, 60-3,129, 60-3,130.04, 60-3,254, 60-495, and 68-695, Reissue Revised Statutes of Nebraska, sections 37-112, 37-811, 60-3,253, 80-415, 80-416, 80-417, 81-2517, and 82-139, Revised Statutes Cumulative Supplement, 2022, and section 82-334, Revised Statutes Supplement, 2023; to change provisions relating to license plates and provide for the issuance of Autism Acceptance Plates; to change provisions relating to the Autism Treatment Program Cash Fund; to eliminate a fund; to eliminate obsolete provisions; to eliminate provisions relating to certain license plates; to harmonize provisions; to repeal the original sections; and to outright repeal sections 60-3,127, 60-3,223, 60-3,224, 60-3,225, 60-3,227, 60-3,230, 60-3,231, 60-3,234, 60-3,235, 60-3,238, 60-3,239, 60-3,240, 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,255, 60-3,256, 60-3,257, and 60-3,258, Reissue Revised Statutes of Nebraska, and sections 60-3,128, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249, and 60-3,251, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1130.** Introduced by Raybould, 28; Day, 49; Fredrickson, 20.

A BILL FOR AN ACT relating to the Mental Health Practice Act; to amend section 38-2123, Revised Statutes Cumulative Supplement, 2022; to provide requirements for a third provisional mental health practitioner license; and to repeal the original section.

**LEGISLATIVE BILL 1131.** Introduced by Raybould, 28; Day, 49; Wishart, 27.

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

**LEGISLATIVE BILL 1132.** Introduced by Lippincott, 34; Brewer, 43; Clements, 2; DeKay, 40; Erdman, 47; Halloran, 33; Hardin, 48; Ibach, 44; Meyer, 41.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 44-6408, 60-310, 60-346, 60-509, 60-534, 60-538, 60-549, and 60-6,381, Reissue Revised Statutes of Nebraska, and section 60-501, Revised Statutes Supplement, 2023; to change liability insurance and financial responsibility requirements; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1133.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-401, Reissue Revised Statutes of Nebraska; to change provisions relating to the enforcement of federal railroad safety standards; and to repeal the original section.

**AMENDMENT(S) - Print in Journal**

Senator J. Cavanaugh filed the following amendment to LB43:  
AM2081

(Amendments to Standing Committee amendments, AM2076)

- 1 1. Insert the following new section:
- 2 Sec. 6. The First Freedom Act shall not apply to:
- 3 (1) Any provision of law or the implementation of a law that
- 4 provides for or requires any:
- 5 (a) Protection against discrimination or the promotion of equal
- 6 opportunity, including the Age Discrimination in Employment Act, the
- 7 Nebraska Fair Employment Practice Act, the Nebraska Fair Housing Act, and
- 8 the federal Americans with Disabilities Act of 1990;
- 9 (b) Employer to provide wages, other compensation, or any benefit,
- 10 including leave;
- 11 (c) Standard protecting collective activity in the workplace;
- 12 (d) Protection against child labor, abuse, or exploitation; or
- 13 (e) Access to, information about, referral for, provision of, or
- 14 coverage for, any health care item or service;
- 15 (2) Any term of a government contract, grant, cooperative agreement,
- 16 or other award that requires any good, service, function, or activity to
- 17 be performed for or provided to any beneficiary or participant in a
- 18 program or activity funded by such government contract, grant,
- 19 cooperative agreement, or other award; or
- 20 (3) Any good, service, benefit, facility, privilege, advantage, or
- 21 accommodation provided by the government to the extent that the
- 22 application of the First Freedom Act would result in denying a person the
- 23 full and equal enjoyment of such good, service, benefit, facility,
- 24 privilege, advantage, or accommodation.
- 25 2. On page 1, line 3, strike "5" and insert "6".
- 26 3. On page 2, line 12, strike "Notwithstanding any other provision
- 1 of law" and insert "Except as provided in section 6 of this act".
- 2 4. On page 3, line 8, strike "The" and insert "Except as provided in
- 3 section 6 of this act, the".
- 4 5. Renumber the remaining sections, correct internal references, and
- 5 correct the operative date section so that the section added by this
- 6 amendment becomes operative three calendar months after the adjournment
- 7 of this legislative session.

**MOTION(S) - Print in Journal**

Senator Conrad filed the following Motions:

Amend Proposed Rule Change 23 (as amended), strike "to postpone to a time certain" and replace with "motion to bracket".

Amend Proposed Rule Change 23 (as amended), strike "decided" and replace with "offered".

Amend Proposed Rule Change 25 to add temporary rules after permanent.

Amend Proposed Rule Change 25 to add the Committee on Committee reports and after "except that".

Senator DeBoer filed the following Motions:

Amend Proposed Rule Change 7, strike "to reconsider".

Amend Proposed Rule Change 7 to additionally change Rule 7, Sec. 4 to strike 5 and add 10.

Amend Proposed Rule Change 7, strike ten and replace with 5.

Amend Proposed Rule Change 29, strike everything from "If individual members limit..." to "two bills as priority bills".

Senator M. Cavanaugh filed the following Motions:

Amend Proposed Rule Change 3, Rule 3, Sec. 8, strike all new language.

Amend Proposed Rule Change 3, Rule 3, Sec. 8, strike "the chairperson".

Amend Proposed Rule Change 9, Rule 3, Sec. 6, strike all new language.

Amend Proposed Rule Change 9, Rule 3, Sec. 6, insert "shall entirely be made of members from the minority party".

Amend Proposed Rule Change 11, Rule 1, Sec. 12, strike 'transgression of rule".

Amend Proposed Rule Change 11, Rule 1, Sec. 8, strike "germane".

Amend Proposed Rule Change 11, Rule 1, Sec. 8, strike "If so ruled, the member shall not be permitted to speak on the bill, resolution, or report during the remainder of that stage of debate."

Amend Proposed Rule Change 11, Rule 1, Sec. 12, strike "if any member".

Amend Proposed Rule Change 11, Rule 1, Sec. 12, strike all new language.

Amend Proposed Rule Change 13 to strike 4 and insert 3 in Rule 4, Sec. 7.

Amend Proposed Rule Change 18, strike from Rule 6, Sec 5(a) line 2, "neither".

Amend Proposed Rule Change 18, strike "the amendment shall not be read by the Clerk."

Amend Proposed Rule Change 18, strike from Rule 6, Sec 5(a), "Amendments to make changes to the language in an enrollment and review amendment shall be offered as amendments to the bill and ordered pursuant to the provisions in these rules, following the initial adoption of the enrollment and review amendment."

Amend Proposed Rule Change 20, strike from Rule 5, Sec 6(a) "neither" from the final sentence.

Amend Proposed Rule Change 21, strike from Rule 6 Sec. 3 "the introduction of the committee amendment".

Amend Proposed Rule Change 21, strike new content in Rule 6, Sec. 3(b) and replace with "priority motions are considered in priority order following the reading of the title of the bill."

Amend Proposed Rule Change 22, Rule 2, Sec. 10, insert "not" after shall in last line.

Amend Proposed Rule Change 24, strike from Rule 5, Sec. 6 "seven" and replace with "five".

#### **ANNOUNCEMENT**

Senator Aguilar announced the Reference Committee will hold an executive session Thursday, January 11, 2024, upon recess, in Room 2102.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Brewer name added to LB165.

Senator Jacobson name added to LB829.

Senator Hughes name added to LB830.

Senator M. Cavanaugh name added to LB830.

Senator Conrad name added to LB830.

Senator Day name added to LB830.

Senator Brewer name added to LB837.



Senator Day name added to LB853.  
Senator Jacobson name added to LB856.  
Senator Conrad name added to LB933.  
Senator Brandt name added to LB952.  
Senator Brewer name added to LB953.  
Senator Hughes name added to LB972.  
Senator Fredrickson name added to LB984.  
Senator Lowe name added to LB984.  
Senator Dorn name added to LB984.  
Senator DeKay name added to LB984.  
Senator Meyer name added to LB984.  
Senator Brandt name added to LB984.  
Senator Brewer name added to LB984.  
Senator von Gillern name added to LB1001.  
Senator Kauth name added to LB1022.  
Senator Wishart name added to LB1022.  
Senator Dungan name added to LB1022.  
Senator Brewer name added to LB1022.  
Senator Brewer name added to LB1023.  
Senator Brewer name added to LB1030.  
Senator Brewer name added to LB1035.  
Senator Meyer name added to LB1035.  
Senator Day name added to LB1050.  
Senator Hughes name added to LB1061.  
Senator Brandt name added to LB1087.  
Senator Vargas name added to LB1087.  
Senator Day name added to LB1087.

#### **VISITOR(S)**

Visitor to the Chamber was Maggie McGill, Omaha.

The Doctor of the Day was Dr. Dale Michels of Walton.

#### **ADJOURNMENT**

At 3:13 p.m., on a motion by Senator Walz, the Legislature adjourned until 9:00 a.m., Thursday, January 11, 2024.

Brandon Metzler  
Clerk of the Legislature



**SEVENTH DAY - JANUARY 11, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 11, 2024

**PRAYER**

The prayer was offered by Clint Chiles, Grace Bible Fellowship, Central City.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator DeBoer.

**ROLL CALL**

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

The roll was called and all members were present except Senator Moser who was excused; and Senators Bosn, Bostar, Brewer, M. Cavanaugh, Day, Hunt, Linehan, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Transportation and Telecommunications  
Room 1113 1:30 PM

Monday, January 22, 2024  
Patrick Haggerty - Nebraska Broadband Office  
LB865  
LB929  
LB1031  
LB1004

Room 1113 1:30 PM

Tuesday, January 23, 2024

LB891

LB900

LB1033

(Signed) Mike Moser, Chairperson

Natural Resources  
Room 1525 1:30 PM

Thursday, February 8, 2024

Jan K. tenBensel - Nebraska Ethanol Board

Tracy Zink - Nebraska Ethanol Board

Room 1525 1:30 PM

Wednesday, February 14, 2024

Donna Kush - Game and Parks Commission

John M. Hoggatt - Game and Parks Commission

Room 1525 1:30 PM

Wednesday, February 21, 2024

John Arley Rundel - Nebraska Oil and Gas Conservation Commission

(Signed) Bruce Bostelman, Chairperson

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1134.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to the Tax Equalization and Review Commission; to amend sections 77-5017 and 77-5018, Reissue Revised Statutes of Nebraska; to change provisions relating to the accrual of interest; and to repeal the original sections.

**LEGISLATIVE BILL 1135.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to real property; to amend sections 81-885.01, 81-885.24, and 87-302, Revised Statutes Cumulative Supplement, 2022; to prohibit recording right-to-list home sale agreements and certain liens and encumbrances and provide for such agreements, liens, and encumbrances to be void; to define a term and provide for an unfair trade practice under the Nebraska Real Estate License Act; to provide a deceptive trade practice under the Uniform Deceptive Trade Practices Act;

to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 1136.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend sections 81-885.10 and 81-885.55, Reissue Revised Statutes of Nebraska, and section 81-885.17, Revised Statutes Cumulative Supplement, 2022; to change the maximum amount for a civil fine under the Nebraska Real Estate License Act; to change provisions relating to renewal fees and errors and omissions insurance; and to repeal the original sections.

**PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 23, (Rule 7, Sec 6), found on page 198, and amended on page 336.

Speaker Arch offered his motion, found on page 242, to recommit Proposed Rule Change 23 to the Rules Committee.

**SENATOR DEBOER PRESIDING**

**SENATOR DORN PRESIDING**

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Business and Labor  
Room 2102 1:30 PM

Monday, January 22, 2024  
Dallas Jones - Commission of Industrial Relations  
LB993  
LB1069  
LB827  
LB906  
LB851

(Signed) Merv Riepe, Chairperson

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1137.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to cities and villages; to amend sections 18-1201 and 18-1202, Reissue Revised Statutes of Nebraska; to change the rate of tax authorized for certain public safety purposes; and to repeal the original sections.

**LEGISLATIVE BILL 1138.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-1,146, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to prescriptions for controlled substances; and to repeal the original section.

**LEGISLATIVE BILL 1139.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to employment; to amend sections 48-652 and 71-7611, Revised Statutes Supplement, 2023; to adopt the Paid Family and Medical Leave Insurance Act; to create a fund; to transfer funds; to change provisions relating to experience accounts under the Employment Security Law; to harmonize provisions; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 1140.** Introduced by Erdman, 47; Halloran, 33.

A BILL FOR AN ACT relating to carbon dioxide; to prohibit geologic transport or storage of carbon dioxide; to provide a penalty; to eliminate the Nebraska Geologic Storage of Carbon Dioxide Act; and to outright repeal sections 57-1601, 57-1602, 57-1603, 57-1604, 57-1605, 57-1606, 57-1607, 57-1608, 57-1609, 57-1610, 57-1611, 57-1612, 57-1613, 57-1614, 57-1615, 57-1616, 57-1617, 57-1618, 57-1619, 57-1620, 57-1621, 57-1622, 57-1623, and 57-1624, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1141.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Student Discipline Act; to amend sections 79-259 and 79-264, Reissue Revised Statutes of Nebraska, section 79-258, Revised Statutes Cumulative Supplement, 2022, and sections 79-254 and 79-265.01, Revised Statutes Supplement, 2023; to change provisions relating to the suspension, expulsion, or exclusion of students under the act; to provide a civil cause of action; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1142.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to animals; to amend section 71-4408, Reissue Revised Statutes of Nebraska; to require and restrict certain actions of any animal control facility, animal rescue, animal shelter, or rabies control authority; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1143.** Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

A BILL FOR AN ACT relating to public health; to amend sections 13-2202 and 68-1405, Reissue Revised Statutes of Nebraska, and section 84-304, Revised Statutes Supplement, 2023; to eliminate and replace provisions relating to health districts; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1601, 71-1602, 71-1603, 71-1604, 71-1605, 71-1606, 71-1607, 71-1608, 71-1609, 71-1610, 71-1611, 71-1612, 71-1613, 71-1614, 71-1615, 71-1616, 71-1617, 71-1618, 71-1619, 71-1620, 71-1621, 71-1622, 71-1623, 71-1624, and 71-1625, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1144.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to aging services; to amend section 81-2234, Reissue Revised Statutes of Nebraska, and section 81-2235, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to care management units; and to repeal the original sections.

**PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 23, (Rule 7, Sec 6), found on page 198, amended on page 336, and considered in this day's Journal.

Speaker Arch renewed his motion, found on page 242 and considered in this day's Journal, to recommit Proposed Rule Change 23 to the Rules Committee.

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

Senator Hansen moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

The motion to cease debate prevailed with 34 ayes, 5 nay, and 10 not voting.

Senator M. Cavanaugh requested a roll call vote on the Arch motion to recommit to committee.

Voting in the affirmative, 3:

Hunt            McKinney    Wayne

Voting in the negative, 42:

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

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 3:

Bostar          Brewer          Moser

The Arch motion to recommit to the Rules Committee failed with 3 ayes, 42 nays, 1 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

Reconsider the vote on the Arch motion to recommit to the Rules Committee.

Pending.

#### **NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 1:30 PM

Monday, January 22, 2024

LB960

LB981

LB836

LB839

AM2035 Amending LB685

(Signed) John Lowe, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Lowe filed the following amendment to LB685:  
[AM2035](#) is available in the Bill Room.



**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1145.** Introduced by Bosn, 25; Wayne, 13.

A BILL FOR AN ACT relating to treatment and corrections; to amend sections 83-171, 83-184, 83-188, 83-1,100, 83-1,101, and 83-933, Revised Statutes Cumulative Supplement, 2022, and section 83-1,122.02, Revised Statutes Supplement, 2023; to transfer the Division of Parole Supervision to the Department of Correctional Services; to change provisions relating to releases of certain committed persons; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1146.** Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Brewer, 43; Clements, 2; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Lippincott, 34; Lowe, 37; Meyer, 41; Riepe, 12.

A BILL FOR AN ACT relating to schools; to amend section 79-265.01, Revised Statutes Supplement, 2023; to provide an additional exception to the prohibition on suspending a student in pre-kindergarten through second grade; and to repeal the original section.

**LEGISLATIVE BILL 1147.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to insurance; to provide certain requirements and exceptions relating to index-linked variable annuities.

**LEGISLATIVE BILL 1148.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to insurance; to amend section 44-7,115, Reissue Revised Statutes of Nebraska; to change requirements relating to step-therapy as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1149.** Introduced by Day, 49.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,185, Reissue Revised Statutes of Nebraska; to provide an exemption from motor vehicle tax as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1150.** Introduced by Brandt, 32; Conrad, 46; Dorn, 30; Hughes, 24; Jacobson, 42.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1016, Revised Statutes Cumulative Supplement, 2022, and sections 79-1006, 79-1017.01, 79-1021, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised Statutes

Supplement, 2023; to change provisions relating to foundation aid, adjusted valuations of property, local system formula resources, the Education Future Fund, and certain certification dates; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1151.** Introduced by Dover, 19; Aguilar, 35; Armendariz, 18; Ballard, 21; Bosn, 25; Clements, 2; Dorn, 30; Erdman, 47; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Lowe, 37; Murman, 38; Sanders, 45; Slama, 1; von Gillern, 4; Wishart, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-3501, 77-3511, 77-3521, and 77-3529, Reissue Revised Statutes of Nebraska, sections 77-3517 and 77-3523, Revised Statutes Cumulative Supplement, 2022, and sections 77-3522 and 77-4212, Revised Statutes Supplement, 2023; to define a term relating to homestead exemptions; to harmonize provisions; and to repeal the original sections.

#### **PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 23, (Rule 7, Sec 6), found on page 198, amended on page 336, and considered in this day's Journal.

Senator M. Cavanaugh renewed her motion to reconsider the Arch motion to recommit to the Rules Committee, found and considered in this day's Journal.

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

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

The motion to cease debate prevailed with 35 ayes, 5 nays, 1 present and not voting, 5 absent and not voting, and 3 excused and not voting.

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

The M. Cavanaugh motion to reconsider failed with 5 ayes, 35 nays, 4 absent and not voting, and 5 excused and not voting.

Pending.

#### **NOTICE OF COMMITTEE HEARING(S)**

Education  
Room 1525 1:30 PM

Monday, January 22, 2024

LB915  
LB835  
LB1027  
LB1010  
LB1014  
LB1052

Room 1525 1:30 PM

Tuesday, January 23, 2024

LB1101  
LB1063  
LB1091  
LB860  
LB985  
LB855

(Signed) Dave Murman, Chairperson

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1152.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to government; to amend sections 32-233, 32-569, 32-713, 32-1308, 60-483, 60-484.02, and 85-1514, Reissue Revised Statutes of Nebraska, sections 32-304, 32-330, 32-570, 32-1303, and 32-1306, Revised Statutes Cumulative Supplement, 2022, and sections 32-101, 32-202.01, 32-308, 32-912.01, 32-912.02, 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115, Revised Statutes Supplement, 2023; to change provisions of the Election Act relating to election workers, verification of citizenship, the use and confidentiality of digital images and signatures, voter registration lists, special elections, the designated meeting location and date for the convening of presidential electors, the state's certificate of ascertainment submitted by the Governor, notations on precinct lists and certification forms relating to a religious objection to being photographed, obtaining and presenting valid photographic identification, in-person early voting, procedures of voter identification, and notice regarding recalls; to change amounts credited to certain funds as prescribed; to provide duties; to change provisions relating to issuance of a state identification card; to provide for nondisclosure of certain records; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 278CA.** Introduced by Murman, 38.

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

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

To amend Article VII, section 3:

VII-3 (1) Until the terms commencing in 2027, the State Board of Education shall be composed of eight members, who shall be elected from eight districts of substantially equal population as provided by the Legislature. Beginning with the terms commencing in 2027, the State Board of Education shall have seven members. The Governor shall appoint two members subject to the approval of the Legislature. At the statewide general election in 2026, one member shall be elected from each congressional district and two members shall be elected at large.

(2) ~~Their~~ term of office shall be for four years each. Their duties and powers shall be prescribed by the Legislature, and they shall receive no compensation, but shall be reimbursed their actual expense incurred in the performance of their duties. The members of the State Board of Education shall not be actively engaged in the educational profession, and they shall be elected on a nonpartisan ballot.

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

A constitutional amendment to change membership provisions for the State Board of Education.

For

Against.

#### **NOTICE OF COMMITTEE HEARING(S)**

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Monday, January 22, 2024

LB1073

LB912

LB829

LB885

LB854

(Signed) Julie Slama, Chairperson

#### **VISITOR(S)**

Visitors to the Chamber were members from Leadership Nebraska, Class 15, from all over Nebraska.

#### **RECESS**

At 11:52 a.m., on a motion by Senator Holdcroft, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Dorn presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Blood, Linehan, and Moser who were excused; and Senators Bostelman, Brandt, M. Cavanaugh, Conrad, Day, Hansen, Raybould, and Wishart who were excused until they arrive.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB1103	Government, Military and Veterans Affairs
LB1104	Executive Board
LB1105	Transportation and Telecommunications
LB1106	Health and Human Services
LB1107	Health and Human Services
LB1108	Transportation and Telecommunications
LB1109	Judiciary
LB1110	Banking, Commerce and Insurance
LB1111	Health and Human Services
LB1112	Transportation and Telecommunications
LB1113	Revenue
LB1114	Revenue
LB1115	Judiciary
LB1116	Agriculture
LB1117	Appropriations
LB1118	Urban Affairs
LB1119	Judiciary
LB1120	Banking, Commerce and Insurance
LB1121	Education
LB1122	Banking, Commerce and Insurance
LB1123	Judiciary
LB1124	Appropriations
LB1125	Appropriations
LB1126	Judiciary
LB1127	Transportation and Telecommunications
LB1128	Appropriations
LB1129	Transportation and Telecommunications
LB1130	Health and Human Services
LB1131	Appropriations
LB1132	Banking, Commerce and Insurance
LB1133	Transportation and Telecommunications

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARING(S)**

Executive Board  
Room 2102 12:00 PM

Wednesday, January 24, 2024

LB909

LB908

(Signed) Raymond Aguilar, Chairperson

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1153.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to state government; to eliminate the Nebraska Sesquicentennial Commission that has terminated; and to outright repeal section 81-8,309, Reissue Revised Statutes of Nebraska, and section 81-8,310, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1154.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 1155.** Introduced by McDonnell, 5.

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

**LEGISLATIVE BILL 1156.** Introduced by Holdcroft, 36; DeKay, 40; Ibach, 44; Lippincott, 34.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 25-21,302, 29-4001, and 29-4001.01, Reissue Revised Statutes of Nebraska, sections 28-830, 28-831, 29-110, 29-4003, 29-4007, and 76-1410, Revised Statutes Cumulative Supplement, 2022, and sections 28-101 and 28-1354, Revised Statutes Supplement, 2023; to transfer provisions relating to labor trafficking; to define terms; to require registration under the Sex Offender Registration Act for solicitation of prostitution and certain inchoate and related offenses; to require registration for certain trafficking offenses; to change procedures and requirements relating to registration for certain

offenses; to state intent regarding appropriations; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1157.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-290 and 43-290.01, Reissue Revised Statutes of Nebraska, and section 43-2,129, Revised Statutes Cumulative Supplement, 2022; to require hearings regarding juveniles in certain counties detained at juvenile detention facilities; to require payment of certain costs by the Office of Probation Administration; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1158.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to adopt the Medical Debt Relief Act; to provide certain income tax consequences; and to repeal the original section.

**LEGISLATIVE BILL 1159.** Introduced by Ibach, 44; DeBoer, 10; Halloran, 33; Holdcroft, 36; Kauth, 31.

A BILL FOR AN ACT relating to victims; to amend section 81-1850, Revised Statutes Supplement, 2023; to change offenses included within certain victim notification requirements; and to repeal the original section.

#### **PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 23, (Rule 7, Sec 6), found on page 198, amended on page 336, and considered in this day's Journal.

Speaker Arch withdrew his motion to Proposed Rule Change 23, found on page 242, to strike new language on lines 4, 5, and 6, and substitute with the following J. Cavanaugh motion: Proposed Rule Change 23, as amended and found on page 336, to add after "...with unanimous consent." "A motion in writing and withdrawn prior to being introduced shall not preclude a subsequent motion."

No objections. So ordered.

The J. Cavanaugh motion to amend Proposed Rule Change 23 prevailed with 42 ayes, 0 nays, 1 present and not voting, and 6 excused and not voting.

Speaker Arch withdrew his motion, found on page 242, to suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7.

Senator Conrad withdrew her motion, found on page 343, to amend Proposed Rule Change 23 (as amended), strike to postpone to a time certain and replace with motion to bracket.

Senator Conrad withdrew her motion, found on page 343, to amend Proposed Rule Change 23 (as amended), strike decided and replace with offered.

The Arch motion to adopt Proposed Rule Change 23, as amended, was adopted with 40 ayes, 3 nays, and 6 excused and not voting.

#### NOTICE OF COMMITTEE HEARING(S)

Agriculture  
Room 2102 1:30 PM

Tuesday, January 23, 2024  
LB999

(Signed) Steve Halloran, Chairperson

#### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1160.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Excellence in Teaching Act; to amend sections 85-3105, 85-3106, and 85-3112, Revised Statutes Supplement, 2023; to change provisions relating to the Attracting Excellence to Teaching Program; to change provisions relating to the Excellence in Teaching Cash Fund; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1161.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to arbitration; to adopt the Consumer and Employment Arbitration Data Reporting Act; and to provide a duty for the Revisor of Statutes.

**LEGISLATIVE BILL 1162.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to county government; to amend sections 23-1112.01 and 33-117, Reissue Revised Statutes of Nebraska; to change provisions relating to reimbursement for mileage earned by sheriffs; and to repeal the original sections.

**LEGISLATIVE BILL 1163.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to motor vehicles; to amend section



60-6,356, Reissue Revised Statutes of Nebraska; to authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1164.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to the State Racing and Gaming Commission; to amend section 2-1201, Reissue Revised Statutes of Nebraska; to remove redundant language; and to repeal the original section.

**LEGISLATIVE BILL 1165.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to zoning; to define terms; to provide criteria and guidelines for zoning regulations; to require certain cities to allow the use of duplex housing; to provide when certain regulations govern; and to provide an operative date.

**LEGISLATIVE BILL 1166.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to zoning; to define terms; to require and restrict zoning regulations by municipalities relating to accessory dwelling units as prescribed; and to provide for a fee.

**LEGISLATIVE BILL 1167.** Introduced by DeBoer, 10; Cavanaugh, J., 9; Conrad, 46; Dungan, 26; Wayne, 13.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1816, Revised Statutes Cumulative Supplement, 2022; to provide a deadline for arraignment of individuals arrested without a warrant; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1168.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to health care; to adopt the Uniform Health-Care Decisions Act; and to provide severability.

**LEGISLATIVE BILL 1169.** Introduced by Erdman, 47; Albrecht, 17; Brewer, 43; Clements, 2; Halloran, 33; Holdcroft, 36; Lippincott, 34; Lowe, 37; McDonnell, 5; Murman, 38; von Gillern, 4; Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska State Historical Society; to amend sections 81-1108.26, 82-101, 82-101.02, 82-102, 82-105, 82-106, 82-107, and 82-108, Reissue Revised Statutes of Nebraska, and section 82-101.01, Revised Statutes Cumulative Supplement, 2022; to provide, change, and eliminate provisions relating to the Nebraska State Historical Society; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1170.** Introduced by Riepe, 12; Ballard, 21; Brandt, 32; Holdcroft, 36; Hughes, 24; Jacobson, 42; Lippincott, 34; von Gillern, 4.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-628 and 48-628.10, Reissue Revised Statutes of Nebraska, and section 48-626, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to maximum annual benefit amounts and periods of disqualification for benefits; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

#### **PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 25, (Rule 7, Sec.10), found on page 198.

Senator Wayne requested a point of order clarifying which rule change was before the Legislature.

The Chair asked for the board to be changed.

The board was changed to reflect the current proposed rule change.

Speaker Arch offered his motion, found on page 242, to recommit Proposed Rule Change 25 to the Rules Committee.

The Arch motion to recommit to the Rules Committee failed with 2 ayes, 30 nays, 11 present and not voting, and 6 excused and not voting.

Senator M. Cavanaugh offered the following motion:  
Reconsider the vote on the Arch motion to recommit to the Rules Committee.

Senator M. Cavanaugh withdrew her motion to reconsider.

Speaker Arch withdrew his motion to Proposed Rule Change 25, found on page 242, to strike "underlying" and show as stricken, and substitute with the following J. Cavanaugh motion: Proposed Rule Change 25, Rule 7, Sec. 10 Cloture, after "committee," and before "if" insert "or the vice chair of the committee in the absence of the committee chair,".

No objections. So ordered.

The J. Cavanaugh motion to amend Rule Proposal 25 prevailed with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Speaker Arch withdrew his motion to Proposed Rule Change 25, found on page 242, to strike "a" and show as stricken and reinsert the stricken language, and substitute with the following Conrad motion: Proposed Rule Change 25, Rule 7, Sec. 10. Cloture, to add temporary rules after

permanent, and strike "underlying," and insert a period after the second word "cloture" in the first sentence.

No objections. So ordered.

The Conrad motion to amend Rule Proposal 25 prevailed with 35 ayes, 2 nays, 5 present and not voting, and 7 excused and not voting.

Senator M. Cavanaugh offered the following motion:  
Reconsider the vote on the Conrad motion to amend Proposed Rule Change 25.

#### **SENATOR DEBOER PRESIDING**

Senator M. Cavanaugh withdrew her motion to reconsider.

Speaker Arch withdrew his motion, found on page 242, to suspend the Rule 2, Sec. 10, Rule 7, Sec. 3. and Rule 7, Sec. 7 and vote on the immediate adoption of the proposed rule change.

Senator Conrad withdrew her motion, found on page 343, to amend Proposed Rule Change 25 to add the Committee on Committee reports and after "except that".

Senator Arch moved for a call of the house. The motion prevailed with 31 ayes, 0 nays, and 18 not voting.

The Arch motion to adopt Proposed Rule Change 25, as amended, was adopted with 35 ayes, 3 nays, 2 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

#### **AMENDMENT(S) - Print in Journal**

Senator Clements filed the following amendment to [LB1067](#):

[FA201](#)

In Section 3, Line 13, delete "thirty-five" and insert "forty"

#### **ANNOUNCEMENT(S)**

Priority designation(s) received:

Clements - LB1067

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1171.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2847, Revised Statutes Cumulative Supplement, 2022; to change verification requirements for pharmacy technicians; and to repeal the original section.

**LEGISLATIVE BILL 1172.** Introduced by von Gillern, 4; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, M., 6; Clements, 2; Conrad, 46; DeBoer, 10; DeKay, 40; Dover, 19; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; McDonnell, 5; Meyer, 41; Raybould, 28; Riepe, 12; Sanders, 45; Vargas, 7; Walz, 15.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 81-647 and 81-663, Reissue Revised Statutes of Nebraska; to change requirements relating to requests for data access for research purposes; to change legislative intent for release of data; and to repeal the original sections.

**LEGISLATIVE BILL 1173.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to vital statistics; to amend sections 42-371.01 and 71-601.01, Reissue Revised Statutes of Nebraska, section 71-605, Revised Statutes Cumulative Supplement, 2022, and section 71-612, Revised Statutes Supplement, 2023; to define a term; to provide for use of abstracts of death as prescribed; to provide for payment of a fee; to change a requirement relating to death certificates; and to repeal the original sections.

**LEGISLATIVE BILL 1174.** Introduced by Hansen, 16; Brewer, 43; Clements, 2.

A BILL FOR AN ACT relating to roads; to amend sections 39-1410, 39-1722, 39-1724, and 39-1725, Reissue Revised Statutes of Nebraska; to change provisions relating to section lines and vacation or abandonment of public roads; to harmonize provisions; and to repeal the original sections.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Holdcroft name added to LB16.  
Senator Aguilar name added to LB51.  
Senator Wayne name added to LB825.  
Senator Ibach name added to LB856.  
Senator Raybould name added to LB856.

Senator Lippincott name added to LB872.  
Senator Conrad name added to LB920.  
Senator Raybould name added to LB933.  
Senator Raybould name added to LB952.  
Senator Lippincott name added to LB974.  
Senator Albrecht name added to LB984.  
Senator Hughes name added to LB984.  
Senator Murman name added to LB984.  
Senator Jacobson name added to LB999.  
Senator Linehan name added to LB999.  
Senator Bosn name added to LB999.  
Senator Clements name added to LB999.  
Senator Albrecht name added to LB1023.  
Senator McDonnell name added to LB1035.  
Senator Jacobson name added to LB1061.  
Senator Lippincott name added to LB1061.  
Senator Clements name added to LB1061.  
Senator Ibach name added to LB1072.  
Senator Raybould name added to LB1087.  
Senator Murman name added to LB1087.  
Senator Slama name added to LB1096.  
Senator Ibach name added to LB1125.  
Senator McKinney name added to LB1126.  
Senator Vargas name added to LB1133.

#### **ADJOURNMENT**

At 4:28 p.m., on a motion by Senator Murman, the Legislature adjourned until 10:00 a.m., Friday, January 12, 2024.

Brandon Metzler  
Clerk of the Legislature



**EIGHTH DAY - JANUARY 12, 2024**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED EIGHTH LEGISLATURE**  
**SECOND SESSION**

**EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 12, 2024

**PRAYER**

The prayer was offered by Father Louden Redinger, St. Joseph's Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

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

The roll was called and all members were present except Senators Blood, Brewer, Kauth, Linehan, Meyer, Moser, and Raybould who were excused; and Senators Aguilar, Bostelman, M. Cavanaugh, Clements, Conrad, Day, DeBoer, Fredrickson, Hansen, Hunt, McDonnell, Murman, Slama, Vargas, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the seventh day was approved.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 11, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

American Communications Group, Inc.  
UNO Chapter of the AAUP

Carissa KempADA  
 American Diabetes Association  
 CP Strategies LLC  
 SecurityScorecard, Inc.  
 Curry Grubb, Andi  
 Planned Parenthood North Central States  
 Edwards Westerhold Moore  
 Noddle Development Company LLC  
 Eickholt, Christopher/Spike  
 Planned Parenthood North Central States  
 Kissel Kohout ES Associates, LLC  
 Commonsense Actions for Nebraska  
 Kolterman, Jessica A.  
 Lincoln Premium Poultry  
 Mueller Robak  
 JustData  
 Nebraska Strategies  
 Lincoln Premium Poultry  
 Peetz & Company  
 Goldfinch Health  
 Pivot Bio  
 Stahly, Dee Ann  
 Dexcom, Inc.  
 Wildermuth, Jordan  
 Healthcare Distribution Alliance  
 Winston, Kenneth C.  
 Bold Alliance, Inc.

### REPORTS

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

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1175.** Introduced by Holdcroft, 36; Sanders, 45.

A BILL FOR AN ACT relating to bonds; to amend section 10-126, Reissue Revised Statutes of Nebraska; to provide an exception relating to redemption; to change a procedure for calling; to eliminate a notice requirement; and to repeal the original section.

**LEGISLATIVE BILL 1176.** Introduced by Dungan, 26; Jacobson, 42.

A BILL FOR AN ACT relating to public investment; to amend section 77-2341, Reissue Revised Statutes of Nebraska; to adopt the Public Entities Pooled Investment Act; to change provisions relating to the investment of surplus by governmental subdivisions; and to repeal the original section.



**LEGISLATIVE BILL 1177.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to the documentary stamp tax; to amend section 76-902, Reissue Revised Statutes of Nebraska; to change provisions relating to certain exemptions; and to repeal the original section.

**LEGISLATIVE BILL 1178.** Introduced by Wishart, 27; Ballard, 21; Bosn, 25; Dorn, 30; Raybould, 28; Walz, 15.

A BILL FOR AN ACT relating to public health and welfare; to create the Intergenerational Care Facility Incentive Grant Program; to provide for grants; and to provide powers and duties.

**LEGISLATIVE BILL 1179.** Introduced by Wishart, 27; Ballard, 21.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Natural Resources.

**LEGISLATIVE BILL 1180.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to telecommunications; to amend section 86-314, Reissue Revised Statutes of Nebraska; to change provisions of the Telecommunications Relay System Act relating to standards established by the commission; and to repeal the original section.

**LEGISLATIVE BILL 1181.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to drugs; to amend sections 38-2854, 38-2890, and 38-28,104, Reissue Revised Statutes of Nebraska, sections 28-410, 28-414, 71-2454, and 71-2478, Revised Statutes Cumulative Supplement, 2022, and sections 38-2801 and 71-2479, Revised Statutes Supplement, 2023; to change inventory requirements for registrants manufacturing, distributing, storing, or dispensing controlled substances; to allow a pharmacist to make certain changes to a prescription for a Schedule II controlled substance after consultation with the prescriber; to provide requirements for self-inspection of pharmacies and hospital pharmacies; to change qualifications for pharmacist interns; to change a registration requirement for pharmacy technicians; to change prescription drug labeling requirements; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1182.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2023; to increase the earned income tax credit as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1183.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to county assessors; to amend sections 22-417, 23-405, 23-2518, 23-3201, 23-3202, 23-3204, 32-519, and 77-1339, Reissue Revised Statutes of Nebraska; to change provisions relating to the consolidation of county offices and county civil service commission; to redefine terms under the County Civil Service Act; to provide for the appointment of county assessors; to require purchase offers relating to the assessment of real property; to eliminate provisions relating to the election of county assessors; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Senator Conrad filed the following motions:

Recommit Proposed Rule Change 1 to the Rules Committee.

Recommit Proposed Rule Change 3 to the Rules Committee.

Recommit Proposed Rule Change 7 to the Rules Committee.

Recommit Proposed Rule Change 29 to the Rules Committee.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1184.** Introduced by Bostar, 29; Ibach, 44.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2023; to adopt the Reverse Osmosis System Tax Credit Act; to provide income tax credits; to state legislative intent for appropriations; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1185.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-906, Reissue Revised Statutes of Nebraska; to change provisions relating to obstruction of a peace officer; and to repeal the original section.

**LEGISLATIVE BILL 1186.** Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the One-Call Notification System Act; to amend sections 76-2324 and 76-2329, Reissue Revised Statutes of Nebraska; to change provisions relating to liability for damage by an excavator; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1187.** Introduced by Hardin, 48.

A BILL FOR AN ACT relating to health occupations and professions; to amend sections 38-2057 and 38-2212, Reissue Revised Statutes of Nebraska; to allow registered nurses to perform auricular acupuncture as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 1188.** Introduced by Riepe, 12.

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; and to declare an emergency.

**LEGISLATIVE BILL 1189.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

**LEGISLATIVE BILL 1190.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to government contracting; to adopt the Professional Service Contract Reporting Act.

**LEGISLATIVE BILL 1191.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Attorney General; to amend section 84-217, Reissue Revised Statutes of Nebraska; to eliminate provisions relating to opinions of the Attorney General regarding the unconstitutionality of legislative bills; to harmonize provisions; to repeal the original section; and to outright repeal section 84-215, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1192.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to tort claims; to amend section 13-910, Reissue Revised Statutes of Nebraska, and section 81-8,219, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to tort claims for certain intentional torts under the Political Subdivisions Tort Claims Act and the State Tort Claims Act; to define terms; and to repeal the original sections.

**LEGISLATIVE BILL 1193.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to education; to provide a process for a parent or guardian to request that such parent's or guardian's child repeat a grade under certain circumstances as prescribed; and to provide powers and duties.

**LEGISLATIVE BILL 1194.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend sections 68-907 and 68-909, Reissue Revised Statutes of Nebraska, and section 81-3143, Revised Statutes Supplement, 2023; to require Legislative approval of state plan amendments relating to medicaid and the Temporary Assistance for Needy Families program; and to repeal the original sections.

**LEGISLATIVE BILL 1195.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the practice of law; to amend sections 7-203, 23-1201.01, 23-1206.01, 23-1210, 23-3401, 23-3403, 23-3404, 23-3406, and 59-1608.04, Reissue Revised Statutes of Nebraska; to change the definition of designated legal profession shortage area under the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Act; to change provisions relating to county attorneys and public defenders; to provide for payment of certain expenses for certain county attorneys, public defenders, coroners, and attorneys employed by such offices; to change provisions relating to the State Settlement Cash Fund; to transfer funds; to harmonize provisions; and to repeal the original sections.

### **VISITOR(S)**

Visitors to the Chamber were Walter and Carol Zink, Lincoln.

### **ADJOURNMENT**

At 10:47 a.m., on a motion by Senator Hughes, the Legislature adjourned until 10:00 a.m., Tuesday, January 16, 2024.

Brandon Metzler  
Clerk of the Legislature

**NINTH DAY - JANUARY 16, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 16, 2024

**PRAYER**

The prayer was offered by Senator Bosn.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Dorn.

**ROLL CALL**

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

The roll was called and all members were present except Senator Slama who was excused; and Senators Bostar, M. Cavanaugh, Day, DeBoer, Hunt, Ibach, and Vargas who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 1:30 PM

Thursday, January 25, 2024

Eric Hansen - Nebraska Environmental Trust Board  
Theodore E. Vasko - Nebraska Environmental Trust Board

(Signed) Bruce Bostelman, Chairperson

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Tuesday, January 23, 2024

LB852  
LB1024  
LB989  
LB992

(Signed) Julie Slama, Chairperson

**PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 18, (Rule 6, Sec. 5), found on page 195, and amended on page 329.

Speaker Arch offered his motion, found on page 241, to recommit Proposed Rule Change 18 to the Rules Committee.

Pending.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Hardin - LB1120

**NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services  
Room 1510 1:30 PM

Wednesday, January 24, 2024

LB1015  
LB824  
LB834  
LB1062

(Signed) Ben Hansen, Chairperson

Urban Affairs  
Room 1510 1:30 PM

Tuesday, January 23, 2024

LB840  
LB843  
LB881

(Signed) Terrell McKinney, Chairperson

**MOTION(S) - Print in Journal**

Senator Brewer filed the following motion to LB973:

[MO1167](#)

Withdraw LB973.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1196.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-6726, Reissue Revised Statutes of Nebraska; to change provisions relating to registration of medication aides; and to repeal the original section.

**LEGISLATIVE BILL 1197.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to the Sports Arena Facility Financing Assistance Act; to amend sections 13-3102, 13-3103, 13-3104, and 13-3108, Revised Statutes Supplement, 2023; to define and redefine terms; to change provisions relating to the use of state assistance, applications, and certain limitations on state assistance; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1198.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to county records; to amend section 23-3211, Reissue Revised Statutes of Nebraska; to provide for withholding the residential address of a county attorney or deputy county attorney from the public; and to repeal the original section.

**LEGISLATIVE BILL 1199.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to the Department of Natural Resources; to amend section 46-296, Reissue Revised Statutes of Nebraska; to repeal certain administrative fees relating to the Department of Natural Resources; to harmonize provisions; to repeal the original section; and to outright repeal section 33-105, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1200.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 18-1737, 43-3314, 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, 60-6,253, and 60-6,254, Reissue Revised Statutes of Nebraska, sections 60-144, 60-146, 60-149, 60-3,198, and 60-490, Revised Statutes Cumulative Supplement, 2022, and sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393,

Revised Statutes Supplement, 2023; to adopt updates to federal law and update certain federal references; to change provisions relating to certificates of title under the Nebraska Probate Code, delivery of certain notifications relating to operator's licenses, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, and the Nebraska Rules of the Road; to change certain civil penalties; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1201.** Introduced by Hardin, 48; Conrad, 46.

A BILL FOR AN ACT relating to education; to amend sections 79-1101 and 79-1103, Reissue Revised Statutes of Nebraska, and section 79-1003, Revised Statutes Cumulative Supplement, 2022; to redefine terms under the Tax Equity and Educational Opportunities Support Act; to change provisions relating to the Early Childhood Education Grant Program; to change legislative intent relating to early childhood education programs; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1202.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to child support enforcement; to amend section 43-3342.04, Reissue Revised Statutes of Nebraska; to change a requirement relating to the customer service unit; and to repeal the original section.

**LEGISLATIVE BILL 1203.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1403, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Cumulative Supplement, 2022; to define terms; to regulate the use of qualified political advertisements and distribution of materially deceptive media relating to artificial intelligence; to provide exceptions; to provide for injunctive relief; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1204.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend section 53-123.01, Reissue Revised Statutes of Nebraska, and sections 53-101, 53-103, and 53-123.16, Revised Statutes Supplement, 2023; to define rickhouse; to authorize a holder of a microdistillery license and a holder of a manufacturer's license to operate a rickhouse as prescribed; to provide powers and duties to the Nebraska Liquor Control Commission; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1205.** Introduced by Hughes, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal



Funds to the Department of Natural Resources; and to declare an emergency.

### **PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 18, (Rule 6, Sec. 5), found on page 195, amended on page 329, and considered in this day's Journal.

Speaker Arch renewed his motion, found on page 241 and considered in this day's Journal, to recommit Proposed Rule Change 18 to the Rules Committee.

The Arch motion to recommit to the Rules Committee failed with 1 aye, 35 nays, 8 present and not voting, and 5 excused and not voting.

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1206.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to eliminate provisions relating to the Long-Term Care Savings Plan Act that has terminated; to harmonize provisions; to repeal the original section; and to outright repeal sections 77-6101, 77-6102, 77-6103, 77-6104, 77-6105, and 77-6106, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1207.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to the Nebraska Agricultural Products Marketing Act; to amend section 2-3804, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

**LEGISLATIVE BILL 1208.** Introduced by Bosn, 25; Hughes, 24; McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-251.01, Revised Statutes Cumulative Supplement, 2022; to provide for detention of a juvenile for protection of such juvenile; to eliminate obsolete provisions; and to repeal the original section.

**LEGISLATIVE BILL 1209.** Introduced by Bosn, 25; Ballard, 21; Bostar, 29; Brandt, 32; Fredrickson, 20; Hughes, 24; McDonnell, 5; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

the Department of Health and Human Services; and to declare an emergency.

**LEGISLATIVE BILL 1210.** Introduced by Clements, 2; Dorn, 30; Dover, 19; Erdman, 47; Lippincott, 34; Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2023; to state legislative intent to appropriate funds to the Department of Administrative Services for the Office of the Nebraska Capitol Commission; to provide for a transfer from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1211.** Introduced by Hansen, 16; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Bostelman, 23; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hardin, 48; Holdcroft, 36; Hughes, 24; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Meyer, 41; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; von Gillern, 4.

A BILL FOR AN ACT relating to elections; to amend section 32-808, Reissue Revised Statutes of Nebraska, and section 32-942, Revised Statutes Supplement, 2023; to change a deadline for delivery of ballots for early voting; to change how early a registered voter may vote in person; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1212.** Introduced by Walz, 15; Jacobson, 42.

A BILL FOR AN ACT relating to railroads; to amend section 75-109.01, Revised Statutes Supplement, 2023; to adopt the Railroad Safety Act; to eliminate provisions relating to blocked crossings; to harmonize provisions; to provide an operative date; to repeal the original section; and to outright repeal section 17-225, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1213.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to labor; to require employers to provide twenty hours of paid leave for attendance at school-related activities of employees' family members; and to define terms.

**LEGISLATIVE BILL 1214.** Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-131, Revised Statutes Supplement, 2023; to change requirements relating to a criminal background check as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1215.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to the Department of Health and Human Services; to amend sections 38-142, 71-434, 71-3608, 71-3610, 71-3613, 71-3614, 71-5803, 71-5829.03, and 71-5836, Reissue Revised Statutes of Nebraska; to change provisions relating to fees, communicable diseases, rehabilitation beds, and acute care beds; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-5803.01, 71-5803.13, and 71-5829.06, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1216.** Introduced by Bostar, 29; Ballard, 21; Bosn, 25; Brewer, 43; DeKay, 40; Dorn, 30; Dover, 19; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; McDonnell, 5; Wishart, 27.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3446, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the base limitation; and to repeal the original section.

**LEGISLATIVE BILL 1217.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-1333, Reissue Revised Statutes of Nebraska, and sections 77-202, 77-202.01, and 77-202.03, Revised Statutes Cumulative Supplement, 2022; to provide certain property tax exemptions; to change provisions relating to exemption application procedures and rent-restricted housing projects; to provide a valuation process for sales-restricted houses; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1218.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to motor fuels; to amend sections 60-301, 60-302, 66-4,105, and 70-1002.02, Reissue Revised Statutes of Nebraska, section 66-482, Revised Statutes Cumulative Supplement, 2022, and sections 70-1001.01, 77-2701, and 77-2701.04, Revised Statutes Supplement, 2023; to define and redefine terms; to change and provide excise fees as prescribed; to eliminate obsolete provisions; to provide rights and requirements relating to commercial electric vehicle charging stations and direct-current, fast-charging stations; to provide powers for electric suppliers; to provide a sales and use tax exemption; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1219.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to buildings; to amend sections 71-6403, 71-6406, 72-804, 72-805, 72-806, 81-1608, 81-1611, and 81-1614, Revised Statutes Cumulative Supplement, 2022; to adopt updates to building and energy codes; and to repeal the original sections.

**LEGISLATIVE BILL 1220.** Introduced by Bosn, 25; DeBoer, 10.

A BILL FOR AN ACT relating to property; to amend sections 30-2446, 30-2603, 30-2637, 30-3816, 30-3828, 30-4002, and 43-2707, Reissue Revised Statutes of Nebraska, and sections 30-24,129 and 30-3402, Revised Statutes Cumulative Supplement, 2022; to change requirements relating to bonds for personal representatives and small estate affidavits; to change provisions relating to certain payments and transfers to minors; to permit a protected person to retain an attorney as prescribed; to change a requirement relating to cotrustees; to change provisions relating to health care powers of attorney, the Nebraska Uniform Trust Code, and the Nebraska Uniform Power of Attorney Act; and to repeal the original sections.

**LEGISLATIVE BILL 1221.** Introduced by Day, 49.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-516.04, Reissue Revised Statutes of Nebraska; to provide requirements for staff training for persons with Alzheimer's disease, dementia, or related disorders as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1222.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-292, Reissue Revised Statutes of Nebraska, and sections 43-283.01, 43-292.02, and 43-1411.01, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to termination of parental rights and parental support; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1223.** Introduced by Day, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

**LEGISLATIVE BILL 1224.** Introduced by Day, 49.

A BILL FOR AN ACT relating to tracking devices; to amend section 86-2,103, Reissue Revised Statutes of Nebraska, and section 28-101, Revised Statutes Supplement, 2023; to prohibit certain conduct relating to mobile tracking devices; to change provisions relating to intercepted communications; to define and redefine terms; and to repeal the original sections.

**LEGISLATIVE BILL 1225.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Nebraska Commission on Law Enforcement and Criminal Justice.

**LEGISLATIVE BILL 1226.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Legislative Council; and to declare an emergency.

**LEGISLATIVE BILL 1227.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to the Professional Employer Organization Registration Act; to amend section 48-2706, Reissue Revised Statutes of Nebraska; to change provisions relating to health benefit plans offered by professional employer organizations as prescribed; and to repeal the original section.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 279CA.** Introduced by Holdcroft, 36; DeKay, 40; Erdman, 47; Halloran, 33; Hardin, 48; Lippincott, 34; Lowe, 37; Meyer, 41.

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

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

To add a new section 27 to Article XV:

XV-27 The Legislature shall enact all laws necessary to protect and provide for the physical security of first responders throughout the State of Nebraska, which shall include police officers, sheriffs, deputy sheriffs, firefighters, emergency medical providers, Department of Health and Human Services employees, health care professionals, correctional officers, and Nebraska National Guard members while deployed within the State of Nebraska. To that end, the Legislature shall enact laws providing that:

(1) Any individual who is convicted of a criminal offense involving assault on a first responder resulting in serious physical injury to the first responder shall be sentenced to a minimum term of imprisonment of twenty-five years; and

(2) Any individual who is convicted of murder in the first degree or murder in the second degree of a first responder during the commission of another criminal offense shall be sentenced to a minimum term of life imprisonment.

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

A constitutional amendment to require the Legislature to enact laws providing for a minimum sentence of twenty-five years' imprisonment for certain assaults on first responders and a minimum sentence of life imprisonment for certain offenses involving murder of a first responder.

For

Against.

**VISITOR(S)**

Visitors to the Chamber were Heide, Johnny, Betsy, and Zoe Bosn, Lincoln; Tessa Brooks, Omaha.

**RECESS**

At 11:59 a.m., on a motion by Senator Bostelman, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Slama who was excused; and Senators Bostelman, DeBoer, Dorn, Hunt, Linehan, Moser, Raybould, and Vargas who were excused until they arrive.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB844	Agriculture (rereference)
LB1046	Urban Affairs (rereference)
LB1134	Revenue
LB1135	Banking, Commerce and Insurance
LB1136	Banking, Commerce and Insurance
LB1137	Revenue
LB1138	Health and Human Services
LB1139	Business and Labor
LB1140	Natural Resources
LB1141	Education
LB1142	Agriculture
LB1143	Health and Human Services
LB1144	Health and Human Services
LB1145	Judiciary
LB1146	Education
LB1147	Banking, Commerce and Insurance
LB1148	Banking, Commerce and Insurance
LB1149	Revenue
LB1150	Education
LB1151	Revenue
LB1152	Government, Military and Veterans Affairs
LB1153	Government, Military and Veterans Affairs
LB1154	Appropriations
LB1155	Appropriations

LB1156 Judiciary  
LB1157 Judiciary  
LB1158 Revenue  
LB1159 Judiciary  
LB1160 Education  
LB1161 Judiciary  
LB1162 Government, Military and Veterans Affairs  
LB1163 Transportation and Telecommunications  
LB1164 General Affairs  
LB1165 Urban Affairs  
LB1166 Urban Affairs  
LB1167 Judiciary  
LB1168 Judiciary  
LB1169 Government, Military and Veterans Affairs  
LB1170 Business and Labor  
LB1171 Health and Human Services  
LB1172 Health and Human Services  
LB1173 Health and Human Services  
LB1174 Government, Military and Veterans Affairs  
LB1175 Government, Military and Veterans Affairs  
LB1176 Banking, Commerce and Insurance  
LB1177 Revenue  
LB1178 Health and Human Services  
LB1179 Appropriations  
LB1180 Transportation and Telecommunications  
LB1181 Health and Human Services  
LB1182 Revenue  
LB1183 Revenue  
LB1184 Revenue  
LB1185 Judiciary  
LB1186 Transportation and Telecommunications  
LB1187 Health and Human Services  
LB1188 Business and Labor  
LB1189 Business and Labor  
LB1190 Government, Military and Veterans Affairs  
LB1191 Executive Board  
LB1192 Judiciary  
LB1193 Education  
LB1194 Health and Human Services  
LB1195 Judiciary  
LR278CA Education

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 18, (Rule 6, Sec. 5), found on page 195, amended on page 329, and considered in this day's Journal.

Senator M. Cavanaugh offered the following motion:  
Reconsider the vote on the Arch motion to recommit to the Rules Committee.

The M. Cavanaugh motion to reconsider failed with 4 ayes, 38 nays, 3 present and not voting, and 4 excused and not voting.

Speaker Arch withdrew his motion to Proposed Rule Change 18, found on page 241, to amend Proposed Rule Change 18, on page 1, line 3, as follows: strike "not" and show as stricken.

Speaker Arch withdrew his motion to Proposed Rule Change 18, found on page 241, to amend Proposed Rule Change 18, on page 1, line 2, as follows: strike ", nor divisible" and show as stricken.

Speaker Arch withdrew his motion to Proposed Rule Change 18, found on page 241, to suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the immediate adoption of the proposed rule change.

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 18, found on page 344, to strike from Rule 6, Sec. 5(a), "Amendments to make changes to the language in an enrollment and review amendment shall be offered as amendments to the bill and ordered pursuant to the provisions in these rules, following the initial adoption of the enrollment and review amendment."

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 18, found on page 344, strike "the amendment shall not be read by the Clerk."

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 18, found on page 344, strike from Rule 6, Sec. 5(a) line 2, "neither".

The Arch motion to adopt Proposed Rule Change 18, as amended, was adopted with 34 ayes, 6 nays, 5 present and not voting, and 4 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**  
Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Wednesday, January 24, 2024  
Craig Strong - Military Department  
LB895



LB848  
LB847

Room 1507 1:30 PM

Thursday, January 25, 2024

LB936  
LB938  
LB940  
LB1103

Room 1507 1:30 PM

Friday, January 26, 2024

LB830  
LR276  
LB1102

(Signed) Tom Brewer, Chairperson

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1228.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Good Life Transformational Projects Act; to amend sections 77-4403, 77-4404, and 77-4405, Revised Statutes Supplement, 2023; to define a term; to provide limits on good life districts; to change provisions relating to project eligibility and the size of good life districts; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1229.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state government; to amend sections 19-5503, 58-226, 58-227, 58-228, 58-235, 58-241, 58-703, 58-705, 58-706, 58-707, 58-708, 58-709, 58-711, 71-15,141, and 81-1281, Reissue Revised Statutes of Nebraska, sections 81-1201.07, 81-1211, 81-1226, 81-1227, 81-1230, 81-1232, 81-1233, 81-1234, 81-1235, 81-1236, 81-1241, and 81-1242, Revised Statutes Cumulative Supplement, 2022, and sections 19-5504, 58-201, 81-1228, 81-1229, 81-1231, 81-1237, 81-1238, 81-1239, 81-1240, 81-1243, and 81-12,241, Revised Statutes Supplement, 2023; to transfer powers, duties, functions, responsibilities, and jurisdiction relating to housing from the Department of Economic Development to the Nebraska Investment Finance Authority as prescribed; to change provisions of the Nebraska Investment Finance Authority Act; to provide for an annual report; to eliminate a housing advisory committee; to remove obsolete provisions; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide an operative date; to repeal the original sections; and to outright repeal section 58-704, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1230.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to students; to amend section 79-234, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the applicability of the enrollment option program for any student who enrolls in another school district within the same city as the school district in which such student resides; and to repeal the original section.

**LEGISLATIVE BILL 1231.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to school funding; to amend section 79-1001, Revised Statutes Supplement, 2023; to adopt the Nebraska Education Formula; to terminate the Tax Equity and Educational Opportunities Support Act; and to repeal the original section.

**LEGISLATIVE BILL 1232.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Pharmacy Benefit Manager Licensure and Regulation Act; to amend section 44-4601, Revised Statutes Cumulative Supplement, 2022; to prohibit certain reimbursement rates; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1233.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to public buildings; to amend section 72-819, Revised Statutes Supplement, 2023; to change provisions relating to a museum and visitor center honoring Chief Standing Bear; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1234.** Introduced by Wayne, 13.

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

**LEGISLATIVE BILL 1235.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state government; to require the Department of Administrative Services to enter into a contract to provide life insurance to members of the Legislature as prescribed.

**LEGISLATIVE BILL 1236.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to criminal justice; to amend section 50-433, Revised Statutes Supplement, 2023; to change the termination date of the Nebraska Sentencing Reform Task Force; and to repeal the original section.

**LEGISLATIVE BILL 1237.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the medical assistance program; to amend section 68-908, Reissue Revised Statutes of Nebraska; to provide requirements for a report as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1238.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to education; to adopt the Special Educators of Tomorrow Act.

**LEGISLATIVE BILL 1239.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Game and Parks Commission; and to declare an emergency.

**LEGISLATIVE BILL 1240.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to state agencies; to provide a requirement for state officials or state employees who testify at a public hearing before the Legislature.

**LEGISLATIVE BILL 1241.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to property taxes; to amend section 77-3442, Revised Statutes Supplement, 2023; to change provisions relating to levy limits; and to repeal the original section.

**LEGISLATIVE BILL 1242.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to state intent regarding appropriations to the Board of Regents of the University of Nebraska for research.

**LEGISLATIVE BILL 1243.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to wildland fires; to adopt the Wildland Fire Response Act.

**LEGISLATIVE BILL 1244.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Natural Resources; and to declare an emergency.

**LEGISLATIVE BILL 1245.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to lead service lines; to amend section 71-5328, Revised Statutes Supplement, 2023; to define terms; to change provisions relating to the Lead Service Line Cash Fund; to provide for certain grants; and to repeal the original section.

**LEGISLATIVE BILL 1246.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to county government; to amend section 23-103, Reissue Revised Statutes of Nebraska; to change a provision relating to how the powers of a county are exercised; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1247.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to the Board of Educational Lands and Funds; to amend section 72-204, Reissue Revised Statutes of Nebraska, and sections 37-201 and 72-232, Revised Statutes Cumulative Supplement, 2022; to require that certain school land owned or leased by the board be open to the public for hunting as prescribed; to provide powers and duties to the Game and Parks Commission relating to the use of such school land for hunting; to require the Board of Educational Lands and Funds and the Game and Parks Commission to enter into an agreement relating to such school land use and the proceeds from the purchase of access stamps; to harmonize provisions; and to repeal the original sections.

#### **PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 21 (Rule 6, Sec. 3), found on page 197, and amended on page 330.

Speaker Arch offered his motion, on page 241, to recommit Proposed Rule Change 21 to the Rules Committee.

The Arch motion to recommit to the Rules Committee failed with 3 ayes, 36 nays, 6 present and not voting, and 4 excused and not voting.

Speaker Arch withdrew his motion to Proposed Rule Change 21, found on page 242, to amend Proposed Rule Change 21, line 8, as follows: strike "introduction" and show as stricken and reinsert "consideration".

Speaker Arch withdrew his motion to Proposed Rule Change 21, found on page 241, to amend Proposed Rule Change 21, lines 3 and 8, as follows: strike "introduced" and show as stricken. On line 8, strike "introduction" and show as stricken. On lines 3 and 7, reinsert "considered". On line 8, reinsert "consideration".

Speaker Arch withdrew his motion to Proposed Rule Change 21, found on page 242, to suspend Rule 2, Sec. 10, Rule 7, Sec. 3, and Rule 7, Sec. 7, and vote on the immediate adoption of the Proposed Rule Change 21, without further debate, amendment, or motion.

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 21, found on page 344, to amend Proposed Rule Change 21, strike from Rule 6 Sec. 3 "the introduction of the committee amendment".

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 21, found on page 344, to amend Proposed Rule Change 21, strike new content in Rule 6, Sec. 3(b) and replace with "priority motions are considered in priority order following the reading of the title of the bill."

The Arch motion to adopt Proposed Rule Change 21, as amended, was adopted with 33 ayes, 6 nays, 6 present and not voting, and 4 excused and not voting.

Senator Wayne offered Proposed Rule Change 30, (Rule 2, Sec. 2), found on page 232.

Senator Wayne offered the following motion to Proposed Rule Change 30: Add the following new language to Rule 3, Sec. 15: "Testimony offered by agency directors or their designees shall be provided in a neutral capacity."

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1248.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2704.09 and 77-2704.24, Reissue Revised Statutes of Nebraska; to eliminate certain sales and use tax exemptions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1249.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to the Motor Vehicle Certificate of Title Act; to amend sections 60-119 and 60-142.05, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to kit vehicles; and to repeal the original sections.

**LEGISLATIVE BILL 1250.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to public health and welfare; to provide for grants for bike-sharing programs; and to state intent regarding appropriations.

**LEGISLATIVE BILL 1251.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections

13-3102, 13-3103, and 13-3108, Revised Statutes Supplement, 2023; to authorize state assistance for certain small sports facilities under the Sports Arena Facility Financing Assistance Act as prescribed; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1252.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend section 79-2607, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Reading Improvement Act; to provide powers and duties to the State Department of Education and the Commissioner of Education related to the creation and support of a professional learning system and regional coaches related to instruction in reading; to require that teachers who teach students in grades kindergarten through third grade at an approved or accredited school receive certain training related to instruction in reading; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 1253.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to create the Dyslexia Research Grant Program.

**LEGISLATIVE BILL 1254.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to education; to amend section 79-2607, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Reading Improvement Act; to provide powers and duties to the State Department of Education and the Commissioner of Education related to the creation and support of a professional learning system and regional coaches related to instruction in reading; to require that teachers who teach students in grades kindergarten through third grade at an approved or accredited school receive certain training related to instruction in reading; to state intent regarding appropriations; and to repeal the original section.

**LEGISLATIVE BILL 1255.** Introduced by Fredrickson, 20; DeBoer, 10.

A BILL FOR AN ACT relating to telecommunications; to amend sections 86-124, 86-1001, 86-1003, 86-1004, and 86-1029, Revised Statutes Cumulative Supplement, 2022, and section 75-109.01, Revised Statutes Supplement, 2023; to provide jurisdiction and certain regulatory authority for the Public Service Commission relating to next-generation 911 service; to restate legislative intent, define terms, provide powers and duties for the state 911 director, and reconstrue commission authority under the 911 Service System Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1256.** Introduced by DeBoer, 10; Fredrickson, 20.

A BILL FOR AN ACT relating to telecommunications; to amend section 75-109.01, Revised Statutes Supplement, 2023; to provide certain jurisdiction and powers and duties for the Public Service Commission; to define terms; to require the filing of reports by a communications service provider relating to 911 service outages; and to repeal the original section.

**LEGISLATIVE BILL 1257.** Introduced by DeBoer, 10; Fredrickson, 20.

A BILL FOR AN ACT relating to the 911 Service System Act; to amend section 86-1025, Revised Statutes Cumulative Supplement, 2022; to change the duties of the Public Service Commission; and to repeal the original section.

**LEGISLATIVE BILL 1258.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to environmental protection; to amend section 54-2429, Reissue Revised Statutes of Nebraska; to change a requirement relating to an application for a National Pollutant Discharge Elimination System Permit or a construction and operating permit under the Environmental Protection Act or the Livestock Waste Management Act; to provide requirements for livestock waste control facilities and animal feeding operations as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1259.** Introduced by Meyer, 41; Ballard, 21; Bostar, 29; Halloran, 33; Holdcroft, 36; Kauth, 31; Linehan, 39; Lippincott, 34; McKinney, 11; Moser, 22; Murman, 38; von Gillern, 4; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to teachers; to provide for grants and bonuses for teachers; to provide powers and duties; and to state intent regarding appropriations.

**LEGISLATIVE BILL 1260.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to power districts and corporations; to amend section 70-624.04, Reissue Revised Statutes of Nebraska; to provide authority for a director of a public power and irrigation district to take action on certain agreements in which such director has an interest; to provide that such agreements are not void or voidable; and to repeal the original section.

**LEGISLATIVE BILL 1261.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to public health and welfare; to adopt the Amyotrophic Lateral Sclerosis Respite Services Act.

**LEGISLATIVE BILL 1262.** Introduced by Day, 49.

A BILL FOR AN ACT relating to the Commission on Indian Affairs; to amend sections 81-2501, 81-2504, and 81-2516, Reissue Revised Statutes of Nebraska; to name the Commission on Indian Affairs Act; to change provisions relating to the Commission on Indian Affairs and provide for an ongoing study relating to Native American voting issues; to eliminate obsolete provisions that have terminated; to repeal the original sections; to outright repeal sections 81-2509, 81-2510, 81-2511, 81-2513, 81-2514, and 81-2515, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1263.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to education; to provide scholarships to students in trade programs as prescribed.

**LEGISLATIVE BILL 1264.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to state intent regarding Federal Funds appropriated for developmental disabilities aid; and to declare an emergency.

**LEGISLATIVE BILL 1265.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to civil legal services for low-income persons; to amend sections 25-3003 and 25-3004, Reissue Revised Statutes of Nebraska; to change provisions relating to certain grants for providers of free civil legal services; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1266.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Board of Regents of the University of Nebraska.

**LEGISLATIVE BILL 1267.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to civil procedure; to adopt the Uniform Public Expression Protection Act; to eliminate provisions relating to actions involving public petition and participation; to provide severability; to outright repeal sections 25-21,241, 25-21,242, 25-21,243, 25-21,244, 25-21,245, and 25-21,246, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1268.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to homesteads; to amend section 40-101, Reissue Revised Statutes of Nebraska; to change provisions relating to homestead exemptions for judgment liens and executions; and to repeal the original section.



**LEGISLATIVE BILL 1269.** Introduced by Hardin, 48; Albrecht, 17; Bostelman, 23; Brewer, 43; Clements, 2; DeKay, 40; Erdman, 47; Halloran, 33; Hansen, 16; Holdcroft, 36; Ibach, 44; Lippincott, 34; Lowe, 37; Meyer, 41; Murman, 38.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-1406, 28-1407, 28-1408, 28-1409, 28-1410, 28-1412, 28-1413, 28-1414, 28-1415, 28-1416, and 29-439, Reissue Revised Statutes of Nebraska; to change provisions relating to the duty to retreat when using force in self-defense or defense of another; to provide for criminal and civil immunity when justifiable force is used in defense of self or another; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1270.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Door to College Scholarship Act; to amend sections 85-3202, 85-3204, and 85-3205, Revised Statutes Supplement, 2023; to redefine a term; to change provisions relating to the powers and duties of an eligible postsecondary educational institution and the Coordinating Commission for Postsecondary Education under the act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1271.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to postsecondary education; to amend section 85-931, Reissue Revised Statutes of Nebraska; to change provisions relating to the definition of graduate degree programs; and to repeal the original section.

**LEGISLATIVE BILL 1272.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to education; to amend section 79-770, Reissue Revised Statutes of Nebraska; to update terminology related to an individualized education program for a student for provisions regarding a certificate of attendance at a school district or participation in high school graduation; and to repeal the original section.

**LEGISLATIVE BILL 1273.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to education; to amend section 79-215, Revised Statutes Cumulative Supplement, 2022, and section 79-2,136, Revised Statutes Supplement, 2023; to change provisions relating to the admission of students and require each school board to allow certain students that are not residents of the school district to participate in extracurricular activities as prescribed; and to repeal the original sections.

**LEGISLATIVE BILL 1274.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to insurance; to require coverage of prosthetics and orthotics as prescribed; and to define terms.

**LEGISLATIVE BILL 1275.** Introduced by Brewer, 43.

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

**LEGISLATIVE BILL 1276.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska Liquor Control Act; to amend sections 53-131, 53-133, 53-134, and 53-1,115, Reissue Revised Statutes of Nebraska, and section 53-132, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the application, hearing, and license process for a retail, bottle club, craft brewery, and microdistillery license in a city of the second class or a village; to provide powers and duties to the Nebraska Liquor Control Commission and the city or village clerk in a city of the second class or village; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1277.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to emergencies; to amend section 81-829.40, Reissue Revised Statutes of Nebraska; to change provisions relating to emergency proclamations made by the Governor; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1278.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to public assistance; to amend section 68-901, Revised Statutes Supplement, 2023; to provide for reimbursement of doula and full spectrum doula services under the medical assistance program; and to repeal the original section.

#### **PROPOSED RULES CHANGE(S)**

Senator Wayne renewed Proposed Rule Change 30, (Rule 2, Sec. 2), found on page 232, and considered in this day's Journal.

Senator Wayne renewed his motion to amend Proposed Rule Change 30, found and considered in this day's Journal.

Senator Wayne moved for a call of the house. The motion prevailed with 15 ayes, 2 nays, and 32 not voting.

The Chair declared the call raised.

Senator Wayne requested a roll call vote, in reverse order, on his motion to amend Proposed Rule Change 30.

The Wayne motion to amend Proposed Rule Change 30 failed with 17 ayes, 23 nays, 1 present and not voting, 2 absent and not voting, and 6 excused and not voting.

Senator J. Cavanaugh offered the following motion to amend Proposed Rule Change 30:

On the fourth line after "rules are suspended.", insert "A motion to suspend the rules shall not be permitted to adopt an amendment to the permanent rules."

The J. Cavanaugh motion to amend Proposed Rule Change 30 failed with 12 ayes, 30 nays, and 7 excused and not voting.

The Wayne motion to adopt Proposed Rule Change 30 was adopted with 38 ayes, 2 nays, 2 present and not voting, and 7 excused and not voting.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1279.** Introduced by Halloran, 33; Erdman, 47; Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to provide an income tax adjustment for unrealized capital gains; and to repeal the original section.

**LEGISLATIVE BILL 1280.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1206, Revised Statutes Supplement, 2023; to provide for eligibility for child care assistance to qualified apprentices and semiconductor workers; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1281.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-255, Reissue Revised Statutes of Nebraska; to change provisions relating to when a juvenile detained or placed in an alternative to detention must be released; and to repeal the original section.

**LEGISLATIVE BILL 1282.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to juveniles; to amend section 83-4,125, Revised Statutes Cumulative Supplement, 2022; to provide for youth renewal centers for high-risk youth; to define and redefine terms; and to repeal the original section.

**LEGISLATIVE BILL 1283.** Introduced by Arch, 14.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend sections 38-2044 and 38-2045, Reissue Revised Statutes of

Nebraska; to correct the name of a commission; and to repeal the original sections.

**LEGISLATIVE BILL 1284.** Introduced by Walz, 15; McKinney, 11.

A BILL FOR AN ACT relating to the Computer Science and Technology Education Act; to amend section 79-3301, Revised Statutes Cumulative Supplement, 2022; to require the State Department of Education to establish a statewide computer science education expansion program to provide training in computer science and technology education as prescribed; to provide powers and duties to the State Board of Education and the State Department of Education; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1285.** Introduced by Walz, 15; Dungan, 26.

A BILL FOR AN ACT relating to labor; to create the Task Force on Supported Employment.

**LEGISLATIVE BILL 1286.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-419, Reissue Revised Statutes of Nebraska; to provide duties for the Legislative Fiscal Analyst; and to repeal the original section.

**LEGISLATIVE BILL 1287.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Environment and Energy.

**LEGISLATIVE BILL 1288.** Introduced by Raybould, 28; Conrad, 46; Day, 49.

A BILL FOR AN ACT relating to civil commitment; to amend sections 71-901, 71-902, 71-903, 71-910, 71-912, 71-919, 71-920, 71-926, 71-929, 71-936, 71-937, 71-939, 71-958, 71-961, 71-1201, 71-1203, 71-1204, 71-1206, 71-1210, 71-1213, 71-1220, 71-1221, and 71-1223, Reissue Revised Statutes of Nebraska, and sections 83-338 and 83-364, Revised Statutes Cumulative Supplement, 2022; to provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; to provide for tribal law enforcement officers to take a subject into emergency protective custody; to provide for transportation of and commitment of persons committed under tribal law and for payment of related costs; to define and redefine terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1289.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612,

Revised Statutes Supplement, 2023; to state legislative intent to appropriate funds to the Adjutant General; to provide for a transfer from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1290.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to public health and welfare; to amend section 30-3801, Reissue Revised Statutes of Nebraska; to provide requirements for special needs trusts as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1291.** Introduced by Conrad, 46; Aguilar, 35; Bostar, 29; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; Dungan, 26; Hughes, 24; McKinney, 11; Raybould, 28; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to education; to amend section 79-10,141, Revised Statutes Cumulative Supplement, 2022; to provide legislative intent regarding the Summer Electronic Benefits Transfer Program; to require the State Department of Education to administer a program to provide electronic benefit transfer funds to eligible youth in the summer as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1292.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-911, Reissue Revised Statutes of Nebraska; to change provisions relating to actions for declaratory judgments; and to repeal the original section.

**LEGISLATIVE BILL 1293.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to government; to amend sections 43-4317 and 47-904, Reissue Revised Statutes of Nebraska, and sections 50-401.01, 81-8,241, 81-8,242, 81-8,243, 81-8,244, and 81-8,245, Revised Statutes Cumulative Supplement, 2022; to state legislative findings and declarations; to change provisions relating to the appointment and terms of the Inspector General of Nebraska Child Welfare, the Inspector General of the Nebraska Correctional System, and the Public Counsel; to provide powers and duties for the Executive Board of the Legislative Council; to provide subpoena powers as prescribed; to change powers of the Public Counsel; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1294.** Introduced by Bostar, 29; Aguilar, 35; Ballard, 21; Jacobson, 42; von Gillern, 4.

A BILL FOR AN ACT relating to data privacy; to amend sections 71-605.02 and 71-616, Reissue Revised Statutes of Nebraska, section 84-712.05, Revised Statutes Cumulative Supplement, 2022, and section

71-612, Revised Statutes Supplement, 2023; to adopt the Data Privacy Act; to change provisions relating to the preservation and use of certain certificates and information relating to vital records; to provide for certain records to be exempt from public disclosure; to provide an operative date; to provide severability; and to repeal the original sections.

**LEGISLATIVE BILL 1295.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-5601, Revised Statutes Cumulative Supplement, 2022; to adopt the Financial Institution Data Match Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1296.** Introduced by Hughes, 24; Albrecht, 17; Ballard, 21; Bosn, 25; Brandt, 32; Brewer, 43; DeKay, 40; Hardin, 48; Holdcroft, 36; Ibach, 44; Kauth, 31; Lippincott, 34; Lowe, 37; Meyer, 41; Murman, 38; von Gillern, 4.

A BILL FOR AN ACT relating to tobacco; to amend sections 28-1422, 28-1429, and 59-1523, Reissue Revised Statutes of Nebraska, sections 28-1418.01 and 28-1425, Revised Statutes Cumulative Supplement, 2022, and section 77-4001, Revised Statutes Supplement, 2023; to define and redefine terms; to prohibit certain conduct relating to controlled substances and counterfeit substances; to prohibit delivery sales of electronic nicotine delivery systems; to change provisions relating to licensure for sales of tobacco products; to provide for revocation of licenses for certain violations; to provide requirements for manufacturers and licensees under the Tobacco Products Tax Act; to create a directory of electronic nicotine delivery systems and manufacturers; to provide powers and duties for the Tax Commissioner and Attorney General; to provide penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1297.** Introduced by Lippincott, 34; Aguilar, 35; Bosn, 25; DeKay, 40; Dorn, 30; Dover, 19; Hansen, 16; Hardin, 48; Holdcroft, 36; Meyer, 41; Sanders, 45; von Gillern, 4.

A BILL FOR AN ACT relating to elections; to amend section 32-1041, Revised Statutes Cumulative Supplement, 2022; to provide for voting procedure secrecy and transparency of the counting process as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1298.** Introduced by Lippincott, 34; Aguilar, 35; Brandt, 32; Conrad, 46; DeKay, 40; Dungan, 26; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Jacobson, 42; Meyer, 41; Wishart, 27.

A BILL FOR AN ACT relating to the Motor Vehicle Operator's License Act; to amend section 60-4,112, Reissue Revised Statutes of Nebraska, and section 60-462, Revised Statutes Supplement, 2023; to provide for the issuance of veteran, honorary, and distinctive licenses; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1299.** Introduced by Hughes, 24; Albrecht, 17; Bosn, 25; Brewer, 43; DeKay, 40; Hardin, 48; Kauth, 31; Linehan, 39; Meyer, 41; Murman, 38; von Gillern, 4.

A BILL FOR AN ACT relating to the Tobacco Products Tax Act; to amend section 77-4008, Revised Statutes Supplement, 2023; to change the tax rate on sales of electronic nicotine delivery systems; and to repeal the original section.

### EASE

The Legislature was at ease from 4:54 p.m. until 4:59 p.m.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1300.** Introduced by Bostar, 29; at the request of the Governor.

A BILL FOR AN ACT relating to government; to adopt the Pacific Conflict Stress Test Act and the Foreign Adversary Contracting Prohibition Act; to provide severability; and to declare an emergency.

**LEGISLATIVE BILL 1301.** Introduced by DeKay, 40; at the request of the Governor.

A BILL FOR AN ACT relating to real property; to amend sections 4-107, 25-1081, 30-2312, 76-402, 76-405, 76-406, 76-407, 76-413, 76-414, 81-201, and 84-205, Reissue Revised Statutes of Nebraska; to adopt the Foreign-owned Real Estate National Security Act; to change provisions relating to nonresident aliens taking property by succession or testamentary dispositions; to change provisions relating to foreign ownership of real property; to provide duties for the Department of Agriculture and Attorney General; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to outright repeal sections 76-403, 76-404, 76-408, 76-409, 76-410, 76-411, 76-412, and 76-415, Reissue Revised Statutes of Nebraska.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 280CA.** Introduced by Wayne, 13.

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

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

To amend Article IV, section 13:

IV-13 The Legislature shall provide by law for the establishment of a Board of Parole and the qualifications of its members. Said board, or a majority thereof, shall have power to grant paroles after conviction and judgment, under such conditions as may be prescribed by law, for any offenses committed against the criminal laws of this state except treason and cases of impeachment. The Governor, ~~Attorney General and Secretary of State~~, sitting as a board, shall have power to remit fines and forfeitures and to grant respites, reprieves, pardons, or commutations in all cases of conviction for offenses against the laws of the state, except treason and cases of impeachment. The Board of Parole may advise the Governor; ~~Attorney General and Secretary of State~~ on the merits of any application for remission, respite, reprieve, pardon or commutation but such advice shall not be binding on them. The Governor shall have power to suspend the execution of the sentence imposed for treason until the case can be reported to the Legislature at its next session, when the Legislature shall either grant a pardon, or commute the sentence or direct the execution, or grant a further reprieve.

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

A constitutional amendment to remove the Attorney General and Secretary of State from the Board of Pardons.

For

Against.

**LEGISLATIVE RESOLUTION 281CA.** Introduced by Erdman, 47; Albrecht, 17; Bosn, 25; Bostelman, 23; Brewer, 43; Clements, 2; DeKay, 40; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Lowe, 37; Moser, 22; Wayne, 13.

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

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

To amend Article III, sections 6 and 10:

III-6 The Legislature shall consist of not more than fifty members and not less than thirty members. The regular sessions of the Legislature shall be ~~biennial~~annual except as otherwise provided by this constitution or as may be otherwise provided by law.

III-10 (1) Beginning with the year ~~2027~~1975, regular sessions of the Legislature shall be held ~~biennially in odd-numbered years~~annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The duration of regular sessions held shall not exceed ninety legislative days ~~in odd-numbered years~~ unless extended by a vote of four-fifths of all members ~~of elected to the Legislature.~~ Until 2027, regular sessions of the Legislature shall be held annually, commencing at 10 a.m. on the first Wednesday after the first Monday in January of each year. The



duration of regular sessions held shall not exceed ninety legislative days in odd-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature, and shall not exceed sixty legislative days in even-numbered years unless extended by a vote of four-fifths of all members elected to the Legislature. Bills and resolutions under consideration by the Legislature upon adjournment of a regular session held in an odd-numbered year may be considered at the next regular session, as if there had been no such adjournment.

(2) The Lieutenant Governor shall preside, but shall vote only when the Legislature is equally divided. A majority of the members ~~of elected to the Legislature shall constitute a quorum. The;~~ the Legislature shall determine the rules of its proceedings, ~~and~~ be the judge of the election, returns, and qualifications of its members, ~~and shall~~ choose its own officers, including a Speaker to preside when the Lieutenant Governor ~~is shall be~~ absent, incapacitated, or ~~actingshall act~~ as Governor. No member shall be expelled except by a vote of two-thirds of all members ~~of elected to the Legislature, and no member shall be twice expelled for the same offense. The Legislature may punish by imprisonment any person who is not a member of the Legislature thereof who is shall be~~ guilty of disrespect to the Legislature by disorderly or contemptuous behavior in its presence, but no such imprisonment shall extend beyond twenty-four hours at one time; ~~unless the person persists shall persist~~ in such disorderly or contemptuous behavior.

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

A constitutional amendment to provide for regular sessions of the Legislature to occur only biennially in odd-numbered years beginning in 2027.

For

Against.

#### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Dungan name added to LB16.

Senator Blood name added to LB31.

Senator Blood name added to LB680.

Senator McKinney name added to LB825.

Senator Hughes name added to LB856.

Senator Fredrickson name added to LB864.

Senator Jacobson name added to LB872.

Senator Kauth name added to LB872.

Senator Bostelman name added to LB872.

Senator Albrecht name added to LB872.

Senator Brewer name added to LB872.

Senator Blood name added to LB923.

Senator Blood name added to LB928.  
Senator Blood name added to LB932.  
Senator Blood name added to LB941.  
Senator Blood name added to LB961.  
Senator Day name added to LB965.  
Senator Raybould name added to LB984.  
Senator Blood name added to LB1007.  
Senator Blood name added to LB1037.  
Senator Blood name added to LB1040.  
Senator Ballard name added to LB1061.  
Senator Lippincott name added to LB1101.  
Senator Blood name added to LB1106.  
Senator Blood name added to LB1107.  
Senator Dover name added to LB1108.  
Senator McDonnell name added to LB1125.  
Senator Blood name added to LB1126.  
Senator von Gillern name added to LB1132.  
Senator Jacobson name added to LB1133.  
Senator McDonnell name added to LB1133.  
Senator Blood name added to LB1172.  
Senator Hughes name added to LB1178.  
Senator McDonnell name added to LB1212.  
Senator Meyer name added to LR31.

#### **ANNOUNCEMENT**

Senator Hansen announced the Health and Human Services Committee will hold an executive session Wednesday, January 17, 2024, at 10:30 a.m., under the South Balcony.

#### **VISITOR(S)**

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

#### **ADJOURNMENT**

At 5:02 p.m., on a motion by Senator J. Cavanaugh, the Legislature adjourned until 9:00 a.m., Wednesday, January 17, 2024.

Brandon Metzler  
Clerk of the Legislature

**TENTH DAY - JANUARY 17, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****TENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 17, 2024

**PRAYER**

The prayer was offered by Senator Bostelman.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Dover.

**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 Senator Hughes who was excused; and Senators Bostar, M. Cavanaugh, Clements, Conrad, Day, DeBoer, Hansen, Hunt, Raybould, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the ninth day was approved.

**MOTION(S) - Withdraw LB973**

Senator Brewer offered [MO1167](#), found on page 374, to withdraw LB973.

The Brewer motion to withdraw the bill prevailed with 32 ayes, 1 nay, 4 present and not voting, and 12 excused and not voting.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1302.** Introduced by Lippincott, 34; Aguilar, 35; DeKay, 40; Holdcroft, 36.

A BILL FOR AN ACT relating to cybersecurity; to adopt the Cybersecurity Preparedness Act; and to declare an emergency.

**LEGISLATIVE BILL 1303.** Introduced by Lippincott, 34; Aguilar, 35; DeKay, 40; Hardin, 48; Holdcroft, 36; McDonnell, 5.

A BILL FOR AN ACT relating to cyber security; to require the employment of an ethical hacker by the Nebraska State Patrol.

**LEGISLATIVE BILL 1304.** Introduced by Raybould, 28; Conrad, 46; Day, 49; DeKay, 40; Dover, 19.

A BILL FOR AN ACT relating to federal grants; to direct the Department of Environment and Energy to coordinate and cooperate with Nebraska tribal communities on obtaining certain federal grants; and to declare an emergency.

**LEGISLATIVE BILL 1305.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-101, 77-106, and 77-2704.66, Reissue Revised Statutes of Nebraska, and section 77-2716, Revised Statutes Supplement, 2023; to prohibit tax liability on the purchase, sale, or exchange of gold or silver bullion; to define and redefine terms; to change sales tax exemptions provisions relating to currency and bullion; to provide an income tax adjustment for net capital losses and gains of the sale or exchange of gold or silver bullion; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1306.** Introduced by Education Committee: Murman, 38, Chairperson; Conrad, 46; Linehan, 39; Meyer, 41; Sanders, 45; Walz, 15; Wayne, 13.

A BILL FOR AN ACT relating to education; to amend sections 79-860, 79-866, 79-867, and 79-868, Reissue Revised Statutes of Nebraska, and sections 79-810 and 79-870, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to fees for a certificate or permit issued by the Commissioner of Education; to eliminate and change funds; to change, provide, and eliminate powers and duties of the State Board of Education and the Commissioner of Education relating to standards of professional practices for teachers and administrators, investigations and hearings relating to misconduct by certificate holders, and the power to issue writs of subpoena or subpoena witnesses as part of an investigation of misconduct; to eliminate provisions relating to the Professional Practices Commission; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-862, 79-864, 79-865, 79-869, and 79-871, Reissue Revised Statutes of Nebraska, and sections 79-861 and 79-863, Revised Statutes Cumulative Supplement, 2022.

**LEGISLATIVE BILL 1307.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to insurance; to require the Director of Insurance to identify a required health benefit in excess of the essential health benefits required by 42 U.S.C. 18022 and provide reimbursements for qualified health plan issuers as prescribed; to require the Director of Insurance to include such reimbursement costs in the director's budget request; to provide powers and duties for the Director of Insurance and the Department of Insurance; to create a fund; and to harmonize provisions.

**LEGISLATIVE BILL 1308.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382 and 77-2701.16, Revised Statutes Cumulative Supplement, 2022; to impose sales and use taxes on certain services; to eliminate a sales and use tax exemption; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-2704.64, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1309.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to provide an income tax deduction for the costs of medical care as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1310.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-3005, Reissue Revised Statutes of Nebraska, and section 77-382, Revised Statutes Cumulative Supplement, 2022; to adopt the Advertising Services Tax Act; to eliminate certain sales and use tax exemptions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-2704.38, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 27, (Rule 5, Sec. 4), found on page 199, and amended on page 330.

The Arch motion to adopt Proposed Rule Change 27 was adopted with 35 ayes, 1 nay, 6 present and not voting, and 7 excused and not voting.

**AMENDMENT(S) - Print in Journal**

Senator von Gillern filed the following amendment to LB1308:

**FA202**

On Page 4, line 22, insert the words "business to business accounting services" after the words "legal services;" on page 8, line 4, insert the words "business to business" before the words "accounting services."

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, January 24, 2024

LB901  
LB863  
LB1177

Room 1524 1:30 PM

Thursday, January 25, 2024

LB1023  
LB1059  
LB937  
LB1072

Room 1524 1:30 PM

Friday, January 26, 2024

James R. Kamm - Department of Revenue  
Steven Keetle - Tax Equalization and Review Commission  
LB949  
LB1093  
LB1025

(Signed) Lou Ann Linehan, Chairperson

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1311.** Introduced by Meyer, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-382 and 77-2701.16, Revised Statutes Cumulative Supplement, 2022; to eliminate certain sales and use tax exemptions; to impose sales and use taxes on certain services; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1312.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to landlords and tenants; to amend sections 76-1413, 76-1450, 76-1457, and 76-1474, Reissue Revised Statutes of Nebraska, and section 76-1410, Revised Statutes Cumulative Supplement, 2022; to provide for electronic notices by landlords to tenants under the Uniform Residential Landlord and Tenant Act and the Mobile Home Landlord and Tenant Act; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1313.** Introduced by Dover, 19; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Fredrickson, 20; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; Moser, 22; Murman, 38; Raybould, 28; Riepe, 12; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

A BILL FOR AN ACT relating to health benefit plans; to exempt certain health benefit plans from insurance regulation.

**LEGISLATIVE BILL 1314.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to inland port authorities; to amend section 13-3301, Reissue Revised Statutes of Nebraska, section 84-602, Revised Statutes Cumulative Supplement, 2022, and sections 61-305, 72-819, 72-1001, and 81-12,244, Revised Statutes Supplement, 2023; to create a fund; to provide powers and duties for the State Treasurer; to provide for certain grants; to change provisions relating to the credit of interest from certain funds; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1315.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2701.02 and 77-27,132, Revised Statutes Supplement, 2023; to change the sales tax rate; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1316.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to the School District Property Tax Limitation Act; to amend sections 79-3402 and 79-3405, Revised Statutes Supplement, 2023; to eliminate provisions relating to the increase of base growth percentage for school districts; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1317.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to state findings.

**LEGISLATIVE BILL 1318.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4602, Revised Statutes Cumulative Supplement, 2022, and sections 77-6702 and 77-6703, Revised Statutes Supplement, 2023; to change

provisions relating to certain transfers to the Cash Reserve Fund; to change the Nebraska Property Tax Incentive Act as prescribed; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1319.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating revenue and taxation; to eliminate a definition and a sales and use tax exemption relating to data centers; to provide an operative date; to outright repeal sections 77-2701.54 and 77-2704.62, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1320.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to emergency medical services; to amend sections 38-1201 and 38-1225, Revised Statutes Cumulative Supplement, 2022; to require emergency medical services to report patient overdose information as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1321.** Introduced by Arch, 14; Aguilar, 35; Ballard, 21; Clements, 2; Jacobson, 42; Lowe, 37; Riepe, 12; Slama, 1; Vargas, 7.

A BILL FOR AN ACT relating to the office of Public Counsel; to amend sections 28-711, 43-4302, 43-4303, 43-4317, 43-4320, 43-4321, 43-4322, 43-4324, 43-4326, 43-4329, 43-4330, 47-901, 47-902, 47-903, 47-904, 47-905, 47-907, 47-908, 47-909, 47-910, 47-911, 47-912, 47-913, 47-914, 47-915, 47-916, 47-917, 47-918, 47-919, 47-920, 50-406.01, 50-407, 50-409, 73-401, 81-8,240, 81-8,248, and 83-178, Reissue Revised Statutes of Nebraska, sections 28-712.01, 43-4301, 43-4318, 43-4323, 43-4325, 43-4327, 43-4328, 43-4331, 43-4332, 50-401.01, 81-8,241, 81-8,242, 81-8,243, 81-8,244, 81-8,245, 81-8,246, 81-8,247, 81-8,249, 81-8,250, 81-8,251, 81-8,252, 81-8,253, and 81-8,254, Revised Statutes Cumulative Supplement, 2022, and sections 43-2,108, 50-402, and 83-1,125.01, Revised Statutes Supplement, 2023; to name the Office of Public Counsel Act; to state legislative findings; to change provisions of the Office of Inspector General of Nebraska Child Welfare Act and the Office of Inspector General of the Nebraska Correctional System Act as prescribed and change provisions relating to the powers, duties, and terms of office of the Public Counsel, the Inspector General for Child Welfare, and the Inspector General for the Nebraska Correctional System; to change powers and duties of the Executive Board of the Legislative Council and provisions relating to the Legislative Council; to define, redefine, and eliminate terms; to eliminate provisions relating to certain office powers and procedures; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; to outright repeal sections 43-4304, 43-4304.01, 43-4304.02, 43-4305, 43-4306, 43-4306.01, 43-4307, 43-4307.01, 43-4308, 43-4309, 43-4310, 43-4311, 43-4312, 43-4313, 43-4314, 43-4315, 43-4316, 43-4319, and 47-906, Reissue Revised Statutes of Nebraska; and to declare an emergency.



**LEGISLATIVE BILL 1322.** Introduced by Vargas, 7; Conrad, 46.

A BILL FOR AN ACT relating to schools; to require that school counselors spend a certain percentage of such counselor's time during normal school hours in the direct counseling of students as prescribed.

**LEGISLATIVE BILL 1323.** Introduced by Vargas, 7.

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

**LEGISLATIVE BILL 1324.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 25-1553, Reissue Revised Statutes of Nebraska, and section 77-2715.07, Revised Statutes Supplement, 2023; to adopt the Child Tax Credit Act; to exempt certain tax credit refunds from claims of creditors; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1325.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to the Pharmacy Practice Act; to amend section 38-2801, Revised Statutes Supplement, 2023; to allow pharmacists and local public health departments to distribute fentanyl test strips as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1326.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-1590, Reissue Revised Statutes of Nebraska; to change a tax and assessment provision; and to repeal the original section.

**LEGISLATIVE BILL 1327.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1402, Reissue Revised Statutes of Nebraska; to change legislative findings; and to repeal the original section.

#### **PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 19, (Rule 7, Sec. 3 and Rule 8, Sec. 1), found on page 196.

Senator McKinney offered the following motion to amend Proposed Rule Change 19:

In Rule 8, Sec. 1(b) on line 2, after "Capital Construction bill," insert "except Capital Construction bills concerning the Nebraska Department of Corrections."

Insert subsection (d) to read, “The bills pertaining to capital construction requests for the Nebraska Department of Corrections shall be referenced to the Judiciary Committee.”.

Senator McKinney moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

Senator McKinney requested a roll call vote, in reverse order, on his motion to amend Proposed Rule Change 19.

Voting in the affirmative, 13:

Blood	Conrad	Dungan	Raybould	Wayne
Cavanaugh, J.	Day	Fredrickson	Riepe	
Cavanaugh, M.	DeBoer	McKinney	Walz	

Voting in the negative, 32:

Aguilar	Brandt	Halloran	Linehan	Sanders
Albrecht	Brewer	Hansen	Lippincott	Slama
Arch	Clements	Hardin	Lowe	Vargas
Armentariz	DeKay	Holdcroft	McDonnell	von Gillern
Ballard	Dorn	Ibach	Meyer	
Bosn	Dover	Jacobson	Moser	
Bostelman	Erdman	Kauth	Murman	

Present and not voting, 2:

Bostar	Wishart
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Excused and not voting, 2:

Hughes	Hunt
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The McKinney motion to amend Proposed Rule Change 19 failed with 13 ayes, 32 nays, 2 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Wishart offered the following motion to amend Proposed Rule Change 19:

Add the following language: “Rule 8, Sec. 4. Standing Committee Chairperson as Ex Officio Member. The chairperson of a standing committee, or a designee of the standing committee chairperson, may serve as an ex officio member of the Appropriations Committee during hearings for review of state agency, board, and commission budget requests when those agencies, boards, or commissions are reasonably encompassed in the standing committee’s subject-matter jurisdiction.”.

Pending.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1328.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to schools; to amend sections 32-543, 32-811, 79-474, 79-475, 79-520, 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, and 79-1093, Reissue Revised Statutes of Nebraska, and sections 32-405, 32-618, 79-102, 79-104, 79-407, 79-413, 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-1045, 79-1084, 79-10,114, 79-10,117, and 79-10,118, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to classification of school districts; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1329.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Nebraska Career Scholarship Act; to amend sections 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to an award to a student attending a community college, state college, private college, or the University of Nebraska under the act; to change and provide definitions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1330.** Introduced by Murman, 38; Aguilar, 35; Albrecht, 17; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Lippincott, 34; Lowe, 37; Meyer, 41.

A BILL FOR AN ACT relating to public educational institutions; to define terms; to prohibit public educational institutions from taking certain actions relating to diversity, equity, and inclusion; and to provide for injunctive relief.

**LEGISLATIVE BILL 1331.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to education; to amend sections 79-201, 79-205, 79-206, 79-207, 79-210, 79-1107, and 79-1108.03, Reissue Revised Statutes of Nebraska, sections 79-209, 79-237, 79-8,150, 79-10,141, 79-1108.02, and 79-11,159, Revised Statutes Cumulative Supplement, 2022, and sections 79-101, 79-238, 79-239, 79-729, 79-8,145.01, 79-1054, 79-10,150, 79-3501, 79-3602, and 79-3703, Revised Statutes Supplement, 2023; to redefine terms; to change provisions, terminology, duties, and penalties related to truancy and attendance; to change powers and duties relating to the State Department of Education, State Board of Education, and

Commissioner of Education; to change provisions relating to applications and requirements for option students, high school graduation requirements, alternative teacher certification programs, student loan repayment assistance, innovation and improvement grant programs established by the State Board of Education, the Summer Food Service Program, special education expenditures, programs for learners with high ability, behavioral health points of contact, state lottery funds used for education, behavioral awareness training, and the College Pathway Program; to harmonize provisions; to eliminate an innovation grant program established by the department and a mental health first aid training program; to repeal the original sections; and to outright repeal section 79-11,160, Revised Statutes Supplement, 2023.

**LEGISLATIVE BILL 1332.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to consumer protection; to adopt the Prepaid Card Consumer Protection Act.

**LEGISLATIVE BILL 1333.** Introduced by Vargas, 7; Ballard, 21.

A BILL FOR AN ACT relating to the Business Innovation Act; to amend section 81-12,157, Revised Statutes Cumulative Supplement, 2022; to change federal award matching grant and funding limitations as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1334.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to criminal procedure; to amend sections 29-2262.06 and 29-2267, Reissue Revised Statutes of Nebraska; to change provisions relating to the revocation of probation and waiver of probation fees; and to repeal the original sections.

**LEGISLATIVE BILL 1335.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to the Nongame and Endangered Species Conservation Act; to amend sections 37-801 and 37-802, Reissue Revised Statutes of Nebraska; to define terms; to change provisions of and provide duties and exemptions from the Nongame and Endangered Species Conservation Act relating to transportation infrastructure; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1336.** Introduced by DeKay, 40.

A BILL FOR AN ACT relating to broadband; to amend sections 86-1301, 86-1302, 86-1303, 86-1305, 86-1306, 86-1307, 86-1308, 86-1310, and 86-1311, Revised Statutes Cumulative Supplement, 2022, and sections 75-109.01, 86-331, 86-1304, 86-1309, and 86-1312, Revised Statutes Supplement, 2023; to remove certain jurisdiction from the Public Service Commission and transfer administration of the Nebraska Broadband Bridge

Act to the Nebraska Broadband Office; to change and provide powers and duties; to define and redefine terms; to change matching funds requirements; to change application weighted scoring considerations; to create a fund; to change how the Nebraska Broadband Bridge Act is construed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1337.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to schools; to adopt the School Construction Financing Act.

**LEGISLATIVE BILL 1338.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to education; to adopt the Good Life Promise Act.

**LEGISLATIVE BILL 1339.** Introduced by Brewer, 43; Aguilar, 35; Albrecht, 17; Ballard, 21; Bosn, 25; Bostelman, 23; Brandt, 32; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Meyer, 41; Moser, 22; Murman, 38; Sanders, 45; Slama, 1; von Gillern, 4.

A BILL FOR AN ACT relating to schools; to amend section 28-1204.04, Revised Statutes Cumulative Supplement, 2022, and sections 28-1201, 28-1202.01, and 79-3109, Revised Statutes Supplement, 2023; to change provisions relating to carrying a concealed handgun and to possession of a firearm in a school, on school grounds, or at school events; to define and redefine terms; to provide for public and private schools to provide emergency response mapping data to public safety agencies; to provide for grants; to provide powers and duties for educational service units, the State Department of Education and the State Board of Education; to change permitted uses of the School Safety and Security Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1340.** Introduced by Kauth, 31.

A BILL FOR AN ACT relating to motor vehicles; to amend sections 28-306, 60-4,120.01, 60-4,123, 60-682.01, 60-6,165, and 60-6,179.01, Reissue Revised Statutes of Nebraska, and section 60-4,124, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to motor vehicle homicide; to change the enforcement of a violation of the use of any interactive or handheld wireless communication device while operating a motor vehicle as prescribed; to change provisions relating to speed limit violations; to change provisions relating to persons who are authorized to remove vehicles from highways; to provide and change fines and penalties; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1341.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to hemp; to amend sections 2-503, 77-2701.48, and 77-2704.09, Reissue Revised Statutes of Nebraska, and sections 77-2701.02 and 77-27,132, Revised Statutes Supplement, 2023; to define and redefine terms; to impose a higher sales and use tax rate on sales of consumable hemp products; to provide for the distribution of tax revenue; to state intent regarding funding; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1342.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.13, Reissue Revised Statutes of Nebraska; to provide a sales and use tax exemption for electricity and natural gas as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1343.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the office of Public Counsel; to amend sections 43-4317 and 47-904, Reissue Revised Statutes of Nebraska, and section 81-8,244, Revised Statutes Cumulative Supplement, 2022; to change and eliminate provisions relating to the appointment, reappointment, and terms of the Inspector General of Nebraska Child Welfare and the Inspector General of the Nebraska Correctional System; and to repeal the original sections.

**LEGISLATIVE BILL 1344.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Innovation Hub Act; to amend sections 81-12,108 and 81-12,112, Revised Statutes Cumulative Supplement, 2022, and sections 81-12,109 and 81-12,110, Revised Statutes Supplement, 2023; to redefine terms; to change provisions relating to iHub applications, designations, and terminations as prescribed; to require a report to the Legislature; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1345.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Revised Statutes Cumulative Supplement, 2022; to impose sales and use taxes on certain services; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1346.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to property taxes; to amend sections 77-202, 77-202.01, 77-202.03, and 77-202.05, Revised Statutes Cumulative Supplement, 2022; to provide a property tax exemption for qualified affordable housing developments as prescribed; to define and redefine

terms; to change provisions relating to exemption application procedures; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1347.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to schools; to adopt the Community Schools Act.

**LEGISLATIVE BILL 1348.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1007.16, Reissue Revised Statutes of Nebraska; to change provisions relating to comparison groups for purposes of calculating basic funding under the act; and to repeal the original section.

**LEGISLATIVE BILL 1349.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2704.67, Reissue Revised Statutes of Nebraska, and sections 77-382 and 77-2701.16, Revised Statutes Cumulative Supplement, 2022; to impose sales and use taxes on certain services; to eliminate certain sales and use tax exemptions; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-2704.14, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1350.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-401 and 71-403, Revised Statutes Supplement, 2023; to define terms within the Health Care Facilities Licensure Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1351.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to corrections; to amend section 83-173.03, Revised Statutes Cumulative Supplement, 2022, and section 83-173, Revised Statutes Supplement, 2023; to change provisions relating to terminology and to eliminate obsolete provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1352.** Introduced by DeBoer, 10.

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

**LEGISLATIVE BILL 1353.** Introduced by Vargas, 7; Bosn, 25; Wishart, 27.

A BILL FOR AN ACT relating to insurance; to amend section 44-785, Revised Statutes Supplement, 2023; to change provisions relating to coverage for screening mammography and breast examinations; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1354.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to revenue and taxation; to adopt the Advertising Services Tax Act.

**LEGISLATIVE BILL 1355.** Introduced by Vargas, 7; Aguilar, 35; Cavanaugh, M., 6; Dorn, 30; Fredrickson, 20.

A BILL FOR AN ACT relating to the Opioid Prevention and Treatment Act; to amend sections 71-2485, 71-2486, 71-2487, 71-2488, 71-2489, and 71-2490, Revised Statutes Cumulative Supplement, 2022; to restate findings and purpose; to change provisions relating to the Nebraska Opioid Recovery Fund; to provide for grants; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1356.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Community Development Assistance Act; to amend sections 13-203, 13-204, 13-205, 13-206, 13-207, and 13-208, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to program proposals and review, powers and duties of the Director or Economic Development and the Department of Economic Development, and eligibility for and maximum limits on tax credits; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1357.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Supplement, 2023; to prohibit camping on political subdivision property as prescribed; to define a term; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1358.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to political subdivisions; to require approval of the registered voters to increase salaries of governing bodies as prescribed; and to provide a duty for the Government, Military and Veterans Affairs Committee of the Legislature.

**LEGISLATIVE BILL 1359.** Introduced by McDonnell, 5.



A BILL FOR AN ACT relating to bonds; to amend section 14-527, Reissue Revised Statutes of Nebraska; to change provisions relating to the issuance of bonds in a city of the metropolitan class; and to repeal the original section.

**LEGISLATIVE BILL 1360.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to courts; to create the Court Security and Service Reimbursement Program.

**LEGISLATIVE BILL 1361.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-522 and 77-5007, Reissue Revised Statutes of Nebraska, and section 77-4212, Revised Statutes Supplement, 2023; to adopt the Long-Term Resident Homestead Exemption Act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1362.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to property taxes; to amend section 77-201, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the valuation of residential property; to provide for applicability; and to repeal the original section.

**LEGISLATIVE BILL 1363.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 76-901 and 76-903, Reissue Revised Statutes of Nebraska, sections 55-901, 81-1220, and 81-12,114, Revised Statutes Cumulative Supplement, 2022, and section 81-12,243, Revised Statutes Supplement, 2023; to change provisions relating to the rate and disbursement of the documentary stamp tax, the Military Base Development and Support Fund, the Nebraska Film Office Fund, the Innovation Hub Cash Fund, and the Economic Recovery Contingency Fund; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1364.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to economic development; to amend sections 81-12,148 and 84-612, Revised Statutes Supplement, 2023; to change provisions of the Site and Building Development Act and provide for a transfer from the Cash Reserve Fund; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1365.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to retirement; to amend section 84-1503.03,

Reissue Revised Statutes of Nebraska, and sections 79-9,117, 81-1316, and 84-1501, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the preretirement planning program, the State Personnel System, and the members of the Public Employees Retirement Board; to provide for the hiring of any number of assistant directors and deputies of the Nebraska Public Employees Retirement Systems and to authorize compensation for such employees to be determined by the director; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1366.** Introduced by Cavanaugh, J., 9; Bostelman, 23; Brewer, 43.

A BILL FOR AN ACT relating to real property; to amend sections 76-701, 76-702, 76-704.01, 76-710.04, and 76-714, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of eminent domain; and to repeal the original sections.

**LEGISLATIVE BILL 1367.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2715.07, Revised Statutes Supplement, 2023; to adopt the Property Tax Circuit Breaker Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1368.** Introduced by Ibach, 44; Bostar, 29; Conrad, 46; Dorn, 30; Halloran, 33; Jacobson, 42; Kauth, 31; Meyer, 41; Murman, 38; Sanders, 45.

A BILL FOR AN ACT relating to fertilizer; to adopt the Nitrogen Reduction Incentive Act.

**LEGISLATIVE BILL 1369.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to renewable energy; to define terms; and to provide for interconnection between a local distribution system and an agricultural self-generation facility as prescribed.

**LEGISLATIVE BILL 1370.** Introduced by Bostelman, 23; Albrecht, 17; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; Meyer, 41; Murman, 38; Sanders, 45; Slama, 1; Wayne, 13.

A BILL FOR AN ACT relating to public power; to define terms; to require an electric supplier to replace a retired dispatchable electric generation facility as prescribed.

**LEGISLATIVE BILL 1371.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to schools; to amend sections 79-729 and 79-760.01, Revised Statutes Supplement, 2023; to adopt the Media Literacy Act; to provide and change graduation requirements; to change duties relating to academic content standards; and to repeal the original sections.

**LEGISLATIVE BILL 1372.** Introduced by Brandt, 32.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.03, 77-2734.02, and 77-4212, Revised Statutes Supplement, 2023; to change provisions relating to individual and corporate income tax rates and property tax credits; and to repeal the original sections.

**LEGISLATIVE BILL 1373.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-131, 38-1801, and 38-1812, Revised Statutes Supplement, 2023; to adopt the Dietitian Licensure Compact; to change provisions relating to criminal background checks under the Uniform Credentialing Act; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1374.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to economic development; to amend sections 13-520 and 18-2103, Reissue Revised Statutes of Nebraska, and section 77-4405, Revised Statutes Supplement, 2023; to adopt the Good Life District Economic Development Act; to change provisions relating to restricted funds limitations; to redefine a term under the Community Development Law; to change the Good Life Transformational Projects Act as prescribed; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1375.** Introduced by Lowe, 37; at the request of the Governor.

A BILL FOR AN ACT relating to county government; to amend section 23-114.01, Reissue Revised Statutes of Nebraska; to change powers and duties of a county planning commission; to change provisions relating to granting, denying, or applying for a conditional use permit or special exception as prescribed; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1376.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Health and Human Services.

**LEGISLATIVE BILL 1377.** Introduced by Walz, 15; at the request of the Governor.

A BILL FOR AN ACT relating to education; to amend sections 79-2,141 and 79-2,145, Reissue Revised Statutes of Nebraska, sections 79-2704 and 79-3105, Revised Statutes Cumulative Supplement, 2022, and sections 79-262.01, 79-2,146, 79-3602, and 79-3603, Revised Statutes Supplement, 2023; to provide and change requirements relating to certain training as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1378.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to public funds; to amend section 81-11,105, Reissue Revised Statutes of Nebraska, and section 86-1028, Revised Statutes Cumulative Supplement, 2022; to state legislative intent to appropriate funds to the Department of Administrative Services as prescribed; to change provisions of the Nebraska Public Safety Communication System Revolving Fund; to change provisions of and provide for a transfer from the 911 Service System Fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1379.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 58-704, 76-901, and 76-903, Reissue Revised Statutes of Nebraska; to create the Housing Aid Fund; to change provisions relating to the housing advisory committee under the Nebraska Affordable Housing Act and the rate and disbursement of the documentary stamp tax; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1380.** Introduced by Dover, 19.

A BILL FOR AN ACT relating to appropriations; to amend section 84-612, Revised Statutes Supplement, 2023; to provide for a transfer of funds from the Cash Reserve Fund; to state intent to appropriate funds to the Department of Administrative Services for Wyuka Cemetery; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1381.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to the federal Supplemental Nutrition Assistance Program; to amend section 68-1017.02, Revised Statutes Supplement, 2023; to provide work requirements as prescribed; to provide an operative date; and to repeal the original section.

**LEGISLATIVE BILL 1382.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to ballot initiatives; to amend sections 32-630 and 32-1404, Reissue Revised Statutes of Nebraska, and section 49-1401, Revised Statutes Cumulative Supplement, 2022; to provide a

restriction relating to payment of petition circulators; to prohibit certain contributions to a ballot question committee; to harmonize provisions; to provide an operative date; and to repeal the original sections.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 282.** Introduced by Lippincott, 34; Ballard, 21; Bosn, 25; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Erdman, 47; Halloran, 33; Hardin, 48; Holdcroft, 36; Lowe, 37; Meyer, 41; Murman, 38; Wayne, 13.

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

1. That the Legislature hereby makes an application to Congress, as provided by Article V of the Constitution of the United States, to call a convention of states limited to proposing an amendment to the Constitution of the United States to set a limit on the number of terms that a person may be elected as a member of the United States House of Representatives and to set a limit on the number of terms that a person may be elected as a member of the United States Senate.

2. That the Clerk of the Legislature shall transmit copies of this resolution to the President and Secretary of the United States Senate, to the Speaker and Clerk of the United States House of Representatives, to the chairperson of the United States House Committee on the Judiciary, to each member of the Nebraska Congressional delegation, and to the presiding officers of each of the legislative houses in the several states requesting their cooperation.

3. That this application shall be considered as covering the same subject matter as the applications from other states to Congress to call a convention to set a limit on the number of terms that a person may be elected to the United States House of Representatives and the United States Senate and this application shall be aggregated with the applications from other states for the purpose of attaining the two-thirds of states necessary to require Congress to call a limited convention on this subject but shall not be aggregated with any other applications on any other subject.

4. This application constitutes a continuing application in accordance with Article V of the Constitution of the United States until the legislatures of at least two-thirds of the several states have made applications on the same subject.

**LEGISLATIVE RESOLUTION 283CA.** Introduced by Cavanaugh, M., 6.

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

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

To amend Article III, sections 7 and 19, and add a new section 31 to Article III:

III-7 At the general election to be held in November 1964, one-half the members of the Legislature, or as nearly thereto as may be practicable, shall be elected for a term of four years and the remainder for a term of two years, and thereafter all members shall be elected for a term of four years, with the manner of such election to be determined by the Legislature. When the Legislature is redistricted, the members elected prior to the redistricting shall continue in office, and the law providing for such redistricting shall where necessary specify the newly established district which they shall represent for the balance of their term. Each member shall be nominated and elected in a nonpartisan manner and without any indication on the ballot that he or she is affiliated with or endorsed by any political party or organization. Each member of the Legislature shall receive a salary of not to exceed one thousand dollars per month during the term of his or her office until July 1, 2025. In addition to his or her salary, each member shall receive an amount equal to his or her actual expenses in traveling by the most usual route once to and returning from each regular or special session of the Legislature. Members of the Legislature shall receive no pay nor perquisites other than his or her salary and expenses, and employees of the Legislature shall receive no compensation other than their salary or per diem.

III-19 The Legislature shall never grant any extra compensation to any public officer, agent, or servant after the services have been rendered nor to any contractor after the contract has been entered into, except that retirement benefits of retired public officers and employees may be adjusted to reflect changes in the cost of living and wage levels that have occurred subsequent to the date of retirement.

The compensation of any public officer, including any officer whose compensation is fixed by the Legislature, shall not be increased or diminished during his or her term of office, except that when there are members elected or appointed to ~~the Legislature or~~ the judiciary, or officers elected or appointed to a board or commission having more than one member, and the terms of such members commence and end at different times, the compensation of all members ~~of the Legislature~~, of the judiciary, or of such board or commission may be increased or diminished at the beginning of the full term of any member thereof.

Nothing in this section shall prevent local governing bodies from reviewing and adjusting vested pension benefits periodically as prescribed by ordinance.

The surviving spouse of any retired public officer, agent, or servant, who has retired under a pension plan or system, shall be considered as having pensionable status and shall be entitled to the same benefits which may, at any time, be provided for or available to spouses of other public officers, agents, or servants who have retired under such pension plan or system at a later date, and such benefits shall not be prohibited by the restrictions of this section or of Article XIII, section 3 of the Constitution of Nebraska.

III-31 (1) The salary of members of the Legislature shall be prescribed by the Legislative Salary Commission.

(2) The members of the commission shall be one person from each congressional district appointed by the Chief Justice of the Supreme Court and one member from each congressional district appointed by the

Governor. If Nebraska has an odd number of congressional districts, the Governor and the Chief Justice shall each appoint an at-large member in addition to a member from each congressional district.

(3) No more than one-half of the members appointed by the Governor may be affiliated with the same political party. No more than one-half of the members appointed by the Chief Justice may be affiliated with the same political party.

(4) The following individuals shall be ineligible to be a member of the commission:

(a) A current or former member of the Legislature or a spouse of a current or former member of the Legislature;

(b) A current or former lobbyist registered under Nebraska law;

(c) A current employee of the Legislature;

(d) A current or former judge of any court in Nebraska;

(e) A current or former Governor, Lieutenant Governor, Attorney General, Secretary of State, Auditor of Public Accounts, or State Treasurer for the State of Nebraska; and

(f) A current employee of the State of Nebraska.

(5) The Legislature shall provide for the terms of office, compensation, and procedure for removal of the members of the commission.

(6) The commission shall prescribe the salary for members of the Legislature by March 31 of each odd-numbered year, taking into account any other legislative compensation provided to members of the Legislature by the State of Nebraska, with any changes in salary to take effect on July 1 of that year.

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

A constitutional amendment to create the Legislative Salary Commission and change provisions relating to legislative salaries.

For

Against.

#### **LEGISLATIVE RESOLUTION 284CA.** Introduced by DeBoer, 10.

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

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

To add a new section 31 to Article III:

III-31 There shall be created in the Legislature, the office of Public Counsel.

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

A constitutional amendment to create the office of Public Counsel in the Legislature.

For

Against.

**LEGISLATIVE RESOLUTION 285CA.** Introduced by McDonnell, 5.

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

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

To amend Article VIII, section 1:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution; (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land; (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; (6) the Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the



State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year; and (9) the Legislature may provide that residential property, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing residential property, including a method that limits the growth of valuations placed on residential property. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.

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

A constitutional amendment authorizing the Legislature to provide a different method of taxing residential property.

For

Against.

**LEGISLATIVE RESOLUTION 286CA.** Introduced by von Gillern, 4; Aguilar, 35; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Clements, 2; DeKay, 40; Dorn, 30; Dover, 19; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; Meyer, 41; Moser, 22; Murman, 38; Sanders, 45.

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

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

To amend Article XV, section 17, and add a new section 27 to Article XV:

XV-17 Subject to Article XV, section 27, and notwithstanding ~~Notwithstanding section 3 of Article XIII, section 3,~~ or any other provision in the Constitution:

(1) The Legislature may provide for the investment of any state funds, including retirement or pension funds of state employees and Nebraska

school employees, in such manner and in such investments as it may by statute provide; and

(2) The Legislature may authorize the investment of retirement or pension funds of cities, villages, school districts, public power districts, and other governmental or political subdivisions in such manner and in such investments as the governing body of such city, village, school district, public power district and other governmental or political subdivision may determine but subject to such limitations as the Legislature may by statute provide.

XV-27 (1) Notwithstanding any other provision in the Constitution, to ensure that taxpayer money does not support international acts of terrorism, the State of Nebraska and its retirement system shall not contract with or invest in stocks, bonds, or any direct holdings in companies that have active business operations with any foreign terrorist organization or state sponsor of terrorism, as designated by the United States Department of State as of January 1, 2024.

(2) The Legislature may, by law, add to, subtract from, or otherwise modify the list of foreign terrorist organizations and state sponsors of terrorism described in subsection (1) of this section.

(3) For any contract or investment in existence on the effective date of this amendment, if such contract or investment violates this section, it shall be terminated or divested at the earliest prudent opportunity. Under no circumstance shall any such contract or investment be in force or continue past December 31, 2026.

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

A constitutional amendment to prohibit the State of Nebraska and its retirement system from contracting with and investing in companies that have active business operations with any foreign terrorist organization or state sponsor of terrorism.

For

Against.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Executive Board - LB1321

### RECESS

At 12:07 p.m., on a motion by Senator Albrecht, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator DeKay presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Hughes and Jacobson who were excused; and Senators Blood, Bostar, Bostelman, M. Cavanaugh, Conrad, Hunt, Linehan, Moser, von Gillern, and Walz who were excused until they arrive.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB902	Judiciary (rereference)
LB954	Banking, Commerce and Insurance (rereference)
LB1196	Health and Human Services
LB1197	Revenue
LB1198	Government, Military and Veterans Affairs
LB1199	Natural Resources
LB1200	Transportation and Telecommunications
LB1201	Education
LB1202	Judiciary
LB1203	Government, Military and Veterans Affairs
LB1204	General Affairs
LB1205	Appropriations
LB1206	Revenue
LB1207	Agriculture
LB1208	Judiciary
LB1209	Appropriations
LB1210	Appropriations
LB1211	Government, Military and Veterans Affairs
LB1212	Transportation and Telecommunications
LB1213	Business and Labor
LB1214	Health and Human Services
LB1215	Health and Human Services
LB1216	Revenue
LB1217	Revenue
LB1218	Revenue
LB1219	Urban Affairs
LB1220	Judiciary
LB1221	Health and Human Services
LB1222	Judiciary
LB1223	Appropriations
LB1224	Judiciary
LB1225	Appropriations
LB1226	Appropriations
LB1227	Banking, Commerce and Insurance
LB1228	Revenue
LB1229	Banking, Commerce and Insurance
LB1230	Education

LB1231	Education
LB1232	Banking, Commerce and Insurance
LB1233	Appropriations
LB1234	Appropriations
LB1235	Executive Board
LB1236	Judiciary
LB1237	Health and Human Services
LB1238	Education
LB1239	Appropriations
LB1240	Executive Board
LB1241	Revenue
LB1242	Appropriations
LB1243	Government, Military and Veterans Affairs
LB1244	Appropriations
LB1245	Appropriations
LB1246	Government, Military and Veterans Affairs
LB1247	Natural Resources
LB1248	Revenue
LB1249	Transportation and Telecommunications
LB1250	Transportation and Telecommunications
LB1251	Revenue
LB1252	Education
LB1253	Education
LB1254	Education
LB1255	Transportation and Telecommunications
LB1256	Transportation and Telecommunications
LB1257	Transportation and Telecommunications
LB1258	Natural Resources
LB1259	Education
LB1260	Natural Resources
LB1261	Health and Human Services
LB1262	Government, Military and Veterans Affairs
LB1263	Education
LB1264	Appropriations
LB1265	Judiciary
LB1266	Appropriations
LB1267	Judiciary
LB1268	Judiciary
LB1269	Judiciary
LB1270	Education
LB1271	Education
LB1272	Education
LB1273	Education
LB1274	Banking, Commerce and Insurance
LB1275	Appropriations
LB1276	General Affairs
LB1277	Government, Military and Veterans Affairs
LB1278	Health and Human Services
LB1279	Revenue

LB1280 Health and Human Services  
 LB1281 Judiciary  
 LB1282 Judiciary  
 LB1283 Health and Human Services  
 LB1284 Education  
 LB1285 Executive Board  
 LB1286 Executive Board  
 LB1287 Appropriations  
 LB1288 Judiciary  
 LB1289 Appropriations  
 LB1290 Banking, Commerce and Insurance  
 LB1291 Education  
 LB1292 Judiciary  
 LB1293 Executive Board  
 LB1294 Banking, Commerce and Insurance  
 LB1295 Revenue  
 LB1296 General Affairs  
 LB1297 Government, Military and Veterans Affairs  
 LB1298 Transportation and Telecommunications  
 LB1299 Revenue  
 LB1300 Government, Military and Veterans Affairs  
 LB1301 Agriculture  
 LR279CA Judiciary  
 LR280CA Judiciary  
 LR281CA Executive Board

(Signed) Raymond Aguilar, Chairperson  
 Executive Board

**COMMITTEE REPORT(S)**  
 Rules

The Rules Committee met on January 11, 2024, and advanced the following amended proposed rule:

**Proposed Rule Change 4:**

**Rule 3, Sec. 16. Executive Sessions and Closed Meetings.** (a) Executive session shall mean any meeting or portion of a meeting which is closed to the general public and members of the news media, and the proceedings of which are not electronically recorded and transcribed, unless the committee so provides, but the records of which shall be available for public inspection. Executive sessions ~~shall~~ may be open to members of the news media, via designation by the chair of the committee, ~~who~~ Members of the news media may report on action taken and on all discussions in executive session. All formal action taken by a committee shall occur in an open session with allowance for the presence of members of the news media, who may report on any action taken.

~~(b) Except as provided in Rule 3, Section 5(c)(ii), all other meetings of a committee shall be public unless the committee, by a majority vote of all of its members, determines that a meeting should not be open to the public, including members of the news media, in a particular instance, due to rare and extraordinary circumstances. The meeting shall be reconvened in open session before any formal action may be taken.~~

(Signed) Steve Erdman, Chairperson

### **PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 19 (Rule 7, Sec. 3, and Rule 8, Sec. 1), found on page 196, and considered in this day's Journal.

Senator Wishart withdrew her motion to Proposed Rule Change 19 (Rule 8, Sec. 4), found and considered in this day's Journal, and substituted with the following motion:

Add the following language: “Rule 8, Sec. 4. Standing Committee Chairperson as Ex Officio Member. The chairperson of a standing committee, or a designee of the standing committee chairperson, may serve as an ex officio member of the Appropriations Committee during hearings for review of state agency, board, and commission budget requests when those agencies, boards, or commissions are reasonably encompassed in the standing committee’s subject-matter jurisdiction.”.

...

(Renumber the remaining sections accordingly.)

The Wishart motion to amend Proposed Rule Change 19 failed with 10 ayes, 23 nays, 10 present and not voting, and 6 excused and not voting.

The Arch motion to adopt Proposed Rule Change 19 was adopted with 35 ayes, 1 nay, 7 present and not voting, and 6 excused and not voting.

### **NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, January 24, 2024  
LB1088

(Signed) Lou Ann Linehan, Chairperson

Urban Affairs  
Room 1510 1:30 PM

Tuesday, January 30, 2024

LB948  
LB1165  
LB1166  
LB842

(Signed) Terrell McKinney, Chairperson

Health and Human Services  
Room 1510 1:30 PM

Thursday, January 25, 2024

LB1181  
LB1130  
LB1138  
LB1173

Room 1510 1:30 PM

Friday, January 26, 2024

LB856  
LB1143  
LB896  
LB1009

(Signed) Ben Hansen, Chairperson

Judiciary  
Room 1113 1:30 PM

Wednesday, January 24, 2024

LB945  
LB959  
LB832  
LB976  
LB1085

(Signed) Justin Wayne, Chairperson

Natural Resources  
Room 1525 1:30 PM

Wednesday, January 24, 2024

LB880  
LB866  
LB868

Room 1525 1:30 PM

Thursday, January 25, 2024

LB826  
LB1036

(Signed) Bruce Bostelman, Chairperson

**MOTION(S) - Print in Journal**

Senator Wayne filed the following motion to LB999:

[MO1168](#)

Re-reference from the Agriculture Committee to the Judiciary Committee pursuant to Rule 6, Sec. 2(a).

**PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 24, (Rule 5, Sec. 6), found on page 198, and amended on page 330.

Pending.

**ANNOUNCEMENT**

The Chair announced the birthday of Senators M. Cavanaugh and McDonnell.

**PROPOSED RULES CHANGE(S)**

Speaker Arch renewed Proposed Rule Change 24 (Rule 5, Sec. 6), found on page 198, amended on page 330, and considered in this day's Journal.

Senator M. Cavanaugh withdrew her motion, found on page 344, to amend Proposed Rule Change 24, strike from Rule 5, Sec. 6, "seven" and replace with "five".

The Arch motion to adopt Proposed Rule Change 24 was adopted with 35 ayes, 2 nays, 7 present and not voting, and 5 excused and not voting.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1383.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to Indian tribes; to amend section 81-1210.04, Revised Statutes Cumulative Supplement, 2022; to create the Nebraska Tribal Community Assistance Program for the purpose of providing grants to Indian tribes to improve drinking water systems or sanitary sewer systems as prescribed; to create the Nebraska Tribal Community Assistance Fund; to transfer funds from the Intern Nebraska Cash Fund; to harmonize provisions; and to repeal the original section.



**LEGISLATIVE BILL 1384.** Introduced by Raybould, 28.

A BILL FOR AN ACT relating to economic development; to amend sections 58-703 and 58-706, Reissue Revised Statutes of Nebraska, and section 81-1210.04, Revised Statutes Cumulative Supplement, 2022; to create the Transforming Cities and Villages Program and provide for grants as prescribed; to change provisions of the Affordable Housing Trust Fund; to change provisions of and transfer money from the Intern Nebraska Cash Fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1385.** Introduced by Kauth, 31; at the request of the Governor; Albrecht, 17; Armendariz, 18; Bostelman, 23; Brewer, 43; Dorn, 30; Dover, 19; Hansen, 16; Holdcroft, 36; Ibach, 44; Jacobson, 42; Linehan, 39; Lippincott, 34; McDonnell, 5; Murman, 38; Riepe, 12; Slama, 1; von Gillern, 4.

A BILL FOR AN ACT relating to teachers; to amend sections 79-810 and 79-813, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to issuance of and eligibility for certificates and permits; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1386.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to students; to require the State Treasurer to establish an educational savings account for each student enrolled in kindergarten through twelfth grade at an approved or accredited private, denominational, or parochial school for use on qualified educational expenses as prescribed; to create a fund; to provide powers and duties; and to provide a penalty for fraud or theft associated with an educational savings account.

**LEGISLATIVE BILL 1387.** Introduced by Hansen, 16.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-3306, Reissue Revised Statutes of Nebraska, and section 71-3305, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to fluoridation of water supplies by certain political subdivisions and other entities; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1388.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to postsecondary education; to amend section 84-612, Revised Statutes Supplement, 2023; to adopt the Excellence in Education Scholarship Act and the Community College Promise Act; to provide for transfers from the Cash Reserve Fund; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1389.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-202, Revised Statutes Cumulative Supplement, 2022; to provide a property tax exemption for broadband equipment as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1390.** Introduced by Bostar, 29; Bosn, 25; Wayne, 13.

A BILL FOR AN ACT relating to elections; to amend section 32-1511, Reissue Revised Statutes of Nebraska, and section 32-101, Revised Statutes Supplement, 2023; to define terms; to require a report; to prohibit and change provisions relating to interference with certain election officers and workers; to prohibit dissemination of the home address of certain election officers and workers as prescribed; to prohibit deep fakes; to provide and change penalties; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1391.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to schools; to require that each approved or accredited public, private, denominational, or parochial high school have an automated external defibrillator on school property and in close proximity to each school athletic venue; to require that coaches receive training in automated external defibrillator use as prescribed; to require certain high schools to establish an athletics emergency action plan; and to provide powers and duties to the State Board of Education.

**LEGISLATIVE BILL 1392.** Introduced by Ballard, 21.

A BILL FOR AN ACT relating to child welfare; to amend sections 43-4203, 43-4215, 43-4216, and 43-4217, Revised Statutes Cumulative Supplement, 2022; to change the name and members of the Foster Care Reimbursement Rate Committee; to change powers and duties; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1393.** Introduced by Hansen, 16; at the request of the Governor.

A BILL FOR AN ACT relating to the Nebraska Student-Athlete Name, Image, or Likeness Rights Act; to amend sections 48-3602, 48-3603, 48-3604, 48-3606, and 48-3608, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to name, image, or likeness rights and limitations, civil actions, and contracts or agreements under the act; to provide severability; to repeal the original sections; and to declare an emergency.

**PROPOSED RULES CHANGE(S)**

Speaker Arch offered Proposed Rule Change 13, (Rule 4, Sec. 7), found on page 193.

Senator M. Cavanaugh withdrew her motion, found on page 344, to amend Proposed Rule Change 13, to strike 4 and insert 3 in Rule 4, Sec.7.

The Arch motion to adopt Proposed Rule Change 13 was adopted with 33 ayes, 3 nays, 8 present and not voting, and 5 excused and not voting.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1394.** Introduced by Brewer, 43; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to exempt Nebraska National Guard income from state income taxation as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1395.** Introduced by Murman, 38; Hansen, 16; Kauth, 31.

A BILL FOR AN ACT relating to natural asset companies; to adopt the Natural Asset Company Prohibition Act.

**LEGISLATIVE BILL 1396.** Introduced by Murman, 38; Brewer, 43; Hansen, 16; Kauth, 31.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend section 81-2,283, Reissue Revised Statutes of Nebraska; to change provisions relating to labeling for misbranded food; and to repeal the original section.

**LEGISLATIVE BILL 1397.** Introduced by Murman, 38; Bostelman, 23; Brewer, 43; Erdman, 47; Halloran, 33; Hansen, 16; Kauth, 31; McDonnell, 5.

A BILL FOR AN ACT relating to property taxes; to amend section 77-1359, Reissue Revised Statutes of Nebraska; to redefine agricultural land and horticultural land to exclude land used for certain purposes; and to repeal the original section.

**LEGISLATIVE BILL 1398.** Introduced by Murman, 38; Hansen, 16; Kauth, 31.

A BILL FOR AN ACT relating to schools; to amend section 79-1142, Revised Statutes Supplement, 2023; to change provisions relating to reimbursement for special education programs and support services relating to option students; and to repeal the original section.

**LEGISLATIVE BILL 1399.** Introduced by Murman, 38; Brewer, 43; Halloran, 33; Hansen, 16; Ibach, 44; Kauth, 31; Lippincott, 34.

A BILL FOR AN ACT relating to schools; to amend sections 79-530, 79-531, 79-532, and 79-533, Reissue Revised Statutes of Nebraska; to change provisions relating to the involvement of parents, guardians, and educational decisionmakers in the education of children; to define terms; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1400.** Introduced by Ballard, 21; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2716, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Relocation Incentive Act; to harmonize provisions; and to repeal the original sections.

#### PROPOSED RULES CHANGE(S)

Speaker Arch offered Proposed Rule Change 15, (Rule 5, Sec. 7), found on page 193.

The Arch motion to adopt Proposed Rule Change 15 was adopted with 36 ayes, 3 nays, 5 present and not voting, and 5 excused and not voting.

Speaker Arch offered Proposed Rule Change 16 (Rule 8, Sec. 5), found on page 194.

Senator DeBoer offered the following motion to Proposed Rule Change 16:  
**Rule 8, Sec. 5. Bills, Held on Final Reading.** The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, all "A" bills which, when considered with their companion bill, ~~appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all bills containing a transfer to or from the Cash Reserve Fund; and all tax expenditure bills shall not be read on Final Reading until the appropriations bills are passed by the Legislature.~~ appropriate general funds resulting in a net loss, all bills resulting in the reduction of revenue to the General Fund, all bills containing a transfer to or from the Cash Reserve Fund, and all tax expenditure shall not be read on

Final Reading until the appropriations bills are passed by the Legislature.  
~~Provided the The Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss; all bills resulting in the reduction of revenue to the General Fund; all tax expenditure bills; all bills containing a transfer to or from the Cash Reserve Fund; and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day.~~ appropriate general funds resulting in a net loss, all bills resulting in the reduction of revenue to the General Fund, all tax expenditure bills, all bills containing a transfer to or from the Cash Reserve Fund, and all appropriations bills shall not be read on Final Reading prior to the 45th legislative day. The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

Senator DeBoer withdrew her motion to Proposed Rule Change 16, found and considered in this day's Journal, and substituted with the following motion to Proposed Rule Change 16:

**Rule 8, Sec. 5. Bills, Held on Final Reading.** The report of the Appropriations Committee shall include a recommended dollar amount of the General Fund biennium appropriation which shall be allocated for the funding of "A" bills, bills that result in the net reduction of revenue to the General Fund, tax expenditure bills, and amendments to the appropriations bills as reported to General File by the Appropriations Committee. During a 90 day session, the following shall not be read on Final Reading until the appropriations bills are passed by the Legislature:

1. all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss,
2. all bills resulting in the reduction of revenue to the General Fund,
3. all bills containing a transfer to or from the Cash Reserve Fund,
4. and all tax expenditure bills.

The Appropriations Committee shall place appropriations bills on General File no later than the 70th legislative day in a 90 day session and the 40th legislative day in a 60 day session. If this deadline is not met, the Legislature shall consider the appropriations bills as introduced by the Governor. During a 60 day session, the following shall not be read on Final Reading prior to the 45th legislative day:

1. all "A" bills which, when considered with their companion bill, appropriate general funds resulting in a net loss,
2. all bills resulting in the reduction of revenue to the General Fund,
3. all tax expenditure bills; all bills containing a transfer to or from the Cash Reserve Fund,
4. and all appropriations bills.

The appropriations bills shall be passed no later than the 80th legislative day in a 90 day session and the 50th legislative day in a 60 day session. The appropriations provided for in an "A" bill shall be for not less than two fiscal years.

Senator DeBoer withdrew her motion to Proposed Rule Change 16, found and considered in this day's Journal.

The Arch motion to adopted Proposed Rule Change 16 was adopted with 35 ayes, 2 nays, 6 present and not voting, and 6 excused and not voting.

Speaker Arch offered Proposed Rule Change 20 (Rule 5, Sec. 6), found on page 197.

Senator M. Cavanaugh offered her motion to Proposed Rule Change 20, found on page 344, strike from Rule 5, Sec. 6(a), "neither" from the final sentence.

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 20, found and considered in this day's Journal.

The Arch motion to adopt Proposed Rule Change 20 was adopted with 32 ayes, 2 nays, 9 present and not voting, and 6 excused and not voting.

#### **MOTION(S) - Print in Journal**

Senator Wayne filed the following motion to [LB1093](#):

[MO1169](#)

Re-reference from the Revenue Committee to the Judiciary Committee, pursuant to Rule 6, Sec. 2(a).

#### **NOTICE OF COMMITTEE HEARING(S)**

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Tuesday, January 30, 2024

KC Belitz - Department of Economic Development

LB1074

LB1075

LB991

LB955

LB1294

(Signed) Julie Slama, Chairperson

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1401.** Introduced by Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Conrad, 46; Dorn, 30; Dungan, 26; Raybould, 28; Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Transportation for motor vehicle transportation infrastructure; and to declare an emergency.

**LEGISLATIVE BILL 1402.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the State Treasurer for the purpose of providing grants to scholarship-granting organizations; and to declare an emergency.

**LEGISLATIVE BILL 1403.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-908 and 77-3806, Revised Statutes Cumulative Supplement, 2022, and sections 77-7103, 77-7104, 77-7105, 77-7106, 77-7107, 77-7108, and 77-7109, Revised Statutes Supplement, 2023; to change provisions of the Opportunity Scholarships Act and change the use of credits under such act; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1404.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Commission on African American Affairs; to amend section 81-2601, Revised Statutes Cumulative Supplement, 2022; to change membership of the commission; to provide for a quorum; and to repeal the original section.

**LEGISLATIVE BILL 1405.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to single-family housing; to prohibit the purchase of single-family housing by certain entities.

**LEGISLATIVE BILL 1406.** Introduced by Sanders, 45; Albrecht, 17; Hughes, 24; Kauth, 31; Lippincott, 34; Lowe, 37; von Gillern, 4.

A BILL FOR AN ACT relating to the Game Law; to amend section 37-438, Revised Statutes Cumulative Supplement, 2022; to authorize active-duty military permits as a type of state park motor vehicle entry permit; and to repeal the original section.

**LEGISLATIVE BILL 1407.** Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Military Installation Development and Support Fund; to amend section 55-901, Revised Statutes Cumulative Supplement, 2022, and section 84-612, Revised Statutes Supplement, 2023; to change the name of and approved uses for the Military Installation

Development and Support Fund; to define a term; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1408.** Introduced by Sanders, 45; Aguilar, 35; Albrecht, 17; Hardin, 48; Hughes, 24; Ibach, 44; Kauth, 31; Lippincott, 34; Lowe, 37; von Gillern, 4.

A BILL FOR AN ACT relating to human trafficking; to amend section 81-1431, Reissue Revised Statutes of Nebraska, and section 81-1430, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the human trafficking task force and training on human trafficking; to require hotels to have a policy relating to human trafficking and require hotel employees to receive training on human trafficking as prescribed; to limit the liability of hotel owners, operators, and employees relating to human trafficking committed by a third party; to provide powers and duties to the Department of Labor and other state agencies; and to repeal the original sections.

**LEGISLATIVE BILL 1409.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to real property; to amend section 76-856, Reissue Revised Statutes of Nebraska; to change provisions relating to the Nebraska Condominium Act; and to repeal the original section.

**LEGISLATIVE BILL 1410.** Introduced by Linehan, 39; at the request of the Governor.

A BILL FOR AN ACT relating to the ImagiNE Nebraska Act; to amend sections 77-6831 and 77-6832, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to tax incentives and the use of tax incentives; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1411.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate Federal Funds to the Department of Transportation.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 287CA.** Introduced by Cavanaugh, J., 9.

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

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

To amend Article III, section 22:

III-22 (1) Each Legislature shall make appropriations for the expenses of the Government. And whenever it is deemed necessary to make further



appropriations for deficiencies, the same shall require a two-thirds vote of all the members elected to the Legislature.

(2) Bills making appropriations for the pay of members and officers of the Legislature, and for the salaries of the officers of the Government, shall contain no provision on any other subject.

(3) If the Legislature reduces or eliminates a locally imposed revenue source previously available to any political subdivision of the state, the Legislature shall appropriate funds each fiscal year to compensate such political subdivision for the reduced or eliminated revenue based on the average of receipts of the reduced or eliminated revenue source in the five years immediately preceding the legislative action that reduced or eliminated the locally imposed revenue source. Such appropriation shall be adjusted each fiscal year by the annual change in consumer prices, in such manner as the Legislature shall determine.

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

A constitutional amendment to require the state to compensate political subdivisions for any locally imposed revenue source that is reduced or eliminated by the Legislature.

For

Against.

#### AMENDMENT(S) - Print in Journal

Senator Fredrickson filed the following amendment to [LB929](#):

##### [AM2080](#)

1 1. Insert the following new section:

2 Sec. 2. Except for failure to use reasonable care or for intentional  
 3 acts, each person involved in the provision of 988 Suicide and Crisis  
 4 Lifeline service pursuant to section 1 of this act, including 988 service  
 5 providers, call-center operators, and counselors, shall be immune from  
 6 liability or the payment of damages in the performance of installing,  
 7 maintaining, or providing such service, including providing interoperable  
 8 connections between the 988 Suicide and Crisis Lifeline and the 911  
 9 service system.

10 2. On page 2, strike lines 26 through 31.

11 3. On page 3, strike line 1.

12 4. Renumber the remaining sections accordingly.

#### COMMITTEE REPORT(S)

Urban Affairs

**LEGISLATIVE BILL 164.** Placed on General File with amendment.

[AM2105](#) is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

**ANNOUNCEMENT**

Senator Murman announced the Education Committee will hold an executive session Thursday, January 18, 2024, at 1:10 p.m., under the North Balcony.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Kauth name added to LB16.  
Senator Brewer name added to LB51.  
Senator Brewer name added to LB853.  
Senator Bosn name added to LB864.  
Senator Halloran name added to LB872.  
Senator Conrad name added to LB876.  
Senator Meyer name added to LB876.  
Senator Ballard name added to LB876.  
Senator Bosn name added to LB876.  
Senator Ibach name added to LB876.  
Senator Halloran name added to LB878.  
Senator Halloran name added to LB883.  
Senator Holdcroft name added to LB883.  
Senator Blood name added to LB886.  
Senator Halloran name added to LB895.  
Senator Brewer name added to LB925.  
Senator Halloran name added to LB925.  
Senator Halloran name added to LB934.  
Senator Conrad name added to LB945.  
Senator Halloran name added to LB953.  
Senator Halloran name added to LB954.  
Senator Conrad name added to LB959.  
Senator Brewer name added to LB974.  
Senator Conrad name added to LB976.  
Senator Murman name added to LB1003.  
Senator Halloran name added to LB1004.  
Senator Halloran name added to LB1027.  
Senator Halloran name added to LB1034.  
Senator Halloran name added to LB1035.  
Senator M. Cavanaugh name added to LB1050.  
Senator Halloran name added to LB1060.  
Senator Slama name added to LB1067.  
Senator Conrad name added to LB1089.  
Senator Halloran name added to LB1111.  
Senator Brewer name added to LB1243.  
Senator Holdcroft name added to LB1260.  
Senator Halloran name added to LB1297.  
Senator Halloran name added to LB1299.

Senator Hansen name added to LB1301.  
Senator Holdcroft name added to LB1301.  
Senator Lippincott name added to LB1301.  
Senator Brandt name added to LB1301.  
Senator Kauth name added to LB1301.  
Senator McDonnell name added to LB1301.  
Senator Dorn name added to LB1301.  
Senator Linehan name added to LB1301.  
Senator von Gillern name added to LB1301.  
Senator Jacobson name added to LB1301.  
Senator Aguilar name added to LB1301.  
Senator Halloran name added to LB1301.  
Senator Holdcroft name added to LB1368.  
Senator Halloran name added to LR277CA.  
Senator Halloran name added to LR278CA.

### **VISITOR(S)**

Visitors to the Chamber were Emily Haxby, Clatonia; members from Nebraska Cattlemen-Young Cattlemen's Group from across the state.

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

### **ADJOURNMENT**

At 4:16 p.m., on a motion by Senator M. Cavanaugh, the Legislature adjourned until 9:30 a.m., Thursday, January 18, 2024.

Brandon Metzler  
Clerk of the Legislature



**ELEVENTH DAY - JANUARY 18, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****ELEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 18, 2024

**PRAYER**

The prayer was offered by Father Ryan Lewis, Saint Elizabeth Ann Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Erdman.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:30 a.m., President Kelly presiding.

The roll was called and all members were present except Senators Blood and Slama who were excused; and Senators J. Cavanaugh, M. Cavanaugh, Conrad, Day, Dungan, Hunt, and Murman who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the tenth day was approved.

**MOTION - Escort Governor**

Senator Fredrickson moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

Senator Linehan requested a point of order that the motion to appoint an escort committee is not debatable nor amendable.

The Chair sustained the point of order.

Senator Wayne challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Wayne withdrew his motion to overrule the Chair.

Senator M. Cavanaugh requested a point of order.

The Chair recognized Senator M. Cavanaugh.

Senator M. Cavanaugh withdrew her motion to overrule the Chair.

The Fredrickson motion prevailed.

The Chair appointed Senators Brewer, Conrad, DeBoer, Ibach, and von Gillern to serve on said committee.

### **STATE OF THE STATE ADDRESS**

President Kelly, Speaker Arch, and members of the 108th Nebraska Legislature.

Family, friends, and distinguished guests.

My fellow Nebraskans.

Over the past 11 days, Nebraska experienced historically brutal winter weather.

Subzero temperatures, back-to-back blizzards, and unrelenting winds paralyzed much of our state, stranding hundreds of travelers, preventing farmers and ranchers from reaching their farms and feeding their animals, shuttering businesses, challenging our power grid, and threatening safety and commerce for thousands.

To meet this emergency, Nebraskans helped Nebraskans, just as they have done countless times before.

State troopers, sheriff's deputies, police officers, other first responders, and snow fighters from across the state moved swiftly to rescue those trapped by the storms, clear roads, and dig out our communities and agriculture.

These brave men and women represent the best and the backbone of our state—public servants who rush into the storm and into harm's way to help their neighbors.

It is because of them—and because of the resilience of the toughest, hardest-working people in this land—that the state of our state is as strong as ever.

In the balcony today are Nebraska State Patrol Sergeant Jesse Pfeifer, Air National Guard Major Dave Strom, and Department of Transportation

District Operations Manager and Snow Fighter Tim Koenig.

We thank them for their tireless service to Nebraska, and I ask you to join me in recognizing them as representatives of all of Nebraska's law enforcement, first responders, National Guard, and highway workers.

We must never forget the reality of the hazards these public servants face every day.

This past year, Nebraska lost two of our DOT highway workers in the line of duty.

Their names were Mark Wells and Dave Schwartz, and I ask you all to join me in a moment of silence to honor their memories.

Thank you.

One year ago, I stood before you in this magnificent Chamber and pledged to be Governor of all Nebraskans and to build relationships with all of their representatives.

It has been my honor to do so.

We did not agree on every issue.

God forbid we ever do.

But we certainly agreed that our kids are our future and we never ever give up on our kids.

United by those principles, together in 2023 we accomplished much for Nebraska's future.

We took major steps to make sure the state meets its school funding promises to EVERY kid in EVERY district by investing 1 billion dollars into the Education Future Fund to support K-12 education.

This included a critical step forward in foundation aid of 1500 dollars per student and overdue increases in special education funding.

We invested in our workforce by guaranteeing state-funding for our dynamic community college system to help increase access to trade school degrees.

And we passed the Opportunity Scholarships Act, which will ensure that needy students from every corner of our state have a chance at a good education at a school that will be the best fit for them.

To no one's surprise the success of this program is obvious, with thousands

of Nebraska kids already expressing interest in the program.

Several are with us today, including Opportunity Scholarship recipients Nyah Bell from Omaha and Destiny Curtis from Norfolk.

Please join me in welcoming these students to their State Capitol.

Sadly, union bosses and politicians are trying to rip these scholarships away from kids like Nyah and Destiny.

I will fight to protect what we worked so hard to pass last year and call upon this body to do the same.

Last year included major achievements in other areas, too.

We took a big first step toward addressing mental health challenges with the unanimous creation of certified community behavioral health clinics.

2023 was a groundbreaking year for fiscal conservatism, too.

We agreed that state government was spending too much and taxing its people too much.

We tightened our belts and passed a historic fiscal conservative budget with only 2 percent growth.

We agreed that taxing our seniors' social security is not the Nebraska way and ended it.

We finally made our income tax codes competitive with our neighbors by reducing income tax rates to 3.99 percent by 2027.

Agriculture is the heart and soul of Nebraska's economy and we made big investments in its future and infrastructure.

We supported value-added agriculture by increasing consumer ethanol access.

We created and strengthened the Nebraska Broadband Office, which will leverage once-in-a-generation resources to ensure rural Nebraska businesses and farms can connect to a global economy.

And we created the financing tools needed to FINALLY finish our statewide expressway system.

We defended the unborn by restricting abortions beyond 12 weeks.

We will continue to embrace life here in Nebraska with the launch of a yearlong "Culture of Life and Love Initiative"



It will provide resources to expecting moms, especially those in crisis and who need support more than ever.

Much work remains to be done, but this Legislature should be proud of its investments in Nebraska's future. Thank you.

We Nebraskans are a people grounded in values: faith, family, freedom, life, and love.

We are a place of rich opportunity and one of the safest places to live in the world to raise a family.

We have the gift of belief. Among our greatest strengths is that we believe we can compete with anyone, anywhere in the world...and we can.

Blessed with these traits, our economy can weather any storm and emerge stronger.

Our economic diversity is at the foundation of this resilience.

If agriculture slows, our manufacturers keep Nebraskans at work, and vice versa.

Our banking sector—much of which is family-owned and deeply familiar with the businesses and farming operations it serves—provides the stability and liquidity needed for growth.

Because of sound, prudent regulation and a low tax burden, Nebraska has become an insurance capital, attracting strong companies, creating thousands of jobs, and an industry that ranks in the top 3 nationally.

Our public university system has world-class healthcare and biosecurity assets, which attract patients and experts from across the globe.

We are a sophisticated national security hub, hosting STRATCOM at Offutt Air Force Base and providing the nuclear deterrence necessary to secure a troubled world.

To support and grow these incredible economic assets, among our chief goals in state government must be to get government out of the way, reduce regulations and bureaucratic hurdles, and empower people and businesses to thrive.

In our administration, we call this Operation: Clean Out The Closets, in which we try to identify every statutory or regulatory mandate that adds needless costs to healthcare, education, senior care, and businesses of all kinds.

We can do much in the executive branch, but we must partner with you to complete this task and to stay vigilant against new costly mandates.

Together we can get government out of the way and focused again on its core functions: public safety, education, and infrastructure.

This legislative session, though short, holds great promise and opportunity for our state.

There is a tremendous amount of the people's work we must accomplish to make this a better, safer, and stronger place for every Nebraska kid, family, business, and farm.

If we are thoughtful, principled, and keep the interests of all Nebraskans before us, I have no doubt this can be one of the most impactful legislative sessions in our history.

First and foremost, the most important economic issue we face is out of control property taxes.

This crisis is not new.

It has been hurting Nebraska farmers, ranchers, homeowners, and businesses for most of our lifetimes.

High property taxes hurt every Nebraskan in every part of our state and must be fixed NOW.

Property taxes are so out of whack, you don't even need to own property to be impacted.

They are THE MOST regressive tax government imposes on its people.

Fixed income Nebraskans who have lived, worked, and raised families here now face the prospect of being forced out of their homes due to out of control property taxes.

That is unacceptable, but you have several proposals before you to fix it.

Senator Linehan has introduced a hard cap on local spending, which can be overridden only by a vote of the people.

This measure is critical, as only a hard cap will force local government to finally curb spending.

Senator Dover has a bill that will repurpose existing credits so all property taxpayers can benefit from this relief, not just those with the best accountants.

His bill will also add one billion dollars in new property tax credits.

Critically, all of these credits will be front-loaded so that property taxpayers will see them directly on their property tax statements instead of having to go through an onerous process to claim them through their income taxes months later.

Through hard work, collaboration, and setting politics aside, we must find the revenue to support this property tax relief.

Senators von Gillern, Kauth, Meyer, Murman, Albrecht, and Linehan have offered several bills to close several tax loopholes created for special interests at the expense of the middle class.

We have examined over 500 agency cash funds and will transfer 274 million dollars to support property tax relief.

Oh, and by the way, even after that transfer, we still have a total of 2.49 billion dollars in those cash funds.

And that's not even counting the 1.25 billion dollars in our general and cash reserve fund.

It is not the job of government to hoard cash and we must give it back to the people.

We must lower our overall tax burden, widen our tax base, and end the era of special interest tax breaks.

Tax policy must benefit our state as a whole, not whoever has the best lobbyist.

With these changes Nebraskans' property tax bill will be cut by 40 percent THIS YEAR.

I know there is the will, good faith, knowledge, and ability in this chamber to solve it, and I pledge to work with you as long as it takes to get this done.

Nebraska government remains too big at every level.

Since my inauguration, we have been relentless in searching for efficiencies, cutting costs, ending bloated contracts, and working to meet the performance improvement targets this Legislature set out for us last session.

We must do more, however, including by structurally reducing the excessive number of boards and commissions that have built up in Nebraska government over the years.

At last count, we have over two hundred state boards and commissions,

many of which are redundant or oversee activities that can be eliminated.

Senator Brewer has introduced a measure that would eliminate forty-eight— or twenty percent—of our boards and commissions.

I urge the Legislature to make the most of this opportunity to shrink unnecessary government.

For over a century, Nebraska has been the land of opportunity for newcomers.

For years, we have used income tax abatement as our main tool to incentivize companies to come to Nebraska.

This has yielded many success stories and thousands of good, well-paying careers for hard-working Nebraskans.

But we must make sure we are not giving our topsoil away by giving incentives to foreign companies who view Nebraska merely as a conduit for cheap electricity, free water, and cheap labor.

We must align our economic incentives to strengthen not only value-adding new businesses, but also Nebraska-owned, Nebraska-led businesses which have been building our economy for generations.

That is why I am working with Senator Linehan to reform our current incentive package to make Nebraska's incentives competitive in the manufacturing sector for Nebraska-grown companies.

While we want to create and incentivize great careers in Nebraska, we must focus more on recruiting people to The Good Life.

We must retool our incentives to be people focused.

One priority, brought by Senator Brewer, will be strengthening the ranks of our great Nebraska National Guard by exempting its members from state income tax.

While significant, this is the least we can do to honor them for all they do for our state and nation.

Thank you, Colonel Brewer, for your own service and commitment to our armed forces.

We will incentivize new Nebraskans to join our private workforce, too.

Senator Ballard has introduced an innovative bill that will give Nebraska businesses credit for bringing new residents to our state.

Passing this bill will be another investment in our future workforce.

But we must recognize that investing in the twenty-first century workforce is different from what we've done before.

No longer can we focus tax breaks on companies that are takers, not givers, and that do not share our values.

With input from our working group that focused on workforce development over the past six months, we have come forward with proposals in childcare & early childhood education, housing, and general education.

I have partnered with Senator Bostar on Legislation to create a Micro-Center network.

This will allow local communities and businesses to get creative with existing space and resources to meet their childcare needs.

To build the housing we need for our workforce, we should invest an additional 25 million dollars into the Rural Workforce Housing Fund.

All across rural Nebraska, the demand for workforce housing is so great that homes are sold before the doors are even hung.

But it's not just a rural Nebraska issue.

Housing affordability and availability is an issue in our cities too.

Part of the shared problem is local overregulation of affordable housing.

That is why I am partnering with Senator Lowe on lowering the regulatory burden for affordable housing.

A recent UNO study showed that regulation as a component of construction is over 40 thousand dollars higher here than the national average.

This is simply unacceptable and makes no sense.

We must cut the red tape and make homes affordable in Nebraska.

I am partnering with Senator Walz to break down the barriers for potential teachers to enter the workforce.

I ask this question all the time, "who are the top three people that impacted your life the most?"

I guarantee if we took the time for each of you to answer, all 49 of you would have a teacher or a coach in your answer.

I tell you what, if I would have known and understood the impact a coach can have I would have been a coach.

It is one of society's most important professions.

That is why we must allow for reciprocity for teachers coming from another state and simplify how to apply for and receive a teaching certificate.

That way more Nebraskans can easily choose this honorable profession.

Finally, I am working with Senator Linehan to change our incentive credits to direct them toward housing, childcare, and early childhood education for Nebraskans.

Outside this building, state government must do more collectively to align our institutions of higher education to meet the workforce needs of tomorrow.

I look forward to partnering with our University of Nebraska, State College system, and Community College System to launch the One Nebraska initiative, which will eliminate needless duplication and inefficient competition between state-supported schools.

Along with finally harmonizing and strengthening our Regents Scholarship program, we will make sure that our higher education keeps our best and brightest here and trains them to lead Nebraska into the future.

These efforts will stop the brain drain, welcome new Nebraskans, and will help businesses, ranchers and farmers thrive.

Speaking of attracting people to Nebraska, it's tough to do that with nonsense slogans like we're "not for everyone."

We must bring our economic development, people recruitment, and tourism promotion work back under the same leadership, so that they can be better coordinated and run at less administrative expense to the taxpayers.

Senator McDonnell has a carryover bill from last session that would correct a decade-old mistake of separating tourism from economic development.

I urge you to pass this bill so we can again tell the world that The Good Life is for EVERYONE.

Nebraska has become a Mecca for women's athletics, with our women's sports drawing tremendous inspiration and excitement and our female athletes becoming superstars.

Supporting our women athletes takes more than just buying tickets and watching games, though—it also means protecting them in the arena and in the locker room.

Simply put, I don't want my granddaughter to bear the fundamental unfairness of competing against a boy.

And I certainly don't want her to suffer the indignity of showering next to a boy.

And that goes both ways—our boys shouldn't be sharing showers with girls.

This is commonsense stuff that the overwhelming majority of Nebraskans support.

Senator Kauth's Sports and Spaces Act, also carried over from last year, reflects that common sense.

I believe in sports, I believe in women's sports, and I believe in protecting women athletes, and I urge you to pass LB575.

We have also included in our budget proposal funding that will enable us to take advantage of once-in-a-lifetime federal resources designed to develop the new bioeconomy here in Nebraska.

This diverse area of economic activity encompasses everything from sustainable aviation fuel to plastics, nylon, acrylics, and amino acids—all sourced from corn and soybeans and able to be made here in Nebraska.

Nebraska is uniquely well-equipped to be the leader in the new bioeconomy.

Blessed with constantly renewed water resources that are not only a natural buffer against drought but also enable us to grow crops more sustainably than anywhere else, we already produce the building blocks of the new bioeconomy.

This will provide more value for our agricultural products, more research and innovation, and more wealth right here.

We are the envy of the Nation when it comes to our people, our safety, our energy independence and our food security.

Center to it all is our pot of gold — the Ogallala Aquifer — one of the few truly sustainable aquifers in the western hemisphere.

Our water is the key to value-added agriculture — the ability to raise more crops per acre while using less energy.

Looking ahead, even beyond this session, it is critical that we strengthen our water laws to guarantee this priceless resource is not diverted to solve water management failures in other parts of the country.

We must invest to incentivize ag producers to use less water to raise more.

Better measurement tools, more use of technology, and more innovation will enable us to use less water while irrigating more crops right here in Nebraska.

With our water being the envy of the world, we cannot allow adversarial foreign interests the ability to take it.

That is why I am partnering with Senator DeKay to modernize Nebraska's laws on land ownership to prohibit purchases by adversaries.

This bill would tighten up those restrictions and provide a clear directive for enforcement.

Additionally, the bill rescinds exemptions for foreign ownership, such as foreign oil, gas and mineral development in the state.

The world is not the same place as it was in the 1950s, when these laws were last reviewed.

It is imperative to keep enemies of our country from owning land in our state, especially near sensitive military installations.

I am also partnering with Senator Bostar to ban enemies like China, North Korea, and Iran from bidding on any public contract that deals with security related items like IT, communication networks, and infrastructure.

As I close, I want to share with you one of the most incredible moments I experienced during my first year as your Governor.

Early last year, I was privileged to be the first Governor to join a conference of Nebraska's tribal leaders in South Sioux City.

While there, one of the tribal elders shared with me what his grandfather taught him: that whenever his community's leaders gather to make important decisions for their people's future, they are guided by the knowledge that their actions have an impact for seven generations.

That is incredibly powerful and has remained with me ever since.

It has come to guide my own public service and I hope you find meaning in it, too.

It has been roughly seven generations since Nebraska was founded.

Those pioneers poured their blood, sweat, and tears into this land, not only for themselves but for their kids, grandkids, and generations to come.



Their hard work, grit, sacrifice, and optimism is reflected in our people today.

As we do the people's business in the days, weeks, and months ahead, we should never forget that we are working for future generations of Nebraskans, so that they may inherit the same safe, strong, and prosperous Nebraska that we enjoy today.

If we look beyond localized interests and set politics aside, and instead put the best interests of Nebraska as our sole guiding principle, I have no doubt that we can win for our agriculture, our businesses, our taxpayers, our kids, and our future.

Together we can.

Speaking of having an impact for seven generations...thank you to this body for partnering with us to launch a five million dollar investment in mentoring organizations across the state, because while not every kid needs a mentor, every kid deserves one.

The lifetime benefits of mentoring cannot be overstated.

And that is why I am so honored that we are joined today by one of my own mentors, and a dedicated public servant of Nebraska himself, Coach Tom Osborne.

Coach has been a leader in creating mentoring opportunities for thousands of kids and he is an inspiration to us all.

Will you join me in recognizing Coach Osborne and everything he has done for Nebraska.

Thank you for your friendship and partnership in service of the people we collectively represent.

It goes without saying, none of us could answer our calls to serve without the support of our families.

I am certainly grateful for the love and support of my own family, including our First Lady, Suzanne, who is here with us today.

And thanks to you and your families for the sacrifices you and they make for your public service to Nebraska.

God bless you and God bless the great State of Nebraska.

The committee escorted Governor Pillen from the Chamber.

**AMENDMENT(S) - Print in Journal**

Senator DeKay filed the following amendment to LB1301:

[FA203](#)

Strike Section 1.

Senator DeKay filed the following amendment to LB1301:

[FA204](#)

Strike Section 10.

Senator DeKay filed the following amendment to LB1301:

[FA205](#)

Strike Section 1.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1412.** Introduced by Speaker Arch, 14; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB243A, section 2; Laws 2023, LB583A, section 1; and Laws 2023, LB814, sections 21, 26, 68, 71, 76, 77, 78, 79, 83, 85, 87, 90, 91, 93, 94, 95, 97, 101, 102, 103, 104, 105, 106, 113, 115, 118, 119, 120, 121, 122, 124, 130, 131, 132, 133, 135, 136, 150, 157, 165, 173, 219, 221, 222, 223, 224, 225, 226, 228, 229, 230, 232, 235, 236, 241, 254, 255, 267, 268, 280, 282, 285, 290, 301, 306, and 307; to define terms; to provide, change, and eliminate appropriations for operation of state government, postsecondary education, state aid, and capital construction; to provide, change, and eliminate appropriations of funds allocated to the State of Nebraska from the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1413.** Introduced by Speaker Arch, 14; at the request of the Governor.

A BILL FOR AN ACT relating to funds; to amend sections 8-604, 29-2262.07, 37-323, 37-345, 37-431, 48-621, 48-622.01, 59-1608.04, and 81-1505.05, Reissue Revised Statutes of Nebraska, sections 61-405, 71-812, 79-810, 81-1201.21, 81-12,146, 81-1558, and 84-512, Revised Statutes Cumulative Supplement, 2022, and sections 37-1804, 48-622.02, 61-224, 71-7611, 79-3501, 84-612, 85-2009, and 86-324, Revised Statutes Supplement, 2023; to transfer and provide for the transfer of funds; to create a fund; to change the use and distribution of funds; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1414.** Introduced by Linchan, 39; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-518, 13-519, 13-520, and 77-27,142, Reissue Revised Statutes of Nebraska, sections 77-1776, 77-27,144, 77-3446, and 77-6203, Revised Statutes Cumulative Supplement, 2022, and sections 77-1632 and 77-1633, Revised Statutes Supplement, 2023; to adopt the Property Tax Growth Limitation Act; to change provisions relating to budget limitations; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1415.** Introduced by Dover, 19; at the request of the Governor.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 81-12,193, Revised Statutes Cumulative Supplement, 2022, and sections 77-6702 and 77-6703, Revised Statutes Supplement, 2023; to adopt the Property Tax Relief Act; to change the Nebraska Property Tax Incentive Act as prescribed; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1416.** Introduced by Bostar, 29; at the request of the Governor.

A BILL FOR AN ACT relating to child care; to adopt the Child Care Capacity Building and Workforce Act.

**LEGISLATIVE BILL 1417.** Introduced by Brewer, 43; at the request of the Governor.

A BILL FOR AN ACT relating to government; to amend sections 2-509, 2-517, 2-518, 2-519, 2-1803, 2-4901, 2-5003, 20-506, 38-204, 38-308, 38-1503, 43-2405, 48-622.03, 66-1618, 71-814, 71-815, 71-1134, 71-2454.01, 71-5311, 71-7101, 71-7102, 71-7106, 71-7107, 71-7108, 71-7109, 72-724, 72-812, 72-2101, 76-537, 76-540, 76-2207.18, 79-860, 79-866, 79-867, 79-868, 79-1810, 80-401.09, 81-502.01, 85-1404, 85-1607, 86-444, 86-516, 86-521, and 90-306, Reissue Revised Statutes of Nebraska, sections 28-712, 39-2106, 39-2301.01, 39-2304, 43-1302, 43-1903, 43-3401, 43-4001, 43-4203, 43-4216, 43-4406, 43-4513, 66-2001, 71-3703, 71-7012, 71-7804, 72-224.03, 76-2222, 79-810, 79-870, 79-1245, 79-2204, 80-318, 81-8,110.01, 81-1108.32, 81-1348, 81-1503, 81-1504, 81-15,159.01, 81-15,245, 81-3428, 82-703, 82-706, 82-803, 83-1212.01, 85-1008, 86-461, 86-1101, and 86-1102, Revised Statutes Cumulative Supplement, 2022, and sections 38-167, 71-7104, 79-808, and 86-1103, Revised Statutes Supplement, 2023; to create, eliminate, terminate, and provide, change, eliminate, and transfer powers, duties, and membership of boards, commissions, committees, councils, task forces, panels, authorities, and departments; to change and eliminate funds; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-4003, 50-603, 71-7105, 71-7110, 71-7113, 79-862, 79-864, 79-865, 79-869, and 79-871, Reissue Revised Statutes of Nebraska, and sections 43-1306, 79-861, and 79-863, Revised Statutes Cumulative Supplement, 2022.

**PROPOSED RULES CHANGE(S)**

Senator Erdman offered Proposed Rule Change 3 (Rule 1, Sec. 1, and Rule 3, Sec. 8), found on page 184, and amended on page 335.

Senator Conrad offered her motion, found on page 370, to recommit Proposed Rule Change 3 to the Rules Committee.

Pending.

**RECESS**

At 11:56 a.m., on a motion by Senator Arch, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Blood, Ibach, and Sanders who were excused; and Senators Armendariz, Bostar, M. Cavanaugh, Conrad, Hunt, and Wishart who were excused until they arrive.

**PROPOSED RULES CHANGE(S)**

Senator Erdman renewed Proposed Rule Change 3 (Rule 1, Sec. 1, and Rule 3, Sec. 8), found on page 184, amended on page 335, and considered in this day's Journal.

Senator Conrad renewed her motion, found on page 370, and considered in this day's Journal, to recommit Proposed Rule Change 3 to the Rules Committee.

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

Senator Erdman moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

The motion to cease debate prevailed with 26 ayes, 8 nays, and 15 not voting.

The Conrad motion to recommit to the Rules Committee failed with 11 ayes, 28 nays, 3 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator Conrad offered the following motion:

Reconsider the vote on the Conrad motion to recommit to the Rules Committee.

**SENATOR DORN PRESIDING**

**PRESIDENT KELLY PRESIDING**

Senator Conrad withdrew her motion to reconsider.

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 3, found on page 343, to amend Proposed Rule Change 3, Rule 3, Sec. 8, strike all new language.

Senator M. Cavanaugh withdrew her motion to Proposed Rule Change 3, found on page 343, to amend Proposed Rule Change 3, Rule 3, Sec. 8, strike "the chairperson".

Senator Erdman moved for a call of the house. The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Erdman requested a roll call vote on his motion to adopt Proposed Rule Change 3, as amended.

Voting in the affirmative, 26:

Albrecht	Brewer	Hansen	Lippincott	von Gillern
Arch	Clements	Hardin	Lowe	Wayne
Armendariz	DeKay	Holdcroft	Meyer	
Ballard	Dover	Jacobson	Moser	
Bosn	Erdman	Kauth	Murman	
Bostelman	Halloran	Linehan	Slama	

Voting in the negative, 16:

Aguilar	Conrad	Dungan	Raybould
Brandt	Day	Fredrickson	Riepe
Cavanaugh, J.	DeBoer	Hughes	Vargas
Cavanaugh, M.	Dorn	Hunt	Wishart

Excused and not voting, 7:

Blood	Ibach	McKinney	Walz
Bostar	McDonnell	Sanders	

The Erdman motion to adopt Proposed Rule Change 3, as amended, was not adopted with 26 ayes, 16 nays, and 7 excused and not voting.

The Chair declared the call raised.

Senator Hansen offered Proposed Rule Change 29 (Rule 5, Sec. 4, and Rule 5, Sec. 5), found on page 201.

Senator DeBoer withdrew her motion to amend Proposed Rule Change 29, found on page 343, to amend Proposed Rule Change 29, strike everything from "If individual members limit..." to "two bills as priority bills".

Senator Hansen offered the following motion to amend Proposed Rule Change 29:

**Rule 5, Sec. 4. Introducers Signing Bills. ...**

(d) Individual members shall ~~not be limited as to bill introduction to no~~ more than 16 bills introduced at any one session. Each committee shall be limited to ~~8~~ 10 bills each session. Bills introduced as a result of an interim study of the Legislative Council shall be included within the limitations prescribed by this section. Special committees created as a result of an interim study resolution and as authorized by the Executive Board shall be considered as separate committees for purposes of the limitations prescribed by this section. Bills introduced under Rule 5, Section 3(a), Rule 5, Section 4(c)(3), and bills introduced at the request of the governor will not be included in the limitation.

...

Pending.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB999	Judiciary (rereference)
LB1190	Urban Affairs (rereference)
LB1191	Government, Military and Veterans Affairs (rereference)
LB1302	Government, Military and Veterans Affairs
LB1303	Government, Military and Veterans Affairs
LB1304	Natural Resources
LB1305	Revenue
LB1306	Education
LB1307	Banking, Commerce and Insurance
LB1308	Revenue
LB1309	Revenue
LB1310	Revenue
LB1311	Revenue
LB1312	Judiciary
LB1313	Agriculture
LB1314	Urban Affairs
LB1315	Revenue

LB1316	Revenue
LB1317	Revenue
LB1318	Revenue
LB1319	Revenue
LB1320	Health and Human Services
LB1321	Executive Board
LB1322	Education
LB1323	Appropriations
LB1324	Revenue
LB1325	Health and Human Services
LB1326	Revenue
LB1327	Government, Military and Veterans Affairs
LB1328	Education
LB1329	Education
LB1330	Education
LB1331	Education
LB1332	Banking, Commerce and Insurance
LB1333	Appropriations
LB1334	Judiciary
LB1335	Natural Resources
LB1336	Transportation and Telecommunications
LB1337	Education
LB1338	Education
LB1339	Education
LB1340	Transportation and Telecommunications
LB1341	Revenue
LB1342	Revenue
LB1343	Executive Board
LB1344	Urban Affairs
LB1345	Revenue
LB1346	Revenue
LB1347	Education
LB1348	Education
LB1349	Revenue
LB1350	Health and Human Services
LB1351	Judiciary
LB1352	Appropriations
LB1353	Banking, Commerce and Insurance
LB1354	Revenue
LB1355	Health and Human Services
LB1356	Revenue
LB1357	Judiciary
LB1358	Government, Military and Veterans Affairs
LB1359	Urban Affairs
LB1360	Judiciary
LB1361	Revenue
LB1362	Revenue
LB1363	Revenue
LB1364	Banking, Commerce and Insurance

LB1365	Nebraska Retirement Systems
LB1366	Judiciary
LB1367	Revenue
LB1368	Agriculture
LB1369	Natural Resources
LB1370	Natural Resources
LB1371	Education
LB1372	Revenue
LB1373	Health and Human Services
LB1374	Revenue
LB1375	Government, Military and Veterans Affairs
LB1376	Appropriations
LB1377	Education
LB1378	Appropriations
LB1379	Revenue
LB1380	Appropriations
LB1381	Health and Human Services
LB1382	Government, Military and Veterans Affairs
LB1383	Natural Resources
LB1384	Urban Affairs
LB1385	Education
LB1386	Education
LB1387	Health and Human Services
LB1388	Education
LB1389	Revenue
LB1390	Government, Military and Veterans Affairs
LB1391	Education
LB1392	Health and Human Services
LB1393	Business and Labor
LB1394	Revenue
LB1395	Banking, Commerce and Insurance
LB1396	Agriculture
LB1397	Revenue
LB1398	Education
LB1399	Education
LB1400	Revenue
LB1401	Appropriations
LB1402	Appropriations
LB1403	Revenue
LB1404	Government, Military and Veterans Affairs
LB1405	Banking, Commerce and Insurance
LB1406	Natural Resources
LB1407	Appropriations
LB1408	Business and Labor
LB1409	Banking, Commerce and Insurance
LB1410	Revenue
LB1411	Appropriations
LR282	Government, Military and Veterans Affairs
LR283CA	Executive Board



LR284CA Executive Board  
LR285CA Revenue  
LR286CA Executive Board  
LR287CA Government, Military and Veterans Affairs

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**NOTICE OF COMMITTEE HEARING(S)**

Agriculture  
Room 2102 1:30 PM

Tuesday, January 30, 2024

LB828  
LB831  
LB1116  
LB1142

(Signed) Steve Halloran, Chairperson

Judiciary  
Room 1113 1:30 PM

Thursday, January 25, 2024

LB914  
LB1119  
LB886  
LB1268  
LB1220

(Signed) Justin Wayne, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Conrad filed the following amendment to LB16:  
[AM2102](#) is available in the Bill Room.

**MOTION(S) - Print in Journal**

Senator Halloran filed the following motion to LB999:  
[MO1171](#)  
Suspend Rule 3, Sec. 14, to allow the cancellation of the public hearing currently scheduled for January 23 before the Agriculture Committee.

Senator Erdman filed the following motion to LB1140:  
[MO1172](#)  
Withdraw LB1140.

**MESSAGE(S) FROM THE GOVERNOR**

January 8, 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 Tax Equalization and Review Commission:

Jacqueline Russell, 2912 Lakeview Cove, Hastings, NE 68901

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

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Lippincott name added to LB15.  
Senator Hansen name added to LB830.  
Senator Clements name added to LB876.  
Senator Lippincott name added to LB999.  
Senator Dorn name added to LB1035.  
Senator Jacobson name added to LB1035.  
Senator McDonnell name added to LB1124.  
Senator Jacobson name added to LB1269.  
Senator Bosn name added to LB1320.

**WITHDRAW - Cointroducer(s)**

Senator Ibach name withdrawn from LB1330.

**VISITOR(S)**

Visitor to the Chamber was Cindy Johnson, Grand Island.

The Doctor of the Day was Dr. Steve Williams of Omaha.

**ADJOURNMENT**

At 4:47 p.m., on a motion by Senator Clements, the Legislature adjourned until 9:00 a.m., Friday, January 19, 2024.

Brandon Metzler  
Clerk of the Legislature



**TWELFTH DAY - JANUARY 19, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****TWELFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 19, 2024

**PRAYER**

The prayer was offered by Senator Brewer.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Halloran.

**ROLL CALL**

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

The roll was called and all members were present except Senators Blood and Slama who were excused; and Senators Armendariz, Bosn, M. Cavanaugh, Conrad, Day, Dungan, Hunt, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 460, line 6, strike "1", insert "3".  
The Journal for the eleventh day was approved as corrected.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 18, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

American Communications Group, Inc.  
Civic Nebraska  
Eickholt, Christopher/Spike

Omaha Language Solutions  
The Cannabis Factory LLC  
Harr, Burke  
Omaha Multi-Sport Complex d/b/a Nebraska Multi-Sport Complex  
Harrold, Patricia  
Nebraska Firearms Owners Association (NFOA)  
Heartland Strategy Group, LLC  
Nebraska Families 4 Medical Cannabis  
Omaha Federation of Labor, AFL-CIO  
Omaha Professional Firefighters Association  
TransCanada  
Houghton Bradford Whitted PC, LLO  
Omaha Multi-Sport Complex d/b/a Nebraska Multi-Sport Complex  
Husch Blackwell Strategies  
ACT, Inc.  
Jackson, Robert  
National Automatic Merchandising Association  
Johnson, Joseph J.  
Olsson  
Kissel Kohout ES Associates, LLC  
Catholic Charities of Omaha  
Pando PEO  
Lyons, Liz  
Husch Blackwell Strategies LLC  
Nebraska Strategies  
Nebraska Votes  
Total Wine  
O'Hara Lindsay & Associates, Inc.  
All American Games LLC (Withdrawn 01/16/2024)  
Rubin, Barry R.  
Heartland Strategy Group, LLC  
Sepich, Craig  
National Insurance Crime Bureau  
Thiele, Carter  
Lincoln Independent Business Association (LIBA)  
Uher, Tiffany  
MilkWorks  
Waggoner, Karin  
Nebraskans Against Government Overreach

### REPORTS

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

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

**LB/LR**      **Committee**  
LR286CA    Government, Military and Veterans Affairs (rereference)  
LB1412    Appropriations  
LB1413    Appropriations  
LB1414    Revenue  
LB1415    Revenue  
LB1416    Banking, Commerce and Insurance  
LB1417    Government, Military and Veterans Affairs  
Russell, Jacqueline - Tax Equalization and Review Commission - Revenue

(Signed) Raymond Aguilar, Chairperson  
Executive Board

#### **MOTION(S) - Suspend Rules**

Senator Halloran offered [MO1171](#), found on page 465, Suspend Rule 3, Section 14 to allow the cancellation of the public hearing currently scheduled for January 23 before the Agriculture Committee, to LB999.

The Halloran motion to suspend the rules prevailed with 30 ayes, 4 nays, 3 present and not voting, and 12 excused and not voting.

#### **NOTICE OF COMMITTEE HEARING(S)**

Agriculture  
Room 2102 1:30 PM

Tuesday, January 23, 2024  
LB999 (cancel)

(Signed) Steve Halloran, Chairperson

#### **MOTION(S) - Withdraw LB1140**

Senator Erdman offered [MO1172](#), found on page 465, to withdraw LB1140.

The Erdman motion to withdraw the bill prevailed with 34 ayes, 0 nays, 3 present and not voting, and 12 excused and not voting.

#### **PROPOSED RULES CHANGE(S)**

Senator Hansen renewed Proposed Rule Change 29 (Rule 5, Sec. 4, and Rule 5, Sec. 5), found on page 201, and considered on page 462.

Senator Hansen renewed his motion to amend Proposed Rule Change 29, found and considered on page 462.

**SENATOR DEBOER PRESIDING**

**SENATOR DORN PRESIDING**

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

Senator Hansen moved for a call of the house. The motion prevailed with 30 ayes, 1 nay, and 18 not voting.

The motion to cease debate prevailed with 31 ayes, 7 nays, and 11 not voting.

Senator Hunt requested a roll call vote on the Hansen motion to amend Proposed Rule Change 29.

Voting in the affirmative, 32:

Aguilar	Brandt	Erdman	Jacobson	Murman
Albrecht	Brewer	Halloran	Kauth	Riepe
Arch	Clements	Hansen	Linehan	Sanders
Armendariz	DeBoer	Hardin	Lippincott	von Gillern
Ballard	DeKay	Holdcroft	Lowe	
Bosn	Dorn	Hughes	Meyer	
Bostelman	Dover	Ibach	Moser	

Voting in the negative, 9:

Conrad	Hunt	McKinney	Vargas	Wayne
Day	McDonnell	Raybould	Walz	

Present and not voting, 4:

Bostar      Cavanaugh, J.      Cavanaugh, M.      Fredrickson

Excused and not voting, 4:

Blood      Dungan      Slama      Wishart

The Hansen motion to amend Proposed Rule Change 29 prevailed with 32 ayes, 9 nays, 4 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator J. Cavanaugh offered the following motion:  
Reconsider the vote on the Hansen motion to amend Proposed Rule Change 29.

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

Senator Erdman moved for a call of the house. The motion prevailed with 25 ayes, 2 nays, and 22 not voting.



The motion to cease debate prevailed with 26 ayes, 6 nays, and 17 not voting.

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

Voting in the affirmative, 16:

Bostar	Day	Hunt	Vargas
Cavanaugh, J.	DeBoer	McDonnell	Walz
Cavanaugh, M.	Dungan	McKinney	Wayne
Conrad	Fredrickson	Raybould	Wishart

Voting in the negative, 30:

Aguilar	Brandt	Erdman	Ibach	Meyer
Albrecht	Brewer	Halloran	Jacobson	Moser
Armendariz	Clements	Hansen	Kauth	Murman
Ballard	DeKay	Hardin	Linehan	Riepe
Bosn	Dorn	Holdcroft	Lippincott	Sanders
Bostelman	Dover	Hughes	Lowe	von Gillern

Present and not voting, 1:

Arch

Excused and not voting, 2:

Blood Slama

The J. Cavanaugh motion to reconsider failed with 16 ayes, 30 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB860](#):

[AM2133](#)

1 1. Strike the original section 1 and insert the following new  
 2 section:  
 3 Section 1. Section 79-1103, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 79-1103 (1)(a) The State Department of Education shall establish and  
 6 administer the Early Childhood Education Grant Program. Upon the  
 7 effective date of an endowment agreement, administration of the Early  
 8 Childhood Education Grant Program with respect to programs for children  
 9 from birth to age three shall transfer to the board of trustees. If there

10 is no endowment agreement in effect, the department shall request  
11 proposals in accordance with this section for all early childhood  
12 education programs from school districts, individually or in cooperation  
13 with other school districts or educational service units, working in  
14 cooperation with existing nonpublic programs which meet the requirements  
15 of subsection (2) of section 79-1104. If there is an endowment agreement  
16 in effect, the board of trustees shall administer the Early Childhood  
17 Education Grant Program with respect to programs for children from birth  
18 to age three pursuant to section 79-1104.02 and the department shall  
19 continue to administer the Early Childhood Education Grant Program with  
20 respect to other prekindergarten programs pursuant to sections 79-1101 to  
21 79-1104.05. All administrative procedures of the board of trustees,  
22 including, but not limited to, rules, grant applications, and funding  
23 mechanisms, shall harmonize with those established by the department for  
24 other prekindergarten programs.

25 (b) The first priority shall be for (i) continuation grants for  
26 programs that received grants in the prior school fiscal year and for  
27 which the state aid calculation pursuant to the Tax Equity and  
1 Educational Opportunities Support Act does not include early childhood  
2 education students, in an amount equal to the amount of such grant,  
3 except that if the grant was a first-year grant the amount shall be  
4 reduced by thirty-three percent, (ii) continuation grants for programs  
5 for which the state aid calculation pursuant to the act includes early  
6 childhood education students, in an amount equal to the amount of the  
7 grant for the school fiscal year prior to the first school fiscal year  
8 for which early childhood education students were included in the state  
9 aid calculation for the school district's local system minus the  
10 calculated state aid amount, and (iii) for school fiscal year 2007-08,  
11 continuation grants for programs for which the state aid calculation  
12 pursuant to the act includes early childhood education students, but such  
13 state aid calculation does not result in the school district receiving  
14 any equalization aid, in an amount equal to the amount of the grant  
15 received in school fiscal year 2006-07. The calculated state aid amount  
16 shall be calculated by multiplying the basic funding per formula student  
17 for the school district by the formula students attributed to the early  
18 childhood education programs pursuant to the Tax Equity and Educational  
19 Opportunities Support Act.

20 (c) The second priority shall be for new grants and expansion grants  
21 for programs that will serve at-risk children who will be eligible to  
22 attend kindergarten the following school year. New grants may be given  
23 for up to three years in an amount up to one-half of the total budget of  
24 the program per year. Expansion grants may be given for one year in an  
25 amount up to one-half of the budget for expanding the capacity of the  
26 program to serve additional children.

27 (d) The third priority shall be for new grants, expansion grants,  
28 and continuation grants for programs serving children younger than those  
29 who will be eligible to attend kindergarten the following school year.  
30 New grants may be given for up to three years in an amount up to one-half  
31 the total budget of the program per year. Expansion grants may be given  
1 for one year in an amount up to one-half the budget for expanding the  
2 capacity of the program to serve additional children. Continuation grants  
3 under this priority may be given annually in an amount up to one-half the  
4 total budget of the program per year minus any continuation grants  
5 received under the first priority.

6 (e) Programs serving children who will be eligible to attend  
7 kindergarten the following school year shall be accounted for separately  
8 for grant purposes from programs serving younger children, but the two  
9 types of programs may be combined within the same classroom to serve  
10 multi-age children. Programs that receive grants for school fiscal years  
11 prior to school fiscal year 2005-06 to serve both children who will be

12 eligible to attend kindergarten the following school year and younger  
13 children shall account for the two types of programs separately for grant  
14 purposes beginning with school year 2005-06 and shall be deemed to have  
15 received grants prior to school fiscal year 2005-06 for each year that  
16 grants were received for the types of programs representing the age  
17 groups of the children served.

18 (2) Each program proposal which is approved by the department shall  
19 include (a) a planning period, (b) an agreement to participate in  
20 periodic evaluations of the program to be specified by the department,  
21 (c) evidence that the program will be coordinated or contracted with  
22 existing programs, including those listed in subdivision (d) of this  
23 subsection and nonpublic programs which meet the requirements of  
24 subsection (2) of section 79-1104, (d) a plan to coordinate and use a  
25 combination of local, state, and federal funding sources, including, but  
26 not limited to, programs for children with disabilities below five years  
27 of age funded through the Special Education Act, the Early Intervention  
28 Act, funds available through the flexible funding provisions under the  
29 Special Education Act, the federal Head Start program, 42 U.S.C. 9831 et  
30 seq., the federal Even Start Family Literacy Program, 20 U.S.C. 6361 et  
31 seq., Title I of the federal Improving America's Schools Act of 1994, 20  
1 U.S.C. 6301 et seq., and child care assistance through the Department of  
2 Health and Human Services, (e) a plan to use sliding fee scales and the  
3 funding sources included in subdivision (d) of this subsection to  
4 maximize the participation of economically and categorically diverse  
5 groups and to ensure that participating children and families have access  
6 to comprehensive services, (f) the establishment of an advisory body  
7 which includes families and community members, (g) the utilization of  
8 appropriately qualified staff, (h) an appropriate child-to-staff ratio,  
9 (i) appropriate group size, (j) compliance with minimum health and safety  
10 standards, (k) appropriate facility size and equipment, (l) a strong  
11 family development and support component recognizing the central role of  
12 parents in their children's development, (m) developmentally and  
13 culturally appropriate curriculum, practices, and assessment, (n)  
14 sensitivity to the economic and logistical needs and circumstances of  
15 families in the provision of services, (o) integration of children of  
16 diverse social and economic characteristics, (p) a sound evaluation  
17 component, including at least one objective measure of child performance  
18 and progress, (q) continuity with programs in kindergarten and elementary  
19 grades, (r) instructional hours that are similar to or less than the  
20 instructional hours for kindergarten except that a summer session may be  
21 offered, (s) well-defined language development and early literacy  
22 emphasis, including the involvement of parents in family literacy  
23 activities, (t) a plan for ongoing professional development of staff, and  
24 (u) inclusion of children with disabilities as defined in the Special  
25 Education Act, all as specified by rules and regulations of the  
26 department in accordance with sound early childhood educational practice.

27 (3) The department shall make an effort to fund programs widely  
28 distributed across the state in both rural and urban areas.  
29 (4) The department, in collaboration with the board of trustees if  
30 an endowment agreement is in effect, shall provide a report detailing how  
31 grants were distributed, examining the budgetary needs of the programs,  
1 and evaluating the programs to the State Board of Education and the  
2 Legislature by January 1 of each odd-numbered year. The report submitted  
3 to the Legislature shall be submitted electronically. The Education  
4 Committee of the Legislature shall hold a public hearing regarding the  
5 report, and the Commissioner of Education or a representative of the  
6 department designated by the commissioner and all members of the board of  
7 trustees shall appear at such hearing. Up to five percent of the total  
8 appropriation for the Early Childhood Education Grant Program for grants  
9 administered by the department may be reserved by the department for

10 evaluation and technical assistance for the programs. The department  
 11 shall maintain a list of the names of the members of the board of  
 12 trustees and make such list available on the department's website.  
 13 (5) Early childhood education programs, whether established pursuant  
 14 to this section or section 79-1104, may be approved for purposes of the  
 15 Tax Equity and Educational Opportunities Support Act, expansion grants,  
 16 and continuation grants on the submission of a continuation plan  
 17 demonstrating that the program will meet the requirements of subsection  
 18 (2) of this section and a proposed operating budget demonstrating that  
 19 the program will receive resources from other sources equal to or greater  
 20 than the sum of any grant received pursuant to this section for the prior  
 21 school year plus any calculated state aid as calculated pursuant to  
 22 subsection (1) of this section for the prior school year.  
 23 (6) The State Board of Education may adopt and promulgate rules and  
 24 regulations to implement the Early Childhood Education Grant Program,  
 25 except that if there is an endowment agreement in effect, the board of  
 26 trustees shall recommend any rules and regulations relating specifically  
 27 to the Early Childhood Education Grant Program with respect to programs  
 28 for children from birth to age three. It is the intent of the Legislature  
 29 that the rules and regulations for programs for children from birth to  
 30 age three be consistent to the greatest extent possible with those  
 31 established for other prekindergarten programs.

### PROPOSED RULES CHANGE(S)

Senator Hansen renewed Proposed Rule Change 29 (Rule 5, Sec. 4, and Rule 5, Sec. 5), found on page 201, and considered on page 462 and in this day's Journal, and amended on page 462, and considered in this day's Journal.

Senator Conrad offered her motion, found on page 370, to recommit Proposed Rule Change 29 to the Rules Committee.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 26 ayes, 6 nays, and 12 not voting.

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

### PRESIDENT KELLY PRESIDING

Voting in the affirmative, 30:

Aguilar	Brandt	Erdman	Jacobson	Meyer
Albrecht	Brewer	Halloran	Kauth	Moser
Armendariz	Clements	Hansen	Linehan	Murman
Ballard	DeKay	Hardin	Lippincott	Riepe
Bosn	Dorn	Holdcroft	Lowe	Sanders
Bostelman	Dover	Ibach	McDonnell	von Gillern

Voting in the negative, 13:

Bostar	DeBoer	Hunt	Vargas	Wishart
Conrad	Dungan	McKinney	Walz	
Day	Fredrickson	Raybould	Wayne	

Present and not voting, 3:

Arch            Cavanaugh, J.    Cavanaugh, M.

Excused and not voting, 3:

Blood            Hughes            Slama

The motion to cease debate prevailed with 30 ayes, 13 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh requested a roll call vote on the Conrad motion to recommit Proposed Rule Change 29 to the Rules Committee.

The Conrad motion to recommit to the Rules Committee failed with 12 ayes, 29 nays, 5 present and not voting, and 3 excused and not voting.

Senator J. Cavanaugh offered the following motion:

Reconsider the vote on the Conrad motion to recommit to the Rules Committee.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 20 ayes, 1 nay, and 28 not voting.

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

Voting in the affirmative, 29:

Aguilar	Brandt	Erdman	Jacobson	Meyer
Albrecht	Brewer	Halloran	Kauth	Murman
Armendariz	Clements	Hansen	Linehan	Riepe
Ballard	DeKay	Hardin	Lippincott	Sanders
Bosn	Dorn	Holdercroft	Lowe	von Gillern
Bostelman	Dover	Ibach	McDonnell	

Voting in the negative, 15:

Bostar	Conrad	Dungan	McKinney	Walz
Cavanaugh, J.	Day	Fredrickson	Raybould	Wayne
Cavanaugh, M.	DeBoer	Hunt	Vargas	Wishart

Present and not voting, 1:

Arch

Excused and not voting, 4:

Blood	Hughes	Moser	Slama
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The motion to cease debate prevailed with 29 ayes, 15 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

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

The J. Cavanaugh motion to reconsider failed with 15 ayes, 28 nays, 1 present and not voting, 2 absent and not voting, and 3 excused and not voting.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Brandt filed the following amendment to LB140A:  
[AM2087](#)

1 1. On page 2, line 2, strike "FY2023-24" and insert "FY2024-25"; in  
2 line 3 strike "FY2024-25" and insert "FY2025-26"; and in line 5 strike  
3 "First Session, 2023" and insert "Second Session, 2024".

#### **NOTICE OF COMMITTEE HEARING(S)**

Appropriations  
Room 1524 1:30 PM

Tuesday, January 30, 2024

LB1412

LB1413

(Signed) Robert Clements, Chairperson

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Monday, February 5, 2024

LB1122  
LB1227  
LB1176  
LB1332  
LB1395  
LB872

Room 1507 1:30 PM

Tuesday, February 6, 2024

LB1416  
LB1229  
LB1132  
LB1147  
LB849

Room 1507 1:30 PM

Monday, February 12, 2024

LB1120  
LB873  
LB1136  
LB1135  
LB1409  
LB1405

Room 1507 1:30 PM

Tuesday, February 20, 2024

LB1307  
LB1274  
LB917  
LB1094  
LB1148  
LB1353  
LB1364

Room 1507 1:30 PM

Tuesday, February 27, 2024

LB990  
LB1232  
LB833  
LB984  
LB1110  
LB1290  
LB954

(Signed) Julie Slama, Chairperson

Judiciary  
Room 1113 1:30 PM

Friday, January 26, 2024  
LB870  
LB1159  
LB977  
LB995  
LB1236

(Signed) Justin Wayne, Chairperson

**PROPOSED RULES CHANGE(S)**

Senator Hansen renewed Proposed Rule Change 29 (Rule 5, Sec. 4, and Rule 5, Sec. 5), found on page 201, and considered on page 462 and in this day's Journal, and amended on page 462, and considered in this day's Journal.

Senator DeBoer offered the following motion to amend Proposed Rule Change 29:

Delete "to no more than 16 bills introduced at any one session" and replace with "to no more than 50 bills and LRCA's per biennium."

Senator DeBoer withdrew her motion to Proposed Rule Change 29, found in this day's Journal, and substituted with the following Hansen motion:

On line 1, strike "16" and insert "20". Add before "Individual members", "Starting with the 2025 legislative session,".

No objections. So ordered.

The Hansen motion to amend Proposed Rule Change 29 prevailed with 26 ayes, 8 nays, 13 present and not voting, and 2 excused and not voting.

Senator Hansen moved for a call of the house. The motion prevailed with 41 ayes, 2 nays, and 6 not voting.

Senator Hansen requested a roll call vote, in reverse order, on his motion to adopt Proposed Rule Change 29, as amended.

Voting in the affirmative, 31:



Aguilar	Brandt	Halloran	Kauth	Riepe
Albrecht	Brewer	Hansen	Linehan	Sanders
Arch	Clements	Hardin	Lippincott	von Gillern
Armendariz	DeKay	Holdercroft	Lowe	
Ballard	Dorn	Hughes	Meyer	
Bosn	Dover	Ibach	Moser	
Bostelman	Erdman	Jacobson	Murman	

Voting in the negative, 15:

Bostar	Day	Fredrickson	McKinney	Walz
Cavanaugh, J.	DeBoer	Hunt	Raybould	Wayne
Conrad	Dungan	McDonnell	Vargas	Wishart

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

Blood            Slama

The Hansen motion to adopted Proposed Rule Change 29, as amended, was adopted with 31 ayes, 15 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**NOTICE OF COMMITTEE HEARING(S)**  
Banking, Commerce and Insurance  
Room 1507 1:30 PM

Tuesday, February 20, 2024  
LB1307 (cancel)  
LB1274 (cancel)  
LB917 (cancel)  
LB1094 (cancel)  
LB1148 (cancel)  
LB1353 (cancel)  
LB1364 (cancel)

(Signed) Julie Slama, Chairperson

**PROPOSED RULES CHANGE(S)**

Senator Erdman offered Proposed Rule Change 1, (Rule 7, Sec. 10), found on page 175.

Pending.

## AMENDMENT(S) - Print in Journal

Senator Hansen filed the following amendment to LB1004:  
AM2128

1 1. Strike original section 1 and insert the following new section:

2 Section 1. Section 60-6,279, Revised Statutes Supplement, 2023, is  
 3 amended to read:

4 60-6,279 (1) A person shall not operate ~~or be a passenger on~~ a  
 5 motorcycle or moped on any highway in this state unless such person is:

6 (a) Wearing a protective helmet of the type and design manufactured  
 7 for use by operators of such vehicles and unless such helmet is secured  
 8 properly on the user's head with a chin strap while the vehicle is in  
 9 motion. All such protective helmets shall be designed to reduce injuries  
 10 to the user resulting from head impacts and shall be designed to protect  
 11 the user by remaining on the user's head, deflecting blows, resisting  
 12 penetration, and spreading the force of impact. Each such helmet shall  
 13 consist of lining, padding, and chin strap and shall meet or exceed the  
 14 standards established in the United States Department of Transportation's  
 15 Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for  
 16 motorcycle helmets; or

17 ~~(b) Beginning January 1, 2024:~~

18 ~~(b)(i) (i) At least twenty-one years of age; and~~

19 ~~(ii)(A) Has a Nebraska Class M license and received such Class M~~  
 20 ~~license prior to May 1, 2024, and has completed the Motorcycle Safety~~  
 21 ~~Foundation three-hour Basic eCourse and submitted proof of such~~  
 22 ~~completion to the Department of Motor Vehicles. Proof of such completion~~  
 23 ~~shall be in a manner approved by the department;~~

24 ~~(B) Has a Nebraska Class M license and received such Class M license~~  
 25 ~~on or after May 1, 2024, and (ii)(A) For a resident of Nebraska, has~~  
 26 ~~completed the basic motorcycle safety course as provided in the~~  
 27 ~~Motorcycle Safety Education Act and submitted proof of such completion to~~  
 1 the Department of Motor Vehicles. Proof of such completion shall be in a  
 2 manner approved by the department; or

3 ~~(C) Has a license to operate a motorcycle issued by another state.~~

4 ~~(B) For a nonresident of Nebraska, has completed an equivalent to the~~  
 5 ~~Motorcycle Safety Foundation basic motorcycle rider course or some other~~  
 6 ~~substantially similar motorcycle rider course approved by the state of~~  
 7 ~~the person's residence and provides proof of such completion to a law~~  
 8 ~~enforcement officer upon request.~~

9 ~~(2) A person shall not be a passenger on a motorcycle or moped on~~  
 10 ~~any highway in this state unless:~~

11 ~~(a) Such person is wearing a protective helmet described in~~  
 12 ~~subdivision (1)(a) of this section; or~~

13 ~~(b)(i) Such person is at least twenty-one years of age; and~~

14 ~~(ii) The person operating the motorcycle or moped is a person~~  
 15 ~~described in subdivision (1)(b) of this section.~~

16 ~~(3) (2) The Department of Motor Vehicles shall modify the existing~~  
 17 ~~system of the department by January 1, 2024, to allow the date of~~  
 18 ~~completion of such course to be recorded on the person's record provided~~  
 19 ~~for in section 60-483.~~

20 ~~(4) (3) A person shall not operate a motorcycle or moped on any~~  
 21 ~~highway in this state unless such person employs one of the following~~  
 22 ~~forms of eye protection: (a) Glasses that cover the orbital region of the~~  
 23 ~~person's face, (b) a protective face shield attached to a protective~~  
 24 ~~helmet, (c) goggles, or (d) a windshield on the motorcycle or moped that~~  
 25 ~~protects the operator's and passenger's horizontal line of vision in all~~  
 26 ~~operating positions.~~

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Holdcroft name added to LB136.  
Senator Halloran name added to LB136.  
Senator DeKay name added to LB872.  
Senator Riepe name added to LB876.  
Senator McDonnell name added to LB876.  
Senator Vargas name added to LB1050.  
Senator Jacobson name added to LB1116.  
Senator Holdcroft name added to LB1200.  
Senator Blood name added to LB1212.  
Senator Dorn name added to LB1269.  
Senator Blood name added to LB1285.  
Senator Halloran name added to LB1385.  
Senator Halloran name added to LB1395.  
Senator Halloran name added to LB1408.

**VISITOR(S)**

Visitor to the Chamber was Mark Schoenrock, Jefferson County Commissioner.

**ADJOURNMENT**

At 2:07 p.m., on a motion by Senator Day, the Legislature adjourned until 10:00 a.m., Monday, January 22, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTEENTH DAY - JANUARY 22, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, January 22, 2024

**PRAYER**

The prayer was offered by Jacob Richardson, Citylight Mosaic Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bostelman, M. Cavanaugh, DeBoer, Hunt, McKinney, Raybould, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twelfth day was approved.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

DeKay - LB1301

**GENERAL FILE**

**LEGISLATIVE BILL 461.** Title read. Considered.

Committee [AM389](#), found on page 612, First Session, 2023, was offered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO585](#), found on page 958, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO586](#), found on page 958, First Session, 2023, to recommit to committee.

[MO587](#), found on page 959, First Session, 2023, to bracket.

[MO588](#), found on page 958, First Session, 2023, to indefinitely postpone.

[MO589](#), found on page 958, First Session, 2023, to recommit to committee.

[MO590](#), found on page 959, First Session, 2023, to bracket.

[MO591](#), found on page 958, First Session, 2023, to recommit to committee.

No objections. So ordered.

The committee amendment was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Erdman offered the following motion:

[MO1173](#)

Pass over LB461 pursuant to Rule 6, Sec. 3(d).

Senator Erdman withdrew his motion to pass over.

The Hunt amendment, [AM1065](#), found on page 939, First Session, 2023, to the committee amendment, was not considered.

The Hunt amendment, [AM1067](#), found on page 939, First Session, 2023, to the committee amendment, was not considered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Banking, Commerce and Insurance  
Room 1507 1:30 PM

Tuesday, February 13, 2024

LB1307 (reschedule)

LB1274 (reschedule)

LB917 (reschedule)

LB1094 (reschedule)

LB1148 (reschedule)

LB1353 (reschedule)

LB1364 (reschedule)

(Signed) Julie Slama, Chairperson

**MOTION(S) - Print in Journal**

Senator Blood filed the following motion to [LR275CA](#):

[MO1174](#)

Withdraw LR275CA.

**AMENDMENT(S) - Print in Journal**

Senator Blood filed the following amendment to [LB825](#):

[AM2093](#)

1 1. On page 2, line 6, strike "black agricultural producers" and  
2 insert "farmers of color"; and strike lines 14 through 16 and insert the  
3 following new subdivisions:  
4 "(a) The individual is a resident of this state;  
5 (b) The individual's primary source of income is crop or livestock  
6 production in this state; and  
7 (c) The individual's race or ethnicity is Black or African American,  
8 American Indian or Alaska Native, Asian, Native Hawaiian or Other Pacific  
9 Islander, Hispanic or Latino, Middle Eastern, multi-racial, or another  
10 nonwhite population; and".

Senator Blood filed the following amendment to [LB827](#):

[AM2111](#)

1 1. On page 7, line 5, strike "or guardian" and insert ", guardian,  
2 or caretaker".

**GENERAL FILE**

**LEGISLATIVE BILL 16.** Title read. Considered.

Committee [AM748](#), found on page 735, First Session, 2023, was offered.

Senator Conrad offered [AM2102](#), found on page 465, to the committee amendment.

The Conrad amendment, to the committee amendment, was adopted with 39 ayes, 1 nay, 4 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 1 nay, 5 present and not voting, and 5 excused and not voting.

The Briese amendment, [FA58](#), found on page 1174, First Session, 2023, to the committee amendment, was not considered.

The Briese amendment [FA59](#), found on page 1174, First Session, 2023, to the committee amendment, was not considered.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 2 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 78.** Title read. Considered.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO250](#), found on page 930, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO251](#), found on page 931, First Session, 2023, to recommit to committee.

[MO252](#), found on page 931, First Session, 2023, to bracket.

[MO253](#), found on page 931, First Session, 2023, to indefinitely postpone.

[MO254](#), found on page 931, First Session, 2023, to recommit to committee.

[MO255](#), found on page 931, First Session, 2023, to bracket.

[MO257](#), found on page 931, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO243](#), found on page 928, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO244](#), found on page 929, First Session, 2023, to recommit to committee.

[MO245](#), found on page 929, First Session, 2023, to bracket.

[MO246](#), found on page 929, First Session, 2023, to indefinitely postpone.

[MO247](#), found on page 929, First Session, 2023, to recommit to committee.

[MO248](#), found on page 929, First Session, 2023, to bracket.

[MO249](#), found on page 929, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator M. Cavanaugh withdrew [AM962](#), found on page 854, First Session, 2023.

Senator M. Cavanaugh withdrew [AM965](#), found on page 854, First Session, 2023.

Senator M. Cavanaugh withdrew [AM996](#), found on page 868, First Session, 2023.



Senator M. Cavanaugh withdrew [AM995](#), found on page 871, First Session, 2023.

Senator M. Cavanaugh withdrew [AM998](#), found on page 873, First Session, 2023.

Senator Hunt withdrew [AM1037](#), found on page 875, First Session, 2023.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 1:30 PM

Monday, February 5, 2024

LB1204  
LB875  
LB1276  
LB1296  
LB838

(Signed) John Lowe, Chairperson

Urban Affairs  
Room 1510 1:30 PM

Tuesday, February 6, 2024

LB1314  
LB1344  
LB1046  
LB1384

Room 1510 1:30 PM

Tuesday, February 13, 2024

LB1359  
LB947  
LB1118  
LB1190  
LB1219

(Signed) Terrell McKinney, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Lippincott filed the following amendment to [LB52A](#):  
[AM2137](#)

1 1. Strike the original sections and insert the following new  
 2 section:  
 3 Section 1. There is hereby appropriated (1) \$200,000 from the  
 4 General Fund for FY2024-25 and (2) \$200,000 from the General Fund for  
 5 FY2025-26 to the Military Department, for Program 548, to aid in carrying  
 6 out the provisions of Legislative Bill 52, One Hundred Eighth  
 7 Legislature, Second Session, 2024.  
 8 There is included in the appropriation to this program for FY2024-25  
 9 \$200,000 General Funds for state aid, which shall only be used for such  
 10 purpose. There is included in the appropriation to this program for  
 11 FY2025-26 \$200,000 General Funds for state aid, which shall only be used  
 12 for such purpose.  
 13 No expenditures for permanent and temporary salaries and per diems  
 14 for state employees shall be made from funds appropriated in this  
 15 section.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Urban Affairs - LB164

### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Bostelman name added to LB876.

Senator Dover name added to LB1035.

Senator Hardin name added to LB1301.

Senator Dungan name added to LB1380.

Senator Vargas name added to LB1406.

### VISITOR(S)

Visitors to the Chamber were Dana Vernon, Don Osborn, Bryan DeLunger, Lili Hardin, Gering and Scottsbluff; Members from ABATE Nebraska from across the state.

The Doctor of the Day was Dr. Theresa Hatcher of Omaha.

### ADJOURNMENT

At 11:52 a.m., on a motion by Senator Ballard, the Legislature adjourned until 9:00 a.m., Tuesday, January 23, 2024.

Brandon Metzler  
 Clerk of the Legislature

**FOURTEENTH DAY - JANUARY 23, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 23, 2024

**PRAYER**

The prayer was offered by Doug Keener, Gering Zion Church, Gering.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Moser.

**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 Bosn, Bostelman, M. Cavanaugh, Conrad, Day, DeBoer, Hunt, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirteenth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB1137	Urban Affairs (rereference)

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**MESSAGE(S) FROM THE GOVERNOR**

January 16, 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, as per §72-1240, the Nebraska Investment Council has appointed the following individual as State Investment Officer for the Nebraska Investment Council:

Ellen Hung, 1509 Country Lake Drive, Champaign, IL 61821

Ms. Hung's appointment was approved by this office on October 20, 2023, and is respectfully submitted for your consideration. Copies of her background information are included for your review.

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures  
cc: Gail Werner-Robertson

**MOTION(S) - Withdraw LR275CA**

Senator Blood offered [MO1174](#), found on page 487, to withdraw LR275CA.

The Blood motion to withdraw the resolution prevailed with 33 ayes, 0 nays, 5 present and not voting, and 11 excused and not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 52A.** Title read. Considered.

Senator Lippincott offered [AM2137](#), found on page 489.

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

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 2 present and not voting, and 10 excused and not voting.

**LEGISLATIVE BILL 140A.** Title read. Considered.

Senator Brandt offered [AM2087](#), found on page 478.

The Brandt amendment was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Transportation and Telecommunications  
Room 1113 1:30 PM

Tuesday, January 30, 2024

Greg Wolford - State Highway Commission

David Copple - State Highway Commission

James Kindig - State Highway Commission

Richard W. Meginnis - State Highway Commission

LB1200

LB1108

LB1249

(Signed) Mike Moser, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 308.** Title read. Considered.

Committee [AM270](#), found on page 594, First Session, 2023, was offered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO487](#), found on page 946, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO488](#), found on page 946, First Session, 2023, to recommit to committee.

[MO489](#), found on page 946, First Session, 2023, to bracket.

[MO490](#), found on page 946, First Session, 2023, to indefinitely postpone.

[MO491](#), found on page 946, First Session, 2023, to recommit to committee.

[MO492](#), found on page 946, First Session, 2023, to bracket.

[MO493](#), found on page 946, First Session, 2023, to recommit to committee.

No objections. So ordered.

The committee amendment was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

**AMENDMENT(S) - Print in Journal**

Senator J. Cavanaugh filed the following amendment to LB308:

AM2140

1 1. On page 4, line 25, strike "valid legal process" and insert "a  
2 court order".  
3 2. On page 5, line 13, after the period insert "Within thirty days  
4 after receipt of any civil penalty amount, the Attorney General shall  
5 remit such amount to the State Treasurer to be distributed in accordance  
6 with Article VII, section 5, of the Constitution of Nebraska."

**GENERAL FILE**

**LEGISLATIVE BILL 664.** Title read. Considered.

Senator Conrad asked unanimous consent to withdraw the following motions:

MO764, found on page 968, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

MO765, found on page 969, First Session, 2023, to recommit to committee.

MO766, found on page 969, First Session, 2023, to bracket.

MO767, found on page 968, First Session, 2023, to indefinitely postpone.

MO768, found on page 969, First Session, 2023, to recommit to committee.

MO769, found on page 969, First Session, 2023 to bracket.

MO770, found on page 969, First Session, 2023, to recommit to committee.

No objections. So ordered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 43.** Title read. Considered.

Committee AM2076, found on page 328, was offered.

Senator J. Cavanaugh offered AM2081, found on page 342, to the committee amendment.

Pending.

**CORRECTED COMMITTEE REPORT(S)**  
Transportation and Telecommunications

**LEGISLATIVE BILL 600.** Corrected amendment.AM2145

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 to 8 of this act shall be known and may be  
4 cited as the Municipality Infrastructure Aid Act.  
5 Sec. 2. For purposes of the Municipality Infrastructure Aid Act:  
6 (1) Eligible grantee means a city of the first class, city of the  
7 second class, or village with a redevelopment plan approved under the  
8 Community Development Law;  
9 (2) Infrastructure includes water systems, sewer systems, roads,  
10 bridges, and other site development activities; and  
11 (3) Program means the Municipality Infrastructure Aid Program  
12 created in section 3 of this act.  
13 Sec. 3. The Municipality Infrastructure Aid Program is created. The  
14 Department of Economic Development shall administer the program. The  
15 purpose of the program is to finance infrastructure improvements in  
16 cities of the first class, cities of the second class, and villages.  
17 Sec. 4. (1) Beginning July 1, 2023, an eligible grantee may apply  
18 to the Department of Economic Development for a grant under the  
19 Municipality Infrastructure Aid Act on forms created by the department.  
20 (2) To be eligible for a grant under the Municipality Infrastructure  
21 Aid Act, an eligible grantee shall include the following in its  
22 application:  
23 (a) The infrastructure improvements that are a part of a  
24 redevelopment plan approved under the Community Development Law;  
25 (b) How the infrastructure improvements would attract and support  
26 any new business or business expansion;  
27 (c) How the infrastructure improvements would provide infrastructure  
1 that is sufficient for the new business or business expansion;  
2 (d) The cost-benefit analysis of the redevelopment plan approved  
3 under the Community Development Law; and  
4 (e) How the new business or business expansion would provide the  
5 following:  
6 (i) The creation of additional jobs in or near the eligible grantee;  
7 (ii) The creation of high-quality jobs in or near the eligible  
8 grantee;  
9 (iii) Increased business investment in or near the eligible grantee;  
10 and  
11 (iv) Revitalization of rural and other distressed areas of the  
12 state.  
13 (3) A grant shall not be awarded to an eligible grantee if:  
14 (a) The eligible grantee does not provide a positive cost-benefit  
15 analysis of the redevelopment plan approved under the Community  
16 Development Law; or  
17 (b) The eligible grantee does not provide matching funds in the  
18 amount of at least twenty-five percent of the amount of the grant.  
19 (4) An eligible grantee shall not be awarded a grant of more than  
20 five million dollars for any single application.  
21 Sec. 5. The Department of Economic Development shall:  
22 (1) Create an application process for an eligible grantee to apply  
23 for a grant under the Municipality Infrastructure Aid Act;  
24 (2) Establish a process for awarding grants under the Municipality  
25 Infrastructure Aid Act and how grant money will be provided to a grant  
26 recipient; and  
27 (3) Create a process for recoupment of grant money that is not spent  
28 for the purpose of a grant or if the grant recipient does not meet all  
29 required obligations regarding the grant.  
30 Sec. 6. The Department of Economic Development may consult with  
31 statewide associations representing municipal officials, economic

1 developers, the Department of Transportation, and the Department of  
 2 Environment and Energy in order to carry out the Municipality  
 3 Infrastructure Aid Act.

4 Sec. 7. The Municipality Infrastructure Aid Fund is created. The  
 5 fund shall be administered by the Department of Economic Development and  
 6 shall be used for the purposes of the Municipality Infrastructure Aid  
 7 Act. The Municipality Infrastructure Aid Fund shall consist of money  
 8 transferred by the Legislature and money that was recouped under the  
 9 Municipality Infrastructure Aid Act. Any money in the fund available for  
 10 investment shall be invested by the state investment officer pursuant to  
 11 the Nebraska Capital Expansion Act and the Nebraska State Funds  
 12 Investment Act. Investment earnings from investment of money in the fund  
 13 shall be credited to the fund.

14 Sec. 8. The Department of Economic Development may adopt and  
 15 promulgate rules and regulations to carry out the Municipality  
 16 Infrastructure Aid Act.

17 Sec. 9. Section 84-612, Revised Statutes Cumulative Supplement,  
 18 2022, is amended to read:

19 84-612 (1) There is hereby created within the state treasury a fund  
 20 known as the Cash Reserve Fund which shall be under the direction of the  
 21 State Treasurer. The fund shall only be used pursuant to this section.

22 (2) The State Treasurer shall transfer funds from the Cash Reserve  
 23 Fund to the General Fund upon certification by the Director of  
 24 Administrative Services that the current cash balance in the General Fund  
 25 is inadequate to meet current obligations. Such certification shall  
 26 include the dollar amount to be transferred. Any transfers made pursuant  
 27 to this subsection shall be reversed upon notification by the Director of  
 28 Administrative Services that sufficient funds are available.

29 (3) In addition to receiving transfers from other funds, the Cash  
 30 Reserve Fund shall receive federal funds received by the State of  
 31 Nebraska for undesignated general government purposes, federal revenue  
 1 sharing, or general fiscal relief of the state.

2 (4) The State Treasurer shall transfer fifty-four million seven  
 3 hundred thousand dollars on or after July 1, 2019, but before June 15,  
 4 2021, from the Cash Reserve Fund to the Nebraska Capital Construction  
 5 Fund on such dates and in such amounts as directed by the budget  
 6 administrator of the budget division of the Department of Administrative  
 7 Services.

8 (5) The State Treasurer shall transfer two hundred fifteen million  
 9 five hundred eighty thousand dollars from the Cash Reserve Fund to the  
 10 Nebraska Capital Construction Fund on or after July 1, 2022, but before  
 11 June 15, 2023, on such dates and in such amounts as directed by the  
 12 budget administrator of the budget division of the Department of  
 13 Administrative Services.

14 (6) The State Treasurer shall transfer fifty-three million five  
 15 hundred thousand dollars from the Cash Reserve Fund to the Perkins County  
 16 Canal Project Fund on or before June 30, 2023, on such dates and in such  
 17 amounts as directed by the budget administrator of the budget division of  
 18 the Department of Administrative Services.

19 (7) No funds shall be transferred from the Cash Reserve Fund to  
 20 fulfill the obligations created under the Nebraska Property Tax Incentive  
 21 Act unless the balance in the Cash Reserve Fund after such transfer will  
 22 be at least equal to five hundred million dollars.

23 (8) The State Treasurer shall transfer thirty million dollars from  
 24 the Cash Reserve Fund to the Military Base Development and Support Fund  
 25 on or before June 30, 2023, but not before July 1, 2022, on such dates  
 26 and in such amounts as directed by the budget administrator of the budget  
 27 division of the Department of Administrative Services.

28 (9) The State Treasurer shall transfer eight million three hundred  
 29 thousand dollars from the Cash Reserve Fund to the Trail Development and  
 30 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on  
 31 such dates and in such amounts as directed by the budget administrator of  
 1 the budget division of the Department of Administrative Services.

2 (10) The State Treasurer shall transfer fifty million dollars from



3 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after  
4 July 1, 2022, but before July 15, 2023, on such dates and in such amounts  
5 as directed by the budget administrator of the budget division of the  
6 Department of Administrative Services.

7 (11) The State Treasurer shall transfer thirty million dollars from  
8 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on  
9 or after July 1, 2022, but before July 15, 2023, on such dates and in  
10 such amounts as directed by the budget administrator of the budget  
11 division of the Department of Administrative Services.

12 (12) The State Treasurer shall transfer twenty million dollars from  
13 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July  
14 1, 2022, but before June 15, 2023, on such dates and in such amounts as  
15 directed by the budget administrator of the budget division of the  
16 Department of Administrative Services.

17 (13) The State Treasurer shall transfer twenty million dollars from  
18 the Cash Reserve Fund to the Middle Income Workforce Housing Investment  
19 Fund on July 15, 2022, or as soon thereafter as administratively  
20 possible, and in such amounts as directed by the budget administrator of  
21 the budget division of the Department of Administrative Services.

22 (14) The State Treasurer shall transfer eighty million dollars from  
23 the Cash Reserve Fund to the Jobs and Economic Development Initiative  
24 Fund on or after July 1, 2022, but before July 15, 2023, on such dates  
25 and in such amounts as directed by the budget administrator of the budget  
26 division of the Department of Administrative Services.

27 (15) The State Treasurer shall transfer twenty million dollars from  
28 the Cash Reserve Fund to the Site and Building Development Fund on July  
29 15, 2022, or as soon thereafter as administratively possible, and in such  
30 amounts as directed by the budget administrator of the budget division of  
31 the Department of Administrative Services.

1 (16) The State Treasurer shall transfer fifty million dollars from  
2 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
3 on or after July 15, 2022, but before January 1, 2023, on such dates and  
4 in such amounts as directed by the budget administrator of the budget  
5 division of the Department of Administrative Services.

6 (17) The State Treasurer shall transfer fifteen million dollars from  
7 the Cash Reserve Fund to the Site and Building Development Fund on or  
8 before June 30, 2022, on such dates and in such amounts as directed by  
9 the budget administrator of the budget division of the Department of  
10 Administrative Services.

11 (18) The State Treasurer shall transfer fifty-five million dollars  
12 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on  
13 or before June 30, 2022, on such dates and in such amounts as directed by  
14 the budget administrator of the budget division of the Department of  
15 Administrative Services.

16 (19) The State Treasurer shall transfer ten million dollars from the  
17 Cash Reserve Fund to the Municipality Infrastructure Aid Fund as soon as  
18 administratively possible after the effective date of this act, on such  
19 dates and in such amounts as directed by the budget administrator of the  
20 budget division of the Department of Administrative Services.

21 Sec. 10. Original section 84-612, Revised Statutes Cumulative  
22 Supplement, 2022, is repealed.

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

(Signed) Mike Moser, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Wednesday, January 31, 2024

LB861  
LB1070  
LB1068

Note: LB 1068 will be a combined hearing with LB 1152  
LB1152

Note: LB 1152 will be a combined hearing with LB 1068

Room 1507 1:30 PM

Thursday, February 1, 2024

LB925  
LB1169  
LB887

Room 1507 1:30 PM

Friday, February 2, 2024

LB1018  
LB1174  
LB1082  
LB1162

(Signed) Tom Brewer, Chairperson

Appropriations  
Room 1003 1:30 PM

Wednesday, January 31, 2024

Agency 11 - Attorney General  
Agency 14 - Public Service Commission  
Agency 41 - State Real Estate Commission  
Agency 54 - Historical Society, Nebraska State  
Agency 58 - Board of Engineers and Architects  
LB1077  
LB1226

Room 1003 1:30 PM

Thursday, February 1, 2024

Agency 16 - Revenue, Department of  
Agency 82 - Commission for the Deaf and Hard of Hearing  
Agency 83 - Community College Aid  
Agency 85 - Public Employees Retirement Board, Nebraska  
LB930  
LB1242

Room 1003 1:30 PM

Friday, February 2, 2024

Agency 18 - Agriculture, Department of  
LB1179  
LB1131  
LB1234  
LB1245

(Signed) Robert Clements, Chairperson

Health and Human Services  
Room 1510 1:30 PM

Wednesday, January 31, 2024

LB1035  
LB1060  
LB1171  
LB1196  
LB1215

Room 1510 1:30 PM

Thursday, February 1, 2024

LB905  
LB910  
LB952  
LB1172  
LB1214

Room 1510 1:30 PM

Friday, February 2, 2024

LB913  
LB1003  
LB1087  
LB1187

(Signed) Ben Hansen, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Blood filed the following amendment to [LB834](#):

[AM2141](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 38-129.01, Revised Statutes Cumulative  
4 Supplement, 2022, is amended to read:  
5 38-129.01 (1) The department, with the recommendation of the  
6 appropriate board, shall issue a temporary credential to a military  
7 spouse who complies with and meets the requirements of this section  
8 pending issuance of the applicable credential under the Uniform  
9 Credentialing Act. This section shall not apply to a license to practice  
10 dentistry, including a resident temporary license under section 38-1123.

11 (2) A military spouse shall submit the following with his or her  
 12 application for the applicable credential:  
 13 (a) A copy of his or her military dependent identification card  
 14 which identifies him or her as the spouse of an active duty member of the  
 15 United States Armed Forces;  
 16 (b) A copy of his or her spouse's military orders reflecting an  
 17 active-duty assignment in Nebraska;  
 18 (c) A copy of his or her credential from another jurisdiction and  
 19 the applicable statutes, rules, and regulations governing the credential;  
 20 and  
 21 (d) A copy of his or her fingerprints for a criminal background  
 22 check if required under section 38-131.

23 (3) If the department, with the recommendation of the appropriate  
 24 board, determines that the applicant is the spouse of an active duty  
 25 member of the United States Armed Forces who is assigned to a duty  
 26 station in Nebraska, holds a valid credential in another jurisdiction  
 27 which has similar standards for the profession to the Uniform  
 1 Credentialing Act and the rules and regulations adopted and promulgated  
 2 under the act, and has submitted fingerprints for a criminal background  
 3 check if required under section 38-131, the department shall issue a  
 4 temporary credential to the applicant. The applicant shall not be  
 5 required to pay any fees pursuant to the Uniform Credentialing Act for  
 6 the temporary credential or the initial regular credential except the  
 7 actual cost of the fingerprinting and criminal background check for an  
 8 initial license under section 38-131.

9 (4) A temporary credential issued under this section shall be valid  
 10 until the application for the regular credential is approved or rejected,  
 11 not to exceed one year.

12 Sec. 2. Section 38-1123, Reissue Revised Statutes of Nebraska, is  
 13 amended to read:

14 38-1123 (1) The department, with the recommendation of the board,  
 15 shall issue a ~~resident temporary~~ license to any person who ~~(a)(i)~~  
 16 ~~presents proof of graduation with a doctorate degree in dental surgery or~~  
 17 ~~dental medicine from an accredited school or college of dentistry (a) has~~  
 18 ~~met the requirements for a license to practice dentistry as set forth in~~  
 19 ~~section 38-1117, (ii) (b) is enrolled in an accredited school or college~~  
 20 ~~of dentistry for the purpose of completing a postgraduate or residency~~  
 21 ~~program in dentistry, (iii) passes an examination approved by the board,~~  
 22 ~~which shall consist of the National Board Dental Examination, Parts I and~~  
 23 ~~II, or the Integrated National Board Dental Examination, as constructed~~  
 24 ~~and administered by the American Dental Association Joint Commission on~~  
 25 ~~National Dental Examinations, (iv) passes the practical examination~~  
 26 ~~administered by the Central Regional Dental Testing Service, ADEX, or any~~  
 27 ~~other regional or state practical examination approved by the board, and~~  
 28 ~~(v) passes a jurisprudence examination based on Nebraska law and~~  
 29 ~~administrative rules and regulations governing the practice of dentistry~~  
 30 ~~and dental hygiene, or (b)(i) and (e) is licensed in another jurisdiction~~  
 31 ~~under conditions which the board finds equivalent to the requirements of~~  
 1 the State of Nebraska for obtaining a license to practice dentistry ~~and~~  
 2 ~~(ii) passes a jurisprudence examination based on Nebraska law and~~  
 3 ~~administrative rules and regulations governing the practice of dentistry~~  
 4 ~~and dental hygiene.~~

5 (2) ~~An accredited school or college of dentistry shall provide input~~  
 6 ~~to the board annually for purposes of approving regional or state~~  
 7 ~~practical examinations.~~

8 (3) ~~(2)~~ Any person who desires a ~~resident temporary~~ license shall  
 9 make application to the department. Such application shall be accompanied  
 10 by the required fee.

11 (4) ~~(3)~~ The ~~resident temporary~~ license shall be issued for a period  
 12 of one year and, upon application to the department, renewed annually

13 without the licensee having to pay a renewal fee.

14 (5) (4) The resident temporary licensee shall be entitled to  
15 practice dentistry, including prescribing legend drugs and controlled  
16 substances, only under the auspices of the postgraduate or residency  
17 program in which he or she is enrolled.

18 (6) An applicant who is licensed pursuant to this section and has  
19 completed a postgraduate or residency program in dentistry at an  
20 accredited school or college of dentistry shall have demonstrated the  
21 applicant's skill in clinical dentistry for purposes of section 38-1117.

22 Sec. 3. Original section 38-1123, Reissue Revised Statutes of  
23 Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement,  
24 2022, are repealed.

### GENERAL FILE

**LEGISLATIVE BILL 43.** Committee [AM2076](#), found on page 328 and considered in this day's Journal, was renewed.

Senator J. Cavanaugh renewed [AM2081](#), found on page 342 and considered in this day's Journal, to the committee amendment.

The J. Cavanaugh amendment, to the committee amendment, was withdrawn.

The committee amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 600.** Title read. Considered.

Committee [AM1390](#), found on page 1443, First Session, 2023, was not considered.

Committee [AM2145](#), found in this day's Journal, was offered.

Senator Moser offered the following amendment to the committee amendment:

[AM2149](#)

(Amendments to Standing Committee amendments, AM2145)

1 1. On page 1, line 17, strike "2023" and insert "2024".

The Moser amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Education  
Room 1525 1:30 PM

Tuesday, January 30, 2024

LB878  
LB1259  
LB1263  
LB1386  
LB1306  
LB1081  
LB1230  
LB1329  
LB1328  
LB1331  
LB1005  
LB1160  
LB1377

(Signed) Dave Murman, Chairperson

Executive Board  
Room 2102 12:00 PM

Wednesday, January 31, 2024

LB1286  
LB1104

Room 2102 12:00 PM

Thursday, February 1, 2024

LB1240  
LB1020

(Signed) Raymond Aguilar, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Brandt filed the following amendment to LB140:

[FA206](#)

On page 14, line 22, strike "January 1, 2024" and insert "January 1, 2025."

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB16.

Senator Fredrickson name added to LB16.

Senator Vargas name added to LB600.  
Senator Conrad name added to LB864.  
Senator Moser name added to LB1035.  
Senator Hunt name added to LB1050.  
Senator Blood name added to LB1050.

**VISITOR(S)**

Visitor to the Chamber was Blake Holamp, Randolph.

**ADJOURNMENT**

At 11:35 a.m., on a motion by Senator von Gillern, the Legislature adjourned until 9:00 a.m., Wednesday, January 24, 2024.

Brandon Metzler  
Clerk of the Legislature





**FIFTEENTH DAY - JANUARY 24, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 24, 2024

**PRAYER**

The prayer was offered by Pastor David Witkop, Thanksgiving Church, Bellevue.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Holdcroft.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bostar, M. Cavanaugh, Conrad, Day, Dover, Hansen, Hunt, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fourteenth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 1:30 PM

Wednesday, January 31, 2024

LB971  
LB867  
LB1406

Room 1525 1:30 PM

Thursday, February 1, 2024

LB1199  
LB1370

(Signed) Bruce Bostelman, Chairperson

Revenue  
Room 1524 1:30 PM

Wednesday, January 31, 2024

LB1113  
LB1049  
LB1316  
LB1397  
LB1318  
LB1241

(Signed) Lou Ann Linehan, Chairperson

General Affairs  
Room 1510 1:30 PM

Monday, February 12, 2024

LB926  
LB1000  
LB1164

(Signed) John Lowe, Chairperson

Agriculture  
Room 2102 1:30 PM

Tuesday, February 6, 2024

LB844  
LB1061  
LB1301

Room 2102 1:30 PM

Tuesday, February 13, 2024

LB1207  
LB1313  
LB1368  
LB1396

(Signed) Steve Halloran, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Lowe - LB541

**GENERAL FILE**

**LEGISLATIVE BILL 164.** Title read. Considered.

Committee [AM2105](#), found on page 441, was offered.

Senator Wayne offered the following amendment to the committee amendment:

[AM2175](#)

(Amendments to Standing Committee amendments, AM2105)

- 1 1. On page 4, line 13, strike the new matter and reinstate the
- 2 stricken matter.
- 3 2. On page 6, line 24, strike "five" and insert "fifteen".
- 4 3. On page 11, strike beginning with "five" in line 29 through "act"
- 5 in line 30 and insert "October 1, 2024"; and in line 31 after
- 6 "thereafter" insert "through June 30, 2026".

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Appropriations  
Room 1524 1:30 PM

Monday, February 5, 2024

Agency 65 - Administrative Services, Department of  
Agency 91 - Nebraska Tourism Commission

LB1090  
LB1210  
LB1275  
LB1378  
LB1380

Room 1524 1:30 PM

Tuesday, February 6, 2024

Agency 13 - Education, Department of

LB858  
LB1008  
LB1402

Room 1003 1:30 PM

Wednesday, February 7, 2024

Agency 24 - Motor Vehicles, Department of  
Agency 33 - Game and Parks Commission  
Agency 31 - Military Department

LB1233  
LB1239

LB1289  
LB1407

Room 1003 1:30 PM

Thursday, February 8, 2024  
Agency 5 - Supreme Court  
Agency 64 - State Patrol, Nebraska  
Agency 78 - Nebraska Commission on Law Enforcement and Criminal Justice  
Agency 94 - Public Advocacy, Commission on  
LB864  
LB1225

Room 1524 1:30 PM

Monday, February 12, 2024  
Agency 25 - Health and Human Services  
LB943  
LB944  
LB1128  
LB1117  
LB1264

Room 1524 1:30 PM

Tuesday, February 13, 2024  
LB935  
LB941  
LB942  
LB958  
LB1376  
LB1078

Room 1003 1:30 PM

Wednesday, February 14, 2024  
Agency 72 - Economic Development, Department of  
LB975  
LB888  
LB889  
LB897  
LB1039  
LB1323  
LB1333

Room 1003 1:30 PM

Thursday, February 15, 2024

LB1124  
LB1125  
LB1154  
LB1209  
LB1223

Room 1524 1:30 PM

Tuesday, February 20, 2024

LB1266  
LB931  
LB1099  
LB1155  
LB850  
LB1079  
LB1352

Room 1003 1:30 PM

Wednesday, February 21, 2024

LB1080  
LB1205  
LB1244  
LB1287  
LB1401  
LB1411

(Signed) Robert Clements, Chairperson

Judiciary  
Room 1113 1:30 PM

Wednesday, January 31, 2024

LB846  
LB845  
LB1115  
LB1312  
LB884  
LB902  
LB1168

(Signed) Justin Wayne, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Fredrickson filed the following amendment to LB856:

[AM2158](#)

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

3 Section 1. Section 68-1206, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 68-1206 (1) The Department of Health and Human Services shall  
6 administer the program of social services in this state. The department  
7 may contract with other social agencies for the purchase of social  
8 services at rates not to exceed those prevailing in the state or the cost  
9 at which the department could provide those services. The statutory  
10 maximum payments for the separate program of aid to dependent children  
11 shall apply only to public assistance grants and shall not apply to  
12 payments for social services.  
13 (2)(a) As part of the provision of social services authorized by  
14 section 68-1202, the department shall participate in the federal child  
15 care assistance program under 42 U.S.C. 9857 et seq., as such sections  
16 existed on January 1, 2023, and provide child care assistance to families  
17 with incomes up to (i) one hundred eighty-five percent of the federal  
18 poverty level prior to October 1, 2026, or (ii) one hundred thirty  
19 percent of the federal poverty level on and after October 1, 2026.  
20 (b)(i) (b) As part of the provision of social services authorized by  
21 this section and section 68-1202, the department shall participate in the  
22 federal Child Care Subsidy program. A child care provider seeking to  
23 participate in the federal Child Care Subsidy program shall comply with  
24 the criminal history record information check requirements of the Child  
25 Care Licensing Act. In determining ongoing eligibility for this program,  
26 ten percent of a household's gross earned income shall be disregarded  
27 after twelve continuous months on the program and at each subsequent  
1 redetermination. In determining ongoing eligibility, if a family's income  
2 exceeds one hundred eighty-five percent of the federal poverty level  
3 prior to October 1, 2026, or one hundred thirty percent of the federal  
4 poverty level on and after October 1, 2026, the family shall receive  
5 transitional child care assistance through the remainder of the family's  
6 eligibility period or until the family's income exceeds eighty-five  
7 percent of the state median income for a family of the same size as  
8 reported by the United States Bureau of the Census, whichever occurs  
9 first. When the family's eligibility period ends, the family shall  
10 continue to be eligible for transitional child care assistance if the  
11 family's income is below two hundred percent of the federal poverty level  
12 prior to October 1, 2026, or one hundred eighty-five percent of the  
13 federal poverty level on and after October 1, 2026. The family shall  
14 receive transitional child care assistance through the remainder of the  
15 transitional eligibility period or until the family's income exceeds  
16 eighty-five percent of the state median income for a family of the same  
17 size as reported by the United States Bureau of the Census, whichever  
18 occurs first. The amount of such child care assistance shall be based on  
19 a cost-shared plan between the recipient family and the state and shall  
20 be based on a sliding-scale methodology. A recipient family may be  
21 required to contribute a percentage of such family's gross income for  
22 child care that is no more than the cost-sharing rates in the  
23 transitional child care assistance program as of January 1, 2015, for  
24 those no longer eligible for cash assistance as provided in section  
25 68-1724.  
26 (ii) A household shall have all earned and unearned income excluded  
27 from its eligibility determination if the applicant or adult household  
28 member is:  
29 (A)(I) Self-employed at a licensed child care program as described  
30 in section 71-1911, (II) employed at a licensed child care program as  
31 described in section 71-1911, (III) employed at a federal Head Start  
1 program, as described in 42 U.S.C. 9831 et seq., or (IV) employed at an  
2 Early Head Start program, as described in 42 U.S.C. 9840a;  
3 (B) Verified for a minimum of twenty hours of employment per week;  
4 and

5 (C) Listed in the Nebraska Early Childhood Professional Record  
6 System as described in section 71-1962.  
7 (iii) Child care programs with an eligible household described in  
8 subdivision (2)(b)(ii)(A)(II) or (2)(b)(ii)(A)(III) of this section shall  
9 make reasonable accommodations so that the eligible applicant or adult  
10 household member is not a primary caregiver to such applicant's or adult  
11 household member's child. If reasonable accommodation cannot be made, the  
12 department shall allow the applicant or adult household member to receive  
13 child care assistance for the applicant's or adult household member's  
14 child including when the applicant or adult household member is the  
15 primary caregiver for such child.  
16 (iv) An eligible household described in subdivision (2)(b)(ii)(A)(I)  
17 of this section may enroll the household member's child in a child care  
18 program other than the household member's child care program to receive  
19 child care assistance.  
20 (v) Nothing in subdivision (2)(b)(ii) of this section shall preclude  
21 a household from meeting additional eligibility requirements of the  
22 federal Child Care Subsidy program.  
23 (vi) The department shall submit a report electronically to the  
24 Legislature on December 1 of each year that includes the monthly number  
25 of enrolled children and households by county and program type for  
26 households eligible pursuant to subdivision (2)(b)(ii) of this section.  
27 (c) For the period beginning July 1, 2021, through September 30,  
28 2026, funds provided to the State of Nebraska pursuant to the Child Care  
29 and Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such  
30 act and sections existed on January 1, 2023, shall be used to pay the  
31 costs to the state resulting from the income eligibility changes made in  
1 subdivisions (2)(a) and (b) of this section by Laws 2021, LB485. If the  
2 available amount of such funds is insufficient to pay such costs, then  
3 funds provided to the state for the Temporary Assistance for Needy  
4 Families program established in 42 U.S.C. 601 et seq. may also be used.  
5 No General Funds shall be used to pay the costs to the state, other than  
6 administration costs, resulting from the income eligibility changes made  
7 in subdivisions (2)(a) and (b) of this section by Laws 2021, LB485, for  
8 the period beginning July 1, 2021, through September 30, 2026.  
9 (d) The Department of Health and Human Services shall collaborate  
10 with a private nonprofit organization with expertise in early childhood  
11 care and education for an independent evaluation of the income  
12 eligibility changes made in subdivisions (2)(a) and (b) of this section  
13 by Laws 2021, LB485, if private funding is made available for such  
14 purpose. The evaluation shall be completed by July 1, 2024, and shall be  
15 submitted electronically to the department and to the Health and Human  
16 Services Committee of the Legislature.  
17 (3) In determining the rate or rates to be paid by the department  
18 for child care as defined in section 43-2605, the department shall adopt  
19 a fixed-rate schedule for the state or a fixed-rate schedule for an area  
20 of the state applicable to each child care program category of provider  
21 as defined in section 71-1910 which may claim reimbursement for services  
22 provided by the federal Child Care Subsidy program, except that the  
23 department shall not pay a rate higher than that charged by an individual  
24 provider to that provider's private clients. The schedule may provide  
25 separate rates for care for infants, for children with special needs,  
26 including disabilities or technological dependence, or for other  
27 individual categories of children. The schedule may also provide tiered  
28 rates based upon a quality scale rating of step three or higher under the  
29 Step Up to Quality Child Care Act. The schedule shall be effective on  
30 October 1 of every year and shall be revised annually by the department.  
31 Sec. 2. Original section 68-1206, Revised Statutes Supplement,  
1 2023, is repealed.

Senator Dungan filed the following amendment to [LB1072](#):

[AM2110](#)

- 1 1. On page 2, line 4, after "a" insert "refundable"; and strike
- 2 lines 16 through 31 and insert the following new subsection:
- 3 "(3) For purposes of this section:
- 4 (a) Applicable material means:
- 5 (i) Monoglycerides, diglycerides, and triglycerides;
- 6 (ii) Free fatty acids; and
- 7 (iii) Fatty acid esters;
- 8 (b) Biomass has the same meaning as in section 45K of the Internal
- 9 Revenue Code of 1986, as amended;
- 10 (c) Lifecycle greenhouse gas emissions reduction percentage means
- 11 the percentage reduction in lifecycle greenhouse gas emissions achieved
- 12 by sustainable aviation fuel as compared with petroleum-based jet fuel,
- 13 as defined in accordance with:
- 14 (i) The Carbon Offsetting and Reduction Scheme for International
- 15 Aviation adopted by the International Civil Aviation Organization with
- 16 the agreement of the United States; or
- 17 (ii) The determinations under the Greenhouse Gases, Regulated
- 18 Emissions, and Energy Use in Transportation model developed by Argonne
- 19 National Laboratory; and
- 20 (d) Sustainable aviation fuel means liquid fuel, the portion of
- 21 which is not kerosene, which:
- 22 (i) Meets the requirements of:
- 23 (A) ASTM International Standard D7566; or
- 24 (B) The Fischer-Tropsch provisions of ASTM International Standard
- 25 D1655, Annex A1;
- 26 (ii) Is not derived from coprocessing an applicable material, or
- 27 materials derived from an applicable material, with a feedstock which is
- 1 not biomass;
- 2 (iii) Is not derived from palm fatty acid distillates or petroleum;
- 3 and
- 4 (iv) Has been certified as having a lifecycle greenhouse gas
- 5 emissions reduction percentage of at least fifty percent.
- 6 (4) The Department of Revenue may adopt and promulgate rules and
- 7 regulations to carry out this section, including rules and regulations to
- 8 establish a procedure for air carriers to use in claiming refunds under
- 9 this section."
- 10 2. On page 3, strike lines 1 through 16.

Senator Walz filed the following amendment to [LB1347](#):

[AM2147](#)

- 1 1. On page 6, line 15, after "seventy-five" insert "thousand".

Senator Walz filed the following amendment to [LB1377](#):

[AM2132](#)

- 1 1. Strike original section 5.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 accordingly.

Senator Erdman filed the following amendment to [LB102A](#):

[AM2169](#)

- 1 1. On page 2, line 2, strike "FY2023-24" and insert "FY2024-25"; in
- 2 line 3 strike "FY2024-25" and insert "FY2025-26"; in line 5 strike
- 3 "First" and insert "Second"; and in line 6 strike "2023" and insert
- 4 "2024".



Senator von Gillern filed the following amendment to LB1241:

AM2135

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 77-3442, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 77-3442 (1) Except as provided in section 77-3444, property Property  
 6 tax levies for the support of local governments for fiscal years  
 7 beginning on or after July 1, 1998, shall be limited to the amounts set  
 8 forth in this section and shall be further limited as prescribed in  
 9 subsection (12) of this section except as provided in section 77-3444.  
 10 (2)(a) Except as provided in subdivisions (2)(b) and (2)(e) of this  
 11 section, school districts and multiple-district school systems may levy a  
 12 maximum levy of one dollar and five cents per one hundred dollars of  
 13 taxable valuation of property subject to the levy.  
 14 (b) For each fiscal year prior to fiscal year 2017-18, learning  
 15 communities may levy a maximum levy for the general fund budgets of  
 16 member school districts of ninety-five cents per one hundred dollars of  
 17 taxable valuation of property subject to the levy. The proceeds from the  
 18 levy pursuant to this subdivision shall be distributed pursuant to  
 19 section 79-1073.  
 20 (c) Except as provided in subdivision (2)(e) of this section, for  
 21 each fiscal year prior to fiscal year 2017-18, school districts that are  
 22 members of learning communities may levy for purposes of such districts'  
 23 general fund budget and special building funds a maximum combined levy of  
 24 the difference of one dollar and five cents on each one hundred dollars  
 25 of taxable property subject to the levy minus the learning community levy  
 26 pursuant to subdivision (2)(b) of this section for such learning  
 27 community.  
 1 (d) Excluded from the limitations in subdivisions (2)(a) and (2)(c)  
 2 of this section are (i) amounts levied to pay for current and future sums  
 3 agreed to be paid by a school district to certificated employees in  
 4 exchange for a voluntary termination of employment occurring prior to  
 5 September 1, 2017, (ii) amounts levied by a school district otherwise at  
 6 the maximum levy pursuant to subdivision (2)(a) of this section to pay  
 7 for current and future qualified voluntary termination incentives for  
 8 certificated teachers pursuant to subsection (3) of section 79-8,142 that  
 9 are not otherwise included in an exclusion pursuant to subdivision (2)(d)  
 10 of this section, (iii) amounts levied by a school district otherwise at  
 11 the maximum levy pursuant to subdivision (2)(a) of this section to pay  
 12 for seventy-five percent of the current and future sums agreed to be paid  
 13 to certificated employees in exchange for a voluntary termination of  
 14 employment occurring between September 1, 2017, and August 31, 2018, as a  
 15 result of a collective-bargaining agreement in force and effect on  
 16 September 1, 2017, that are not otherwise included in an exclusion  
 17 pursuant to subdivision (2)(d) of this section, (iv) amounts levied by a  
 18 school district otherwise at the maximum levy pursuant to subdivision (2)  
 19 (a) of this section to pay for fifty percent of the current and future  
 20 sums agreed to be paid to certificated employees in exchange for a  
 21 voluntary termination of employment occurring between September 1, 2018,  
 22 and August 31, 2019, as a result of a collective-bargaining agreement in  
 23 force and effect on September 1, 2017, that are not otherwise included in  
 24 an exclusion pursuant to subdivision (2)(d) of this section, (v) amounts  
 25 levied by a school district otherwise at the maximum levy pursuant to  
 26 subdivision (2)(a) of this section to pay for twenty-five percent of the  
 27 current and future sums agreed to be paid to certificated employees in  
 28 exchange for a voluntary termination of employment occurring between  
 29 September 1, 2019, and August 31, 2020, as a result of a collective-  
 30 bargaining agreement in force and effect on September 1, 2017, that are  
 31 not otherwise included in an exclusion pursuant to subdivision (2)(d) of

1 this section, (vi) amounts levied in compliance with sections 79-10,110  
2 and 79-10,110.02, and (vii) amounts levied to pay for special building  
3 funds and sinking funds established for projects commenced prior to April  
4 1, 1996, for construction, expansion, or alteration of school district  
5 buildings. For purposes of this subsection, commenced means any action  
6 taken by the school board on the record which commits the board to expend  
7 district funds in planning, constructing, or carrying out the project.

8 (e) Federal aid school districts may exceed the maximum levy  
9 prescribed by subdivision (2)(a) or (2)(c) of this section only to the  
10 extent necessary to qualify to receive federal aid pursuant to Title VIII  
11 of Public Law 103-382, as such title existed on September 1, 2001. For  
12 purposes of this subdivision, federal aid school district means any  
13 school district which receives ten percent or more of the revenue for its  
14 general fund budget from federal government sources pursuant to Title  
15 VIII of Public Law 103-382, as such title existed on September 1, 2001.

16 (f) For each fiscal year, learning communities may levy a maximum  
17 levy of one-half cent on each one hundred dollars of taxable property  
18 subject to the levy for elementary learning center facility leases, for  
19 remodeling of leased elementary learning center facilities, and for up to  
20 fifty percent of the estimated cost for focus school or program capital  
21 projects approved by the learning community coordinating council pursuant  
22 to section 79-2111.

23 (g) For each fiscal year, learning communities may levy a maximum  
24 levy of one and one-half cents on each one hundred dollars of taxable  
25 property subject to the levy for early childhood education programs for  
26 children in poverty, for elementary learning center employees, for  
27 contracts with other entities or individuals who are not employees of the  
28 learning community for elementary learning center programs and services,  
29 and for pilot projects, except that no more than ten percent of such levy  
30 may be used for elementary learning center employees.

31 (3) For each fiscal year through fiscal year 2023-24, community  
1 college areas may levy the levies provided in subdivisions (2)(a) through  
2 (c) of section 85-1517, in accordance with the provisions of such  
3 subdivisions. For fiscal year 2024-25 and each fiscal year thereafter,  
4 community college areas may levy the levies provided in subdivisions (2)  
5 (a) and (b) of section 85-1517, in accordance with the provisions of such  
6 subdivisions. A community college area may exceed the levy provided in  
7 subdivision (2)(a) of section 85-1517 by the amount necessary to generate  
8 sufficient revenue as described in section 85-1543 or 85-2238. A  
9 community college area may exceed the levy provided in subdivision (2)(b)  
10 of section 85-1517 by the amount necessary to retire general obligation  
11 bonds assumed by the community college area or issued pursuant to section  
12 85-1515 according to the terms of such bonds or for any obligation  
13 pursuant to section 85-1535 entered into prior to January 1, 1997.

14 (4)(a) Natural resources districts may levy a maximum levy of four  
15 and one-half cents per one hundred dollars of taxable valuation of  
16 property subject to the levy.

17 (b) Natural resources districts shall also have the power and  
18 authority to levy a tax equal to the dollar amount by which their  
19 restricted funds budgeted to administer and implement ground water  
20 management activities and integrated management activities under the  
21 Nebraska Ground Water Management and Protection Act exceed their  
22 restricted funds budgeted to administer and implement ground water  
23 management activities and integrated management activities for FY2003-04,  
24 not to exceed one cent on each one hundred dollars of taxable valuation  
25 annually on all of the taxable property within the district.

26 (c) In addition, natural resources districts located in a river  
27 basin, subbasin, or reach that has been determined to be fully  
28 appropriated pursuant to section 46-714 or designated as overappropriated  
29 pursuant to section 46-713 by the Department of Natural Resources shall

30 also have the power and authority to levy a tax equal to the dollar  
31 amount by which their restricted funds budgeted to administer and  
1 implement ground water management activities and integrated management  
2 activities under the Nebraska Ground Water Management and Protection Act  
3 exceed their restricted funds budgeted to administer and implement ground  
4 water management activities and integrated management activities for  
5 FY2005-06, not to exceed three cents on each one hundred dollars of  
6 taxable valuation on all of the taxable property within the district for  
7 fiscal year 2006-07 and each fiscal year thereafter through fiscal year  
8 2017-18.

9 (5) Any educational service unit authorized to levy a property tax  
10 pursuant to section 79-1225 may levy a maximum levy of one and one-half  
11 cents per one hundred dollars of taxable valuation of property subject to  
12 the levy.

13 (6)(a) Incorporated cities and villages which are not within the  
14 boundaries of a municipal county may levy a maximum levy of forty-five  
15 cents per one hundred dollars of taxable valuation of property subject to  
16 the levy plus an additional five cents per one hundred dollars of taxable  
17 valuation to provide financing for the municipality's share of revenue  
18 required under an agreement or agreements executed pursuant to the  
19 Interlocal Cooperation Act or the Joint Public Agency Act. The maximum  
20 levy shall include amounts levied to pay for sums to support a library  
21 pursuant to section 51-201, museum pursuant to section 51-501, visiting  
22 community nurse, home health nurse, or home health agency pursuant to  
23 section 71-1637, or statue, memorial, or monument pursuant to section  
24 80-202.

25 (b) Incorporated cities and villages which are within the boundaries  
26 of a municipal county may levy a maximum levy of ninety cents per one  
27 hundred dollars of taxable valuation of property subject to the levy. The  
28 maximum levy shall include amounts paid to a municipal county for county  
29 services, amounts levied to pay for sums to support a library pursuant to  
30 section 51-201, a museum pursuant to section 51-501, a visiting community  
31 nurse, home health nurse, or home health agency pursuant to section  
1 71-1637, or a statue, memorial, or monument pursuant to section 80-202.

2 (7) Sanitary and improvement districts which have been in existence  
3 for more than five years may levy a maximum levy of forty cents per one  
4 hundred dollars of taxable valuation of property subject to the levy, and  
5 sanitary and improvement districts which have been in existence for five  
6 years or less shall not have a maximum levy. Unconsolidated sanitary and  
7 improvement districts which have been in existence for more than five  
8 years and are located in a municipal county may levy a maximum of eighty-  
9 five cents per hundred dollars of taxable valuation of property subject  
10 to the levy.

11 (8) Counties may levy or authorize a maximum levy of fifty cents per  
12 one hundred dollars of taxable valuation of property subject to the levy,  
13 except that five cents per one hundred dollars of taxable valuation of  
14 property subject to the levy may only be levied to provide financing for  
15 the county's share of revenue required under an agreement or agreements  
16 executed pursuant to the Interlocal Cooperation Act or the Joint Public  
17 Agency Act. The maximum levy shall include amounts levied to pay for sums  
18 to support a library pursuant to section 51-201 or museum pursuant to  
19 section 51-501. The county may allocate up to fifteen cents of its  
20 authority to other political subdivisions subject to allocation of  
21 property tax authority under subsection (1) of section 77-3443 and not  
22 specifically covered in this section to levy taxes as authorized by law  
23 which do not collectively exceed fifteen cents per one hundred dollars of  
24 taxable valuation on any parcel or item of taxable property. The county  
25 may allocate to one or more other political subdivisions subject to  
26 allocation of property tax authority by the county under subsection (1)  
27 of section 77-3443 some or all of the county's five cents per one hundred

28 dollars of valuation authorized for support of an agreement or agreements  
 29 to be levied by the political subdivision for the purpose of supporting  
 30 that political subdivision's share of revenue required under an agreement  
 31 or agreements executed pursuant to the Interlocal Cooperation Act or the  
 1 Joint Public Agency Act. If an allocation by a county would cause another  
 2 county to exceed its levy authority under this section, the second county  
 3 may exceed the levy authority in order to levy the amount allocated.

4 (9) Municipal counties may levy or authorize a maximum levy of one  
 5 dollar per one hundred dollars of taxable valuation of property subject  
 6 to the levy. The municipal county may allocate levy authority to any  
 7 political subdivision or entity subject to allocation under section  
 8 77-3443.

9 (10) Beginning July 1, 2016, rural and suburban fire protection  
 10 districts may levy a maximum levy of ten and one-half cents per one  
 11 hundred dollars of taxable valuation of property subject to the levy if  
 12 (a) such district is located in a county that had a levy pursuant to  
 13 subsection (8) of this section in the previous year of at least forty  
 14 cents per one hundred dollars of taxable valuation of property subject to  
 15 the levy or (b) such district had a levy request pursuant to section  
 16 77-3443 in any of the three previous years and the county board of the  
 17 county in which the greatest portion of the valuation of such district is  
 18 located did not authorize any levy authority to such district in such  
 19 year.

20 (11) A regional metropolitan transit authority may levy a maximum  
 21 levy of ten cents per one hundred dollars of taxable valuation of  
 22 property subject to the levy for each fiscal year that commences on the  
 23 January 1 that follows the effective date of the conversion of the  
 24 transit authority established under the Transit Authority Law into the  
 25 regional metropolitan transit authority.

26 (12) In addition to the specific levy limits provided in this  
 27 section, if the total taxable valuation of property in a political  
 28 subdivision exceeds the total taxable valuation from the prior year, then  
 29 such political subdivision's levy shall be no more than the levy  
 30 necessary to raise the exact same amount of property taxes as was raised  
 31 by such political subdivision in the prior year.

1 (13) (12) Property tax levies (a) for judgments, except judgments or  
 2 orders from the Commission of Industrial Relations, obtained against a  
 3 political subdivision which require or obligate a political subdivision  
 4 to pay such judgment, to the extent such judgment is not paid by  
 5 liability insurance coverage of a political subdivision, (b) for  
 6 preexisting lease-purchase contracts approved prior to July 1, 1998, (c)  
 7 for bonds as defined in section 10-134 approved according to law and  
 8 secured by a levy on property except as provided in section 44-4317 for  
 9 bonded indebtedness issued by educational service units and school  
 10 districts, (d) for payments by a public airport to retire interest-free  
 11 loans from the Division of Aeronautics of the Department of  
 12 Transportation in lieu of bonded indebtedness at a lower cost to the  
 13 public airport, and (e) to pay for cancer benefits provided on or after  
 14 January 1, 2022, pursuant to the Firefighter Cancer Benefits Act are not  
 15 included in the levy limits established by this section.

16 (14) (13) The limitations on tax levies provided in this section are  
 17 to include all other general or special levies provided by law.  
 18 Notwithstanding other provisions of law, the only exceptions to the  
 19 limits in this section are those provided by or authorized by sections  
 20 77-3442 to 77-3444.

21 (15) (14) Tax levies in excess of the limitations in this section  
 22 shall be considered unauthorized levies under section 77-1606 unless  
 23 approved under section 77-3444.

24 (16) (15) For purposes of sections 77-3442 to 77-3444, political  
 25 subdivision means a political subdivision of this state and a county

26 agricultural society.  
27 (17) (46) For school districts that file a binding resolution on or  
28 before May 9, 2008, with the county assessors, county clerks, and county  
29 treasurers for all counties in which the school district has territory  
30 pursuant to subsection (7) of section 79-458, if the combined levies,  
31 except levies for bonded indebtedness approved by the voters of the  
1 school district and levies for the refinancing of such bonded  
2 indebtedness, are in excess of the greater of (a) one dollar and twenty  
3 cents per one hundred dollars of taxable valuation of property subject to  
4 the levy or (b) the maximum levy authorized by a vote pursuant to section  
5 77-3444, all school district levies, except levies for bonded  
6 indebtedness approved by the voters of the school district and levies for  
7 the refinancing of such bonded indebtedness, shall be considered  
8 unauthorized levies under section 77-1606.  
9 Sec. 2. Original section 77-3442, Revised Statutes Supplement,  
10 2023, is repealed.

Senator von Gillern filed the following amendment to [LB807](#):  
[AM2057](#) is available in the Bill Room.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Walz - LB1284

### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Brewer name added to LB4.  
Senator Brewer name added to LB10.  
Senator Hunt name added to LB855.  
Senator M. Cavanaugh name added to LB894.  
Senator Brandt name added to LB1072.  
Senator Hughes name added to LB1087.  
Senator Bostar name added to LB1087.  
Senator Dungan name added to LB1087.  
Senator M. Cavanaugh name added to LB1087.  
Senator Brewer name added to LB1329.

### VISITOR(S)

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

### ADJOURNMENT

At 11:57 a.m., on a motion by Senator Dungan, the Legislature adjourned until 9:00 a.m., Thursday, January 25, 2024.

Brandon Metzler  
Clerk of the Legislature



**SIXTEENTH DAY - JANUARY 25, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**SIXTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 25, 2024

**PRAYER**

The prayer was offered by Chaplain Phani Adidam, Hindu Temple, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Hughes.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senator Armendariz who was excused; and Senators Bostar, M. Cavanaugh, Conrad, Hansen, Ibach, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifteenth day was approved.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 218A.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 218, One Hundred Eighth Legislature, Second Session, 2024.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Aguilar - LB952

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Thursday, February 1, 2024

LB1248  
LB1310  
LB1354  
LB1311  
LB1349  
LB1308  
LB1319  
LB1345  
LB1356  
LB1317

Room 1524 1:30 PM

Friday, February 2, 2024

LB1394  
LB1400  
LB1410  
LB1414  
LB1415

(Signed) Lou Ann Linehan, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 184.** Title read. Considered.

Committee [AM1834](#), found on page 1839, First Session, 2023, was offered.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO343](#), found on page 938, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO344](#), found on page 938, First Session, 2023, to recommit to committee.

[MO345](#), found on page 939, First Session, 2023, to bracket.

[MO346](#), found on page 938, First Session, 2023, to indefinitely postpone.

[MO347](#), found on page 938, First Session, 2023, to recommit to committee.

[MO348](#), found on page 939, First Session, 2023, to bracket.



[MO349](#), found on page 938, First Session, 2023, to recommit to committee.

No objections. So ordered.

The committee amendment was adopted with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

Senator J. Cavanaugh withdrew [AM1284](#), found on page 1081, First Session, 2023.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

### **COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Craig Strong Adjutant General - Military Department

Aye: 8. Aguilar, Brewer, Conrad, Halloran, Hunt, Lowe, Raybould, Sanders.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Brewer, Chairperson

### **NOTICE OF COMMITTEE HEARING(S)**

Appropriations  
Room 1524 1:30 PM

Monday, February 12, 2024  
LB1117 (cancel)  
LB1264 (cancel)

Room 1003 1:30 PM

Thursday, February 15, 2024  
LB1124 (cancel)  
LB1125 (cancel)

Room 1524 1:30 PM

Monday, February 12, 2024  
LB1124  
LB1125

Room 1003 1:30 PM

Thursday, February 15, 2024

LB1117

LB1264

(Signed) Robert Clements, Chairperson

Transportation and Telecommunications

Room 1113 1:30 PM

Monday, February 5, 2024

LB1030

LB1127

LB1163

LB1250

Heath Mello - State Highway Commission

Room 1113 1:30 PM

Tuesday, February 6, 2024

LB965

LB1129

LB1298

Room 1113 1:30 PM

Monday, February 12, 2024

LB1038

LB1336

LB1112

Room 1113 1:30 PM

Tuesday, February 13, 2024

LB966

LB1133

LB1212

Room 1113 1:30 PM

Tuesday, February 20, 2024

LB1255

LB1256

LB1257

Room 1113 1:30 PM

Tuesday, February 27, 2024

LB1340  
LB1186  
LB1105  
LB1180

(Signed) Mike Moser, Chairperson

Business and Labor  
Room 2102 1:30 PM

Monday, February 5, 2024

LB961  
LB1213  
LB1139  
LB1170

(Signed) Merv Riepe, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB1403](#):

[AM2163](#)

1 1. On page 4, line 15, strike "or", show as stricken, and insert an  
2 underscored comma; and in line 19 after "twelve" insert ", or (iii) a  
3 member of a military family transferring into Nebraska from another state  
4 or another country and is entering any of grades kindergarten through  
5 twelve in a qualified school".

Senator Blood filed the following amendment to [LB977](#):

[AM2176](#)

1 1. On page 44, line 10, strike the second occurrence of "or"; in  
2 line 13 after the semicolon insert "or"; and after line 13 insert the  
3 following new subdivision:  
4 "(c) Is a dependent, as defined in 50 U.S.C. 3911, of a person  
5 described in subdivision (13)(a) or (b) of this section";.

**MOTION - Escort Chief Justice**

Senator Wishart moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court and members of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Blood, Bosn, J. Cavanaugh, DeKay, and Slama to serve on said committee.

**STATE OF THE JUDICIARY**

Mr. President, Mr. Speaker, and Members of the Legislature.

Thanks to all of you, particularly Speaker Arch, for inviting me to address you this morning. It is always an honor for me to report on the annual accomplishments of our Judicial Branch and discuss our upcoming plans with you.

With me in the Chamber today are my fellow Justices:

Justice Lindsey Miller-Lerman of Omaha  
Justice William Cassel of O'Neill  
Justice Stephanie Stacy of Lincoln  
Justice Jeff Funke of Nebraska City  
Justice Jonathan Papik of Omaha, and  
Justice John Freudenberg of Rushville

Today, I will speak to you about our excellent judicial branch judges and support staff, problem-solving courts, probation, language interpreter services, the Office of Public Guardian, and our much-needed technology upgrades.

**Judicial Branch Workforce**

I opened this address last year by discussing staffing shortages we were experiencing across our Judicial Branch. I am happy to report that while we still have more than 100 vacancies statewide out of over 1,600 employees, we now exceed pre-pandemic staffing levels. Our turnover rate has dropped to just over 5%, and our vacancy rate branch-wide is less than 8%. These are significant improvements. I highlight this because these improvements have not occurred by accident.

First and foremost, I sincerely thank this body for supporting our efforts directed at making Nebraska's Judicial Branch a competitive employer in the job market. Those efforts over the past three years included a pair of classification and compensation studies. The purpose of these studies was to find how Judicial Branch employee salaries compared to both the public and private sectors. Your approval of salary increases based on these studies means we are now competitive in most job markets. I remind you, however, that the increases you approved have not yet been included in our base budget.

In addition to salary increases, we have expanded our recruiting efforts by participating in career fairs at colleges, high schools, and even junior high schools across the State. Because of information gathered during community listening sessions, we've also increased recruitment by cooperation with entities like the Urban League of Omaha. And we have targeted expansion of our internship programs as well as job shadowing opportunities. We have also expanded utilization of social media as a recruiting tool to highlight the great work being done in the Branch.

**National Awards**

I now especially call your attention to some exemplary national achievements in 2023 by judges and probation staff.

This past November, now-retired District Court Judge Jim Doyle of Lexington was given the William Rehnquist Award for Judicial Excellence. There is no greater recognition a trial court judge in America can receive. Chief Justice John Roberts of the United States Supreme Court presented the award to Judge Doyle in front of 200 honored guests and dignitaries in Washington, DC.

At that presentation I was pleased to highlight Judge Doyle's contributions to the citizens of Nebraska, especially those in rural communities. During his more than two decades of judicial service, Judge Doyle went to great lengths to improve interpreter services, establish problem-solving courts, and increase public and media access to court proceedings.

Judge Doyle established Nebraska's first predominantly rural drug court in 2006 and served as chair of the Nebraska Supreme Court's Committee on Problem-Solving Courts until his retirement. Under his guidance, problem-solving courts were established in every judicial district in Nebraska. During the pandemic, Judge Doyle also began Nebraska's only judicial YouTube channel, broadcasting his court proceedings to the public.

We all owe a debt of gratitude to Judge Doyle and his dedication to public service.

I also congratulate Court of Appeals Judge Frankie Moore of North Platte who has been elected by her fellow Appeals Court Judges across America as the current Vice President and President-elect of the Council of Chief Judges of the State Courts of Appeal. Judge Moore has served on the Nebraska Court of Appeals since January 2000, and was the chief judge from 2014 to 2020. She is also a member of the Nebraska Access to Justice Commission and serves as chair of the Self-Represented Litigation Committee. In 2015, Judge Moore received the "Distinguished Judge for Service to Community" award from the Nebraska Supreme Court.

Congratulations also to Kari Rumbaugh, Deputy Administrator of the Juvenile Probation Services Division. Ms. Rumbaugh was selected as the only probation representative nationally to testify as an expert on juvenile probation on a panel of youth justice professionals before the Federal Coordinating Council for Juvenile Justice and Delinquency Prevention in Washington, DC. Deputy Rumbaugh's testimony focused on how the Council can enhance coordination regarding the prevention of youth recidivism.

I'm also happy to report that Nebraska Probation was selected by the Columbia University Emerging Adult Justice Project as one of three innovation sites in the United States. The intent of the 2½ year pilot project is to improve case management strategies and outcomes for young adult offenders, ages 18 to 25.

### **Probation**

I now more generally report on probation. Adult Probation provides community supervision for over 16,000 individuals in all 93 Nebraska counties. Probation officers assist, direct, and motivate individuals to avoid incarceration and live productive lives. Probation includes restitution, community service, drug testing, and mental health treatments.

Probation also administers swift and certain sanctions for violation of court orders. Probation officers are highly trained to assess the needs of individuals to better address their rehabilitation.

Statewide, Nebraska Probation currently works with over 1,500 individual service providers and over 500 service provider agencies. Our behavioral health partners provide an essential component required for the successful rehabilitation of probationers. However, there is still a significant shortage of new providers and reimbursement rates have not kept pace with the cost of these services.

Nebraska Probation recently established a partnership with the Nebraska Department of Labor to provide employment programming in our 17 community reporting centers. This important cooperation will assist probation with obtaining and maintaining employment to be successful citizens.

Likewise, in January 2022, this Legislature funded the expansion of the Young Adult Problem-Solving Court in Douglas County to include the creation of a new employment coordinator position. This innovative approach was designed to better equip young adults with the job skills, resources, and employment connections needed to secure meaningful employment within the Omaha community. This includes the recruitment of over 180 employers who are willing to hire Young Adult Problem-Solving Court participants. Success is demonstrated by a 13% decrease in unemployment for individuals in the Young Adult Problem Solving Court.

In a written testimonial, a Young Adult Court graduate noted, “[I]t’s absolutely amazing that you have a system that gives young people like myself the chance to do something better.”

Nebraska Probation continues to be cost effective for taxpayers. The average cost of incarceration in Nebraska is \$41,000 per person per year, compared to the average cost of probation, which is \$3,500 per person per year. Probation is the taxpayers’ friend.

### **Problem-Solving Courts**

I will now discuss in more detail problem-solving courts. Nebraska problem-solving courts have also proven to be a cost-effective alternative for diverting individuals from our jails and prisons through judicial interaction, intensive community supervision, and rehabilitation. Nearly 1,600 individuals participated in 33 problem-solving courts during the last fiscal year.

Thanks to your support, more individuals in Nebraska have been provided access to problem-solving courts. Through the creation of new courts and added capacity to existing problem-solving courts, there has been a 27% increase in problem-solving court participation since 2020.

At your request, recent problem-solving court expansion efforts include Nebraska’s fourth Veterans Treatment Court serving Sarpy and Cass Counties, and a new Adult Drug Court in the 5<sup>th</sup> Judicial District serving Platte County. Also, the drug court in Saunders County has been doubled in size.

However, a newly completed needs assessment determined that only 5% of individuals eligible for problem-solving courts in Nebraska are

being served. With the correct infrastructure in place, problem-solving courts are positioned to be an ongoing and viable alternative to prison. The Judicial Branch is committed to working with you to continue further problem-solving court expansion. I remind you that the annual average cost of participants involved in a problem-solving court is approximately \$4,400. Like probation, each problem-solving court is the taxpayers' friend.

### **Juvenile Probation**

Next, I will discuss juvenile probation. Please note the following accomplishments and concerns.

First, the Juvenile Justice System Enhancement Initiative continued this year with the completion of a statewide system assessment and receipt of a final report. The report emphasized that Nebraska's juvenile probation is positioned as a positive leader in juvenile justice system practices. The Nebraska Supreme Court provided an opportunity for Nebraskans to submit public comments regarding the findings.

Second, reflecting a post-pandemic increase in delinquency filings, there has been a 25% increase in youth placed on probation in fiscal year 2023 as compared to the previous year. Over the same period, there was also an increase of more than 300 predisposition investigations completed by probation officers, providing comprehensive reports and recommendations to courts across the state. Even with this increase, juvenile probation has been able to maintain a low 19% recidivism rate over the past two years.

Third, increasing access to essential services for youth continued as a focus, especially in rural areas of the state. Although service availability continues to be a challenge, we successfully supported the opening of a new emergency shelter in Maxwell, the recruitment of new foster homes in Scottsbluff, and the expansion of a judge-led mentoring project in Saline and Jefferson Counties.

Fourth, there remains, however, a major lack of detention facilities for delinquent juveniles in Nebraska. There are currently only four such detention facilities in the state. They are located in Sarpy, Douglas, Lancaster, and Madison Counties. There are no juvenile detention facilities west of this building, and counties have no incentive to fund them. We are forced to pay Iowa, Kansas, and Wyoming in order to handle our juvenile detention needs.

### **Office of Public Guardian**

I now turn to the Office of Public Guardian. This Legislature created the Office of Public Guardian and placed it in the Judicial Branch in 2015 because of the lack of guardians in Nebraska to serve vulnerable, incapacitated adults. These are mostly elderly, mentally ill, and medically fragile individuals who lack cognitive capacity and are susceptible to financial exploitation and neglect. Approximately 86% of the wards of the Office of Public Guardian need mental health services.

The Office of Public Guardian was created to serve as guardian of last resort for individuals when no one else is available. The demand for assistant public guardians, however, far exceeds our

current capacity to respond. The Office of Public Guardian has had a waiting list since 2018.

Fortunately, there has been a core group of assistant guardians who have persevered, serving these citizens with commitment, sacrifice, and compassion through the pandemic and chronic staff shortages. Largely because of the aforementioned salary increases, staff shortages have been reversed, but the demand for expanding the number of assistant public guardians continues.

#### **Language Access (Trial Court Services)**

I now turn to our Language Access Program, which recruits, trains, and certifies language interpreters. And which, of course, coordinates the appointment of qualified interpreters to help limited English proficient, deaf, and hard of hearing individuals understand their court proceedings and probation services, regardless of what language they speak. Conversely, interpreters help judges, lawyers, witnesses, juries, and court staff understand non-English speaking participants who appear in Nebraska courtrooms and probation offices on a daily basis.

Fifty years ago, this Legislature commanded by statute that we provide language access to everyone who appears in our courts. Last summer we celebrated the passage of that 1973 legislation in Colfax County, where we frequently utilize language interpreters.

On a statewide basis, we used interpreters in 69 different languages in 2023, including three indigenous languages we had never used before. Those are:

- Tzotzil (zot-zil) -- a Mayan language from Chiapas, Mexico, which is spoken by only 50,000 people;
- Zapotec (za-po-tec) -- a language of which there are approximately 450,000 speakers, most of whom live in the Mexican states of Oaxaca and Veracruz; and
- Chuj (chew) – a language which is spoken by approximately only 43,000 people – 40,000 in Guatemala and 3,000 in Mexico.

There are only a handful of interpreters in the United States that speak these rare indigenous languages. But by using language line and cooperating with other states, we were able to provide the necessary interpreters when needed.

It's not just an increase in rare indigenous languages that we're experiencing, but an overall growth in language diversity. As an example, in February 2023, the Lancaster County Truancy Diversion Court served 12 families with a total of 6 different languages in a single hearing (2 Arabic, 1 Dinka, 1 Farsi, 3 Kurdish, 1 Nuer, and 4 Spanish). We expect the number of limited English proficient, deaf, and hard of hearing court and probation users to steadily increase in the coming years. We are asking for increased funding for our language access initiatives.

#### **Technology**

Finally, I will discuss technology. I have regularly reported on the growing importance technology plays for the courts and its programs. Today



more than ever our reliance on technology in providing access to justice is tantamount to our success. We could not have kept our courts functioning during the pandemic without electronic filing, Zoom hearings, and other technological advancements.

First of all, like this legislative branch did years ago, we are establishing a branch-specific information technology system for the courts. We have moved away from the Information Technology services previously provided by the Executive Branch Office of Chief Information Officer into our own, self-maintained domain at NEJudicial.gov. We also continue to relieve more counties of the financial burden of overseeing court IT functions. A self-contained IT infrastructure is more amenable to needed ongoing changes and will allow us to more closely monitor and address security threats.

Secondly, in the coming months we will complete technological upgrades, normally paid for by counties, in every courtroom across the State. We are outfitting each courtroom with state-of-the-art equipment which will increase access and improve user experiences. This includes a system for enhancing the ability for hearing-impaired individuals to understand court proceedings.

Next, we continue to refine our e-filing efforts. We have enhanced the software used to accomplish this, including software for the tracking of continuing legal education and Bar Exam enrollment systems, and we are completing development of a cloud-based exhibits repository.

For our providers serving probation, we have also implemented an improved service provider information management system which streamlined fee-for-service voucher processing. And we are in the process of moving our court and probation case management systems into the cloud and away from very outdated server-based data-storage systems.

Most importantly, however, I call your attention to the need to upgrade our current case management system for both efficiency and the ability to provide you and others with requested data information, and especially for cyber security purposes. Our current system was built in-house. No consultants, no outside vendors, and with only marginal use of tax dollars. It was rolled out in 1993 using COBAL programming code and an AS400 operating system. The system is held together with baling wire and bubble gum. A 30-plus-year-old case management system is not adequate to meet current and future court demands.

The Judicial Branch has experienced significant programmatic growth in the last decade. As noted, the number of problem-solving courts has grown exponentially. Juvenile justice reform, justice reinvestment, post-release supervision, and the additions of the Offices of Dispute Resolution and Public Guardian have all had a dramatic impact on the Judicial Branch. These services operate from separate information management systems or within our outdated systems.

This legislative body, along with many court users, regularly requests data reports we are simply unable to produce. The current system does not collect such information, it does not store such information, and we cannot provide such information.

Again, it is vital to our success that our unified case management system be upgraded to meet our future needs as well as your data requests. We look forward to partnership and collaboration as we move our courts into the 21<sup>st</sup> Century. While costly, this is a necessary investment for our future, your future, and our state's future.

### **Kansas Cyber Attack**

I especially emphasize, however, our need to upgrade protection for online records. The Court maintains a great deal of personal information within our case management system. Much like banks, retail outlets, and health care providers, we handle a large amount of confidential information online – including bank account numbers, social security numbers, credit card information, and other financial details. Additionally, we store information on paternity and child custody, as well as criminal case data on sexual assaults of both adults and children.

This past October, the Kansas court system suffered a foreign cyberattack that forced officials to completely shut down their electronic system. The attackers had access to all of the confidential information I just summarized. Public access to documents and online filing for lawyers had to be suspended for months after the attack. Lawyers reverted to using the old paper system to file their cases, and anyone seeking public records had to visit their local courthouses or the State Capitol. A ransom was demanded to restart the system. The ransom was not paid, but the attack nevertheless cost Kansans millions of tax dollars and user fee expenses.

Kansas serves as a warning for the rest of us. If the Kansas Supreme Court fell victim to a sophisticated foreign cyberattack, without needed upgrades we must consider ourselves equally vulnerable.

### **Conclusion**

On that cautionary note, I thank you for this opportunity to speak with you today. I look forward to our continuing cooperation with you and our executive branch friends in serving all Nebraska citizens.

The committee escorted the Chief Justice from the Chamber.

### **GENERAL FILE**

**LEGISLATIVE BILL 102.** Title read. Considered.

Committee [AM183](#), found on page 485, First Session, 2023, was offered.

Senator M. Cavanaugh withdrew [AM527](#), found on page 595, First Session, 2023, to the committee amendment.

The committee amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 102A.** Title read. Considered.

Senator Erdman offered [AM2169](#), found on page 512.

The Erdman amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 83.** Title read. Considered.

Senator M. Cavanaugh withdrew [AM535](#), found on page 595, First Session, 2023.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 143.** Title read. Considered.

Senator Erdman offered the following amendment:

[FA207](#)

Amend LB143 to adopt Mountain and Central Standard as Nebraska's year-round time.

Pending.

#### NOTICE OF COMMITTEE HEARING(S)

Judiciary  
Room 1113 1:30 PM

Thursday, February 1, 2024

LB1288

LB972

LB892

LB999 (reschedule)

LB1167

LB1044

(Signed) Justin Wayne, Chairperson

Nebraska Retirement Systems  
Room 1525 12:00 PM

Thursday, February 1, 2024

Gail Werner-Robertson - Nebraska Investment Council

John Murante - Nebraska Public Employees Retirement Systems

Note: Director of NPERS

Charles Neumann - Public Employees Retirement Board

Gerald Clausen - Public Employees Retirement Board  
 Luke H. Splattstoesser - Public Employees Retirement Board

(Signed) Mike McDonnell, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Ibach filed the following amendment to LB218:

AM2195

1 1. On page 4, line 5, strike "2023-24" and insert "2024-25".

Senator Walz filed the following amendment to LB285:

AM66

1 1. Strike original sections 4, 5, 6, 7, and 8 and insert the  
 2 following new sections:

3 Sec. 4. Each qualified school that has an identified student  
 4 percentage greater than or equal to fifty percent shall operate under the  
 5 community eligibility provision to maximize the federal reimbursement for  
 6 eligible breakfasts and eligible lunches.

7 Sec. 5. (1)(a) The department may grant a waiver of the  
 8 requirements of section 4 of this act to a qualified school that is able  
 9 to demonstrate that participation in the community eligibility provision  
 10 is not financially viable for such school. The waiver may be of a  
 11 specified length of time as determined by the department.

12 (b) The department shall provide technical assistance to any  
 13 qualified school that is granted a waiver under this section to support  
 14 such school's adoption of the community eligibility provision in  
 15 subsequent years.

16 (2) The State Board of Education shall adopt and promulgate rules  
 17 and regulations to establish a process for granting an annual waiver,  
 18 including a process and criteria for determining if participation in the  
 19 community eligibility provision is viable for a qualified school.

20 Sec. 6. Section 79-10,138, Reissue Revised Statutes of Nebraska, is  
 21 amended to read:

22 ~~79-10,138~~ The department ~~State Department of Education~~ shall  
 23 reimburse each qualified ~~public~~ school in Nebraska a portion of the cost  
 24 of such school's school breakfast program in the amount of five cents per  
 25 ~~eligible school~~ breakfast served by such school in the second preceding  
 26 school year. Each qualified ~~To qualify,~~ a school district shall ~~operate a~~  
 27 ~~school lunch program and shall submit information regarding the number of~~  
 1 eligible breakfasts served by such school in a manner prescribed by the  
 2 department. The Legislature shall appropriate money from the General Fund  
 3 to carry out this section.

4 Sec. 7. Section 79-10,139, Reissue Revised Statutes of Nebraska, is  
 5 amended to read:

6 ~~79-10,139~~ Payments pursuant to section 6 of this act ~~79-10,138~~ shall  
 7 be made to each qualified school ~~district~~ according to rules and  
 8 regulations for disbursements adopted and promulgated by the State Board  
 9 of Education ~~State Department of Education~~.

10 Sec. 8. Nothing in the School Community Eligibility Provision  
 11 Maximization Act shall prevent a qualified school from collecting  
 12 information from the parent or guardian of a student to determine  
 13 eligibility for other services of the school.

14 2. On page 2, line 30, strike "public".

15 3. On page 3, line 11, after the semicolon insert "and"; and strike  
 16 lines 12 through 17 and insert the following new subdivision:

17 "(7) Qualified school means a public school or a nonprofit private  
 18 school which is participating in the school breakfast program or the

19 national school lunch program under the federal Child Nutrition Act of  
 20 1966, 42 U.S.C. 1771 et seq., or the federal Richard B. Russell National  
 21 School Lunch Act, 42 U.S.C. 1751 et seq., as such acts existed on January  
 22 1, 2023."

Senator Albrecht filed the following amendment to LB442A:

AM2162

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$2,000,000 from the  
 4 Livestock Growth Act Cash Fund for FY2024-25 and (2) \$-0- from the  
 5 General Fund for FY2025-26 to the Department of Agriculture, for Program  
 6 78, to aid in carrying out the provisions of Legislative Bill 442, One  
 7 Hundred Eighth Legislature, Second Session, 2024.  
 8 There is included in the appropriation to this program for FY2024-25  
 9 \$1,975,000 cash funds for state aid, which shall only be used for such  
 10 purpose. There is included in the appropriation to this program for  
 11 FY2025-26 \$-0- for state aid, which shall only be used for such purpose.  
 12 No expenditures for permanent and temporary salaries and per diems  
 13 for state employees shall be made from funds appropriated in this  
 14 section.  
 15 Sec. 2. Since an emergency exists, this act takes effect when  
 16 passed and approved according to law.

Senator Halloran filed the following amendment to LB442:

AM2161

(Amendments to Standing Committee amendments, AM372)

1 1. On page 1, line 3, strike "2023" and insert "2024".

Senator von Gillern filed the following amendment to LB1023:

AM2150

1 1. On page 13, line 25, after the comma insert "a cooperative  
 2 corporation."; in lines 27 and 28 after the first comma insert  
 3 "patrons."; and in line 30 after the first comma insert "cooperative  
 4 corporation.".

#### **WITHDRAW - Motion to LB1093**

Senator Wayne withdrew MO1169, found on page 438, to rereference LB1093 from the Revenue Committee to the Judiciary Committee, pursuant to Rule 6, Sec. 2(a).

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Fredrickson name added to LB184.  
 Senator M. Cavanaugh name added to LB285.  
 Senator McDonnell name added to LB307.  
 Senator Conrad name added to LB856.  
 Senator Lippincott name added to LB965.  
 Senator Lippincott name added to LB973.  
 Senator M. Cavanaugh name added to LB984.

Senator Lippincott name added to LB1001.  
Senator Linehan name added to LB1035.  
Senator Vargas name added to LB1035.  
Senator Wishart name added to LB1035.  
Senator Lippincott name added to LB1037.

**WITHDRAW - Cointroducer(s)**

Senator Hunt name withdrawn from LR14CA.

**VISITOR(S)**

Visitors to the Chamber were Kranthi Adidam, Omaha; Michael McCarthy, Hon. Tricia Freeman, and Liz Neely of the Nebraska State Bar Association; Doris Huffman of the Nebraska State Bar Foundation; Kathy Olson of the Nebraska State Bar Foundation Board; Chris Mehafe, Mid-American Council of Boy Scouts of America; Ellen Hung, State Investment Officer.

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

**ADJOURNMENT**

At 11:56 a.m., on a motion by Senator Brandt, the Legislature adjourned until 9:00 a.m., Friday, January 26, 2024.

Brandon Metzler  
Clerk of the Legislature

**SEVENTEENTH DAY - JANUARY 26, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 26, 2024

**PRAYER**

The prayer was offered by Jesse Randolph, Indian Hills Community Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Ibach.

**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 Armendariz and McKinney who were excused; and Senators Bosn, M. Cavanaugh, Conrad, DeBoer, Dover, Dungan, Hansen, Hughes, Slama, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixteenth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Hung, Ellen - State Investment Officer - Nebraska Investment Council -  
Nebraska Retirement Systems

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 52A.** Placed on Select File with amendment.[ER38](#)

1 1. On page 1, strike beginning with "First" in line 3 through  
2 "emergency" in line 4 and insert "Second Session, 2024".

**LEGISLATIVE BILL 140A.** Placed on Select File with amendment.[ER40](#)

1 1. On page 1, line 3, strike "First Session, 2023" and insert  
2 "Second Session, 2024".

(Signed) Beau Ballard, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Raybould - LB20

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 25, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Abboud, Chris - Public Affairs Group  
American Healthy Alternatives Association  
Ficke, Melissa  
Cicero Action  
Hettle, Arlo  
Nebraska Civic Engagement Table  
Hoppe, Rodney  
Students for Life Action  
Houghton Bradford Whitted PC, LLO  
Nebraska Elite Volleyball  
Jensen Rogert Associates, Inc.  
Burt County Economic Development Corp.  
GEVO  
Johnson, Kevin  
Amgen  
Kissel Kohout ES Associates, LLC  
Copart  
Lucariello, Katelin  
Pharmaceutical Research and Manufacturers of America



Mueller Robak  
Lincoln Children's Zoo  
Nebraska Strategies  
Leaf Kratom Coalition  
National Shooting Sports Foundation, Inc.  
O'Hara Lindsay & Associates, Inc.  
Prospect Hill Cemetery and Arboretum  
Owen, Anthony  
Code.org  
Peetz & Company  
Lewis & Clark Natural Resources District  
Phillips, William  
American Federation for Children  
Pipes, Karen  
Bank of America Corporation  
Schmeling, Richard L  
ProRail Nebraska, Inc.  
Vankat, Hannah  
Smart Gen Society

### REPORTS

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

### GENERAL FILE

**LEGISLATIVE BILL 541.** Title read. Considered.

Committee [AM1062](#), found on page 317, was offered.

Senator Raybould offered the following motion:

[MO1177](#)

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

The Raybould motion to recommit to committee failed with 15 ayes, 28 nays, 4 present and not voting, and 2 excused and not voting.

Senator Lowe moved for a call of the house. The motion prevailed with 36 ayes, 4 nays, and 9 not voting.

The committee amendment was adopted with 31 ayes, 9 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 29 ayes, 16 nays, 2 present and not voting, and 2 excused and not voting.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 288.** Introduced by Albrecht, 17.

WHEREAS, James "Louis" LaRose, also known as Xatap Horaje ga or "Travels in Bush," was a member and advocate for the Winnebago Tribe of Nebraska and the Bear Clan; and

WHEREAS, Louis was born in Winnebago, Nebraska, on January 25, 1942, graduated from Winnebago High School in 1960, and graduated with a bachelor's degree in education from Bethel College in 1968; and

WHEREAS, Louis was elected to the Winnebago Tribal Council at age 26 and became Tribal Chairman at age 28; and

WHEREAS, with Louis' help, the Tribe successfully challenged the seizure of land from the Winnebago Reservation in Nebraska and Iowa by the Army Corps of Engineers for a proposed recreation project in a case that ultimately went to the United States Supreme Court; and

WHEREAS, Louis worked on the federal Winnebago Land Transfer Act of 2023 to return the seized land to the Tribe and worked on bills in the Legislature related to the repatriation of Native remains and burial goods and the retroceding of state Public Law 280 jurisdiction over the Winnebago Reservation; and

WHEREAS, Louis established the Tribal Bison Program and served as Chairman of the Intertribal Bison Cooperative, now known as the Intertribal Buffalo Council; and

WHEREAS, Louis assisted with the establishment of and served as president of the Nebraska Indian Community College, now known as Little Priest Tribal College, on the Winnebago and Omaha reservations; and

WHEREAS, Louis was a founding member and served as Vice-Chairman of the American Indian Higher Education Consortium, which advocates for tribal colleges; and

WHEREAS, in 2013, Louis received the Chief Standing Bear Humanitarian Award from the Commission on Indian Affairs; and

WHEREAS, when he was not working to reclaim tribal land, bring back bison to the reservation, or advance educational opportunities, Louis spent his time with his family, attended his children and grandchildren's games and events, hunted, grilled, gardened, read, watched the news and sports, solved crossword puzzles, and did presentations on the bison; and

WHEREAS, Louis passed away on November 7, 2023, and will be sorely missed by his family and friends, the Winnebago Tribe, and all those he helped with his advocacy.

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

1. That the Legislature recognizes the advocacy and dedication of Louis LaRose to his tribe and community.

2. That the Legislature offers its condolences to Louis LaRose's family and friends and the Winnebago Tribe.

3. That a copy of this resolution be sent to the family of Louis LaRose and the Winnebago Tribe.

Laid over.

**LEGISLATIVE RESOLUTION 289.** Introduced by Albrecht, 17.

WHEREAS, Jacob Gill, a member of South Sioux City Boy Scout Troop 149, completed the requirements for the rank of Eagle Scout in the Boy Scouts of America; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Boy Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout their scouting experience, these young men and women have learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Boy Scout is required to earn twenty-one merit badges, thirteen of which are in required areas, and complete an approved community service project; and

WHEREAS, for his community service project, Jacob built flag retirement boxes for four local organizations of South Sioux City: First Lutheran Church of South Sioux City, American Legion Post 307, Omadi Masonic Lodge, and Siouxland Freedom Park Interpretive Center; and

WHEREAS, Jacob hosted a flag retirement ceremony at Siouxland Freedom Park on July 15, 2023, to close out his project; and

WHEREAS, Jacob collected and retired nearly four hundred American flags with the aid of Boy Scout Troop 149, American Legion Post 307, fundraisers, and donations; and

WHEREAS, Jacob received his Eagle Scout Badge on December 3, 2023; and

WHEREAS, Jacob, through his hard work and perseverance, has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Jacob Gill on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Jacob Gill and Boy Scout Troop 149 of South Sioux City.

Laid over.

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB861](#):

[AM2194](#)

- 1 1. On page 2, line 10, after the period insert "The Secretary of
- 2 State, election commissioner, or county clerk shall verify the signature
- 3 in the letter with the signature appearing in the voter registration
- 4 records.".

Senator Hughes filed the following amendment to [LB875](#):

[AM2205](#)

- 1 1. On page 2, line 10, after "beer" insert "within six months of the
- 2 invoice date".

**NOTICE OF COMMITTEE HEARING(S)**

Judiciary  
Room 1113 1:30 PM

Friday, February 2, 2024  
LB1366  
LB1267  
LB1192  
LB1292  
LB1265

(Signed) Justin Wayne, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 307.** Title read. Considered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following the motions:

[MO480](#), found on page 946, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO481](#), found on page 946, First Session, 2023, to recommit to committee.

[MO482](#), found on page 946, First Session, 2023, to bracket.

[MO483](#), found on page 946, First Session, 2023, to indefinitely postpone.

[MO484](#), found on page 946, First Session, 2023, to recommit to committee.

[MO485](#), found on page 946, First Session, 2023, to bracket.

[MO486](#), found on page 946, First Session, 2023, to recommit to committee.

No objections. So ordered.

Committee [AM381](#), found on page 639, First Session, 2023, was offered.

The committee amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 2 nays, 8 present and not voting, and 2 excused and not voting.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 461.** Placed on Select File with amendment.

[ER39](#) is available in the Bill Room.

**LEGISLATIVE BILL 16.** Placed on Select File with amendment.[ER43](#)

1 1. On page 1, line 6, strike "a term" and insert "and redefine  
 2 terms"; in line 11 strike "occupational licensure, government  
 3 certification" and insert "a credential"; and in line 14 strike "from  
 4 denial of a license".

**LEGISLATIVE BILL 78.** Placed on Select File.**LEGISLATIVE BILL 308.** Placed on Select File with amendment.[ER42](#)

1 1. On page 2, line 1, strike "through 4" and insert "to 4 of this  
 2 act".  
 3 2. On page 4, line 7, strike "(b)(i)" and insert "(1)(b)(i)".

**LEGISLATIVE BILL 664.** Placed on Select File.**LEGISLATIVE BILL 43.** Placed on Select File with amendment.[ER44](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 6  
 2 and insert "government; to amend sections 84-712, 84-712.01, and  
 3 84-712.07, Reissue Revised Statutes of Nebraska, and sections 84-712.03,  
 4 84-712.05, and 84-920, Revised Statutes Cumulative Supplement, 2022; to  
 5 adopt the First Freedom Act; to authorize wearing of tribal regalia by  
 6 students as prescribed; to change public records provisions relating to  
 7 residents, nonresidents, fees, duties, and remedies; to allow certain  
 8 records relating to cybersecurity to be withheld from the public as  
 9 prescribed; to provide a duty for the Nebraska Information Technology  
 10 Commission; to require hearing officers and courts to interpret statutes  
 11 and rules and regulations de novo on the record and in a manner to limit  
 12 agency power and maximize individual liberty; to prohibit state agencies  
 13 from imposing annual filing and reporting requirements on charitable  
 14 organizations as prescribed; to state intent; to adopt the Personal  
 15 Privacy Protection Act; to define terms; to harmonize provisions; to  
 16 provide operative dates; to provide severability; to repeal the original  
 17 sections; and to declare an emergency."

**LEGISLATIVE BILL 600.** Placed on Select File with amendment.[ER41](#)

1 1. In the Standing Committee amendments, AM2145, strike sections 9  
 2 and 10 and insert the following new sections:  
 3 Sec. 9. Section 84-612, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 84-612 (1) There is hereby created within the state treasury a fund  
 6 known as the Cash Reserve Fund which shall be under the direction of the  
 7 State Treasurer. The fund shall only be used pursuant to this section.  
 8 (2) The State Treasurer shall transfer funds from the Cash Reserve  
 9 Fund to the General Fund upon certification by the Director of  
 10 Administrative Services that the current cash balance in the General Fund  
 11 is inadequate to meet current obligations. Such certification shall  
 12 include the dollar amount to be transferred. Any transfers made pursuant  
 13 to this subsection shall be reversed upon notification by the Director of  
 14 Administrative Services that sufficient funds are available.  
 15 (3) In addition to receiving transfers from other funds, the Cash  
 16 Reserve Fund shall receive federal funds received by the State of

17 Nebraska for undesignated general government purposes, federal revenue  
18 sharing, or general fiscal relief of the state.

19 (4) The State Treasurer shall transfer two million dollars from the  
20 Governor's Emergency Cash Fund to the Cash Reserve Fund on or before June  
21 30, 2024, on such dates and in such amounts as directed by the budget  
22 administrator of the budget division of the Department of Administrative  
23 Services.

24 (5) The State Treasurer shall transfer two hundred sixteen million  
25 one hundred twenty thousand dollars from the Cash Reserve Fund to the  
26 Nebraska Capital Construction Fund on or after July 1, 2022, but before  
27 June 15, 2023, on such dates and in such amounts as directed by the  
1 budget administrator of the budget division of the Department of  
2 Administrative Services.

3 (6) The State Treasurer shall transfer one hundred eighty-two  
4 million six hundred twenty-three thousand eight hundred twenty-five  
5 dollars from the Cash Reserve Fund to the Nebraska Capital Construction  
6 Fund on or after July 1, 2023, but before June 30, 2024, on such dates  
7 and in such amounts as directed by the budget administrator of the budget  
8 division of the Department of Administrative Services.

9 (7) The State Treasurer shall transfer fifty-three million five  
10 hundred thousand dollars from the Cash Reserve Fund to the Perkins County  
11 Canal Project Fund on or before June 30, 2023, on such dates and in such  
12 amounts as directed by the budget administrator of the budget division of  
13 the Department of Administrative Services.

14 (8) No funds shall be transferred from the Cash Reserve Fund to  
15 fulfill the obligations created under the Nebraska Property Tax Incentive  
16 Act unless the balance in the Cash Reserve Fund after such transfer will  
17 be at least equal to five hundred million dollars.

18 (9) The State Treasurer shall transfer thirty million dollars from  
19 the Cash Reserve Fund to the Military Base Development and Support Fund  
20 on or before June 30, 2023, but not before July 1, 2022, on such dates  
21 and in such amounts as directed by the budget administrator of the budget  
22 division of the Department of Administrative Services.

23 (10) The State Treasurer shall transfer eight million three hundred  
24 thousand dollars from the Cash Reserve Fund to the Trail Development and  
25 Maintenance Fund on or after July 1, 2022, but before July 30, 2022, on  
26 such dates and in such amounts as directed by the budget administrator of  
27 the budget division of the Department of Administrative Services.

28 (11) The State Treasurer shall transfer fifty million dollars from  
29 the Cash Reserve Fund to the Nebraska Rural Projects Fund on or after  
30 July 1, 2022, but before July 15, 2023, on such dates and in such amounts  
31 as directed by the budget administrator of the budget division of the  
1 Department of Administrative Services.

2 (12) The State Treasurer shall transfer thirty million dollars from  
3 the Cash Reserve Fund to the Rural Workforce Housing Investment Fund on  
4 or after July 1, 2022, but before July 15, 2023, on such dates and in  
5 such amounts as directed by the budget administrator of the budget  
6 division of the Department of Administrative Services.

7 (13) The State Treasurer shall transfer twenty million dollars from  
8 the Cash Reserve Fund to the Intern Nebraska Cash Fund on or after July  
9 1, 2022, but before June 15, 2023, on such dates and in such amounts as  
10 directed by the budget administrator of the budget division of the  
11 Department of Administrative Services.

12 (14) The State Treasurer shall transfer twenty million dollars from  
13 the Cash Reserve Fund to the Middle Income Workforce Housing Investment  
14 Fund on July 15, 2022, or as soon thereafter as administratively  
15 possible, and in such amounts as directed by the budget administrator of  
16 the budget division of the Department of Administrative Services.

17 (15) The State Treasurer shall transfer eighty million dollars from  
18 the Cash Reserve Fund to the Jobs and Economic Development Initiative

19 Fund on or after July 1, 2022, but before July 15, 2023, on such dates  
20 and in such amounts as directed by the budget administrator of the budget  
21 division of the Department of Administrative Services.

22 (16) The State Treasurer shall transfer twenty million dollars from  
23 the Cash Reserve Fund to the Site and Building Development Fund on July  
24 15, 2022, or as soon thereafter as administratively possible, and in such  
25 amounts as directed by the budget administrator of the budget division of  
26 the Department of Administrative Services.

27 (17) The State Treasurer shall transfer fifty million dollars from  
28 the Cash Reserve Fund to the Surface Water Irrigation Infrastructure Fund  
29 on or after July 15, 2022, but before January 1, 2023, on such dates and  
30 in such amounts as directed by the budget administrator of the budget  
31 division of the Department of Administrative Services.

1 (18) The State Treasurer shall transfer fifteen million dollars from  
2 the Cash Reserve Fund to the Site and Building Development Fund on or  
3 before June 30, 2022, on such dates and in such amounts as directed by  
4 the budget administrator of the budget division of the Department of  
5 Administrative Services.

6 (19) The State Treasurer shall transfer fifty-five million dollars  
7 from the Cash Reserve Fund to the Economic Recovery Contingency Fund on  
8 or before June 30, 2022, on such dates and in such amounts as directed by  
9 the budget administrator of the budget division of the Department of  
10 Administrative Services.

11 (20) The State Treasurer shall transfer ten million dollars from the  
12 Cash Reserve Fund to the School Safety and Security Fund as soon as  
13 administratively possible after September 2, 2023, on such dates and in  
14 such amounts as directed by the budget administrator of the budget  
15 division of the Department of Administrative Services.

16 (21) The State Treasurer shall transfer ten million dollars from the  
17 Cash Reserve Fund to the General Fund as soon as administratively  
18 possible after June 7, 2023, on such dates and in such amounts as  
19 directed by the budget administrator of the budget division of the  
20 Department of Administrative Services.

21 (22) The State Treasurer shall transfer one million dollars from the  
22 Cash Reserve Fund to the Revitalize Rural Nebraska Fund as soon as  
23 administratively possible after June 7, 2023, on such dates and in such  
24 amounts as directed by the budget administrator of the budget division of  
25 the Department of Administrative Services.

26 (23) The State Treasurer shall transfer three million dollars from  
27 the Cash Reserve Fund to the Risk Loss Trust on or before June 30, 2024,  
28 on such dates and in such amounts as directed by the budget administrator  
29 of the budget division of the Department of Administrative Services.

30 (24) The State Treasurer shall transfer eleven million three hundred  
31 twenty thousand dollars from the Cash Reserve Fund to the Health and  
1 Human Services Cash Fund on or after July 1, 2023, but on or before June  
2 30, 2024, on such dates and in such amounts as directed by the budget  
3 administrator of the budget division of the Department of Administrative  
4 Services.

5 (25) The State Treasurer shall transfer five hundred seventy-four  
6 million five hundred thousand dollars from the Cash Reserve Fund to the  
7 Perkins County Canal Project Fund on or before June 30, 2024, on such  
8 dates and in such amounts as directed by the budget administrator of the  
9 budget division of the Department of Administrative Services.

10 (26) The State Treasurer shall transfer one million four hundred  
11 thousand dollars from the Cash Reserve Fund to the State Building  
12 Revolving Fund on or before July 10, 2023, on such dates and in such  
13 amounts as directed by the budget administrator of the budget division of  
14 the Department of Administrative Services.

15 (27) The State Treasurer shall transfer one million one hundred  
16 thousand dollars from the Cash Reserve Fund to the Accounting Division

17 Revolving Fund on or before July 10, 2023, on such dates and in such  
18 amounts as directed by the budget administrator of the budget division of  
19 the Department of Administrative Services.

20 (28) The State Treasurer shall transfer one million one hundred  
21 fifteen thousand dollars from the Cash Reserve Fund to the Public Safety  
22 Cash Fund on or after July 1, 2023, but before June 30, 2024, on such  
23 dates and in such amounts as directed by the budget administrator of the  
24 budget division of the Department of Administrative Services.

25 (29) The State Treasurer shall transfer one hundred million dollars  
26 from the Cash Reserve Fund to the Roads Operations Cash Fund before June  
27 30, 2023, on such dates and in such amounts as directed by the budget  
28 administrator of the budget division of the Department of Administrative  
29 Services.

30 (30) The State Treasurer shall transfer eighteen million seven  
31 hundred fifty thousand dollars from the Cash Reserve Fund to the State  
1 Self-Insured Indemnification Fund before June 30, 2023, on such dates and  
2 in such amounts as directed by the budget administrator of the budget  
3 division of the Department of Administrative Services.

4 (31) The State Treasurer shall transfer five million dollars from  
5 the Cash Reserve Fund to the Nebraska Public Safety Communication System  
6 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on  
7 such dates and in such amounts as directed by the budget administrator of  
8 the budget division of the Department of Administrative Services.

9 (32) The State Treasurer shall transfer seventy million dollars from  
10 the Cash Reserve Fund to the Shovel-Ready Capital Recovery and Investment  
11 Fund on or after July 1, 2023, but before June 30, 2024, on such dates  
12 and in such amounts as directed by the budget administrator of the budget  
13 division of the Department of Administrative Services.

14 (33) The State Treasurer shall transfer two million dollars from the  
15 Cash Reserve Fund to the Site and Building Development Fund on or after  
16 July 1, 2023, but before June 30, 2024, on such dates and in such amounts  
17 as directed by the budget administrator of the budget division of the  
18 Department of Administrative Services.

19 (34) The State Treasurer shall transfer twenty million dollars from  
20 the Cash Reserve Fund to the Economic Development Cash Fund on or after  
21 July 1, 2023, but before June 30, 2024, on such dates and in such amounts  
22 as directed by the budget administrator of the budget division of the  
23 Department of Administrative Services.

24 (35) The State Treasurer shall transfer zero dollars from the Cash  
25 Reserve Fund to the Rural Workforce Housing Investment Fund on or after  
26 July 1, 2023, but before June 30, 2024, on such dates and in such amounts  
27 as directed by the budget administrator of the budget division of the  
28 Department of Administrative Services.

29 (36) The State Treasurer shall transfer zero dollars from the Cash  
30 Reserve Fund to the Middle Income Workforce Housing Investment Fund on or  
31 after July 1, 2023, but before June 30, 2024, on such dates and in such  
1 amounts as directed by the budget administrator of the budget division of  
2 the Department of Administrative Services.

3 (37) The State Treasurer shall transfer two hundred forty million  
4 dollars from the Cash Reserve Fund to the Economic Recovery Contingency  
5 Fund on or after July 1, 2023, but before June 30, 2024, on such dates  
6 and in such amounts as directed by the budget administrator of the budget  
7 division of the Department of Administrative Services.

8 (38) The State Treasurer shall transfer ten million dollars from the  
9 Cash Reserve Fund to the Critical Infrastructure Facilities Cash Fund on  
10 or after July 1, 2023, but before June 30, 2024, on such dates and in  
11 such amounts as directed by the budget administrator of the budget  
12 division of the Department of Administrative Services.

13 (39) The State Treasurer shall transfer four hundred forty million  
14 dollars from the General Fund to the Cash Reserve Fund on or after July



15 1, 2023, but before June 30, 2024, on such dates and in such amounts as  
 16 directed by the budget administrator of the budget division of the  
 17 Department of Administrative Services.  
 18 (40) The State Treasurer shall transfer zero dollars from the Cash  
 19 Reserve Fund to the Site and Building Development Fund on or after July  
 20 1, 2024, but before June 30, 2025, on such dates and in such amounts as  
 21 directed by the budget administrator of the budget division of the  
 22 Department of Administrative Services.  
 23 (41) The State Treasurer shall transfer one million dollars from the  
 24 Cash Reserve Fund to the General Fund on or after July 1, 2024, but  
 25 before June 30, 2025, on such dates and in such amounts as directed by  
 26 the budget administrator of the budget division of the Department of  
 27 Administrative Services.  
 28 (42) The State Treasurer shall transfer twenty-five million four  
 29 hundred fifty-eight thousand eight hundred dollars from the Cash Reserve  
 30 Fund to the Nebraska Capital Construction Fund on or after July 1, 2024,  
 31 but before June 30, 2025, on such dates and in such amounts as directed  
 1 by the budget administrator of the budget division of the Department of  
 2 Administrative Services.  
 3 (43) The State Treasurer shall transfer two million five hundred  
 4 thousand dollars from the Cash Reserve Fund to the Materiel Division  
 5 Revolving Fund on or after July 1, 2023, but before June 30, 2024, on  
 6 such dates and in such amounts as directed by the budget administrator of  
 7 the budget division of the Department of Administrative Services.  
 8 (44) The State Treasurer shall transfer ten million dollars from the  
 9 Cash Reserve Fund to the Youth Outdoor Education Innovation Fund on or  
 10 after July 1, 2023, but before June 30, 2024, on such dates and in such  
 11 amounts as directed by the budget administrator of the budget division of  
 12 the Department of Administrative Services.  
 13 (45) The State Treasurer shall transfer ten million dollars from the  
 14 Cash Reserve Fund to the Municipality Infrastructure Aid Fund as soon as  
 15 administratively possible after the effective date of this act, on such  
 16 dates and in such amounts as directed by the budget administrator of the  
 17 budget division of the Department of Administrative Services.  
 18 Sec. 10. Original section 84-612, Revised Statutes Supplement, 2023,  
 19 is repealed.  
 20 2. On page 1, strike beginning with "the" in line 1 through line 7  
 21 and insert "cities and villages; to amend section 84-612, Revised  
 22 Statutes Supplement, 2023; to adopt the Municipality Infrastructure Aid  
 23 Act; to transfer funds from the Cash Reserve Fund; to repeal the original  
 24 section; and to declare an emergency."

(Signed) Beau Ballard, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to [LB831](#):

#### [AM2113](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 2-945.02, Reissue Revised Statutes of Nebraska,  
 4 is amended to read:  
 5 2-945.02 The Legislature finds and declares that:  
 6 (1) The failure to control noxious weeds ~~on lands~~ in this state is a  
 7 serious problem ~~that which~~ is detrimental to the production of crops and  
 8 livestock, ~~to the ecology of this state~~, and to the welfare of ~~the~~  
 9 residents of this state, ~~all of and~~ which may devalue land and reduce tax  
 10 revenue;  
 11 (2) It is the purpose of the Noxious Weed Control Act to establish a

12 workable framework, delineate responsibilities, encourage education of  
 13 the public concerning noxious weeds, and provide the necessary authority  
 14 to effectively control noxious weeds;

15 (3) It is the duty of each person who owns or controls land to  
 16 effectively control noxious weeds on such land. County boards or control  
 17 authorities are responsible for administration of noxious weed control  
 18 laws at the county level;

19 (4) The Department of Agriculture ~~has the should have~~ responsibility  
 20 for (a) ~~establishing basic standards such as~~ designating plant species  
 21 ~~that are which plants are to be considered~~ noxious weeds and which  
 22 control measures ~~to use are to be used~~ in particular situations and (b)  
 23 monitoring implementation of the act by the control authorities; and  
 24 (5) A state noxious weed advisory committee shall be convened by the  
 25 director with broad representation to advise the director.

26 Sec. 2. Section 2-954, Reissue Revised Statutes of Nebraska, is  
 27 amended to read:

1 2-954 ~~(1)(a)(i) (1)(a)~~ The duty of enforcing and carrying out the  
 2 Noxious Weed Control Act ~~is shall be~~ vested in the director and the  
 3 control authorities as designated in the Noxious Weed Control Act ~~aet.~~

4 ~~(ii)~~ The director shall determine the plant species that are noxious  
 5 ~~weeds what weeds are noxious~~ for purposes of the Noxious Weed Control Act  
 6 ~~aet.~~

7 ~~(iii)~~ A plant species may be designated as a noxious weed due to the  
 8 detrimental effect of the species on crops, livestock, the ecology of  
 9 this state, or the welfare of the residents of this state. A list of such  
 10 noxious weeds shall be included in the rules and regulations adopted and  
 11 promulgated by the director. The director shall prepare, publish, and  
 12 revise as necessary a list of noxious weeds. The list shall be  
 13 distributed to the public by the director, the Cooperative Extension  
 14 Service, the control authorities, and any other body the director deems  
 15 appropriate.

16 ~~(iv)~~ The director shall, from time to time, adopt and promulgate  
 17 rules and regulations on methods for control of noxious weeds and adopt  
 18 and promulgate such rules and regulations as are necessary to carry out  
 19 the act.

20 ~~(v)~~ Whenever special weed control problems exist in a county  
 21 involving weeds not included in the rules and regulations, the control  
 22 authority may petition the director to bring such weeds under the county  
 23 control program. The petition shall contain the approval of the county  
 24 board. Prior to petitioning the director, the control authority, in  
 25 cooperation with the county board, shall hold a public hearing and take  
 26 testimony upon the petition. Such hearing and the notice thereof shall be  
 27 in the manner prescribed by the Administrative Procedure Act. A copy of  
 28 the transcript of the public hearing shall accompany the petition filed  
 29 with the director. The director may approve or disapprove under the request. If  
 30 approval is granted, the control authority may proceed under the forced  
 31 control provisions of sections 2-953 to 2-955 and 2-958.

1 (b) The director shall (i) investigate the subject of noxious weeds,  
 2 (ii) require information and reports from any control authority as to the  
 3 presence of noxious weeds and other information relative to noxious weeds  
 4 and the control thereof in localities where such control authority has  
 5 jurisdiction, (iii) cooperate with control authorities in carrying out  
 6 other laws administered by him or her, (iv) cooperate with agencies of  
 7 federal and state governments and other persons in carrying out his or  
 8 her duties under the Noxious Weed Control Act, (v) with the consent of  
 9 the Governor, conduct investigations outside this state to protect the  
 10 interest of the agricultural industry of this state from noxious weeds  
 11 not generally distributed therein, (vi) with the consent of the federal  
 12 agency involved, control noxious weeds on federal lands within this  
 13 state, with reimbursement, when deemed by the director to be necessary to  
 14 an effective weed control program, (vii) advise and confer as to the  
 15 extent of noxious weed infestations and the methods determined best  
 16 suited to the control thereof, (viii) call and attend meetings and  
 17 conferences dealing with the subject of noxious weeds, (ix) disseminate

18 information and conduct educational campaigns with respect to control of  
19 noxious weeds, (x) procure materials and equipment and employ personnel  
20 necessary to carry out the director's duties and responsibilities, and  
21 (xi) perform such other acts as may be necessary or appropriate to the  
22 administration of the act.

23 (c) The director may (i) temporarily designate a weed as a noxious  
24 weed for up to eighteen months if the director, in consultation with the  
25 advisory committee created under section 2-965.01, has adopted criteria  
26 for making temporary designations and (ii) apply for and accept any gift,  
27 grant, contract, or other funds or grants-in-aid from the federal  
28 government or other public and private sources for noxious weed control  
29 purposes and account for such funds as prescribed by the Auditor of  
30 Public Accounts.

31 (d) When the director determines that a control authority has  
1 substantively failed to carry out its duties and responsibilities as a  
2 control authority or has substantively failed to implement a county weed  
3 control program, he or she shall instruct the control authority regarding  
4 the measures necessary to fulfill such duties and responsibilities. The  
5 director shall establish a reasonable date by which the control authority  
6 shall fulfill such duties and responsibilities. If the control authority  
7 fails or refuses to comply with instructions by such date, the Attorney  
8 General shall file an action as provided by law against the control  
9 authority for such failure or refusal.

10 (2)(a) Each control authority shall carry out the duties and  
11 responsibilities vested in it under the act with respect to land under  
12 its jurisdiction in accordance with rules and regulations adopted and  
13 promulgated by the director. Such duties shall include the establishment  
14 of a coordinated program for control of noxious weeds within the county.

15 (b) A control authority may cooperate with any person in carrying  
16 out its duties and responsibilities under the act.

17 (3)(a) Each county board shall employ one or more weed control  
18 superintendents. Each such superintendent shall, as a condition precedent  
19 to employment, be certified in writing by the federal Environmental  
20 Protection Agency as a commercial applicator under the Federal  
21 Insecticide, Fungicide, and Rodenticide Act. Each superintendent shall be  
22 bonded for such sum as the county board shall prescribe. The same person  
23 may be a weed control superintendent for more than one county. Such  
24 employment may be for such tenure and at such rates of compensation and  
25 reimbursement for travel expenses as the county board may prescribe. Such  
26 superintendent shall be reimbursed for mileage at a rate equal to or  
27 greater than the rate provided in section 81-1176.

28 (b) Under the direction of the control authority, it shall be the  
29 duty of every weed control superintendent to examine all land under the  
30 jurisdiction of the control authority for the purpose of determining  
31 whether the Noxious Weed Control Act and the rules and regulations  
1 adopted and promulgated by the director have been complied with. The weed  
2 control superintendent shall: (i) Compile such data on infested areas and  
3 controlled areas and such other reports as the director or the control  
4 authority may require; (ii) consult and advise upon matters pertaining to  
5 the best and most practical methods of noxious weed control and render  
6 assistance and direction for the most effective control; (iii)  
7 investigate or aid in the investigation and prosecution of any violation  
8 of the act; and (iv) perform such other duties as required by the control  
9 authority in the performance of its duties. Weed control superintendents  
10 shall cooperate and assist one another to the extent practicable and  
11 shall supervise the carrying out of the coordinated control program  
12 within the county.

13 (c) In cases involving counties in which municipalities have  
14 ordinances for weed control, the control authority may enter into  
15 agreements with municipal authorities for the enforcement of local weed  
16 ordinances and may follow collection procedures established by such  
17 ordinances. All money received shall be deposited in the noxious weed  
18 control fund or, if no noxious weed control fund exists, in the county  
19 general fund.

20 Sec. 3. Section 2-1081, Reissue Revised Statutes of Nebraska, is  
 21 amended to read:  
 22 2-1081 Nuisance plant shall mean any plant not economically  
 23 essential to the welfare of the people of Nebraska, as determined by the  
 24 department, and which may serve as a favorable host of plant pests or may  
 25 be detrimental to the agricultural or ecological interests of the State  
 26 of Nebraska.  
 27 Sec. 4. Original sections 2-945.02, 2-954, and 2-1081, Reissue  
 28 Revised Statutes of Nebraska, are repealed.

Senator M. Cavanaugh filed the following amendment to LB870:  
AM2179

1 1. On page 2, line 14, strike "(b) No" and insert "(b)(i) Except as  
 2 provided in subdivision (3)(b)(ii) of this section, no"; and after line  
 3 19 insert the following new subdivisions:  
 4 "(ii) Subdivision (3)(b)(i) of this section does not apply to sexual  
 5 assault forensic evidence which has been provided anonymously.  
 6 (c) Each law enforcement agency which stores sexual assault forensic  
 7 evidence shall have a written policy that details retention periods for  
 8 sexual assault forensic evidence and methods for carrying out the  
 9 notifications required by subdivision (3)(b) of this section."  
 10 2. On page 3, line 5, after "informed" insert ", upon the victim's  
 11 request."

Senator Dungan filed the following amendment to LB1115:  
AM2191

1 1. Strike original section 5 and insert the following new section:  
 2 Sec. 5. Section 76-1446, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 76-1446 (1) The proceedings shall be in all respects as in other  
 5 cases, except that if either party requests a trial by jury, the trial of  
 6 the action for possession shall be scheduled by the court as soon as is  
 7 practicable for the proper administration of justice. If, at the request  
 8 of the tenant, the jury trial is continued beyond the initial trial date  
 9 as determined by the court, the court may require the tenant to deposit  
 10 with the clerk of the court such rental payments as accrue during the  
 11 pendency of the suit. Trial of the action for possession shall be held  
 12 not less than ten nor more than fourteen days after the issuance of the  
 13 summons. The action shall be tried by the court without a jury.  
 14 (2) If the plaintiff serves the summons in the manner provided in  
 15 section 76-1442.01, the action shall proceed as other actions for  
 16 possession except that a money judgment shall not be granted for the  
 17 plaintiff.  
 18 (3) If judgment is rendered against the defendant for the  
 19 restitution of the premises, the court (a) shall declare the forfeiture  
 20 of the rental agreement, (b) and shall, at the request of the plaintiff  
 21 or his or her attorney, issue a writ of restitution, directing the  
 22 constable or sheriff to restore possession of the premises to the  
 23 plaintiff on a specified date not more than ten days after issuance of  
 24 the writ of restitution, and (c) may, if authorized under the Uniform  
 25 Residential Landlord and Tenant Act, award reasonable attorney's fees to  
 26 the plaintiff. The plaintiff shall comply with the Disposition of  
 27 Personal Property Landlord and Tenant Act and subsection (5) of section  
 1 76-1414 in the removal of personal property remaining on the premises at  
 2 the time possession of the premises is restored.

#### SELECT FILE

**LEGISLATIVE BILL 1.** Advanced to Enrollment and Review for  
 Engrossment.

**LEGISLATIVE BILL 151.** Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 94.** [ER2](#), found on page 588, First Session, 2023, was offered.

ER2 was adopted.

Senator Slama offered [AM2063](#), found on page 335.

The Slama amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 279.** [ER3](#), found on page 588, First Session, 2023, was offered.

ER3 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 52.** [ER6](#), found on page 588, First Session, 2023, was offered.

ER6 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 52A.** [ER38](#), found in this day's Journal, was offered.

ER38 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 628.** [ER8](#), found on page 606, First Session, 2023, was offered.

ER8 was adopted.

Senator Jacobson offered the following amendment:

[AM676](#)

- 1 1. On page 2, line 8, after "verification" insert "by the Secretary  
2 of State"; in line 12 strike "ancillary service as" and insert "a  
3 service ancillary to"; and strike beginning with "by" in line 15 through  
4 "State" in line 16 and show as stricken.
- 5 2. On page 6, lines 7 and 13; page 7, line 1; page 8, lines 11, 28,  
6 and 31; page 9, lines 8, 11, and 26; and page 13, lines 5 and 6, strike

7 "ancillary service as" and insert "a service ancillary to".  
 8 3. On page 8, lines 21 and 22, strike "ancillary service as", show  
 9 as stricken, and insert "a service ancillary to".  
 10 4. On page 12, line 30, strike beginning with "or" through "those"  
 11 and show as stricken; and in line 31 after "organized" insert "or a  
 12 service ancillary to those which the professional corporation renders".  
 13 5. On page 10, line 11, after "verification" insert ", by the  
 14 Secretary of State,"; in line 15 strike "or an ancillary service"; in  
 15 line 16 after "organized" insert "or a service ancillary to those which  
 16 the professional corporation renders"; and strike beginning with "by" in  
 17 line 18 through "State" in line 19 and show as stricken.

The Jacobson amendment was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Aguilar name added to LB307.  
 Senator Blood name added to LB984.  
 Senator Lowe name added to LB1087.  
 Senator Moser name added to LB1087.  
 Senator Kauth name added to LB1087.  
 Senator Brewer name added to LB1301.

#### **VISITOR(S)**

Visitors to the Chamber were Laura Berger and Lillian Elsener, Washington D. C.; Linda Porter, Lincoln; Bobby Navarro, Atlanta, GA; Mike, Scott, Lisa, Isaac, Ben, and Evelyn Albrecht; students and teachers from Louisville Elementary, Louisville.

The Doctor of the Day was Dr. Lillia Cherkasskly of Omaha.

#### **ADJOURNMENT**

At 11:51 a.m., on a motion by Senator Moser, the Legislature adjourned until 10:00 a.m., Tuesday, January 30, 2024.

Brandon Metzler  
 Clerk of the Legislature

**EIGHTEENTH DAY - JANUARY 30, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**EIGHTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, January 30, 2024

**PRAYER**

The prayer was offered by Senator DeBoer.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Jacobson.

**ROLL CALL**

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

The roll was called and all members were present except Senators Blood and Raybould who were excused; and Senators Bostar, Bostelman, M. Cavanaugh, Hughes, Hunt, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the seventeenth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

January 22, 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 individuals are being reappointed as members of the Nebraska Commission on Problem Gambling:

Dr. Claudia Moore, 1017 North 148th Street, Omaha, NE 68154  
 Kelly Lambert, 239 Courtland Street, Trumbull, NE 68980  
 Cameron Arch, 16007 Josephine Street, Omaha, NE 68136

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

Sincerely,  
 (Signed) Jim Pillen  
 Governor

Enclosures

**NOTICE OF COMMITTEE HEARING(S)**

Education  
 Room 1525 1:30 PM

Tuesday, February 6, 2024

LB1339  
 LB1391  
 LB1141  
 LB899  
 LB1146  
 LB1029  
 LB1012  
 LR278CA  
 LB1284  
 LB1056  
 LB1337

(Signed) Dave Murman, Chairperson

Natural Resources  
 Room 1525 1:30 PM

Wednesday, February 7, 2024

David Liegl - Nebraska Power Review Board  
 William F. Austin - Nebraska Power Review Board

(Signed) Bruce Bostelman, Chairperson

Government, Military and Veterans Affairs  
 Room 1507 1:30 PM

Wednesday, February 7, 2024

LB1358  
 LB1375  
 LB1175



Room 1507 1:30 PM

Thursday, February 8, 2024

LB1300

LB1198

LB1302

LB1303

(Signed) Tom Brewer, Chairperson

### ANNOUNCEMENT(S)

Priority designation(s) received:

Government, Military and Veterans Affairs - LB287

Speaker Arch announced the Government, Military and Veterans Affairs Committee will conduct its hearing on Wednesday, January 31, 2024, in Room 1525 and the Natural Resources Committee will conduct its hearing in Room 1510, both at 1:30 p.m.

### SELECT FILE

**LEGISLATIVE BILL 461.** [ER39](#), found on page 540, was offered.

ER39 was adopted.

Senator Wayne offered the following amendment:

[AM2245](#)

(Amendments to E and R amendments, ER 39)

1 1. Insert the following new sections:

2 Sec. 48. Section 84-901, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 84-901 For purposes of the Administrative Procedure Act:

5 (1) Agency shall mean each board, commission, department, officer,  
6 division, or other administrative office or unit of the state government  
7 authorized by law to make rules and regulations, except the Adjutant  
8 General's office as provided in Chapter 55, the courts including the  
9 Nebraska Workers' Compensation Court, the Commission of Industrial  
10 Relations, the Legislature, and the Secretary of State with respect to  
11 the duties imposed by the act;

12 (2) Rule or regulation shall mean any standard of general  
13 application adopted by an agency in accordance with the authority  
14 conferred by statute and includes, but is not limited to, the amendment  
15 or repeal of a rule or regulation. Rule or regulation shall not include  
16 (a) internal procedural documents which provide guidance to staff on  
17 agency organization and operations, lacking the force of law, and not  
18 relied upon to bind the public, (b) guidance documents as issued by an  
19 agency in accordance with section 84-901.03, and (c) forms and  
20 instructions developed by an agency. For purposes of the act, every  
21 standard which prescribes a penalty shall be presumed to have general  
22 applicability and any standard affecting private rights, private

23 interests, or procedures available to the public is presumed to be relied  
 24 upon to bind the public. Nothing in this section shall be interpreted to  
 25 require an agency to adopt and promulgate rules and regulations when  
 26 statute authorizes but does not require it;

1 (3) Contested case shall mean a proceeding before an agency in which  
 2 the legal rights, duties, or privileges of specific parties are required  
 3 by law or constitutional right to be determined after an agency hearing;

4 (4) Ex parte communication shall mean an oral or written  
 5 communication which is not on the record in a contested case with respect  
 6 to which reasonable notice to all parties was not given. Filing and  
 7 notice of filing provided under subdivision (6)(d) of section 84-914  
 8 shall not be considered on the record and reasonable notice for purposes  
 9 of this subdivision. Ex parte communication shall not include:

10 (a) Communications which do not pertain to the merits of a contested  
 11 case;

12 (b) Communications required for the disposition of ex parte matters  
 13 as authorized by law;

14 (c) Communications in a ratemaking or rulemaking proceeding; and  
 15 (d) Communications to which all parties have given consent;

16 (5) Guidance document shall mean any statement developed by an  
 17 agency which lacks the force of law but provides information or direction  
 18 of general application to the public to interpret or implement statutes  
 19 or such agency's rules or regulations. A guidance document is binding on  
 20 an agency until amended by the agency. A guidance document shall not give

21 rise to any legal right or duty or be treated as authority for any  
 22 standard, requirement, or policy, except that if the agency does not  
 23 follow such guidance document a person aggrieved by such noncompliance

24 may bring an action for injunctive relief or for declaratory judgment  
 25 under the Uniform Declaratory Judgments Act; and -Internal procedural

26 documents which provide guidance to staff on agency organization and  
 27 operations shall not be considered guidance documents; and

28 (6) Hearing officer shall mean the person or persons conducting a  
 29 hearing, contested case, or other proceeding pursuant to the act, whether  
 30 designated as the presiding officer, administrative law judge, or some  
 31 other title designation.

1 Sec. 49. Section 84-901.03, Revised Statutes Cumulative Supplement,  
 2 2022, is amended to read:

3 84-901.03 (1) Upon the issuance of a guidance document, an agency  
 4 shall make such document available at one public location and on the  
 5 agency's website. The agency shall also publish on its website an index  
 6 summarizing the subject matter of all currently applicable rules and  
 7 regulations and guidance documents. Such agency shall provide the index  
 8 electronically to the Clerk of the Legislature by December 31 of each  
 9 year.

10 (2) An agency shall ensure that the first page of each guidance  
 11 document includes the following notice: This guidance document is  
 12 advisory in nature but is binding on an agency until amended by such  
 13 agency. A guidance document ~~does not include internal procedural~~  
 14 ~~documents that only affect the internal operations of the agency and does~~  
 15 ~~not impose additional requirements or penalties on regulated parties or~~  
 16 ~~include confidential information or rules and regulations made in~~  
 17 ~~accordance with the Administrative Procedure Act. If you believe that~~  
 18 ~~this guidance document imposes additional requirements or penalties on~~  
 19 ~~regulated parties, you may request a review of the document.~~

20 (3) A person may request in writing that an agency revise or repeal  
 21 a guidance document or convert a guidance document into a rule or  
 22 regulation. No later than sixty calendar days after the agency receives  
 23 such a request, the agency shall advise the requestor in writing of its  
 24 decision to (a) revise or repeal the guidance document, (b) initiate a  
 25 proceeding to consider a revision or repeal of a guidance document, (c)

26 initiate the rulemaking or regulationmaking process to convert the  
 27 guidance document into a rule or regulation, or (d) deny the request and  
 28 state the reason for the denial.  
 29 (4) All decisions made by an agency under this section shall be made  
 30 available at one public location and on the agency's website.  
 31 2. Renumber the remaining sections, correct internal references, and  
 1 correct the repealer accordingly.

The Wayne amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 16.** [ER43](#), found on page 541, was offered.

ER43 was adopted.

Senator Brewer offered the following amendment:

[AM2229](#)

(Amendments to AM2102)

1 1. Insert the following new sections:  
 2 Sec. 3. Section 84-617, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 84-617 (1) There is hereby created the State Treasurer  
 5 Administrative Fund. Funds received by the State Treasurer pursuant to  
 6 his or her administrative duties shall be credited to the fund. Such  
 7 funds shall include:  
 8 (a) Payments for returned check charges or for electronic payments  
 9 not accepted;  
 10 (b) Payments for wire transfers initiated by the State Treasurer at  
 11 the request of state agencies;  
 12 (c) Payments for copies of cashed state warrants;  
 13 (d) Payments for copies, including microfilm, computer disk, or  
 14 magnetic tape, of listings relating to outstanding state warrants; ~~and~~  
 15 (e) Payments for copies, including microfilm, computer disk, or  
 16 magnetic tape, of listings of owners of unclaimed property held by the  
 17 State Treasurer pursuant to the Uniform Disposition of Unclaimed Property  
 18 Act; ~~and~~ -  
 19 (f) Payments under the Interior Design Voluntary Registration Act.  
 20 (2) Money in the fund received pursuant to subdivisions (1)(a)  
 21 through (d) of this section shall be credited to the General Fund  
 22 quarterly. Money in the State Treasurer Administrative Fund received  
 23 pursuant to ~~subdivisions subdivision~~ (1)(e) ~~and (f)~~ of this section shall  
 24 be credited to the Unclaimed Property Cash Fund. The State Treasurer may  
 25 retain such amount as he or she deems appropriate in the State Treasurer  
 26 Administrative Fund for purposes of making change for cash payments. Any  
 1 money in the fund available for investment shall be invested by the state  
 2 investment officer pursuant to the Nebraska Capital Expansion Act and the  
 3 Nebraska State Funds Investment Act.  
 4 (3) (2) The State Treasurer may establish a fee schedule for any of  
 5 the services listed in subdivisions (1)(a) through (e) subsection (1) of  
 6 this section. The fees shall approximate the cost of providing the  
 7 service.  
 8 Sec. 14. Sections 14 to 21 of this act shall be known and may be  
 9 cited as the Interior Design Voluntary Registration Act.  
 10 Sec. 15. In order to safeguard life, health, and property, to  
 11 promote the public welfare, and to recognize the need for design  
 12 professionals to obtain government-issued permits or approval that may  
 13 only be obtained with a construction document stamp, the profession of

14 interior design is declared to be subject to regulation in the public  
15 interest. On and after January 1, 2025, it shall be unlawful for any  
16 person to hold oneself out to be a registered interior designer unless  
17 the person is registered under the Interior Design Voluntary Registration  
18 Act.

19 Sec. 16. For purposes of the Interior Design Voluntary Registration  
20 Act:

21 (1) Design means the preparation of schematics, layouts, plans,  
22 drawings, specifications, calculations, and other diagnostic documents  
23 which show the features of a registered interior design project;

24 (2) Direct supervision means having full professional knowledge over  
25 work that constitutes the practice of registered interior design;

26 (3) Good ethical character means such character that will enable a  
27 person to discharge the fiduciary duties of a registered interior  
28 designer to such person's client and to the public for the protection of  
29 the public health, safety, and welfare;

30 (4) Interior alteration or construction project means a project for  
31 an interior space or area within a proposed or existing building or  
1 structure, including construction, modification, renovation,  
2 rehabilitation, or historic preservation that involves changing or  
3 altering;

4 (a) The design function or layout of rooms; or

5 (b) The state of permanent fixtures or equipment;

6 (5) Interior nonstructural element means an element or component of  
7 a building that does not require structural bracing, is not load-bearing,  
8 and is not essential to the structural or seismic integrity of the  
9 building;

10 (6)(a) Practice of registered interior design means the design of  
11 interior spaces as part of an interior alteration or construction project  
12 in conformity with public health, safety, and welfare requirements,  
13 including the preparation of any document relating to a building code  
14 description, any project egress plan that does not require additional  
15 exits in the space affected, any space planning, any finish material, any  
16 furnishing, any fixture, any equipment, and the preparation of any  
17 document and technical submission relating to interior construction; and  
18 (b) Services that are not in the scope of the practice of registered  
19 interior design include:

20 (i) Services that constitute:

21 (A) The practice of professional engineering; or

22 (B) The practice of professional architecture, except as  
23 specifically provided for within the Engineers and Architects Regulation  
24 Act;

25 (ii) The construction or alteration of:

26 (A) The structural system of a building, including changing the  
27 building's live or dead load on the structural system;

28 (B) The building envelope, including an exterior wall, wall  
29 covering, or wall opening, an exterior window, an exterior door, any  
30 architectural trim, a balcony or similar projection, a bay, an oriel  
31 window, any roof assembly and rooftop structure, and any glass and  
1 glazing for exterior use in both vertical and sloped applications;

2 (C) Any mechanical, plumbing, heating, air conditioning,  
3 ventilation, electrical, vertical transportation, fire sprinkler, or fire  
4 alarm system;

5 (D) An egress system beyond the exit access component of such  
6 system; and

7 (E) Any life safety system such as a fire safety or fire protection  
8 of structural elements and smoke evacuation and compartmentalization  
9 system or a fire-rated vertical shaft in multistory structures;

10 (iii) Changes to an occupancy classification of greater hazard as  
11 determined by the International Building Code; and

12 (iv) Changes to the construction classification of the building or  
13 structure according to the International Building Code;  
14 (7) Project means one or more related activities that require the  
15 practice of registered interior design for completion; and  
16 (8) Registered interior designer or registrant means a person who is  
17 listed on the registry of interior designers under the Interior Design  
18 Voluntary Registration Act.  
19 Sec. 17. To be a registered interior designer, an individual shall:  
20 (1) Apply to the State Treasurer in a form and manner prescribed by  
21 the State Treasurer;  
22 (2) Pay an application fee of not more than fifty dollars as  
23 determined by the State Treasurer; and  
24 (3) Satisfy the requirements for placement on the registry as  
25 provided in section 18 of this act.  
26 Sec. 18. (1)(a) The interior design registry is created.  
27 (b) The State Treasurer shall list each interior designer  
28 registration in the registry. A listing in the registry shall be valid  
29 for the term of the registration and upon renewal unless such listing is  
30 refused renewal or is removed as provided in the Interior Design  
31 Voluntary Registration Act.  
1 (c) The registry shall contain (i) the individual's full name and  
2 (ii) any other information as the State Treasurer may require by rules  
3 and regulations.  
4 (2) Except as otherwise provided in this section or section 20 of  
5 this act, the following shall be considered as the minimum evidence  
6 satisfactory to the State Treasurer that an applicant is eligible for  
7 listing on the interior design registry:  
8 (a) Education eligibility as outlined by the Council for Interior  
9 Design Qualification to sit for an examination on technical and  
10 professional subjects of interior design as required by the council;  
11 (b) Experience eligibility as outlined by the Council for Interior  
12 Design Qualification to sit for an examination on technical and  
13 professional subjects of interior design as required by the council;  
14 (c) Successful passage of an examination on technical and  
15 professional subjects of interior design as required by the Council for  
16 Interior Design Qualification;  
17 (d) Passage of an examination on the statutes, rules and  
18 regulations, and other requirements unique to this state regarding the  
19 practice of registered interior design; and  
20 (e) Demonstration of good reputation and good ethical character by  
21 attestation of references. The names and complete addresses of references  
22 acceptable to the State Treasurer shall be included in the application  
23 for registration.  
24 (3) An individual holding a credential to practice interior design  
25 issued by a proper authority of any jurisdiction, based on credentials  
26 that do not conflict with subsection (2) of this section, may, upon  
27 application, be listed on the interior design registry after:  
28 (a) Successful passage of an examination on the statutes, rules and  
29 regulations, and other requirements unique to this state regarding the  
30 practice of registered interior design; and  
31 (b) Demonstration of good reputation and good ethical character by  
1 attestation of references. The names and complete addresses of references  
2 acceptable to the State Treasurer shall be included in the application  
3 for registration.  
4 (4) An individual who holds a current and valid certification issued  
5 by the Council for Interior Design Qualification and who submits  
6 satisfactory evidence of such certification to the State Treasurer may,  
7 upon application, be listed on the interior design registry after:  
8 (a) Successful passage of an examination on the statutes, rules and  
9 regulations, and other requirements unique to this state regarding the

10 practice of registered interior design; and  
11 (b) Demonstration of good reputation and good ethical character by  
12 attestation of references. The names and complete addresses of references  
13 acceptable to the State Treasurer shall be included in the application  
14 for registration.  
15 (5) An individual who has been credentialed to practice interior  
16 design for fifteen years or more in one or more jurisdictions and who has  
17 practiced interior design for fifteen years in compliance with the  
18 credentialing laws in the jurisdictions where such individual interior  
19 design practice has occurred since initial issuance of the credential  
20 may, upon application, be listed on the interior design registry after:  
21 (a) Successful passage of an examination on the statutes, rules and  
22 regulations, and other requirements unique to this state regarding the  
23 practice of registered interior design; and  
24 (b) Demonstration of good reputation and good ethical character by  
25 attestation of references. The names and complete addresses of references  
26 acceptable to the State Treasurer shall be included in the application  
27 for registration.  
28 (6) None of the examination materials described in this section  
29 shall be considered public records.  
30 (7) The State Treasurer or the State Treasurer's agent shall direct  
31 the time and place of the interior design examinations referenced in this  
1 section.  
2 (8) The State Treasurer may adopt the examinations and grading  
3 procedures of the Council for Interior Design Qualification. The State  
4 Treasurer may also adopt guidelines published by the council.  
5 (9) Registration shall be effective upon listing in the registry.  
6 Sec. 19. (1) Each registered interior designer shall obtain a seal.  
7 The design of the seal shall be determined by the State Treasurer. The  
8 following information shall be on the seal: State of Nebraska;  
9 registrant's name; registrant's business city; and the words Registered  
10 Interior Designer.  
11 (2) Whenever the seal is applied, the registrant's signature shall  
12 be across the seal. The seal and date of its placement shall be on all  
13 technical submissions and calculations whenever presented to a client or  
14 any public or governmental agency. It shall be unlawful for a registrant  
15 to affix such registrant's seal or to permit such seal to be affixed to  
16 any document after the expiration of the registration or for the purpose  
17 of aiding or abetting any other person to evade or attempt to evade the  
18 Interior Design Voluntary Registration Act.  
19 (3) The seal and date shall be placed on all originals, copies,  
20  tracings, or other reproducible drawing and the first and last pages of  
21  specifications, reports, and studies in such a manner that the seal,  
22  signature, and date will be reproduced and be in compliance with the  
23  Interior Design Voluntary Registration Act. The application of the  
24  registrant's seal shall constitute certification that the work was done  
25  by the registrant or under the registrant's control.  
26 (4) A registered interior designer shall not affix such registered  
27  interior designer's seal and signature to technical submissions that are  
28  subject to the Engineers and Architects Regulation Act unless the  
29  technical submissions were:  
30 (a) Prepared entirely by the registered interior designer; or  
31 (b) Prepared entirely under the direct supervision of the registered  
1  interior designer.  
2 (5) A registered interior designer may affix such registered  
3  interior designer's seal to technical submissions not subject to the  
4  Engineers and Architects Regulation Act if the registered interior  
5  designer has reviewed or adapted in whole or in part such submissions and  
6  integrated them into such registered interior designer's work.  
7 Sec. 20. (1) Beginning January 1, 2025, it is unlawful for any

8 person to use the title registered interior designer or similar  
 9 description to convey the impression that such person is a registered  
 10 interior designer unless the person is registered under the Interior  
 11 Design Voluntary Registration Act.  
 12 (2) Nothing in the Interior Design Voluntary Registration Act shall  
 13 be construed to: (a) Require a person to be a registered interior  
 14 designer in order to engage in an activity traditionally performed by an  
 15 interior designer or interior decorator, including any professional  
 16 service limited to the planning, design, and implementation of kitchen  
 17 and bathroom spaces or the specification of products for kitchen and  
 18 bathroom areas; or (b) prevent or restrict the practice, service, or  
 19 activity of any person licensed to practice a profession or an occupation  
 20 in this state from engaging in such profession or occupation.  
 21 (3) A licensed architect holding a license in good standing under  
 22 the Engineers and Architects Regulation Act may register with the State  
 23 Treasurer as a registered interior designer without having to meet the  
 24 registration requirements outlined in section 18 of this act.  
 25 Sec. 21. (1) The State Treasurer shall:  
 26 (a) Operate an interior designer registry listing registered  
 27 interior designers;  
 28 (b) Credit fees collected under the Interior Design Voluntary  
 29 Registration Act to the State Treasurer Administrative Fund; and  
 30 (c) Prescribe individually identifiable seals to be used by  
 31 registered interior designers pursuant to section 19 of this act.  
 1 (2) The State Treasurer may adopt and promulgate rules and  
 2 regulations to carry out the Interior Design Voluntary Registration Act.  
 3 2. Renumber the remaining sections and correct internal references  
 4 and the repealer accordingly.

The Brewer amendment was adopted with 34 ayes, 1 nay, 8 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 78.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 308.** [ER42](#), found on page 541, was offered.

ER42 was adopted.

Senator J. Cavanaugh withdrew [AM2140](#), found on page 494.

Senator J. Cavanaugh offered the following amendment:

[AM2190](#)

1 1. On page 2, lines 6, 7, 20, 21, and 24 strike the period and  
 2 insert an underscored semicolon.  
 3 2. On page 3, line 11, strike the period and insert an underscored  
 4 semicolon; and in line 14 strike the period and insert "; and".  
 5 3. On page 4, line 25, strike "valid legal process" and insert "a  
 6 court order".  
 7 4. On page 5, line 6, after the first comma insert "or" and strike  
 8 the second comma; and in line 13, after the period insert "Within thirty  
 9 days after receipt of any civil penalty amount, the Attorney General  
 10 shall remit such amount to the State Treasurer to be distributed in  
 11 accordance with Article VII, section 5, of the Constitution of  
 12 Nebraska.".

The J. Cavanaugh amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 664.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 600.** [ER41](#), found on page 541, was offered.

ER41 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 51.** The Briese amendment [AM541](#), found on page 603, First Session, 2023, was not considered.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 252.** [ER11](#), found on page 606, First Session, 2023, was offered.

ER11 was adopted.

Senator Brewer offered [AM2061](#), found on page 327.

The Brewer amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 140.** Senator Brandt offered [FA206](#), found on page 502.

The Brandt amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 140A.** [ER40](#), found on page 536, was offered.

ER40 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 247.** [ER10](#), found on page 606, First Session, 2023, was offered.



ER10 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 299.** Senator Linehan withdrew [AM2031](#), found on page 234.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 146.** Advanced to Enrollment and Review for Engrossment.

### COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 287.** Placed on General File with amendment. [AM2060](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 31.** Placed on General File with amendment.

[AM2019](#)

1 1. On page 2, strike lines 6 through 9 and insert the following new  
2 subdivisions:  
3 "(c) By a utility employee as defined in 49 C.F.R. 218.5 and subject  
4 to the requirements described in 49 C.F.R. 218.22, as such regulations  
5 existed on January 1, 2024;  
6 (d) For the purpose of loading or unloading freight, including  
7 grain; or  
8 (e) By a Class III rail carrier classified pursuant to 49 C.F.R.  
9 part 1201 1-1, as such part existed on January 1, 2024."

(Signed) Mike Moser, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 290.** Introduced by Lowe, 37.

WHEREAS, the purpose of unclaimed property laws is to protect the public by ensuring money and property owed is returned to its rightful owner rather than remaining permanently with financial institutions, business associations, governments, and other entities; and

WHEREAS, it is imperative that the State of Nebraska continues to help residents find and claim their unclaimed property easily and securely; and

WHEREAS, the State of Nebraska currently has two hundred and twenty-five million dollars worth of unclaimed property; and

WHEREAS, February 1 has been recognized by the National Association of Unclaimed Property Administrators as Unclaimed Property Day; and

WHEREAS, beginning on March 10, 2024, a list of owners of unclaimed property will be published in newspapers across the state pursuant to state law; and

WHEREAS, last year, the State Treasurer's Unclaimed Property Division returned seventeen million dollars to rightful owners.

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

1. That the Legislature recognizes the importance of returning unclaimed property held by the state to its rightful owners.
2. That the Legislature encourages all Nebraskans to search for their unclaimed property.
3. That the Legislature recognizes February 1, 2024, as Unclaimed Property Day in Nebraska.

Laid over.

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 600A.** Introduced by Lippincott, 34.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 600, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

### **NOTICE OF COMMITTEE HEARING(S)**

Executive Board  
Room 2102 12:00 PM

Wednesday, February 7, 2024  
LB1235  
LR283CA

(Signed) Raymond Aguilar, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 143.** Senator Erdman renewed [FA207](#), found and considered on page 531.

Pending.

### **MOTION - Suspend Rules**

Senator Murman offered the following motion:  
Suspend Rule 3, Section 14, to permit scheduling of a public hearing on February 5, 2024, by the Education Committee.

The Murman motion to suspend the rules prevailed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Education  
Room 1525 1:30 PM

Monday, February 5, 2024

LB997  
LB939  
LB1066  
LB1201  
LB1385  
LB1238  
LB1270  
LB1399  
LB1193  
LB1083

(Signed) Dave Murman, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Erdman name added to LB1035.  
Senator Murman name added to LB1084.  
Senator Conrad name added to LB1263.

**VISITOR(S)**

Visitors to the Chamber were Noah Day, Omaha; Quinn Ibach, Bennington; members of the Nebraska Physical Therapy Association with students from Creighton, UNMC, Southeast Community College, Northeast Community College, Clarkson College, College of St. Mary, and Nebraska Methodist.

The Doctor of the Day was Dr. Patrick Hotovy of York.

**ADJOURNMENT**

At 11:50 a.m., on a motion by Senator Kauth, the Legislature adjourned until 9:00 a.m., Wednesday, January 31, 2024.

Brandon Metzler  
Clerk of the Legislature



**NINETEENTH DAY - JANUARY 31, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, January 31, 2024

**PRAYER**

The prayer was offered by Kyle Campise, Bethel Baptist Church, Ord.

**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 Senator Raybould who was excused; and Senators Bostar, M. Cavanaugh, Conrad, Day, Hansen, Hunt, Ibach, Riepe, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighteenth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

January 10, 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 State Board of Health:

J. Paul Cook, MD, 17241 Oak Drive - Suite 101, Omaha, NE 68130,  
Physician

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

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, February 7, 2024

LB1183  
LB1114  
LB1299  
LB1134  
LB1315

(Signed) Lou Ann Linehan, Chairperson

Natural Resources  
Room 1525 1:30 PM

Wednesday, February 7, 2024

LB956  
LB969  
LB1260

Room 1525 1:30 PM

Thursday, February 8, 2024

LB837  
LB1369

(Signed) Bruce Bostelman, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 31.** Title read. Considered.

Committee [AM2019](#), found on page 561, was offered.

**SPEAKER ARCH PRESIDING**

**PRESIDENT KELLY PRESIDING**

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

Senator Day moved for a call of the house. The motion prevailed with 16 ayes, 5 nays, and 28 not voting.

The motion to cease debate prevailed with 26 ayes, 18 nays, and 5 not voting.

The committee amendment was adopted with 35 ayes, 8 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Slama offered the following amendment:

[FA208](#)

Strike the enacting clause.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1**. Placed on Final Reading.

**LEGISLATIVE BILL 151**. Placed on Final Reading.

**LEGISLATIVE BILL 184**. Placed on Select File.

**LEGISLATIVE BILL 102**. Placed on Select File with amendment.

[ER47](#)

- 1 1. Renumber original sections 27, 28, and 29 as sections 29, 27, and 28, respectively.
- 2 2. On page 17, line 11, strike the period and insert an underscored semicolon; and in line 16 after the semicolon insert "and".
- 3 3. On page 24, line 4, strike the first comma and insert "or".
- 4 4. On page 25, line 7, strike "(5)" and insert "(2)"; and in line 9 strike "licensed", show as stricken, and insert "professional".
- 5 5. On page 30, line 17, strike "(1)", show as stricken, and insert "(a)"; in line 18 strike "(2)", show as stricken, and insert "(b)"; in line 19 strike "(3)", show as stricken, and insert "(c)" and strike "(4)", show as stricken, and insert "(d)"; in line 20 strike "(5)", show as stricken, and insert "(e)"; in line 21 strike "(6)", show as stricken, and insert "(f)"; and in line 22 strike "(7)", show as stricken, and insert "(g)".
- 6 6. On page 31, line 22, strike "or regulations adopted or" and insert "and regulations adopted and".
- 7 7. On page 34, line 20, strike the first comma and insert "or" and after "words" insert an underscored comma.

**LEGISLATIVE BILL 102A.** Placed on Select File with amendment.

[ER48](#)

1 1. On page 1, line 3, strike "First Session, 2023" and insert  
2 "Second Session, 2024".

**LEGISLATIVE BILL 83.** Placed on Select File.

**LEGISLATIVE BILL 541.** Placed on Select File with amendment.

[ER46](#)

1 1. On page 1, strike lines 3 through 7 and insert "32-606, 32-608,  
2 and 70-611, Revised Statutes Cumulative Supplement, 2022; to change  
3 certain requirements relating to elections for public power districts  
4 based on annual gross revenue received; to harmonize provisions; and to  
5 repeal the original sections."

**LEGISLATIVE BILL 307.** Placed on Select File with amendment.

[ER45](#)

1 1. On page 1, strike beginning with "section" in line 2 through line  
2 5 and insert "sections 28-441 and 28-442, Revised Statutes Cumulative  
3 Supplement, 2022; to provide for exceptions to penalties under the  
4 Uniform Controlled Substances Act relating to drug paraphernalia; and to  
5 repeal the original sections."

(Signed) Beau Ballard, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Business and Labor  
Room 2102 1:30 PM

Monday, February 12, 2024

LB1188  
LB1189  
LB1408  
LB1017  
LB1393

(Signed) Merv Riepe, Chairperson

Judiciary  
Room 1113 1:30 PM

Wednesday, February 7, 2024

LB876  
LB1195  
LB963  
LB996  
LB894  
LB898  
LB918

(Signed) Justin Wayne, Chairperson



Health and Human Services  
Room 1510 1:30 PM

Wednesday, February 7, 2024

Alyssa L. Bish - Division of Children and Family Services-Department of  
Health and Human Services

Steven L. Corsi - Department of Health and Human Services

LB1178

LB932

LB857

LB1355

LB1325

(Signed) Ben Hansen, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB844:

AM2208

1 1. On page 3, strike line 31 and insert the following new  
2 subsections:  
3 "(3)(a) By April 1, 2025, the Director of Agriculture shall publish  
4 a directory on the Department of Agriculture's website, updated by  
5 December of each year, that contains:  
6 (i) The name of each operation with a valid certificate of exemption  
7 described in subdivision (7) of section 48-1703 that provides detasseling  
8 or roguing services for seed corn;  
9 (ii) The address of the headquarters for each such operation; and  
10 (iii) Contact information for each such operation, including a  
11 telephone number.  
12 (b) Beginning in 2026, by January 15 of each year the Director of  
13 Agriculture shall send, by registered mail, a copy of the most recently  
14 updated directory described in this subsection to the following:  
15 (i) Each seed corn producer that submitted the form described in  
16 subdivision (1)(b) of this section during the previous year; and  
17 (ii) Any seed corn producer that notifies the Director of  
18 Agriculture of its intention to produce seed corn in this state during  
19 the next growing season. The Director of Agriculture shall prescribe the  
20 method by which any such seed corn producer may notify the Director of  
21 Agriculture of its intention to produce seed corn in the next growing  
22 season and receive a copy of the most recently updated directory  
23 described in this subsection.  
24 (4) The Department of Agriculture may adopt and promulgate rules and  
25 regulations to carry out this section."  
26 2. On page 4, strike lines 1 through 10.

Senator Sanders filed the following amendment to LB771:

AM2209

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 85-2701, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 85-2701 Sections 85-2701 to 85-2705 and section 2 of this act shall  
6 be known and may be cited as the Veteran and Active Duty Supportive  
7 Postsecondary Institution Act.  
8 Sec. 2. (1) The department shall implement and develop a pilot

9 program to provide a grant to any qualifying postsecondary institution to  
 10 assist the United States Defense POW/MIA Accounting Agency with  
 11 accounting for United States servicemembers and civilians missing from  
 12 designated past conflicts as such conflicts are determined by such  
 13 federal agency. The department shall utilize available funding from the  
 14 Veterans' Aid Income Fund to provide such grants and pay the costs of  
 15 administering the pilot program.

16 (2) In order to be a qualifying postsecondary institution, the  
 17 institution shall have (a) a partnership or service agreement with the  
 18 United States Defense POW/MIA Accounting Agency to establish or expand  
 19 undergraduate and graduate student internships to provide such assistance  
 20 and (b) first received the Veteran and Active Duty Supportive designation  
 21 under section 85-2703.

22 (3) On or before November 1, 2025, the director shall electronically  
 23 submit a report to the Government, Military and Veterans Affairs  
 24 Committee of the Legislature regarding the pilot program.

25 (4) It is the intent of the Legislature to appropriate two hundred  
 26 thousand dollars from the Veterans' Aid Income Fund for FY2024-25 to the  
 27 department for purposes of this section.

1 Sec. 3. Section 80-401, Revised Statutes Supplement, 2023, is  
 2 amended to read:

3 80-401 (1) There is hereby established a fund to be known as the  
 4 Nebraska Veterans' Aid Fund. The Nebraska Investment Council is directed  
 5 to purchase bonds or notes issued by the government of the United States  
 6 or the State of Nebraska, or any county, school district, or municipality  
 7 therein, with a face value of twelve million dollars, as of August 1,  
 8 1984, to carry out sections 80-401 to 80-405 and to place them in the  
 9 custody and control of the State Treasurer of the State of Nebraska under  
 10 the same conditions as other state money.

11 (2) Such fund shall be managed as follows: (a) When necessary to pay  
 12 a premium for bonds for such fund, the amount of the premium shall be  
 13 amortized over the term of the bonds from the interest received on such  
 14 bonds; and (b) when bonds for such fund are purchased at a discount, the  
 15 amount of the discount shall be used to purchase additional bonds, it  
 16 being contemplated that the face amount of the bonds in such fund may in  
 17 this manner aggregate in excess of twelve million dollars at some future  
 18 time. Transfers may be made from the Nebraska Veterans' Aid Fund to the  
 19 Veteran Cemetery Construction Fund at the direction of the Legislature  
 20 until July 30, 2024. The State Treasurer shall transfer four million  
 21 dollars from the Nebraska Veterans' Aid Fund to the Veteran Cemetery  
 22 Construction Fund on July 15, 2023. The State Treasurer shall transfer  
 23 four million dollars from the Nebraska Veterans' Aid Fund to the Veteran  
 24 Cemetery Construction Fund on July 15, 2024.

25 (3) The interest on the Nebraska Veterans' Aid Fund, except so much  
 26 as may be required for amortization of premium bond purchases as  
 27 authorized in this section and so much as may be required to pay a pro  
 28 rata share of the budget appropriated for the Nebraska Investment Council  
 29 pursuant to section 72-1249.02, shall be paid to the Veterans' Aid Income  
 30 Fund, which fund is hereby created. The Veterans' Aid Income Fund, when  
 31 appropriated by the Legislature, shall be available to the Director of  
 1 Veterans' Affairs for aid to needy veterans as authorized by law and for  
 2 purposes of section 2 of this act.

3 (4) The Nebraska Investment Council shall manage the Nebraska  
 4 Veterans' Aid Fund, with investment and reinvestment to be made in the  
 5 same type securities authorized for investment of funds by the Nebraska  
 6 Capital Expansion Act and the Nebraska State Funds Investment Act.

7 (5) The director shall advise the Nebraska Investment Council when  
 8 amounts in the Veterans' Aid Income Fund are not immediately required  
 9 pursuant to this section for aid to needy veterans. The state investment  
 10 officer shall invest such amounts available from the Veterans' Aid Income  
 11 Fund in the same manner as investments of the Nebraska Veterans' Aid  
 12 Fund, and the interest thereon shall also become a part of the Veterans'  
 13 Aid Income Fund.

14 Sec. 4. Original section 80-401, Revised Statutes Supplement, 2023,

15 is repealed.

16 Sec. 5. Since an emergency exists, this act takes effect when  
17 passed and approved according to law.

Senator Slama filed the following amendment to LB31:

FA209

Strike Section 2.

Senator Erdman filed the following amendment to LB102:

AM2258

1 1. Insert the following new section:

2 Sec. 25. Section 81-8,110.12, Reissue Revised Statutes of Nebraska,  
3 is amended to read:

4 81-8,110.12 The examining board shall adopt and have an official  
5 seal, which shall be affixed to all licenses registration and in-training  
6 certificates that are granted by the examining board. The dimensions of  
7 the seal shall be as provided in the bylaws.

8 2. On page 10, line 28, after "professional" insert "land".

9 3. On page 15, line 15, strike the first comma and show as stricken;

10 in line 19 after "to" insert "such"; strike beginning with "of" in line  
11 19 through "record" in line 22 and show the old matter as stricken; and  
12 strike lines 26 through 31 and all amendments thereto and insert the  
13 following new subsections:

14 "(2) Descriptions of tracts of land shall not be described entirely  
15 by coordinates of the Nebraska Plane Coordinate System or any other plane  
16 coordinate system.

17 "(3) Nothing in this section requires a purchaser, mortgagee, or  
18 insurer of real property to rely on a land description, any part of which  
19 depends exclusively upon the Nebraska Plane Coordinate System."

20 4. On page 17, line 10, strike "or"; in line 11 strike the period  
21 and insert "; or"; and after line 11 insert the following new  
22 subdivision:

23 "(f) To provide improvement location reports;".

24 5. On page 19, line 11, strike "and"; in line 13 reinstate the  
25 stricken ". The examining board"; and in line 19 after the first "board"  
26 insert an underscored comma.

27 6. On page 23, line 11, strike "registration" and insert "license";  
1 and in line 17 strike "per year" and insert "for the initial  
2 application".

3 7. On page 26, line 18, strike "effective" and insert "operative".

4 8. On page 29, line 4, strike "registrant", show as stricken, and  
5 insert "licensee"; in lines 12 and 13 strike "the county courthouse",  
6 show as stricken, and insert "a county-owned building"; and in line 27  
7 strike "ALTA/NSPS" and insert "American Land Title Association and  
8 National Society of Professional Surveyors".

9 9. On page 30, line 23, after "plats" insert an underscored comma.

10 10. On page 33, strike beginning with "been" in line 18 through  
11 "81-8,123" in line 19, show as stricken, and insert "violated the Land  
12 Surveyors Regulation Act or any rules and regulations adopted and  
13 promulgated under the act".

14 11. On page 39, line 21, strike "2023" and insert "2024"; and in  
15 line 25 after "81-8,110.08," insert "81-8,110.12,".

16 12. Renumber the remaining sections and correct the internal  
17 references accordingly.

### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB126.

Senator Conrad name added to LB826.  
Senator Conrad name added to LB840.  
Senator Blood name added to LB853.  
Senator Conrad name added to LB857.  
Senator Conrad name added to LB861.  
Senator Conrad name added to LB905.  
Senator Conrad name added to LB913.  
Senator Conrad name added to LB916.  
Senator Conrad name added to LB922.  
Senator Conrad name added to LB935.  
Senator Conrad name added to LB971.  
Senator Conrad name added to LB973.  
Senator Conrad name added to LB1036.  
Senator Conrad name added to LB1040.  
Senator Conrad name added to LB1046.  
Senator Conrad name added to LB1053.  
Senator Conrad name added to LB1086.  
Senator Conrad name added to LB1106.  
Senator Conrad name added to LB1107.  
Senator Conrad name added to LB1109.  
Senator Conrad name added to LB1115.  
Senator Conrad name added to LB1116.  
Senator Conrad name added to LB1117.  
Senator Conrad name added to LB1121.  
Senator Conrad name added to LB1124.  
Senator Conrad name added to LB1125.  
Senator Conrad name added to LB1126.  
Senator Conrad name added to LB1128.  
Senator Conrad name added to LB1131.  
Senator Conrad name added to LB1139.  
Senator Conrad name added to LB1160.  
Senator Ibach name added to LR287CA.

#### **VISITOR(S)**

Visitors to the Chamber were Art Duvall, Ord; Julie Jacobson, North Platte; Members of Scotts Bluff County Leadership, Scottsbluff.

The Doctor of the Day was Dr. Kip Anderson of Columbus.

#### **ADJOURNMENT**

At 11:56 a.m., on a motion by Senator Riepe, the Legislature adjourned until 9:00 a.m., Thursday, February 1, 2024.

Brandon Metzler  
Clerk of the Legislature

**TWENTIETH DAY - FEBRUARY 1, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 1, 2024

**PRAYER**

The prayer was offered by Senator Erdman.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lippincott.

**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 Senator Raybould who was excused; and Senators Blood, Bosn, Bostar, M. Cavanaugh, Conrad, Day, DeBoer, DeKay, Hansen, Hunt, McKinney, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the nineteenth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services  
Room 1510 1:30 PM

Thursday, February 8, 2024

LB822  
LB933  
LB1320  
LB1054  
LB903

(Signed) Ben Hansen, Chairperson

Revenue  
Room 1524 1:30 PM

Thursday, February 8, 2024

LB1182

LB1197

LB1326

LB877

LB1216

LB1309

LB1067

(Signed) Lou Ann Linehan, Chairperson

**COMMITTEE REPORT(S)**  
Executive Board

**LEGISLATIVE BILL 908.** Placed on General File.

**LEGISLATIVE BILL 909.** Placed on General File.

(Signed) Raymond Aguilar, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 600A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, and 14 excused and not voting.

**LEGISLATIVE BILL 31.** Senator Slama renewed [FA208](#), found and considered on page 567.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 11 ayes, 4 nays, and 34 not voting.

The motion to cease debate failed with 15 ayes, 22 nays, and 12 not voting.

The Chair declared the call raised.

The Slama amendment was withdrawn.

Pending.

**COMMITTEE REPORT(S)**  
Banking, Commerce and Insurance

**LEGISLATIVE BILL 854.** Placed on General File.  
**LEGISLATIVE BILL 989.** Placed on General File.  
**LEGISLATIVE BILL 992.** Placed on General File.

**LEGISLATIVE BILL 829.** Placed on General File with amendment.

[AM2108](#)

- 1 1. Insert the following new section:
- 2 Sec. 2. This act becomes operative on January 1, 2025.
- 3 2. On page 2, strike lines 30 and 31 and insert the following new
- 4 subdivision:
- 5 "(b) No policy, certificate, or contract, delivered, issued for
- 6 delivery, or renewed in this state, or any self-funded employee benefit
- 7 plan, to the extent not preempted by federal law, shall impose a
- 8 deductible, coinsurance, or any other cost-sharing requirements for any
- 9 service or item that is an integral part of performing a colorectal
- 10 cancer screening, including:
- 11 (i) Polyp removal performed during the screening procedure;
- 12 (ii) Any pathology examination on a polyp biopsy performed as part
- 13 of the screening procedure;
- 14 (iii) Required specialist consultation prior to the screening
- 15 procedure;
- 16 (iv) Bowel preparation medications prescribed for the screening
- 17 procedure; and
- 18 (v) Anesthesia services performed in connection with a preventive
- 19 colonoscopy."
- 20 3. On page 3, strike lines 1 through 6.
- 21 4. Renumber the remaining section accordingly.

(Signed) Julie Slama, Chairperson

Enrollment and Review

**LEGISLATIVE BILL 52.** Placed on Final Reading.  
**LEGISLATIVE BILL 52A.** Placed on Final Reading.

**LEGISLATIVE BILL 94.** Placed on Final Reading.

[ST29](#)

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

1. In the E&R amendments, ER2, on page 1, the matter beginning with "in" in line 4 through the second semicolon in line 6 has been struck.
2. On page 1, line 14, "on" has been struck and "regarding interpretation," inserted.

**LEGISLATIVE BILL 279.** Placed on Final Reading.

[ST30](#)

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

1. Because of the amendment of section 8-143.01 by Laws 2023, LB92, section 6, sections 1 and 2 and all amendments thereto have been struck and the following sections inserted: Section 1. Section 8-143.01, Revised Statutes Supplement, 2023, is amended to read:  
8-143.01 (1) No bank shall extend credit to any of its executive officers, directors, or principal shareholders or to any related interest of such persons in an amount that, when aggregated with the amount of all other extensions of credit by the bank to that person and to all related interests of that person, exceeds the higher of twenty-five thousand dollars or five percent of the bank's unimpaired capital and unimpaired surplus unless (a) the extension of credit has been approved

in advance by a majority vote of the entire board of directors of the bank, a record of which shall be made and kept as a part of the records of such bank, and (b) the interested party has abstained from participating directly or indirectly in such vote. (2) No bank shall extend credit to any of its executive officers, directors, or principal shareholders or to any related interest of such persons in an amount that, when aggregated with the amount of all other extensions of credit by the bank to that person and to all related interests of that person, exceeds five hundred thousand dollars except by complying with the requirements of subdivisions (1)(a) and (b) of this section. (3) No bank shall extend credit to any of its executive officers, and no such executive officer shall borrow from or otherwise become indebted to his or her bank, except in the amounts and for the purposes set forth in subsection (4) of this section. (4) A bank shall be authorized to extend credit to any of its executive officers: (a) In any amount to finance the education of such executive officer's children; (b)(i) In any amount to finance or refinance the purchase, construction, maintenance, or improvement of a residence of such executive officer if the extension of credit is secured by a first lien on the residence and the residence is owned or is expected to be owned after the extension of credit by the executive officer and (ii) in the case of a refinancing, only the amount of the refinancing used to repay the original extension of credit, together with the closing costs of the refinancing, and any additional amount thereof used for any of the purposes enumerated in this subdivision are included within this category of credit; (c) In any amount if the extension of credit is (i) secured by a perfected security interest in bonds, notes, certificates of indebtedness, or treasury bills of the United States or in other such obligations fully guaranteed as to principal and interest by the United States, (ii) secured by unconditional takeout commitments or guarantees of any department, agency, bureau, board, commission, or establishment of the United States or any corporation wholly owned directly or indirectly by the United States, or (iii) secured by a perfected security interest in a segregated deposit account in the lending bank; or (d) For any other purpose not specified in subdivisions (a), (b), and (c) of this subsection if the aggregate amount of such other extensions of credit to such executive officer does not exceed, at any one time, the greater of two and one-half percent of the bank's unimpaired capital and unimpaired surplus or twenty-five thousand dollars, but in no event greater than one hundred thousand dollars or the amount of the bank's lending limit as prescribed in section 8-141, whichever is less. ~~(5)(a) Except as provided in subdivision (b) of this subsection, the board of directors of a bank may obtain a credit report from a recognized credit agency, on an annual basis, for any or all of its executive officers. (b) Subdivision (a) of this subsection does not apply to any executive officer if such officer is excluded by a resolution of the board of directors or by the bylaws of the bank from participating in the major policymaking functions of the bank and does not actually participate in the major policymaking functions of the bank. (5)(a) Except as provided in subdivision (b) or (c) of this subsection, any executive officer shall make, on an annual basis, a written report to the board of directors of the bank of which he or she is an executive officer stating the date and amount of all loans or indebtedness on which he or she is a borrower, cosigner, or guarantor, the security therefor, and the purpose for which the proceeds have been or are to be used. (b) Except as provided in subdivision (c) of this subsection, in lieu of the reports required by subdivision (a) of this subsection, the board of directors of a bank may obtain a credit report from a recognized credit agency, on an annual basis, for any or all of its executive officers. (c) Subdivisions (a) and (b) of this subsection do not apply to any executive officer if such officer is excluded by a resolution of the board of directors or by the bylaws of the bank from participating in the major policymaking functions of the bank and does not actually participate in the major policymaking functions of the bank. (6) No bank shall extend credit to any of its executive officers, directors, or principal shareholders or to any related interest of such persons in an amount that, when aggregated with the amount of all other extensions of credit by the bank to that person and to all related interests of that person, exceeds the lending limit of the bank as prescribed in section 8-141. (7)(a) Except as provided in subdivision (b) of this subsection, no bank shall extend credit to any of its executive officers, directors, or principal shareholders or to any related interest of such persons unless the extension of credit (i) is made on substantially the same terms, including interest rates and collateral, as, and following credit-underwriting procedures that are not less stringent than, those prevailing at the time for comparable transactions by the bank with other persons that are not covered by this section and who are not employed by the bank and (ii) does not involve more than the normal risk of repayment or present other unfavorable features. (b) Nothing in subdivision (a) of this subsection shall prohibit any extension of credit made by a bank pursuant to a benefit or compensation program under the provisions of 12 C.F.R. 215.4(a)(2), as such regulation existed on January 1, 2023. (8) For purposes of this~~



section: (a) Executive officer means a person who participates or has authority to participate, other than in the capacity of director, in the major policymaking functions of the bank, whether or not the officer has an official title, the title designates such officer as an assistant, or such officer is serving without salary or other compensation. Executive officer includes the chairperson of the board of directors, the president, all vice presidents, the cashier, the corporate secretary, and the treasurer, unless the executive officer is excluded by a resolution of the board of directors or by the bylaws of the bank from participating, other than in the capacity of director, in the major policymaking functions of the bank, and the executive officer does not actually participate in such functions. A manager or assistant manager of a branch of a bank shall not be considered to be an executive officer unless such individual participates or is authorized to participate in the major policymaking functions of the bank; and (b) Unimpaired capital and unimpaired surplus means the sum of: (i) The total equity capital of the bank reported on its most recent consolidated report of condition filed under section 8-166; (ii) Any subordinated notes and debentures approved as an addition to the bank's capital structure by the appropriate federal banking agency; and (iii) Any valuation reserves created by charges to the bank's income reported on its most recent consolidated report of condition filed under section 8-166. (9) Any executive officer, director, or principal shareholder of a bank or any other person who intentionally violates this section or who aids, abets, or assists in a violation of this section is guilty of a Class IV felony. (10) The Director of Banking and Finance may adopt and promulgate rules and regulations to carry out this section, including rules and regulations defining or further defining terms used in this section, consistent with the provisions of 12 U.S.C. 84 and implementing Regulation O as such section and regulation existed on January 1, 2023. Sec. 2. Original section 8-143.01, Revised Statutes Supplement, 2023, is repealed.

2. On page 1, the matter beginning with "Reissue" in line 2 through line 5 and all amendments thereto have been struck and "Revised Statutes Supplement, 2023; to change and eliminate provisions relating to the report of loans, indebtedness, and credit of executive officers of banks; and to repeal the original section." inserted.

**LEGISLATIVE BILL 461.** Placed on Final Reading.

**LEGISLATIVE BILL 628.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Ibach filed the following amendment to LB999:

AM2198

1 1. On page 2, strike lines 14 through 18 and insert the following  
 2 new subdivisions:  
 3 "(2) Cannabidiol products means finished products that contain the  
 4 naturally occurring hemp-derived phytocannabinoid cannabidiol.  
 5 Cannabidiol products do not include synthetic cannabinoids;  
 6 (3) Cannabinoids means any hemp-derived phytocannabinoid, including,  
 7 but not limited to, tetrahydrocannabinol (THC), tetrahydrocannabinolic  
 8 acid (THCA), cannabidiol (CBD), cannabidiolic acid (CBDA), cannabinol  
 9 (CBN), cannabigerol (CBG), cannabichromene (CBC), cannabicyclol (CBL),  
 10 cannabivarin (CBV), tetrahydrocannabivarin (THCV), cannabidivarin (CBDV),  
 11 cannabichromevarin (CBCV), cannabigerovarin (CBGV), cannabigerol  
 12 monomethyl ether (CBGM), cannabielsoin (CBE), and cannabicitran (CBT).  
 13 Cannabinoids do not include synthetic cannabinoids;"; and in line 27  
 14 strike "(3)" and insert "(4)".  
 15 2. On page 3, line 16, strike "(4)(a)" and insert "(5)(a)"; in line  
 16 21 after the period insert "Any product containing hemp as described in  
 17 this subdivision is considered hemp."; and strike beginning with "Any" in  
 18 line 26 through "hemp" in line 27.  
 19 3. On page 4, line 12, strike "(5)" and insert "(6)"; in line 18  
 20 strike "(6)" and insert "(7)"; in line 20 strike "(7)" and insert "(8)";  
 21 and after line 23 insert the following new subdivision:

22 "(9) Synthetic cannabinoids means any synthetic cannabinoid;  
 23 artificially derived cannabinoid; delta-8 tetrahydrocannabinol or  
 24 delta-10 tetrahydrocannabinol created through isomerization;  
 25 tetrahydrocannabiphorol; hexahydrocannabinol; or delta-9  
 26 tetrahydrocannabinol made in the extraction or manufacturing of any  
 27 cannabinoid product;" in line 28 strike "(8)" and insert "(10)"; and in  
 1 line 30 strike "(9)" and insert "(11)".  
 2 4. On page 5, line 15, after "products" insert "manufactured,".

Senator Holdcroft filed the following amendment to LB1018:

AM2255

1 1. Strike the original section and insert the following new section:  
 2 Section 1. (1) Except as provided in subsection (2) of this  
 3 section, a state agency:  
 4 (a) Shall not require that an applicant for employment with the  
 5 state agency possess a postsecondary degree, provided the applicant has  
 6 qualifying career and life skills;  
 7 (b) Shall give equal hiring consideration to an applicant for  
 8 employment who lacks a postsecondary degree as compared to an applicant  
 9 who has a postsecondary degree, provided the applicant without such a  
 10 degree has qualifying career and life skills; and  
 11 (c) Shall not, when setting wages and benefits with respect to a  
 12 specific position, use the fact that an employee does not have a  
 13 postsecondary degree as a basis to provide inferior wages or benefits as  
 14 compared to an employee with such a degree, provided that the employee  
 15 without such a degree has commensurate career and life skills. This  
 16 subdivision shall not be construed to limit a state agency's ability to  
 17 compete with other employers regarding wages and benefits.  
 18 (2) This section does not apply to:  
 19 (a) The University of Nebraska or any state college or community  
 20 college;  
 21 (b) The judicial branch of state government;  
 22 (c) Positions which, by their nature, require a postsecondary degree  
 23 or for which a postsecondary degree is required by state or federal law;  
 24 or  
 25 (d) Positions for which application of this section would jeopardize  
 26 federal funding.

Senator DeBoer filed the following amendment to LB1167:

AM2281

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 29-404.02, Revised Statutes Cumulative  
 4 Supplement, 2022, is amended to read:  
 5 29-404.02 (1) Except as provided in sections 28-311.11 and 42-928, a  
 6 peace officer may arrest a person without a warrant if the officer has  
 7 reasonable cause to believe that such person has committed:  
 8 (a) A felony;  
 9 (b) A misdemeanor, and the officer has reasonable cause to believe  
 10 that such person either (i) will not be apprehended unless immediately  
 11 arrested, (ii) may cause injury to himself or herself or others or damage  
 12 to property unless immediately arrested, (iii) may destroy or conceal  
 13 evidence of the commission of such misdemeanor, or (iv) has committed a  
 14 misdemeanor in the presence of the officer; or  
 15 (c) One or more of the following acts to one or more household  
 16 members, whether or not committed in the presence of the peace officer:  
 17 (i) Attempting to cause or intentionally and knowingly causing  
 18 bodily injury with or without a dangerous instrument;  
 19 (ii) Placing, by physical menace, another in fear of imminent bodily

20 injury; or  
 21 (iii) Engaging in sexual contact or sexual penetration without  
 22 consent as defined in section 28-318.  
 23 ~~(2) An individual arrested without a warrant under this section who~~  
 24 ~~remains in custody shall be brought before a court for a first appearance~~  
 25 ~~no later than ten days after such arrest. The appearance may be in person~~  
 26 ~~or conducted remotely by means of videoconferencing. The individual shall~~  
 27 ~~have the right to appear in person but must agree to waive the ten-day~~  
 1 ~~deadline if an in-person appearance within such time is not reasonably~~  
 2 ~~practicable.~~  
 3 ~~(3) (2) For purposes of this section:~~  
 4 (a) Household members includes spouses or former spouses, children,  
 5 persons who are presently residing together or who have resided together  
 6 in the past, persons who have a child in common whether or not they have  
 7 been married or have lived together at any time, other persons related by  
 8 consanguinity or affinity, and persons who are presently involved in a  
 9 dating relationship with each other or who have been involved in a dating  
 10 relationship with each other; and  
 11 (b) Dating relationship means frequent, intimate associations  
 12 primarily characterized by the expectation of affectional or sexual  
 13 involvement, but does not include a casual relationship or an ordinary  
 14 association between persons in a business or social context.  
 15 Sec. 2. Original section 29-404.02, Revised Statutes Cumulative  
 16 Supplement, 2022, is repealed.

Senator Slama filed the following amendment to [LB31](#):

[FA210](#)

Strike Section 3.

Senator Brandt filed the following amendment to [LB61](#):

[AM2296](#)

1 1. Strike original sections 5, 7, 9, and 11 and insert the following  
 2 new section:  
 3 Sec. 7. Section 86-577, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 86-577 (1) For purposes of this section:  
 6 (a) Served location means a location receiving, or at the time the  
 7 lease is filed with the Public Service Commission able to receive,  
 8 communications service at a minimum download speed of twenty-five  
 9 megabits per second and a minimum upload speed of three megabits per  
 10 second or higher speeds, as determined by the Public Service Commission;  
 11 and  
 12 (b) Unserved location means a location not receiving, and at the  
 13 time the lease is filed with the Public Service Commission not able to  
 14 receive, communications service at a minimum download speed of twenty-  
 15 five megabits per second and a minimum upload speed of three megabits per  
 16 second or higher speeds, as determined by the Public Service Commission.  
 17 ~~(1) (2) Any agency or political subdivision of the state may lease~~  
 18 ~~or license its dark fiber and related infrastructure under such terms as~~  
 19 ~~determined by such agency or political subdivision pursuant to its duly~~  
 20 ~~adopted and promulgated rules and regulations, issued orders, written~~  
 21 ~~policies, enacted ordinances, or adopted resolutions if:~~  
 22 (a) The lessee or licensee is a certificated telecommunications  
 23 common carrier or a permitted telecommunications contract carrier  
 24 pursuant to section 86-128 or an Internet service provider;  
 25 (b) The lease or license terms are fair, reasonable, and  
 26 nondiscriminatory; and  
 27 (c) The lease or license complies with this section.  
 1 ~~(2) (3)(a) Before a lease or license of dark fiber under this~~

2 section becomes effective, it shall be filed by the lessee or licensee  
3 with the commission, and the which shall expeditiously cause notice of  
4 the lease, including lease rates, to be published. (b)(i) The lease or  
5 license shall become effective upon such filing. The lease or license  
6 rate shall be within or above the safe harbor range of market rates  
7 established pursuant to subdivision (3)(a) of this section fourteen  
8 business days after the date of the published notice unless a protest is  
9 filed with the commission, in which event the commission shall consider  
10 the lease as a contested matter and consider the contested lease  
11 according to the commission's rules of procedure.  
12 (ii) If the allocation of served location and unserved location in  
13 the lease is contested, the commission shall determine such allocation  
14 under the lease as a contested matter and consider the contested lease  
15 according to the commission's rules of procedure.  
16 (3)(a) (4) For the lease or license of dark fiber under this  
17 section, the ~~(a)~~ The commission shall establish a safe harbor range of  
18 market rates for all dark fiber leases or licenses using a competitive  
19 price determination comparison. When conducting a competitive price  
20 determination comparison, the commission, in its discretion, shall use  
21 rate schedules, interconnection agreements, or other documents within its  
22 regulatory oversight and shall gather other market rate information as  
23 deemed necessary. If a lease or license utilizes rates within or above  
24 the safe harbor range, such rates shall be deemed approved. ~~Any other~~  
25 ~~term of the lease may be contested pursuant to subdivision (3)(b) of this~~  
26 ~~section; and~~  
27 (b) Revenue obtained by any agency or political subdivision from the  
28 lease or license of dark fiber under this section shall only be used for  
29 billing, construction, operation, and maintenance costs associated with  
30 the lease or license of such dark fiber or for any existing dark fiber or  
31 fiber-related infrastructure.  
1 (c) Revenue obtained by any agency or political subdivision from the  
2 sale or delivery of electricity shall not be used for billing,  
3 construction, operation, or maintenance costs associated with the lease  
4 or license of dark fiber under this section.  
5 Fifty percent of the profit earned by the agency or political  
6 subdivision under a lease of dark fiber leased to serve a served location  
7 shall be remitted to the State Treasurer for credit to the Nebraska  
8 Telecommunications Universal Service Fund. For purposes of this  
9 subdivision, profit earned by the agency or political subdivision means  
10 the lease price less the cost of infrastructure deployment. This  
11 subdivision does not apply to a lease or portion of a lease of dark fiber  
12 leased to exclusively serve unserved locations.  
13 (5) The lessee shall make every reasonable effort to activate the  
14 maximum amount of the leased fiber as is possible, within one year after  
15 entering into the lease, unless good cause is shown.  
16 2. On page 2, line 7; page 3, line 27; page 5, line 24; page 9, line  
17 8; and page 10, line 16, strike the new matter and reinstate the stricken  
18 matter.  
19 3. On page 12, line 16, strike "86-577" and reinstate the stricken  
20 matter.  
21 4. Renumber the remaining sections and correct the repealer  
22 accordingly.

Senator Jacobson filed the following amendment to [LB31](#):  
[AM2305](#)

1 1. On page 2, after line 26 insert the following new subsection:  
2 "(5) This section terminates two years after the effective date of  
3 this act."

**NOTICE OF COMMITTEE HEARING(S)**

Judiciary  
Room 1113 1:30 PM

Thursday, February 8, 2024

LB1123  
LB1045  
LB983  
LB1269  
LB934  
LB1098  
LB1097  
LR280CA

(Signed) Justin Wayne, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 291.** Introduced by Holdcroft, 36.

WHEREAS, on June 28, 2023, in its thirty-eighth year of honoring the nation's best athletes, Gatorade announced junior forward Allison Marshall of Gretna High School as the 2022-23 Gatorade Nebraska Girls Soccer Player of the Year; and

WHEREAS, the Gatorade Player of the Year program annually recognizes one winner in each of the fifty states and the District of Columbia that sanction high school football, girls volleyball, boys and girls cross country, boys and girls basketball, boys and girls soccer, baseball, softball, and boys and girls track and field, and also recognizes one National Player of the Year in each sport; and

WHEREAS, this award, which recognizes not only outstanding athletic excellence but also high standards of academic achievement and exemplary character demonstrated on and off the field, distinguishes Marshall as Nebraska's best high school girls soccer player; and

WHEREAS, Marshall is the second Gatorade Nebraska Girls Soccer Player of the Year to be chosen from Gretna High School and is also a returning Gatorade Player of the Year; and

WHEREAS, Marshall led the Dragons to a 21-0 record and the third consecutive Class A state championship title; and

WHEREAS, Marshall scored 21 goals, passed for 7 assists, and earned Team Captain honors on the Lincoln Journal Star Super State Team and the Omaha World Herald All-State Team; and

WHEREAS, Marshall has volunteered locally with Play it Forward, donated her time to the Gretna Craft Fair, and helped her church in decorating for the holidays; and

WHEREAS, Marshall has maintained a 4.0 GPA in the classroom and has made a verbal commitment to play soccer on scholarship at Kansas State University beginning in the fall of 2024; and

WHEREAS, the Legislature recognizes Marshall's selfless approach to soccer, dedication to academics, and well earned achievements as a youth in Nebraska.

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

1. That the Legislature congratulates Allison Marshall for earning the 2022-23 Gatorade Girls Soccer Player of the Year.

2. That copies of this resolution be sent to Allison Marshall, Coach Chase Hutchison, and Interim Superintendent Mr. Travis Lightle.

Laid over.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Conrad name added to LB871.

Senator Bostar name added to LB876.

Senator Sanders name added to LB1072.

Senator Slama name added to LR282.

#### **VISITOR(S)**

Visitors to the Chamber were students and teachers from Prairie Lane and Paddock Road Elementaries, Omaha.

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

#### **ADJOURNMENT**

At 11:47 a.m., on a motion by Senator Blood, the Legislature adjourned until 9:00 a.m., Friday, February 2, 2024.

Brandon Metzler  
Clerk of the Legislature

**TWENTY-FIRST DAY - FEBRUARY 2, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****TWENTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, February 2, 2024

**PRAYER**

The prayer was offered by Senator Dorn.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Sergeant/E-5 Stanley I. Washington, 1057th, Army, Omaha.

**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 Bosn, Bostar, Bostelman, M. Cavanaugh, Conrad, Day, Hardin, Hunt, Raybould, Sanders, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twentieth day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Arch, Cameron - Nebraska Commission on Problem Gambling - General Affairs  
Cook, J. Paul - State Board of Health - Health and Human Services  
Lambert, Kelly - Nebraska Commission on Problem Gambling - General Affairs  
Moore, Claudia - Nebraska Commission on Problem Gambling - General Affairs

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 830.** Placed on General File.  
**LEGISLATIVE BILL 847.** Placed on General File.  
**LEGISLATIVE BILL 848.** Placed on General File.  
**LEGISLATIVE BILL 895.** Placed on General File.  
**LEGISLATIVE BILL 936.** Placed on General File.  
**LEGISLATIVE BILL 940.** Placed on General File.  
**LEGISLATIVE BILL 1102.** Placed on General File.

(Signed) Tom Brewer, Chairperson

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of February 1, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Baxter, Todd  
Charter Communications Operating, LLC  
Forbes, Meagan  
Institute for Justice  
Foxx, Kelley  
Maplebear Inc. d/b/a Instacart  
Geilenfeld, Rachel  
Chevron U.S.A. Inc.  
Gullickson, Hans  
RAI Services Co. (Reynolds American Inc.)  
Haddow, Mac  
American Kratom Association  
Husch Blackwell Strategies  
Equifax  
Flock Safety  
Kingery, Shannon L.  
RAI Services Co. (Reynolds American Inc.) (Withdrawn 01/30/2024)  
Mouw, Lindsay  
Center for Rural Affairs  
Nebraska Strategies  
Nebraska Cooperative Liquid Assets Securities System  
Quinn, Kevin  
Invenergy LLC  
Rembolt Ludtke, LLP  
American Society of Composers, Authors & Publishers  
Nebraska Defense Counsel Association



Nebraska Library Association  
Nebraska Rural Broadband Alliance  
Nebraska Transportation Association  
Nebraska Travel Association (NETA)  
NorthWestern Energy  
Rembolt Ludtke, LLP  
United Healthcare Services, Inc.  
Waste Connections of Nebraska, Inc.  
Schweska, Patrick  
Amazon.com Services LLC  
Sitorius, Michelle  
Pando PEO  
Swatsworth, Abby  
Outline  
Wogsland, Ben  
Delta Dental of Nebraska

### REPORTS

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

### GENERAL FILE

**LEGISLATIVE BILL 31.** Senator Slama offered [FA209](#), found on page 571.

Pending.

### ANNOUNCEMENT

Pursuant to Rule 8, Sec. 3, the Appropriations Committee presented its preliminary report on February 2, 2024, summarizing the recommended appropriations for the following biennium.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 600A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Theodore E. Vasko - Nebraska Environmental Trust Board

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Eric Hansen - Nebraska Environmental Trust Board

Aye: 7. Bostelman, Brandt, Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 1. Cavanaugh, J..

(Signed) Bruce Bostelman, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 31.** Senator Slama renewed [FA209](#), found on page 571 and considered in this day's Journal.

### SPEAKER ARCH PRESIDING

Pending.

### COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 938.** Placed on General File with amendment.

#### [AM2214](#)

1 1. On page 6, strike beginning with "Notice" in line 12 through the  
2 period in line 14 and insert "Notice of such special meeting shall be  
3 published in a newspaper of general circulation within the county at  
4 least five days before the special meeting. If no edition of a newspaper  
5 of general circulation within the county is to be finalized for printing  
6 prior to such publication deadline, notice of such special meeting shall  
7 be (a) posted by the newspaper to the newspaper's website, if available,  
8 (b) posted by the newspaper on a statewide website established and  
9 maintained as a repository for such notices by a majority of Nebraska  
10 newspapers, and (c) posted by the county board at the courthouse."; and  
11 in lines 28 and 29 strike the new matter.

(Signed) Tom Brewer, Chairperson

### Revenue

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

James R. Kamm Tax Commissioner - Department of Revenue

Aye: 8. Albrecht, Bostar, Dungan, Kauth, Linehan, Meyer, Murman, von Gillern. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB939:

AM2303

1 1. Strike original sections 5 and 11 and insert the following new  
2 sections:  
3 Sec. 5. (1) There is hereby created the Follow the Student Fund.  
4 The fund shall be administered by the State Treasurer, except that the  
5 State Treasurer shall have the authority and the option to hire a third-  
6 party manager or agency to run any programs associated with administering  
7 the fund. Any money in the fund available for investment shall be  
8 invested by the state investment officer pursuant to the Nebraska Capital  
9 Expansion Act and the Nebraska State Funds Investment Act.  
10 (2) Each year the State Treasurer shall use the information provided  
11 pursuant to section 4 of this act to transfer an amount equal to one  
12 hundred percent of the adjusted average per pupil cost of the preceding  
13 year plus two percent multiplied by the total number of enrolled students  
14 in public schools in the preceding year from the General Fund to the  
15 Follow the Student Fund. The State Treasurer shall then use the  
16 information provided pursuant to section 4 of this act to transfer an  
17 amount equal to fifty percent of the adjusted average per pupil cost of  
18 enrolled students in public schools multiplied by the number of projected  
19 enrolled students in private schools from the General Fund to the Follow  
20 the Student Fund. The State Treasurer shall also transfer any additional  
21 amount necessary to cover the cost of the distributions to school  
22 districts pursuant to subdivisions (3)(a)(v) and (vi) of this section.  
23 (3)(a) The State Treasurer or a third-party manager or agency under  
24 the supervision of the State Treasurer shall establish a separate student  
25 account for each enrolled student in the State of Nebraska as provided in  
26 section 6 of this act. Each year the State Treasurer shall distribute:  
27 (i) An amount equal to one hundred percent of the adjusted average  
1 per pupil cost plus two percent into the account of each student enrolled  
2 full-time in a public school;  
3 (ii) An amount equal to fifty percent of the adjusted average per  
4 pupil cost plus two percent into the account of each student enrolled  
5 part-time in a public secondary school;  
6 (iii) An amount equal to fifty percent of the adjusted average per  
7 pupil cost into the account of each student enrolled full-time in a  
8 private school;  
9 (iv) An amount equal to twenty-five percent of the adjusted average  
10 per pupil cost into the account of each student enrolled part-time in a  
11 private secondary school;  
12 (v) An amount equal to fifty percent of the adjusted average per  
13 pupil cost for a student enrolled full-time in a private school to the  
14 school district in which such student resides; and  
15 (vi) An amount equal to twenty-five percent of the adjusted average  
16 per pupil cost for a student enrolled part-time in a private school to  
17 the school district in which such student resides.  
18 (b) A student shall be considered part-time whenever the student is  
19 enrolled in three or fewer courses at a public or private high school.  
20 (c) Such student accounts shall be made available for viewing by the  
21 enrolled student's parent or legal guardian, or by the enrolled student  
22 if he or she is nineteen years of age or older or an emancipated minor.

23 Sec. 11. It is the intent of the Legislature that each fiscal year  
 24 the Legislature shall transfer money from the General Fund to the Follow  
 25 the Student Fund in a manner sufficient to cover the adjusted average per  
 26 pupil cost plus two percent for the projected number of enrolled public  
 27 school students statewide plus fifty percent of the adjusted average per  
 28 pupil cost for the projected number of enrolled private school students  
 29 statewide and any additional amount necessary to cover the cost of the  
 30 distributions to school districts pursuant to subdivisions (3)(a)(v) and  
 31 (vi) of section 5 of this act.

Senator Hansen filed the following amendment to [LB1174](#):  
[AM2266](#)

1 1. On page 2, line 3, strike "are not required", reinstate the  
 2 stricken matter, and after "declared" insert "but are not required.";  
 3 in line 6 strike "along" and insert "on"; and in lines 11 and 17 strike  
 4 "may" and reinstate the stricken "shall".

#### **MOTION(S) - Print in Journal**

Senator Erdman filed the following motion to [LB1317](#):  
[MO1178](#)  
 Bracket until April 18, 2024.

Senator Erdman filed the following motion to [LB1317](#):  
[MO1179](#)  
 Recommit to the Revenue Committee.

Senator Erdman filed the following motion to [LB1317](#):  
[MO1180](#)  
 Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 292.** Introduced by Ibach, 44.

WHEREAS, the 2023 Nebraska School Activities Association Class D-6 State Football Championship was held on November 17, 2023, in Kearney, Nebraska; and

WHEREAS, the Sumner-Eddyville-Miller Mustangs football team competed for the Class D-6 State Football Championship; and

WHEREAS, the Mustangs prevailed over the Hay Springs Hawks in the championship game by a score of 21-20 following a blocked two-point extra-point kick attempt by the Hawks with forty-one seconds left in the game; and

WHEREAS, this is the first state football championship won by the Mustangs in school history; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Sumner-Eddyville-Miller Mustangs Football team on winning the 2023 Nebraska School Activities Association Class D-6 State Football Championship.

2. That copies of this resolution be sent to the Sumner-Eddyville-Miller Mustangs Football team and Coach Shane Hrasky.

Laid over.

**LEGISLATIVE RESOLUTION 293.** Introduced by Ibach, 44.

WHEREAS, the 2023 Nebraska School Activities Association State Volleyball Championships were held from November 1 through November 4 in Lincoln, Nebraska; and

WHEREAS, the Sumner-Eddyville-Miller Mustangs volleyball team competed for the Class D-1 State Volleyball Championship; and

WHEREAS, the Mustangs prevailed over the Amherst Broncos in four sets to claim the Class D-1 State Volleyball Championship; and

WHEREAS, this is the first state volleyball championship won by the Mustangs since 1981; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of Nebraska.

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

1. That the Legislature congratulates the Sumner-Eddyville-Miller Mustangs volleyball team on winning the 2023 Nebraska School Activities Association Class D-1 State Volleyball Championship.

2. That copies of this resolution be sent to the Sumner-Eddyville-Miller Mustangs volleyball team and Coach Tammy Kenton.

Laid over.

**LEGISLATIVE RESOLUTION 294.** Introduced by Ibach, 44.

WHEREAS, the 2023 Nebraska School Activities Association State Volleyball Championships were held from November 1 through November 4 in Lincoln, Nebraska; and

WHEREAS, the Overton Eagles volleyball team competed for the Class D-2 State Volleyball Championship; and

WHEREAS, the Eagles prevailed over the Cambridge Trojans in three sets to claim the Class D-2 State Volleyball Championship; and

WHEREAS, this is the first girls state championship won by the Eagles in any sport; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of Nebraska.

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

1. That the Legislature congratulates the Overton Eagles volleyball team on winning the 2023 Nebraska School Activities Association Class D-2 State Volleyball Championship.

2. That copies of this resolution be sent to the Overton Eagles volleyball team and Coach Hayley Ryan.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 31.** Senator Slama renewed [FA209](#), found on page 571 and considered in this day's Journal.

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

Senator Slama moved for a call of the house. The motion prevailed with 20 ayes, 1 nay, and 28 not voting.

The motion to cease debate failed with 22 ayes, 15 nays, and 12 not voting.

The Chair declared the call raised.

The Slama amendment was withdrawn.

Senator Slama withdrew [FA210](#), found on page 579.

Senator Jacobson offered [AM2305](#), found on page 580.

### PRESIDENT KELLY PRESIDING

Senator Jacobson offered the following motion:

[MO1181](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Jacobson moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 23 not voting.

Senator Jacobson requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 24:

Aguilar	Cavanaugh, J.	DeKay	Hardin	McDonnell
Blood	Cavanaugh, M.	Dorn	Hughes	McKinney
Bostar	Conrad	Dungan	Hunt	Vargas
Bostelman	Day	Fredrickson	Ibach	Wishart
Brandt	DeBoer	Halloran	Jacobson	

Voting in the negative, 19:

Albrecht	Bosn	Holdcroft	Lowe	Riepe
Arch	Clements	Kauth	Meyer	Slama
Armendariz	Dover	Linehan	Moser	von Gillern
Ballard	Hansen	Lippincott	Murman	

Excused and not voting, 6:

Brewer	Raybould	Walz
Erdman	Sanders	Wayne

The Jacobson motion to invoke cloture failed with 24 ayes, 19 nays, and 6 excused and not voting.

The Chair declared the call raised.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 16.** Placed on Final Reading.

**ST32**

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

1. In the Conrad amendment, AM2102:
  - a. On page 3, line 3, "6" has been struck and "7" inserted;
  - b. On page 5, line 9, "5 to 10" has been struck and "6 to 11" inserted; and in line 14 "5 and 6" has been struck and "6 and 7" inserted;
  - c. On page 7, line 14, "9 and 10" has been struck and "10 and 11" inserted;
  - d. On page 10, line 10, "5" has been struck and "6" inserted; and in line 20 "8" has been struck and "9" inserted;
  - e. On page 19, line 29, "5" has been struck and "6" inserted; and
  - f. On page 20, line 26, "81-2103 and 81-2120" has been struck and "81-2103, 81-2120, and 84-617" inserted.
2. On page 1, line 1, "licenses" has been struck and "regulation" inserted; in line 2 "81-2103 and 81-2120" has been struck and "81-2103, 81-2120, and 84-617" inserted; in line 6 "to provide for an additional use of the State Treasurer Administrative Fund;" has been inserted after the first semicolon; and in line 15 "to adopt the Interior Design Voluntary Registration Act;" has been inserted after the semicolon.

**LEGISLATIVE BILL 51.** Placed on Final Reading.

**LEGISLATIVE BILL 78.** Placed on Final Reading.

**LEGISLATIVE BILL 140.** Placed on Final Reading.

**LEGISLATIVE BILL 140A.** Placed on Final Reading.

**LEGISLATIVE BILL 146.** Placed on Final Reading.

**LEGISLATIVE BILL 247.** Placed on Final Reading.

**LEGISLATIVE BILL 252.** Placed on Final Reading.**ST31**

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

1. In the Brewer amendment, AM2061, on page 1, line 22, "the" has been struck and shown as stricken.
2. On page 1, the matter beginning with "veterans" in line 1 through line 9 and all amendments thereto have been struck and "veterans; to amend sections 80-401.03, 80-401.11, 80-404, and 80-412, Reissue Revised Statutes of Nebraska, and sections 80-315, 80-322.01, 80-411, and 81-1316, Revised Statutes Cumulative Supplement, 2022; to change references to a veterans' home; to change provisions relating to the Department of Veterans' Affairs Cash Fund, veterans aid, Department of Veterans' Affairs offices, gifts to the Department of Veterans' Affairs, waiver of tuition and fees for dependents of certain veterans, and duties of the Director of Veterans' Affairs; to eliminate an obsolete provision; to repeal the original sections; and to outright repeal section 80-336, Revised Statutes Cumulative Supplement, 2022." inserted.
3. On page 9, line 4, "80-404," has been inserted after "80-401.11,;" and in line 5 "80-322.01," has been inserted after "80-315,."

**LEGISLATIVE BILL 299.** Placed on Final Reading.**LEGISLATIVE BILL 308.** Placed on Final Reading.**LEGISLATIVE BILL 600.** Placed on Final Reading.**LEGISLATIVE BILL 664.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator DeBoer filed the following amendment to LB902:

AM2314

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 71-5905, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 71-5905 (1) An assisted-living facility shall determine if an
- 6 applicant for admission to the assisted-living facility is admitted or if
- 7 a resident of the assisted-living facility is retained based on the care
- 8 needs of the applicant or resident, the ability to meet those care needs
- 9 within the assisted-living facility, and the degree to which the
- 10 admission or retention of the applicant or resident poses a danger to the
- 11 applicant or resident or others.
- 12 (2) Any complex nursing intervention or noncomplex intervention
- 13 provided by an employee of the assisted-living facility shall be
- 14 performed in accordance with applicable state law.
- 15 (3) Each assisted-living facility shall provide written information
- 16 about the practices of the assisted-living facility to each applicant for
- 17 admission to the facility or his or her authorized representative. The
- 18 information shall include:
- 19 (a) A description of the services provided by the assisted-living
- 20 facility and the staff available to provide the services;
- 21 (b) The charges for services provided by the assisted-living
- 22 facility;
- 23 (c) Whether or not the assisted-living facility accepts residents
- 24 who are eligible for the medical assistance program under the Medical
- 25 Assistance Act and, if applicable, the policies or limitations on access
- 26 to services provided by the assisted-living facility for residents who
- 27 seek care paid by the medical assistance program;
- 1 (d) The criteria for admission to and continued residence in the
- 2 assisted-living facility and the process for addressing issues that may



3 prevent admission to or continued residence in the assisted-living  
 4 facility;  
 5 (e) The process for developing and updating the resident services  
 6 agreement;  
 7 (f) For facilities that have special care units for dementia, the  
 8 additional services provided to meet the special needs of persons with  
 9 dementia; and  
 10 (g) Whether or not the assisted-living facility provides part-time  
 11 or intermittent complex nursing interventions.  
 12 (4) Each assisted-living facility shall enter into a resident  
 13 services agreement in consultation with each resident.  
 14 (5)(a) A facility shall not request or require a third-party  
 15 guarantee of payment as a condition of admission, expedited admission, or  
 16 continued stay in the facility.  
 17 (b) A facility may request and require a resident representative who  
 18 has legal access to a resident's income or resources to sign a contract,  
 19 without incurring personal financial liability, to provide payment to the  
 20 facility from such resident's income or resources. For purposes of this  
 21 subsection, resident representative has the same meaning as defined in 42  
 22 C.F.R. 483.5, as such regulation existed on January 31, 2024.  
 23 (c) If a person other than the resident informs the assisted-living  
 24 facility that such person wants to guarantee payment of a resident's  
 25 expenses, the person shall execute a separate written agreement. No  
 26 provision in the separate written agreement shall conflict with this  
 27 subsection. The separate written agreement shall be provided to the  
 28 guarantor of payment and shall contain the following statements:  
 29 (i) "Do not sign this agreement unless you voluntarily agree to be  
 30 financially liable for paying the patient's expenses.";   
 31 (ii) "You may change your mind within forty-eight hours after  
 1 signing this agreement by notifying the facility that you want to revoke  
 2 this agreement."; and  
 3 (iii) "You may call the state long-term care ombudsman for an  
 4 explanation of your rights."  
 5 (d) Nothing in this subsection shall permit an individual with legal  
 6 access to a resident's income or resources to avoid liability for  
 7 violation of such individual's fiduciary duty.  
 8 Sec. 2. Original section 71-5905, Reissue Revised Statutes of  
 9 Nebraska, is repealed.

Senator DeBoer filed the following amendment to [LB83](#):  
[AM2279](#)

1 1. On page 11, line 28, after "Act" insert "except for all matters  
 2 relating to decedents' estates for which the county court has exclusive  
 3 original jurisdiction under subdivision (1) of this section".

Senator DeBoer filed the following amendment to [LB1133](#):  
[AM2151](#)

1 1. On page 2, line 13, strike "212," and insert "171, 172, 173, 174,  
 2 179,".

Senator DeBoer filed the following amendment to [LB1256](#):  
[AM2126](#)

1 1. On page 3, line 10, strike "86-428" and insert "86-1018".

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 295.** Introduced by McDonnell, 5.

WHEREAS, Mark Dahir, a beacon of hope and transformation, who, after a distinguished fifteen-year career in commercial banking and courageously facing and overcoming the demons of addiction, passed away at age 48 on August 3, 2023, from heart trouble; and

WHEREAS, in 2014, Mark's life was marked by a series of personal crises and a descent into legal troubles culminating in a harrowing seventh driving-under-the-influence incident which served not merely as a wake-up call but as a profound catalyst for soul-searching and monumental change; and

WHEREAS, from the ashes of his previous life, Mark started on an awe-inspiring journey of redemption and service and became a volunteer at the Heart Ministry Center where he eventually ascended to the role of chief executive officer; and

WHEREAS, Mark's visionary leadership led to pioneering accomplishments, including the founding of three successful social enterprises for the Heart Ministry Center: a food pantry that flourished into the state's largest food pantry and distributed over three million pounds of food to approximately one hundred forty-three thousand individuals in the past year, a medical and dental clinic that provided essential care at no cost to over two thousand people in the past year, and a laundromat which generates significant revenue, employs three full-time staff with prior criminal backgrounds, and extended complimentary services to eight hundred fifteen families in need in the past year; and

WHEREAS, Mark's dedication also grew the organization's budget to six million dollars leaving a lasting imprint on the center and all those that benefit from the care provided; and

WHEREAS, Mark's impact is left on those who knew him, individuals he helped, and those he inspired by demonstrating what it truly means to lead by example by transforming his own tribulations into a wellspring of empathy and compassion for those in dire need.

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

1. That the Legislature solemnly recognizes and honors the extraordinary life and indelible contributions of Mark Dahir to the Omaha community.
2. That the Legislature celebrates Mark Dahir's remarkable journey from personal despair to becoming a pillar of hope and champion for the underserved.
3. That the Legislature acknowledges with profound gratitude Mark Dahir's unparalleled empathy and effectiveness in transforming the Heart Ministry Center into a haven of hope and progress.
4. That copies of this resolution be sent to the family of Mark Dahir and the Heart Ministry Center.

Laid over.

**LEGISLATIVE RESOLUTION 296.** Introduced by Nebraska Retirement Systems Committee: McDonnell, 5, Chairperson; Clements, 2; Conrad, 46; Hardin, 48; Ibach, 44; Vargas, 7.

WHEREAS, Michael Walden-Newman has been the state investment officer for the Nebraska Investment Council for the past nine years; and

WHEREAS, Michael invented and implemented the "Ten Page Rule" to ensure efficient meetings for the Nebraska Investment Council; and

WHEREAS, Michael worked tirelessly to identify ways to reduce the expenses of the Nebraska Investment Council; and

WHEREAS, Michael was instrumental in various Nebraska Investment Council initiatives to increase returns and reduce risk; and

WHEREAS, Michael took the time to be acquainted with and get to know everyone he worked with; and

WHEREAS, being a world traveler, Michael lived in Africa and several cities in the United States, but chose to permanently reside in Lincoln, Nebraska; and

WHEREAS, Michael Walden-Newman will now spend his days tending to his flower garden and holding his wife Jane's hand when not traveling and doing all things "Michael".

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

1. That the Legislature express its sincere appreciation to Michael Walden-Newman for his many years as state investment officer.

2. That a copy of this resolution be sent to Michael Walden-Newman.

Laid over.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Jacobson name added to LB126.

Senator Hunt name added to LB199.

Senator Linehan name added to LB844.

Senator Ballard name added to LB877.

Senator Hughes name added to LB1037.

Senator Brewer name added to LB1131.

#### **VISITOR(S)**

Visitors to the Chamber were Lauren Micek Vargas, Luca Vargas, and Ava Vargas, Omaha; Jill Eberspacher and Jill Beisel, Seward.

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

**ADJOURNMENT**

At 11:57 a.m., on a motion by Senator Bostelman, the Legislature adjourned until 10:00 a.m., Monday, February 5, 2024.

Brandon Metzler  
Clerk of the Legislature

**TWENTY-SECOND DAY - FEBRUARY 5, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****TWENTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, February 5, 2024

**PRAYER**

The prayer was offered by Reverend Shawn Kitzing, Our Redeemer Lutheran Church, Staplehurst.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator McDonnell.

**ROLL CALL**

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

The roll was called and all members were present except Senator Raybould who was excused; and Senators Bostar, Clements, Conrad, Day, DeBoer, Hunt, McKinney, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 321, line 2, strike "Reported to the Legislature for further Consideration." and replace with "Placed on General File."  
The Journal for the fifth day was approved as corrected.  
The Journal for the twenty-first day was approved.

**COMMITTEE REPORT(S)****Revenue**

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

Steven Keetle - Tax Equalization and Review Commission

Aye: 8. Albrecht, Bostar, Dungan, Kauth, Linehan, Meyer, Murman, von Gillern. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Aguilar filed the following amendment to [LB51](#):  
[AM2263](#)

(Amendments to Final Reading copy)

- 1 1. On page 1, line 4, after "system" insert "and certain long-  
2 distance calls".
- 3 2. On page 2, line 30, strike "and the cost of the call" and show as  
4 stricken.
- 5 3. On page 3, strike beginning with the second "the" in line 4  
6 through "and" in line 5 and show as stricken.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 288 and 289 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 288 and 289.

**SELECT FILE**

**LEGISLATIVE BILL 600A.** Advanced to Enrollment and Review for Engrossment.

**MOTION(S) - Confirmation Report(s)**

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 521:

Military Department  
Craig Strong, Adjutant General

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, J. Cavanaugh, M. McKinney

Excused and not voting, 8:

Bostar	Day	Hunt	Wayne
Conrad	DeBoer	Raybould	Wishart

The appointment was confirmed with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 585:

Nebraska Environmental Trust Board  
Theodore E. Vasko

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 2:

Lowe McKinney

Excused and not voting, 9:

Bostar	DeBoer	Dover	Raybould	Wishart
Day	DeKay	Hunt	Wayne	

The appointment was confirmed with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 586:

Nebraska Environmental Trust Board  
Eric Hansen

Voting in the affirmative, 35:

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

Voting in the negative, 0.

Present and not voting, 7:

Cavanaugh, J.	Conrad	Dungan	Wayne
Cavanaugh, M.	DeKay	McKinney	

Excused and not voting, 7:

Bostar	DeBoer	Hunt	Wishart
Day	Dover	Raybould	

The appointment was confirmed with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 586:

Department of Revenue  
James R. Kamm, Tax Commissioner

Voting in the affirmative, 37:

Aguilar	Brandt	Fredrickson	Linehan	Sanders
Albrecht	Brewer	Halloran	Lippincott	Slama
Arch	Cavanaugh, J.	Hansen	Lowe	Vargas
Armendariz	Clements	Hardin	McDonnell	von Gillern
Ballard	Conrad	Holdcroft	Meyer	Walz
Blood	Dorn	Ibach	Moser	
Bosn	Dungan	Jacobson	Murman	
Bostelman	Erdman	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 5:

Cavanaugh, M.	DeKay	Hughes	McKinney	Wayne
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Excused and not voting, 7:



Bostar            DeBoer            Hunt            Wishart  
Day                Dover               Raybould

The appointment was confirmed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

### GENERAL FILE

**LEGISLATIVE BILL 287.** Title read. Considered.

Committee [AM2060](#), found on page 561, was offered.

Senator Clements offered the following amendment to the committee amendment:

[AM2343](#) is available in the Bill Room.

The Clements amendment, to the committee amendment, was adopted with 25 ayes, 14 nays, 6 present and not voting, and 4 excused and not voting.

Senator Wayne offered the following motion:

[MO1182](#)

Reconsider the vote on AM2343.

The Wayne motion to reconsider prevailed with 41 ayes, 5 nays, and 3 excused and not voting.

The Clements amendment, [AM2343](#), found in this day's Journal, was reconsidered.

The Clements amendment was withdrawn.

The committee amendment was adopted with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

### NOTICE OF COMMITTEE HEARING(S)

Education  
Room 1525 1:30 PM

Monday, February 12, 2024

LB821  
LB1034  
LB964  
LB1121  
LB1053  
LB1388

LB1273  
LB1398  
LB1253  
LB986  
LB1050

Room 1525 1:30 PM

Tuesday, February 13, 2024

LB953  
LB841  
LB1064  
LB1330  
LB1322  
LB1055  
LB1252  
LB1254  
LB1338  
LB1347

(Signed) Dave Murman, Chairperson

Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Wednesday, February 14, 2024

LB1042  
LB1211  
LB1297  
LB859  
LB988

Room 1507 1:30 PM

Thursday, February 15, 2024

LR287CA  
LB951  
LB1191  
LB998

(Signed) Tom Brewer, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 297.** Introduced by Murman, 38.

WHEREAS, every year, Travel and Leisure magazine creates an America's Best Small Towns feature; and

WHEREAS, one of the categories of the America's Best Small Towns feature recognizes the Best Small Food and Culture Town; and

WHEREAS, Travel and Leisure magazine recognized McCook, Nebraska, as the runner up for the 2023 Best Small Food and Culture Town; and

WHEREAS, McCook is home to Sehnert's Bakery, the only James Beard Award-winning restaurant in the state; and

WHEREAS, McCook holds several notable artistic attractions including the 6th Floor Project, the ArtBank, and Norris Alley; and

WHEREAS, McCook deserves this recognition for creating a welcoming space garnering great food and culture.

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

1. That the Legislature congratulates McCook, Nebraska, on being Travel and Leisure magazine's runner-up 2023 Best Small Food and Culture Town.
2. That a copy of this resolution be sent to Mayor Linda Taylor.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 143.** Senator Erdman renewed [FA207](#), found on page 531 and considered on pages 531 and 562.

Senator Moser moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 2 nays, and 19 not voting.

Senator Erdman moved for a call of the house. The motion prevailed with 34 ayes, 1 nay, and 14 not voting.

Senator Erdman requested a roll call vote on his amendment.

The Erdman amendment lost with 19 ayes, 25 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Failed to advance to Enrollment and Review Initial with 14 ayes, 25 nays, 7 present and not voting, and 3 excused and not voting.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 298.** Introduced by Arch, 14; Aguilar, 35; Ballard, 21; Clements, 2; Jacobson, 42; Lowe, 37; Riepe, 12; Slama, 1; Vargas, 7.

WHEREAS, the Legislature has the inherent power to secure information in order to legislate, hold hearings, and conduct investigations related to the operation of state government; and

WHEREAS, legislative oversight functions related to the Legislature's inherent power are currently distributed among the various legislative divisions within the Legislative Council, including the office of Public Counsel, the office of Legislative Audit, the office of Legislative Research, and the office of Legislative Fiscal Analyst; and

WHEREAS, the office of the Attorney General issued an opinion on August 16, 2023, stating that the current statutory regime governing two offices related to legislative oversight, the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System, violated the separation of powers provisions in Article II, section 1, of the Constitution of Nebraska; and

WHEREAS, the Legislature believes that the legislative divisions and offices, including the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System, serve important legislative oversight functions and that these divisions and offices will benefit from a full review to strengthen the performance of their legislative oversight functions, to address any restructuring or reorganization necessary for continued legislative oversight, to examine how any such restructuring or reorganization may impact the interface between the Legislature and the Executive and Judicial branches, and to address any remaining issues related to the opinion of the Attorney General issued on August 16, 2023.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to appoint a committee of the Legislature to be known as the Legislative Oversight Review Special Committee of the Legislature. Members shall include the Speaker of the Legislature, the chairperson of the Executive Board of the Legislative Council, the chairperson of the Health and Human Services Committee of the Legislature, the chairperson of the Judiciary Committee of the Legislature, two at-large members of the executive board, and three at-large members of the Legislature. The Legislative Oversight Review Special Committee shall elect a chairperson and vice-chairperson from the membership of the committee. The executive board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board may authorize the committee to hire outside legal counsel as deemed necessary by the committee. The committee may hold hearings. After authorization by the executive board, the committee may issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony under oath.

2. The Legislative Oversight Review Special Committee may study the current structure and organization of legislative oversight functions among the various legislative divisions and offices and the structure and organization of legislative oversight functions in other state legislatures. The

committee may also study whether current oversight conducted by any statutorily created board or commission would be more appropriately conducted within the legislative branch.

3. The Legislative Oversight Review Special Committee shall issue a report with its findings and recommendations to the Legislature no later than December 15, 2024. The report shall include recommendations for draft legislation, if necessary. The committee terminates on December 31, 2024.

Laid over.

#### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Sec. 8, LR298 was referred to the Reference Committee.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Lippincott name added to LB16.  
Senator Lippincott name added to LB188.  
Senator Lippincott name added to LB228.  
Senator Lippincott name added to LB230.  
Senator Lippincott name added to LB250.  
Senator Lippincott name added to LB853.  
Senator Dorn name added to LB910.  
Senator Vargas name added to LB913.  
Senator Hansen name added to LB1061.  
Senator Hardin name added to LB1087.  
Senator Halloran name added to LB1260.

#### **VISITOR(S)**

Visitors to the Chamber were students and teachers from Buffalo County Youth Advisory Board, Kearney; members from GROUNDWORK - Nebraska Cooperative Council; Courtney Brandes, Central City.

The Doctor of the Day was Dr. Patrick Hotovy of York.

#### **ADJOURNMENT**

At 11:57 a.m., on a motion by Senator Brewer, the Legislature adjourned until 9:00 a.m., Tuesday, February 6, 2024.

Brandon Metzler  
Clerk of the Legislature



**TWENTY-THIRD DAY - FEBRUARY 6, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, February 6, 2024

**PRAYER**

The prayer was offered by Pastor Jeffrey Bloom, Immanuel Lutheran Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Meyer.

**ROLL CALL**

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

The roll was called and all members were present except Senators Ibach and Raybould who were excused; and Senators Bosn, Bostar, Bostelman, M. Cavanaugh, Day, DeBoer, Hunt, Linehan, McKinney, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-second day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Thursday, February 15, 2024  
LB1191 (cancel)

(Signed) Tom Brewer, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 829.** Title read. Considered.

Committee [AM2108](#), found on page 575, was offered.

The committee amendment was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 6 nays, 1 present and not voting, and 6 excused and not voting.

**MOTION(S) - Return LB51 to Select File**

Senator Aguilar moved to return LB51 to Select File for his specific amendment, [AM2263](#), found on page 598.

The Aguilar motion to return prevailed with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 51.** The Aguilar specific amendment, [AM2263](#), found on page 598, was adopted with 44 ayes, 0 nays, and 5 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 152.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR298	Executive Board

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**GENERAL FILE**

**LEGISLATIVE BILL 111.** Title read. Considered.

Senator Clements offered the following motion:

[MO1183](#)

Recommit to the Government, Military and Veterans Affairs Committee.



Senator Clements moved for a call of the house. The motion prevailed with 24 ayes, 1 nay, and 24 not voting.

The Clements motion to recommit to committee failed with 23 ayes, 16 nays, 4 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator McDonnell moved for a call of the house. The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

Failed to advance to Enrollment and Review Initial with 24 ayes, 12 nays, 7 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 285.** Title read. Considered.

Senator Walz offered [AM66](#), found on page 532.

The Walz amendment was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 10 nays, 2 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 731.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 771.** Title read. Considered.

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 1:30 PM

Wednesday, February 14, 2024  
Donna Kush - Game and Parks Commission (cancel)

Room 1525 1:30 PM

Wednesday, February 14, 2024  
LB1001

Room 1525 1:30 PM

Thursday, February 15, 2024  
Donna Kush - Game and Parks Commission

Room 1525 1:30 PM

Thursday, February 15, 2024  
LB1258  
LB1383  
LB1304

Room 1525 1:30 PM

Wednesday, February 21, 2024  
LB1335  
LB1247

(Signed) Bruce Bostelman, Chairperson

Health and Human Services  
Room 1510 1:30 PM

Wednesday, February 14, 2024  
LB1278  
LB1381  
LB1111  
LB1007  
LB904

Room 1510 1:30 PM

Thursday, February 15, 2024  
LB1387  
LB1016  
LB874  
LB907  
LB1144

(Signed) Ben Hansen, Chairperson

Executive Board  
Room 2102 12:00 PM

Wednesday, February 14, 2024  
LB1321  
LR298

Room 2102 12:00 PM

Wednesday, February 21, 2024

LR284CA

LB994

LB1343Note: Joint hearing with LB1293

LB1293Note: Joint hearing with LB1343

Room 2102 12:00 PM

Wednesday, February 28, 2024

LB1285

LR281CA

(Signed) Raymond Aguilar, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 771.** Senator Sanders offered [AM2209](#), found on page 569.

The Sanders amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 147.** Title read. Considered.

Senator M. Cavanaugh asked unanimous consent to withdraw [MO42](#), found on page 615, First Session, 2023, to indefinitely postpone.

No objections. So ordered.

Senator M. Cavanaugh withdrew [FA21](#), found on page 615, First Session, 2023.

Senator M. Cavanaugh withdrew [AM521](#), found on page 615, First Session, 2023.

Senator M. Cavanaugh withdrew [AM558](#), found on page 615, First Session, 2023.

Senator M. Cavanaugh withdrew [AM557](#), found on page 615, First Session, 2023.

Senator M. Cavanaugh withdrew [AM573](#), found on page 615, First Session, 2023.

Senator M. Cavanaugh withdrew [AM574](#), found on page 616, First Session, 2023.

Senator M. Cavanaugh withdrew [AM575](#), found on page 616, First Session, 2023.

Senator M. Cavanaugh withdrew [AM576](#), found on page 616, First Session, 2023.

Senator M. Cavanaugh withdrew [AM577](#), found on page 616, First Session, 2023.

Advanced to Enrollment and Review Initial with 31 ayes, 2 nays, 12 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 644.** Title read. Considered.

Senator Conrad asked unanimous consent to withdraw the following motions:

[MO750](#), found on page 968, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO751](#), found on page 969, First Session, 2023, to recommit to committee.

[MO752](#), found on page 969, First Session, 2023, to bracket.

[MO753](#), found on page 968, First Session, 2023, to indefinitely postpone.

[MO754](#), found on page 969, First Session, 2023, to recommit to committee.

[MO755](#), found on page 969, First Session, 2023, to bracket.

[MO756](#), found on page 969, First Session, 2023, to recommit to committee.

No objections. So ordered.

Pending.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 299.** Introduced by Murman, 38; DeKay, 40; Linehan, 39.

WHEREAS, on January 2, 2024, Coach Russ Ninemire made Nebraska history by becoming the highest-winning basketball coach in girls basketball with six hundred thirty-nine wins after coaching Douglas County West High School to a 54-48 road victory over Logan View-Scribner-Snyder; and

WHEREAS, Coach Ninemire has served the community for over forty-five years as a girls basketball coach; and

WHEREAS, Coach Ninemire led to Sandy Creek High School girls basketball team to five hundred eighty-three wins and ten state championships; and

WHEREAS, Coach Ninemire's Sandy Creek High School girls basketball teams won ninety-five games in a row from the years 1997 through 2000; and

WHEREAS, Coach Ninemire was inducted in the Nebraska High School Sports Hall of Fame and named the national coach of the year in 2018; and

WHEREAS, the Legislature recognizes Coach Ninemire for his dedication to coaching and for surpassing the previous Nebraska record with six hundred thirty-nine wins coaching high school girls basketball.

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

1. That the Legislature congratulates Coach Russ Ninemire for his long service to supporting high school girls athletics and his significant achievements as a coach.

2. That a copy of this resolution be sent to Coach Russ Ninemire.

Laid over.

#### **AMENDMENT(S) - Print in Journal**

Senator Albrecht filed the following amendment to LB605:

##### AM2365

- 1 1. Strike original sections 1 and 24 and insert the following new
- 2 sections:
- 3 Section 1. Section 38-121, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 38-121 (1) No individual shall engage in the following practices
- 6 unless such individual has obtained a credential under the Uniform
- 7 Credentialing Act:
- 8 (a) Acupuncture;
- 9 (b) Advanced practice nursing;
- 10 (c) Alcohol and drug counseling;
- 11 (d) Asbestos abatement, inspection, project design, and training;
- 12 (e) Athletic training;
- 13 (f) Audiology;
- 14 (g) Speech-language pathology;
- 15 (h) Beginning one year after September 2, 2023, behavior analysis;
- 16 (i) Body art;
- 17 (j) Chiropractic;
- 18 (k) Cosmetology;
- 19 (l) Dentistry;
- 20 (m) Dental hygiene;
- 21 (n) Electrology;
- 22 (o) Emergency medical services;
- 23 (p) Esthetics;
- 24 (q) Funeral directing and embalming;
- 25 (r) Genetic counseling;
- 26 (s) Hearing instrument dispensing and fitting;
- 27 (t) Lead-based paint abatement, inspection, project design, and

- 1 training;
- 2 (u) Licensed practical nurse-certified until November 1, 2017;
- 3 (v) Massage therapy;
- 4 (w) Medical nutrition therapy;
- 5 (x) Medical radiography;
- 6 (y) Medicine and surgery;
- 7 (z) Mental health practice;
- 8 (aa) Nail technology;
- 9 (bb) Nursing;
- 10 (cc) Nursing home administration;
- 11 (dd) Occupational therapy;
- 12 (ee) Optometry;
- 13 (ff) Osteopathy;
- 14 (gg) Perfusion;
- 15 (hh) Pharmacy;
- 16 (ii) Physical therapy;
- 17 (jj) Podiatry;
- 18 (kk) Psychology;
- 19 (ll) Radon detection, measurement, and mitigation;
- 20 (mm) Respiratory care;
- 21 (nn) Surgical assisting; and
- 22 (oo) Veterinary medicine and surgery.
- 23 (2) No individual shall hold himself or herself out as any of the
- 24 following until such individual has obtained a credential under the
- 25 Uniform Credentialing Act for that purpose:
- 26 (a) Registered environmental health specialist;
- 27 (b) Certified marriage and family therapist;
- 28 (c) Certified professional counselor;
- 29 (d) Certified art therapist;
- 30 (e) (d) Social worker; or
- 31 (f) (e) Dialysis patient care technician.
- 1 (3) No business shall operate for the provision of any of the
- 2 following services unless such business has obtained a credential under
- 3 the Uniform Credentialing Act:
- 4 (a) Body art;
- 5 (b) Cosmetology;
- 6 (c) Emergency medical services;
- 7 (d) Esthetics;
- 8 (e) Funeral directing and embalming;
- 9 (f) Massage therapy; or
- 10 (g) Nail technology.
- 11 Sec. 24. This act becomes operative on January 1, 2025.
- 12 2. On page 16, line 5, strike "2024" and insert "2025".
- 13 3. Correct the repealer accordingly.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Dungan name added to LB605.

Senator Hardin name added to LB925.

Senator Lippincott name added to LB984.

Senator von Gillern name added to LB984.

Senator McDonnell name added to LB1047.

**VISITOR(S)**

Visitors to the Chamber were state officers from DECA, Educator's Rising, FBLA, FCCLA, FFA, HOSA, and SkillsUSA; members from Nebraska Bankers Association from across the state; members from the Nebraska Association of County Extension Boards from across the state; Nebraska State Education Association members and Retired NSEA members from across the state.

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

**ADJOURNMENT**

At 11:53 a.m., on a motion by Senator Lowe, the Legislature adjourned until 9:00 a.m., Wednesday, February 7, 2024.

Brandon Metzler  
Clerk of the Legislature





**TWENTY-FOURTH DAY - FEBRUARY 7, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****TWENTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 7, 2024

**PRAYER**

The prayer was offered by Marcus Kramer, Faith, Hope, and Love Fellowship, Creighton.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Moser.

**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 Blood, Brewer, Jacobson, Raybould, and Slama who were excused; and Senators Bostar, M. Cavanaugh, Conrad, Day, Dungan, Hansen, Hunt, McKinney, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-third day was approved.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 16A.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 16, One Hundred Eighth Legislature, Second Session, 2024.

**COMMITTEE REPORT(S)**

## Nebraska Retirement Systems

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Gerald Clausen - Public Employees Retirement Board  
 Charles Neumann - Public Employees Retirement Board  
 Luke H. Splattstoesser - Public Employees Retirement Board

Aye: 6. Clements, Conrad, Hardin, Ibach, McDonnell, Vargas. Nay: 0.  
 Absent: 0. Present and not voting: 0.

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Gail Werner-Robertson - Nebraska Investment Council

Aye: 6. Clements, Conrad, Hardin, Ibach, McDonnell, Vargas. Nay: 0.  
 Absent: 0. Present and not voting: 0.

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

John Murante Director - Nebraska Public Employees Retirement Systems

Aye: 6. Clements, Conrad, Hardin, Ibach, McDonnell, Vargas. Nay: 0.  
 Absent: 0. Present and not voting: 0.

(Signed) Mike McDonnell, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

General Affairs - LB685

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR290 was adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR290.

**MOTION(S) - Confirmation Report(s)**

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 597:

Tax Equalization and Review Commission  
Steven Keetle

Voting in the affirmative, 33:

Aguilar	Cavanaugh, J.	Fredrickson	Linehan	Riepe
Albrecht	DeBoer	Halloran	Lippincott	Sanders
Armendariz	DeKay	Hardin	Lowe	Vargas
Ballard	Dorn	Holdcroft	McDonnell	von Gillern
Bosn	Dover	Hughes	Meyer	Walz
Bostelman	Dungan	Ibach	Moser	
Brandt	Erdman	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Clements

Excused and not voting, 15:

Arch	Brewer	Day	Jacobson	Slama
Blood	Cavanaugh, M.	Hansen	McKinney	Wayne
Bostar	Conrad	Hunt	Raybould	Wishart

The appointment was confirmed with 33 ayes, 0 nays, 1 present and not voting, and 15 excused and not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 218.** Title read. Considered.

Senator Ibach offered [AM2195](#), found on page 532.

The Ibach amendment was adopted with 34 ayes, 0 nays, 2 present and not voting, and 13 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 3 present and not voting, and 13 excused and not voting.

**LEGISLATIVE BILL 218A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 5 present and not voting, and 13 excused and not voting.

**LEGISLATIVE BILL 605.** Title read. Considered.

Senator Albrecht offered [AM2365](#), found on page 613.

The Albrecht amendment was adopted with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 7 present and not voting, and 10 excused and not voting.

**LEGISLATIVE BILL 303.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 317.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 235.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 190.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 358.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 130.** Title read. Considered.

Committee [AM899](#), found on page 1088, First Session, 2023, was offered.

The committee amendment was adopted with 28 ayes, 0 nays, 14 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 16 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 204.** Title read. Considered.

Committee [AM1418](#), found on page 1282, First Session, 2023, was offered.

The committee amendment was adopted with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

### NOTICE OF COMMITTEE HEARING(S)

Revenue  
Room 1524 1:30 PM

Wednesday, February 14, 2024

Jacqueline Russell - Tax Equalization and Review Commission

LB1158

LB1026

LB1047

LB1305

LB1295

LB1228

LB1403

(Signed) Lou Ann Linehan, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Moser filed the following amendment to LB1198:

AM2231

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

2 sections:

3 Section 1. Section 23-3211, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 23-3211 (1) Unless requested in writing, the county assessor and  
6 register of deeds shall withhold from the public the residential address  
7 of a law enforcement officer, a member of the Nebraska National Guard  
8 acting pursuant to subdivision (3) of section 55-182, ~~or a judge, or~~  
9 prosecuting attorney who applies to the county assessor in the county of  
10 his or her residence.

11 (2) The application shall be in a form prescribed by the county  
12 assessor and shall include the applicant's name and address and the  
13 parcel identification number for his or her residential address. A law  
14 enforcement officer shall include in the application his or her law  
15 enforcement identification number. A member of the Nebraska National  
16 Guard shall include in the application proof of his or her status as a  
17 member, in a manner prescribed by the county assessor. A judge shall  
18 include in the application the name of the specific court of which he or  
19 she is a judge. A prosecuting attorney shall include in the application  
20 the county in which he or she resides.

21 (3) The county assessor shall notify the register of deeds regarding  
22 the receipt of a complete application. The county assessor and the  
23 register of deeds shall withhold the address of a law enforcement  
24 officer, member of the Nebraska National Guard, ~~or judge, or prosecuting~~  
25 attorney who complies with this section for five years after receipt of a  
26 complete application. The officer, member, ~~or judge, or prosecuting~~  
27 attorney may renew his or her application every five years upon  
1 submission of an updated application.

2 (4) (2) For purposes of this section:

3 (a) ~~Judge~~ ~~judge~~ includes the judge or magistrate judge of any  
4 court located in this state, including any county court, any district  
5 court, the Court of Appeals, the Nebraska Workers' Compensation Court,  
6 any separate juvenile court, the Supreme Court, and any federal court;

7 ~~and~~ ;

8 (b) ~~Prosecuting attorney~~ means any county attorney, deputy county  
9 attorney, city attorney, or assistant city attorney.

10 Sec. 2. Original section 23-3211, Reissue Revised Statutes of  
11 Nebraska, is repealed.

### COMMITTEE REPORT(S)

General Affairs

**LEGISLATIVE BILL 839.** Placed on General File.

(Signed) John Lowe, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 198.** Title read. Considered.

Committee [AM1391](#), found on page 1284, First Session, 2023, was offered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO364](#), found on page 939, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO365](#), found on page 939, First Session, 2023, to recommit to committee.

[MO366](#), found on page 939, First Session, 2023, to bracket.

[MO367](#), found on page 939, First Session, 2023, to indefinitely postpone.

[MO368](#), found on page 939, First Session, 2023, to recommit to committee.

[MO369](#), found on page 939, First Session, 2023, to bracket.

[MO370](#), found on page 939, First Session, 2023, to recommit to committee.

No objections. So ordered.

The committee amendment was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 908.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 909.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 989.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 992.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Judiciary  
Room 1113 1:30 PM

Wednesday, February 14, 2024

LB1096  
LB928  
LB1351  
LB979  
LB922  
LB1126  
LB1145

(Signed) Justin Wayne, Chairperson

Revenue  
Room 1524 1:30 PM

Wednesday, February 14, 2024

LB1305 (cancel)

(Signed) Lou Ann Linehan, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB644.

Senator Lowe name added to LB929.

Senator M. Cavanaugh name added to LB1071.  
Senator Hardin name added to LB1368.  
Senator Hardin name added to LB1397.  
Senator Fredrickson name added to LB1400.  
Senator Hardin name added to LB1406.

**WITHDRAW - Cointroducer(s)**

Senator Hardin name withdrawn from LB1408.

**EASE**

The Legislature was at ease from 11:10 a.m. until 11:11 a.m.

**VISITOR(S)**

Visitors to the Chamber were the Nebraska Christian Home Educators Association; Cathy, Cortney, Micah, Noah, and Faith Erdman; Tim Anderson from The Council of State Governments; Annie Kramer, Creighton; Family and Consumer Science Teachers of Nebraska from across the state.

**ADJOURNMENT**

At 11:11 a.m., on a motion by Senator McDonnell, the Legislature adjourned until 9:00 a.m., Thursday, February 8, 2024.

Brandon Metzler  
Clerk of the Legislature



**TWENTY-FIFTH DAY - FEBRUARY 8, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 8, 2024

**PRAYER**

The prayer was offered by Reverend Doctor Luke Schnake, Christ Lutheran, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**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 Brewer and Raybould who were excused; and Senators M. Cavanaugh and Slama who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 471, line 10, insert "Russell, Jacqueline - Tax Equalization and Review Commission - Revenue".

The Journal for the twelfth day was approved as corrected.

The Journal for the twenty-fourth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Nebraska Retirement Systems  
Room 1525 12:00 PM

Thursday, February 15, 2024  
Ellen Hung - Nebraska Investment Council  
LB1365

(Signed) Mike McDonnell, Chairperson

Revenue  
Room 1524 1:30 PM

Thursday, February 15, 2024

LB1217

LB1184

LB1206

LB1305 (reschedule)

LB1251

LB893

LB1084

(Signed) Lou Ann Linehan, Chairperson

**COMMITTEE REPORT(S)**  
Executive Board

**LEGISLATIVE BILL 1104.** Placed on General File.

(Signed) Raymond Aguilar, Chairperson

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Greg Wolford - State Highway Commission

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

James Kindig - State Highway Commission

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

David Copple - State Highway Commission

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Richard W. Meginnis - State Highway Commission

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Heath Mello - State Highway Commission

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Moser, Chairperson

#### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of February 7, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Adkins, Todd  
U.S. Sportsmen's Alliance  
CP Strategies LLC  
AMV Holdings, LLC  
Ficke, Melissa  
Wonderschool  
Jarecke, Kate Kulesher  
Sandoz  
Kelley Plucker, LLC  
Neilan Strategy Group  
Mueller Robak  
American College of Cardiology, Nebraska Chapter  
Neilan Strategy Group  
City of Seward  
RAI Services Co. (Reynolds American Inc.)  
Prokop, Matthew  
ALS Association (Withdrawn 02/02/2024)

**REPORTS**

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

**GENERAL FILE**

**LEGISLATIVE BILL 16A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

**MOTION(S) - Confirmation Report(s)**

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 618:

Public Employees Retirement Board  
 Gerald Clausen  
 Charles Neumann  
 Luke H. Splattstoesser

Voting in the affirmative, 35:

Aguilar	Bostelman	Erdman	Ibach	Moser
Albrecht	Brandt	Fredrickson	Jacobson	Murman
Arch	Cavanaugh, J.	Halloran	Kauth	Riepe
Ballard	Clements	Hansen	Linehan	Sanders
Blood	Conrad	Hardin	Lippincott	Vargas
Bosn	DeKay	Holdcroft	McDonnell	von Gillern
Bostar	Dorn	Hughes	Meyer	Walz

Voting in the negative, 0.

Present and not voting, 9:

Day	Dover	Hunt	McKinney	Wishart
DeBoer	Dungan	Lowe	Wayne	

Excused and not voting, 5:

Armendariz	Brewer	Cavanaugh, M.	Raybould	Slama
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The appointments were confirmed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 618:

Nebraska Investment Council  
Gail Werner-Robertson

Voting in the affirmative, 37:

Aguilar	Clements	Halloran	Kauth	Sanders
Albrecht	Day	Hansen	Linehan	Vargas
Ballard	DeKay	Hardin	Lippincott	von Gillern
Blood	Dorn	Holdcroft	McDonnell	Walz
Bosn	Dover	Hughes	Meyer	Wishart
Bostelman	Dungan	Hunt	Moser	
Brandt	Erdman	Ibach	Murman	
Cavanaugh, J.	Fredrickson	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 7:

Arch	Conrad	Lowe	Wayne
Bostar	DeBoer	McKinney	

Excused and not voting, 5:

Armendariz	Brewer	Cavanaugh, M.	Raybould	Slama
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The appointment was confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 618:

Nebraska Public Employees Retirement Systems  
John Murante, Director

Voting in the affirmative, 37:

Aguilar	Clements	Halloran	Linehan	Sanders
Albrecht	Conrad	Hansen	Lippincott	Vargas
Arch	DeBoer	Hardin	Lowe	Walz
Ballard	DeKay	Holdcroft	McDonnell	Wayne
Bosn	Dorn	Hughes	Meyer	Wishart
Bostelman	Dover	Ibach	Moser	
Brandt	Erdman	Jacobson	Murman	
Cavanaugh, J.	Fredrickson	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 7:

Blood Day Hunt von Gillern  
 Bostar Dungan McKinney

Excused and not voting, 5:

Armendariz Brewer Cavanaugh, M. Raybould Slama

The appointment was confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

### AMENDMENT(S) - Print in Journal

Senator DeBoer filed the following amendment to LB61:

[FA213](#)

Strike Section 1.

Senator von Gillern filed the following amendment to LB1197:

[AM2379](#) is available in the Bill Room.

Senator McKinney filed the following amendment to LB1043:

[AM2358](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. (1) For purposes of this section:  
 4 (a) Community development corporation means a private, nonprofit  
 5 corporation whose board of directors is comprised of business, civic, and  
 6 community leaders, and whose principal purpose includes the provision of  
 7 low-income housing or community economic development projects that  
 8 primarily benefit low-income individuals and communities;  
 9 (b) Community development organization means a private, nonprofit  
 10 organization that works to improve the social, economic, and  
 11 environmental well-being of a specific geographic area or community.  
 12 Community development organizations focus on grassroots efforts and  
 13 community engagement to address local needs and promote sustainable  
 14 development. Community development organizations may engage in a wide  
 15 range of activities, including, but not limited to, affordable housing,  
 16 economic development, education and training, community engagement,  
 17 health and social services, environmental sustainability, civic  
 18 engagement, infrastructure development, and cultural and recreational  
 19 activities;  
 20 (c) Covered nonprofit organization means any community development  
 21 corporation, community development organization, or economic development  
 22 corporation. The term does not include any political subdivision of the  
 23 state;  
 24 (d) Department means the Department of Economic Development;  
 25 (e) Director means the Director of Economic Development;  
 26 (f) Economic development corporation means a private, nonprofit  
 27 corporation whose primary goal is the promotion of economic growth, job  
 1 creation, and overall economic prosperity within a specific geographic  
 2 area. Economic development corporations may engage in a wide range of  
 3 activities, including, but not limited to, promoting business growth,  
 4 supporting entrepreneurship, attracting investment, workforce  
 5 development, infrastructure development, industry cluster development,  
 6 and industry collaboration and advocacy;  
 7 (g) High-poverty area means an area consisting of one or more  
 8 contiguous census tracts, as determined by the most recent federal

9 decennial census, which contain a percentage of persons with incomes  
10 below the poverty line of greater than thirty percent, and all census  
11 tracts contiguous to such tract or tracts, as determined by the most  
12 recent federal decennial census;  
13 (h) Market value means the fair market value of real property as  
14 determined by an independent appraisal; and  
15 (i) Underutilized tax-exempt property means any real property in  
16 this state that (i) is exempt from property taxes and (ii) is completely  
17 undeveloped or contains deteriorating structures.  
18 (2)(a) A covered nonprofit organization that owns or acquires  
19 underutilized tax-exempt property located within a high-poverty area  
20 shall develop such property within two years after the effective date of  
21 this act or the date of acquiring such property, whichever is later. Such  
22 development must:  
23 (i) Increase the market value of the property by at least twenty-  
24 five percent; and  
25 (ii) Result in the creation of new jobs or the starting of a new  
26 business on such property.  
27 (b) The covered nonprofit organization shall electronically submit a  
28 development plan for the underutilized tax-exempt property to the  
29 department, the Clerk of the Legislature, and the chairperson of the  
30 Urban Affairs Committee of the Legislature within ninety days after the  
31 effective date of this act or the date of acquiring the property,  
1 whichever is later. The development plan shall include a description of  
2 the proposed development and an estimated timeline for such development.  
3 (c)(i) If a covered nonprofit organization fails to develop the  
4 property within the two-year period described in subdivision (a) of this  
5 subsection, the director shall, following notice and opportunity for  
6 hearing in accordance with the Administrative Procedure Act, impose a  
7 fine of five hundred thousand dollars.  
8 (ii) If the failure to develop the property persists for twelve  
9 months after the end of the two-year period described in subdivision (a)  
10 of this subsection, the director shall, following notice and opportunity  
11 for hearing in accordance with the Administrative Procedure Act, impose a  
12 fine of one million dollars.  
13 (iii) If the failure to develop the property persists for twenty-  
14 four months after the end of the two-year period described in subdivision  
15 (a) of this subsection, the director shall, following notice and  
16 opportunity for hearing in accordance with the Administrative Procedure  
17 Act, revoke the property tax exemption for the underutilized tax-exempt  
18 property.  
19 (3)(a) A covered nonprofit organization that owns or acquires  
20 underutilized tax-exempt property located within a high-poverty area  
21 shall not attempt to sell such property at a price that is more than  
22 fifty percent above the market value for such property.  
23 (b) If a covered nonprofit organization violates subdivision (a) of  
24 this subsection, the director shall, following notice and opportunity for  
25 hearing in accordance with the Administrative Procedure Act, revoke the  
26 property tax exemption for the underutilized tax-exempt property.  
27 (4) All money collected as a fine under this section shall be  
28 remitted to the State Treasurer for distribution in accordance with  
29 Article VII, section 5, of the Constitution of Nebraska.  
30 (5) The department may adopt and promulgate rules and regulations to  
31 carry out this section.  
1 Sec. 2. If any section in this act or any part of any section is  
2 declared invalid or unconstitutional, the declaration shall not affect  
3 the validity or constitutionality of the remaining portions.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1.**

A BILL FOR AN ACT relating to agriculture; to eliminate obsolete funds that have terminated; and to outright repeal sections 54-706.12, 54-778, 54-1371, 54-2293, and 54-2757, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 151.**

A BILL FOR AN ACT relating to the State Real Estate Commission; to amend sections 81-885.18 and 81-885.25, Reissue Revised Statutes of Nebraska, and section 81-885.07, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the membership of the State Real Estate Commission and certain notice requirements; and to repeal the original sections.

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

Voting in the affirmative, 45:



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

Voting in the negative, 0.

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB94 with 39 ayes, 4 nays, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 94.**

A BILL FOR AN ACT relating to the Uniform Commercial Code; to amend sections 1-204, 1-301, 1-306, 2-102, 2-106, 2-201, 2-202, 2-203, 2-205, 2-209, 2A-102, 2A-103, 2A-107, 2A-201, 2A-202, 2A-203, 2A-205, 2A-208, 3-104, 3-105, 3-401, 3-604, 4A-103, 4A-201, 4A-202, 4A-203, 4A-207, 4A-208, 4A-210, 4A-211, 4A-305, 5-104, 5-116, 7-102, 7-106, 8-102, 8-103, 8-106, 8-110, 8-303, 9-104, 9-105, 9-203, 9-204, 9-207, 9-208, 9-209, 9-210, 9-304, 9-305, 9-313, 9-316, 9-317, 9-323, 9-324, 9-330, 9-332, 9-334, 9-341, 9-404, 9-408, 9-509, 9-513, 9-601, 9-605, 9-608, 9-611, 9-613, 9-614, 9-615, 9-616, 9-619, 9-620, 9-621, 9-624, and 9-628, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and sections 1-201, 9-102, 9-107A, 9-301, 9-310, 9-312, 9-314, 9-331, 9-406, 12-102, 12-103, 12-104, 12-105, 12-106, and 12-107, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022; to adopt provisions regarding interpretation, controllable electronic records, control of intangible property, controllable accounts, controllable payment intangibles, hybrid transactions, negotiable instruments, transactions involving digital assets, and security interest in digital assets and electronic money; to provide, change, and eliminate definitions; to provide transition rules; to harmonize provisions; to repeal the original sections; and to

outright repeal sections 12-101A, 12-108, and 12-109, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2022.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 279.**

A BILL FOR AN ACT relating to banking and finance; to amend section 8-143.01, Revised Statutes Supplement, 2023; to change and eliminate provisions relating to the report of loans, indebtedness, and credit of executive officers of banks; and to repeal the original section.

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

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 3:

Blood            Cavanaugh, M.    Hunt

Excused and not voting, 4:

Armendariz    Brewer            Raybould        Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB461 with 38 ayes, 5 nays, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 461.**

A BILL FOR AN ACT relating to government procurement; to amend sections 16-321.01, 17-568.02, 57-1503, 60-3,100, 70-1033, 71-5667, 73-101, 73-301, 73-501, 73-502, 73-503, 73-504, 73-505, 73-506, 73-507, 73-508, 73-509, 73-510, 73-603, 81-154.01, 81-156, 81-161, 81-161.01, 81-161.02, 81-162, 81-1101, 81-1102, 81-1108.10, 81-1108.16, 81-1109, 81-1118.01, 81-1118.05, 81-1118.07, and 83-145, Reissue Revised Statutes of Nebraska, sections 66-1009, 81-153, 81-161.03, 81-1119, 81-1120, and 81-3721, Revised Statutes Cumulative Supplement, 2022, and sections 71-5666, 71-5668, 71-5669.01, 81-145, 81-1118, 81-1118.02, 85-2605, 85-3106, and 85-3110, Revised Statutes Supplement, 2023; to name an act; to change, transfer, and eliminate provisions relating to the materiel division of the Department of Administrative Services and procurement of services and personal property; to provide, change, and eliminate definitions; to eliminate a resident bidder preference; to eliminate obsolete provisions; to harmonize provisions; to provide duties for the Revisor of Statutes; to repeal

the original sections; and to outright repeal sections 73-101.01, 73-101.02, 81-146, 81-159, 81-1118.03, 81-1118.04, and 81-1118.06, Reissue Revised Statutes of Nebraska, and sections 73-701 and 81-154, Revised Statutes Cumulative Supplement, 2022.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB628 with 37 ayes, 5 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 628.**

A BILL FOR AN ACT relating to corporations and other companies; to amend sections 21-102, 21-185, 21-186, 21-188, 21-2202, and 21-2216, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to limited liability companies and professional corporations; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 78.**

A BILL FOR AN ACT relating to massage therapy; to amend section 38-1706, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Ibach	Murman
Albrecht	Cavanaugh, M.	Erdman	Jacobson	Riepe
Arch	Clements	Fredrickson	Linehan	Sanders
Ballard	Conrad	Halloran	Lippincott	Vargas
Blood	Day	Hansen	Lowe	von Gillern
Bosn	DeBoer	Hardin	McDonnell	Walz
Bostar	DeKay	Holdcroft	McKinney	Wayne
Bostelman	Dorn	Hughes	Meyer	Wishart
Brandt	Dover	Hunt	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Kauth

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB140 with 36 ayes, 7 nays, 2 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

### LEGISLATIVE BILL 140.

A BILL FOR AN ACT relating to motor vehicle registration; to amend sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Reissue Revised Statutes of Nebraska; to provide for Czech Heritage Plates; to provide powers and duties; to harmonize provisions; to provide operative dates; and to repeal the original sections.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Armendariz Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 140A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 140, One Hundred Eighth Legislature, Second Session, 2024.

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

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Excused and not voting, 3:

Brewer      Raybould      Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 146.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1376 and 77-27,135, Reissue Revised Statutes of Nebraska; to change provisions relating to improvements on leased lands and methods for giving notice; and to repeal the original sections.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 3:

Brewer Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 247.**

A BILL FOR AN ACT relating to certificates of title; to amend section 28-431, Reissue Revised Statutes of Nebraska; to change provisions relating to issuance of a certificate of title for certain vehicles; and to repeal the original section.

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

Voting in the affirmative, 46:

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

Voting in the negative, 0.



Excused and not voting, 3:

Brewer      Raybould      Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB252 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 252.**

A BILL FOR AN ACT relating to veterans; to amend sections 80-401.03, 80-401.11, 80-404, and 80-412, Reissue Revised Statutes of Nebraska, and sections 80-315, 80-322.01, 80-411, and 81-1316, Revised Statutes Cumulative Supplement, 2022; to change references to a veterans' home; to change provisions relating to the Department of Veterans' Affairs Cash Fund, veterans aid, Department of Veterans' Affairs offices, gifts to the Department of Veterans' Affairs, waiver of tuition and fees for dependents of certain veterans, and duties of the Director of Veterans' Affairs; to eliminate an obsolete provision; to repeal the original sections; and to outright repeal section 80-336, Revised Statutes Cumulative Supplement, 2022.

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

Voting in the affirmative, 46:

Aguilar	Cavanaugh, J.	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, M.	Fredrickson	Linchan	Vargas
Arch	Clements	Halloran	Lippincott	von Gillern
Armendariz	Conrad	Hansen	Lowe	Walz
Ballard	Day	Hardin	McDonnell	Wayne
Blood	DeBoer	Holdcroft	McKinney	Wishart
Bosn	DeKay	Hughes	Meyer	
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 3:

Brewer      Raybould      Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 299.** With Emergency Clause.

A BILL FOR AN ACT relating to the Interlocal Cooperation Act; to amend section 13-809, Reissue Revised Statutes of Nebraska; to require approval by the voters for the issuance of certain bonds; 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, 45:

Aguilar	Brandt	Dungan	Ibach	Moser
Albrecht	Cavanaugh, J.	Erdman	Jacobson	Murman
Arch	Cavanaugh, M.	Fredrickson	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	Day	Hardin	Lowe	von Gillern
Bosn	DeKay	Holdcroft	McDonnell	Walz
Bostar	Dorn	Hughes	McKinney	Wayne
Bostelman	Dover	Hunt	Meyer	Wishart

Voting in the negative, 0.

Present and not voting, 1:

DeBoer

Excused and not voting, 3:

Brewer      Raybould      Slama

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

**LEGISLATIVE BILL 308.**

A BILL FOR AN ACT relating to public health and welfare; to adopt the Genetic Information Privacy Act.

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

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M.   Dover            Hunt

Excused and not voting, 3:

Brewer           Raybould       Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 664.**

A BILL FOR AN ACT relating to public assistance; to amend sections 68-944, 68-945, and 68-946, Reissue Revised Statutes of Nebraska; to provide powers and duties for the state medicaid fraud control unit and the Attorney General under the False Medicaid Claims Act; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

Aguilar	Brandt	Dungan	Ibach	Moser
Albrecht	Cavanaugh, J.	Erdman	Jacobson	Murman
Arch	Cavanaugh, M.	Fredrickson	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	Day	Hardin	Lowe	von Gillern
Bosn	DeBoer	Holdcroft	McDonnell	Walz
Bostar	DeKay	Hughes	McKinney	Wayne
Bostelman	Dorn	Hunt	Meyer	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Dover

Excused and not voting, 3:

Brewer      Raybould      Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1, 151, 94, 279, 461, 628, 78, 140, 140A, 146, 247, 252, 299e, 308, and 664.

#### CORRECTED COMMITTEE REPORT(S) Government, Military and Veterans Affairs

#### LEGISLATIVE BILL 624. Corrected amendment.

##### AM2402

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 81-3710, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 81-3710 (1) The Nebraska Tourism Commission is created. ~~The terms of~~  
6 ~~the members serving pursuant to subsection (2) of this section terminate~~  
7 ~~thirty days after August 24, 2017. The terms of the members serving~~  
8 ~~pursuant to subsection (3) of this section begin thirty days after August~~  
9 ~~24, 2017. (2) Until thirty days after August 24, 2017, the commission~~  
10 ~~shall consist of the following members: (a) One representative from the~~  
11 ~~Game and Parks Commission; (b) One representative from the Nebraska~~  
12 ~~Travel Association; (c) One representative from the Nebraska Hotel and~~  
13 ~~Motel Association; (d) One representative from a tourism attraction that~~  
14 ~~records at least two thousand out of state visitors per year; (e) One~~  
15 ~~representative from the Nebraska Association of Convention and Visitors~~  
16 ~~Bureaus; (f) One representative from the Western Nebraska Tourism~~  
17 ~~Coalition; (g) One representative who resides in eastern Nebraska and is~~  
18 ~~employed by a business that derives a majority of its revenue from out-~~  
19 ~~of state visitors; (h) One representative from the Central Nebraska~~  
20 ~~Tourism Partnership; and (i) One representative of a business that~~  
21 ~~derives a majority of its revenue from out of state visitors. (3)(a) The~~  
22 ~~Governor shall, within thirty days after August 24, 2017, appoint the~~  
23 ~~members of the commission to begin serving at such time, prior to~~  
24 ~~approval by the Legislature. The members of the commission shall consist~~  
25 ~~of the Director of Economic Development and twelve eleven residents of~~  
26 ~~the State of Nebraska appointed by the Governor, to include one member~~  
27 ~~representing a state chamber of commerce organized under the Nebraska~~  
1 ~~Nonprofit Corporation Act, and one member appointed from each of the~~  
2 ~~eleven districts described in subsection (2) of this section. The members~~  
3 ~~appointed by the Governor shall be subject to approval by the majority of~~  
4 ~~the members of the Legislature. The term of the member representing a~~  
5 ~~state chamber of commerce shall be four years, and the terms of the~~

6 ~~district members shall be as provided in subdivision (2)(b) of this~~  
7 ~~section. No appointed member may serve more than two successive terms.~~  
8 Four of the ~~district members~~ shall have professional, volunteer, or  
9 public service experience that contributes to the fiduciary and  
10 governance duties of the commission. Seven of the ~~district members~~ shall  
11 be affiliated with the tourism industry. ~~One member shall be appointed~~  
12 ~~from each of the eleven districts designated in subdivision (b) of this~~  
13 ~~subsection.~~  
14 ~~(2)(a) (b)~~ For purposes of this section, the state is hereby divided  
15 into eleven districts. The limits and designations of the eleven  
16 districts shall be as follows:  
17 (i) District No. 1. Douglas County;  
18 (ii) District No. 2. Lancaster County;  
19 (iii) District No. 3. The counties of Richardson, Pawnee, Nemaha,  
20 Johnson, Otoe, Gage, Saline, and Jefferson;  
21 (iv) District No. 4. The counties of Cass and Sarpy;  
22 (v) District No. 5. The counties of Saunders, Washington, Dodge,  
23 Colfax, Stanton, Cuming, Burt, Thurston, Wayne, Cedar, Dixon, and Dakota;  
24 (vi) District No. 6. The counties of Butler, Polk, Platte, Merrick,  
25 Nance, Boone, Madison, Pierce, Antelope, Knox, Holt, and Boyd;  
26 (vii) District No. 7. The counties of Thayer, Nuckolls, Webster,  
27 Adams, Clay, Fillmore, Seward, York, Hamilton, Franklin, and Harlan;  
28 (viii) District No. 8. The counties of Kearney, Phelps, Hall,  
29 Howard, Greeley, Wheeler, Buffalo, Sherman, Valley, and Garfield;  
30 (ix) District No. 9. The counties of Lincoln, Keya Paha, Rock,  
31 Brown, Loup, Blaine, Custer, Logan, McPherson, Arthur, Grant, Hooker,  
1 Thomas, and Cherry;  
2 (x) District No. 10. The counties of Furnas, Red Willow, Hitchcock,  
3 Dundy, Chase, Hayes, Frontier, Gosper, Dawson, Perkins, and Keith; and  
4 (xi) District No. 11. The counties of Deuel, Garden, Sheridan,  
5 Cheyenne, Morrill, Box Butte, Dawes, Sioux, Scotts Bluff, Banner, and  
6 Kimball.  
7 ~~(b) (e)~~ The Governor shall appoint members representing district  
8 numbers 1, 6, 8, and 11 to serve for terms ending April 1, 2019; members  
9 representing district numbers 2, 5, 7, and 10 to serve for terms ending  
10 April 1, 2021; and members representing district numbers 3, 4, and 9 to  
11 serve for terms ending April 1, 2023. The terms of their successors shall  
12 be four years. ~~The Governor shall appoint their successors with the~~  
13 ~~approval of the majority of the members of the Legislature. A person~~  
14 ~~appointed to serve pursuant to this subsection may serve only two~~  
15 ~~successive terms.~~  
16 Sec. 2. Original section 81-3710, Revised Statutes Cumulative  
17 Supplement, 2022, is repealed.

(Signed) Rita Sanders, Vice Chairperson

### ANNOUNCEMENT(S)

Priority designation(s) received:

Sanders - LR277CA

### GENERAL FILE

**LEGISLATIVE BILL 257.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 144.** Title read. Considered.

Committee [AM778](#), found on page 747, First Session, 2023, was offered.

The committee amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Senator Brandt withdrew [AM229](#), found on page 482, First Session, 2023.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 716.** Title read. Considered.

Committee [AM271](#), found on page 749, First Session, 2023, was offered.

The committee amendment was adopted with 27 ayes, 0 nays, 14 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 304.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 569.** Title read. Considered.

Committee [AM971](#), found on page 1165, First Session, 2023, was offered.

The committee amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on February 8, 2024, at 10:15 a.m. were the following: LBs 1, 151, 94, 279, 461, 628, 78, 140, 140A, 146, 247, 252, 299e, 308, and 664.

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

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 287.** Placed on Select File with amendment.

[ER52](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 4  
2 and insert "law; to amend sections 2-3213, 2-3214, 16-202, 18-2518,  
3 25-1274, 32-564, 32-565, 32-613, 32-617, 32-630, 32-632, 32-1205,  
4 32-1301, 32-1304, 32-1308, 49-1499.03, 58-230, and 58-817, Reissue  
5 Revised Statutes of Nebraska, sections 31-727.02, 32-320.01, 32-330,  
6 32-404, 32-405, 32-552, 32-553, 32-606, 32-607, 32-608, 32-615, 32-716,  
7 32-802, 32-808.01, 32-903, 32-947, 32-950.01, 32-1203, 32-1303, 32-1305,  
8 32-1306, 32-1405, 32-1407, 32-1524, 32-1525, 70-663, 79-1218, and  
9 84-1411, Revised Statutes Cumulative Supplement, 2022, and sections  
10 32-101 and 32-318.01, Revised Statutes Supplement, 2023; to eliminate  
11 obsolete provisions relating to adjusting certain boundaries after the  
12 federal decennial census and charter amendment procedures for certain  
13 public power districts; to change provisions relating to remonstrance  
14 petitions in the sale and conveyance of real estate owned by a city of  
15 the first class; to change provisions relating to petition circulators,  
16 signers, sponsors, and deadlines; to change provisions relating to use of  
17 voter registration records, presentation of documentation for voting,  
18 applications to register to vote by mail or request a ballot to vote  
19 early by mail, requirements for political subdivisions to provide  
20 information to election officials, special elections, vacancies in  
21 office, candidate filing forms, name changes, voter registration, secure  
22 ballot drop-boxes, recall procedures, initiative and referendum  
23 procedures, and electioneering under the Election Act; to provide and  
24 change penalty provisions; to change provisions relating to conflicts of  
25 interest by certain officeholders and public employees; to change proof  
26 of publication requirements for legal notices and requirements for  
27 published notice and virtual conferencing under the Open Meetings Act; to  
1 harmonize provisions; to provide operative dates; to repeal the original  
2 sections; and to declare an emergency."

**LEGISLATIVE BILL 829.** Placed on Select File with amendment.

[ER50](#)

1 1. On page 1, line 3, after the semicolon insert "to provide an  
2 operative date;".

**LEGISLATIVE BILL 152.** Placed on Select File.

**LEGISLATIVE BILL 285.** Placed on Select File.

**LEGISLATIVE BILL 731.** Placed on Select File.

**LEGISLATIVE BILL 771.** Placed on Select File with amendment.

[ER51](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 80-401, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 80-401 (1) There is hereby established a fund to be known as the  
6 Nebraska Veterans' Aid Fund. The Nebraska Investment Council is directed  
7 to purchase bonds or notes issued by the government of the United States  
8 or the State of Nebraska, or any county, school district, or municipality  
9 therein, with a face value of twelve million dollars, as of August 1,  
10 1984, to carry out sections 80-401 to 80-405 and to place them in the

11 custody and control of the State Treasurer of the State of Nebraska under  
12 the same conditions as other state money.

13 (2) Such fund shall be managed as follows: (a) When necessary to pay  
14 a premium for bonds for such fund, the amount of the premium shall be  
15 amortized over the term of the bonds from the interest received on such  
16 bonds; and (b) when bonds for such fund are purchased at a discount, the  
17 amount of the discount shall be used to purchase additional bonds, it  
18 being contemplated that the face amount of the bonds in such fund may in  
19 this manner aggregate in excess of twelve million dollars at some future  
20 time. Transfers may be made from the Nebraska Veterans' Aid Fund to the  
21 Veteran Cemetery Construction Fund at the direction of the Legislature  
22 until July 30, 2024. The State Treasurer shall transfer four million  
23 dollars from the Nebraska Veterans' Aid Fund to the Veteran Cemetery  
24 Construction Fund on July 15, 2023. The State Treasurer shall transfer  
25 four million dollars from the Nebraska Veterans' Aid Fund to the Veteran  
26 Cemetery Construction Fund on July 15, 2024.

27 (3) The interest on the Nebraska Veterans' Aid Fund, except so much  
1 as may be required for amortization of premium bond purchases as  
2 authorized in this section and so much as may be required to pay a pro  
3 rata share of the budget appropriated for the Nebraska Investment Council  
4 pursuant to section 72-1249.02, shall be paid to the Veterans' Aid Income  
5 Fund, which fund is hereby created. The Veterans' Aid Income Fund, when  
6 appropriated by the Legislature, shall be available to the Director of  
7 Veterans' Affairs for aid to needy veterans as authorized by law and for  
8 purposes of section 3 of this act.

9 (4) The Nebraska Investment Council shall manage the Nebraska  
10 Veterans' Aid Fund, with investment and reinvestment to be made in the  
11 same type securities authorized for investment of funds by the Nebraska  
12 Capital Expansion Act and the Nebraska State Funds Investment Act.

13 (5) The director shall advise the Nebraska Investment Council when  
14 amounts in the Veterans' Aid Income Fund are not immediately required  
15 pursuant to this section ~~for aid to needy veterans~~. The state investment  
16 officer shall invest such amounts available from the Veterans' Aid Income  
17 Fund in the same manner as investments of the Nebraska Veterans' Aid  
18 Fund, and the interest thereon shall also become a part of the Veterans'  
19 Aid Income Fund.

20 Sec. 2. Section 85-2701, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 85-2701 Sections 85-2701 to 85-2705 and section 3 of this act shall  
23 be known and may be cited as the Veteran and Active Duty Supportive  
24 Postsecondary Institution Act.

25 Sec. 3. (1) The department shall implement and develop a pilot  
26 program to provide a grant to any qualifying postsecondary institution to  
27 assist the United States Defense POW/MIA Accounting Agency with  
28 accounting for United States servicemembers and civilians missing from  
29 designated past conflicts as such conflicts are determined by such  
30 federal agency. The department shall utilize available funding from the  
31 Veterans' Aid Income Fund to provide such grants and pay the costs of  
1 administering the pilot program.

2 (2) In order to be a qualifying postsecondary institution, the  
3 institution shall have (a) a partnership or service agreement with the  
4 United States Defense POW/MIA Accounting Agency to establish or expand  
5 undergraduate and graduate student internships to provide such assistance  
6 and (b) first received the Veteran and Active Duty Supportive designation  
7 under section 85-2703.

8 (3) On or before November 1, 2025, the director shall electronically  
9 submit a report to the Government, Military and Veterans Affairs  
10 Committee of the Legislature regarding the pilot program.

11 (4) It is the intent of the Legislature to appropriate two hundred  
12 thousand dollars from the Veterans' Aid Income Fund for FY2024-25 to the



13 department for purposes of this section.

14 Sec. 4. Original section 85-2701, Revised Statutes Cumulative  
15 Supplement, 2022, and section 80-401, Revised Statutes Supplement, 2023,  
16 are repealed.

17 Sec. 5. Since an emergency exists, this act takes effect when  
18 passed and approved according to law.

19 2. On page 1, strike lines 2 through 4 and insert "amend section  
20 85-2701, Revised Statutes Cumulative Supplement, 2022, and section  
21 80-401, Revised Statutes Supplement, 2023; to change provisions relating  
22 to the Veterans' Aid Income Fund; to provide for a postsecondary  
23 institution grant program under the Veteran and Active Duty Supportive  
24 Postsecondary Institution Act; to harmonize provisions; to repeal the  
25 original sections; and to declare an emergency."

**LEGISLATIVE BILL 147.** Placed on Select File with amendment.

ER49

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

3 Section 1. Section 77-1736.06, Revised Statutes Supplement, 2023, is  
4 amended to read:

5 77-1736.06 The following procedure shall apply when making a  
6 property tax refund:

7 (1)(a) (H) Within thirty days of the entry of a final nonappealable  
8 order, an unprotested determination of a county assessor, an unappealed  
9 decision of a county board of equalization, or other final action  
10 requiring a refund of real or personal property taxes paid or, for  
11 property valued by the state, within thirty days of a recertification of  
12 value by the Property Tax Administrator pursuant to section 77-1775 or  
13 77-1775.01, the county assessor shall determine the amount of refund due  
14 the person entitled to the refund, certify that amount to the county  
15 treasurer, and send a copy of such certification to the person entitled  
16 to the refund.

17 (b) Within thirty days from the date the county assessor certifies  
18 the amount of the refund, the county treasurer shall notify each  
19 political subdivision, including any school district receiving a  
20 distribution pursuant to section 79-1073 and any land bank receiving real  
21 property taxes pursuant to subdivision (3)(a) of section 18-3411, of its  
22 respective share of the refund, except that for any political subdivision  
23 whose share of the refund is two hundred dollars or less, the county  
24 board may waive this notice requirement, and that for any political  
25 subdivision whose share of the refund is one thousand dollars or less,  
26 the governing body of the political subdivision may waive this notice  
27 requirement by notifying the county treasurer in writing. Notification  
1 shall be by (i) first-class mail, postage prepaid, to the last-known  
2 address of record of the political subdivision or (ii) electronic means  
3 if requested in writing by the governing body of the political  
4 subdivision.

5 (c) The county treasurer shall pay the refund from funds in his or  
6 her possession belonging to any political subdivision, including any  
7 school district receiving a distribution pursuant to section 79-1073 and  
8 any land bank receiving real property taxes pursuant to subdivision (3)  
9 (a) of section 18-3411, which received any part of the tax or penalty  
10 being refunded. If sufficient funds are not available, the county  
11 treasurer shall register the refund or portion thereof which remains  
12 unpaid as a claim against such political subdivision and shall issue the  
13 person entitled to the refund a receipt for the registration of the  
14 claim;

15 (2) The refund of a tax or penalty or the receipt for the  
16 registration of a claim made or issued pursuant to this section shall be  
17 satisfied in full as soon as practicable. If a receipt for the  
18 registration of a claim is given:

19 (a) The governing body of the political subdivision shall make

20 provisions in its next budget for the amount of such claim; or  
 21 (b) If mutually agreed to by the governing body of the political  
 22 subdivision and the person holding the receipt, such receipt shall be  
 23 applied to satisfy any tax levied or assessed by that political  
 24 subdivision which becomes due from the person holding the receipt until  
 25 the claim is satisfied in full;  
 26 (3) The county treasurer shall mail the refund or the receipt by  
 27 first-class mail, postage prepaid, to the last-known address of the  
 28 person entitled thereto. Multiple refunds to the same person may be  
 29 combined into one refund. If a refund is not claimed by June 1 of the  
 30 year following the year of mailing, the refund shall be canceled and the  
 31 resultant amount credited to the various funds originally charged;  
 1 (4) When the refund involves property valued by the state, the Tax  
 2 Commissioner shall be authorized to negotiate a settlement of the amount  
 3 of the refund or claim due pursuant to this section on behalf of the  
 4 political subdivision from which such refund or claim is due. Any  
 5 political subdivision which does not agree with the settlement terms as  
 6 negotiated may reject such terms, and the refund or claim due from the  
 7 political subdivision then shall be satisfied as set forth in this  
 8 section as if no such negotiation had occurred;  
 9 (5) In the event that the Legislature appropriates state funds to be  
 10 disbursed for the purposes of satisfying all or any portion of any refund  
 11 or claim, the Tax Commissioner shall order the county treasurer to  
 12 disburse such refund amounts directly to the persons entitled to the  
 13 refund in partial or total satisfaction of such persons' claims. The  
 14 county treasurer shall disburse such amounts within forty-five days after  
 15 receipt thereof;  
 16 (6) If all or any portion of the refund is reduced by way of  
 17 settlement or forgiveness by the person entitled to the refund, the  
 18 proportionate amount of the refund that was paid by an appropriation of  
 19 state funds shall be reimbursed by the county treasurer to the State  
 20 Treasurer within forty-five days after receipt of the settlement  
 21 agreement or receipt of the forgiven refund. The amount so reimbursed  
 22 shall be credited to the General Fund; and  
 23 (7) For any refund or claim due under this section, interest shall  
 24 accrue on the unpaid balance at the rate of fourteen percent beginning  
 25 thirty days after the date the county assessor certifies the amount of  
 26 refund based upon the final nonappealable order or other action approving  
 27 the refund.  
 28 Sec. 2. Original section 77-1736.06, Revised Statutes Supplement,  
 29 2023, is repealed.  
 30 2. On page 1, line 2, strike "77-1736.06, Revised Statutes  
 31 Cumulative Supplement, 2022;" and insert "77-1736.06, Revised Statutes  
 1 Supplement, 2023;".

**LEGISLATIVE BILL 218.** Placed on Select File.

**LEGISLATIVE BILL 218A.** Placed on Select File.

**LEGISLATIVE BILL 51.** Placed on Final Reading Second.

**LEGISLATIVE BILL 600A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 300.** Introduced by Dorn, 30; Aguilar, 35;  
 Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29;  
 Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; Cavanaugh, M., 6;  
 Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dover, 19;

Dungan, 26; Fredrickson, 20; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; 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 National Conference of State Legislatures has provided fifty years of service dedicated to navigating complex issues within national, state, and territorial legislatures; and

WHEREAS, the National Conference of State Legislatures was founded in 1975 and evolved during the past half-century to become the premier organization solely dedicated to serving state and territorial legislators and legislative staff; and

WHEREAS, the National Conference of State Legislatures was created from the merger of three organizations that served or represented state legislatures and shared the belief that legislative service is one of democracy's worthiest pursuits; and

WHEREAS, the National Conference of State Legislatures is a bipartisan organization with three objectives: to advance the effectiveness, independence, and integrity of state legislatures; to foster interstate communication and cooperation; and to ensure states a strong and cohesive voice in the federal system; and

WHEREAS, the National Conference of State Legislatures strives to strengthen the bonds between America's state legislatures and the international community; and

WHEREAS, the National Conference of State Legislatures has facilitated the exchange of ideas, provided critical research and information, and encouraged a rigorous review of complex issues confronting communities, states, and the nation; and

WHEREAS, the National Conference of State Legislatures' fifty years of service dedicated to national, state, and territorial legislatures has earned the organization recognition and admiration.

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

1. That the Legislature recognizes and commends the National Conference of State Legislatures for its superb leadership and its commitment to the legislative institution.

2. That a copy of this resolution be sent to the National Conference of State Legislatures.

Laid over.

**NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 1:30 PM

Tuesday, February 20, 2024

Zachary Cheek - Nebraska Arts Council  
 Jon Gross - Nebraska Arts Council  
 John (Chris) Stinson - State Racing and Gaming Commission  
 Bruce D. Bailey - Nebraska Liquor Control Commission  
 Clark Roush - Nebraska Arts Council  
 Jana Goranson - Nebraska Arts Council  
 Brian Botsford - Nebraska Arts Council  
 Cameron Arch - Nebraska Commission on Problem Gambling  
 Claudia Moore - Nebraska Commission on Problem Gambling  
 Kelly Lambert - Nebraska Commission on Problem Gambling  
 Lovell James Wright - Nebraska Arts Council

(Signed) John Lowe, Chairperson

Judiciary  
 Room 1113 1:30 PM

Thursday, February 15, 2024

LB1202  
 LB1222  
 LB1334  
 LB1089  
 LB1051  
 LB911  
 LB923

(Signed) Justin Wayne, Chairperson

#### GENERAL FILE

**LEGISLATIVE BILL 624.** Title read. Considered.

Committee [AM2402](#), found in this day's Journal, was offered.

The committee amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator McDonnell withdrew [AM688](#), found on page 709, First Session, 2023.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 139.** Title read. Considered.

Committee [AM1518](#), found on page 1338, First Session, 2023, was offered.

Senator Brandt offered the following amendment to the committee amendment:

[FA212](#)

Amend Committee Amendment 1518 by striking on page 1, line 19 "2023" and insert "2024" and strike "2024" and insert "2025"; and on line 21, strike "2024" and insert "2025."

The Brandt amendment, to the committee amendment, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 854.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 847.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 848.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 936.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 940.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1102.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 938.** Title read. Considered.

Committee [AM2214](#), found on page 586, was offered.

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

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

**MOTION(S) - Suspend Rules**

Senator Wayne offered the following motion to [LB922](#):

[MO1184](#)

Suspend Rule 3, Sec. 14, to allow the cancellation of the public hearing currently scheduled for February 14 before the Judiciary Committee.

The Wayne motion to suspend the rules prevailed with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Judiciary  
Room 1113 1:30 PM

Wednesday, February 14, 2024

LB922 (cancel)

(Signed) Justin Wayne, Chairperson

**MOTION(S) - Suspend Rules**

Senator Linehan offered the following motion to [LB1374](#):

[MO1185](#)

Suspend Rule 3, Sec. 14, to allow less than seven days' notice to schedule LB1374 for hearing on February 14.

The Linehan motion to suspend the rules prevailed with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, February 14, 2024

LB1374

(Signed) Lou Ann Linehan, Chairperson

**COMMITTEE REPORT(S)**

General Affairs

**LEGISLATIVE BILL 685.** Placed on General File with amendment.

[AM2382](#) is available in the Bill Room.

(Signed) John Lowe, Chairperson

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 301.** Introduced by Lowe, 37.

WHEREAS, Nebraska and Taiwan have participated in a sister-state relationship since 1983; and

WHEREAS, Nebraska and Taiwan share the same values of freedom, democracy, rule of law, and respect for human dignity; and

WHEREAS, Nebraska and Taiwan have enjoyed a mutually beneficial bilateral trade relationship with Taiwan ranking as Nebraska's sixth largest export destination in 2021; and

WHEREAS, Taiwan is a major global trading partner for the United States and is a major export market for American agricultural products; and

WHEREAS, negotiations for a fair and reciprocal bilateral trade agreement between Taiwan and the United States are an important step toward further strengthening of bilateral trade and mutual investment between Nebraska and Taiwan; and

WHEREAS, this year marks the forty-fifth anniversary of the Taiwan Relations Act, Public Law 96-8, which built a strong foundation for United States - Taiwan ties and assures the continuation of commercial, cultural, and other relations between the two countries.

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

1. That Nebraska supports Taiwan's vibrant democracy and celebrates the forty-first anniversary of Nebraska's sister-state relationship with Taiwan.

2. That the Legislature acknowledges the rich history of friendship and welcomes strengthening economic and trade relations between Nebraska and Taiwan.

Laid over.

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to [LB1067](#):

[AM2405](#)

1 1. Strike original sections 8 to 12 and insert the following new

2 sections:

3 Sec. 8. Section 77-2004, Revised Statutes Cumulative Supplement,

4 2022, is amended to read:

5 77-2004 (1) In the case of a father, mother, grandfather,

6 grandmother, brother, sister, son, daughter, child or children legally

7 adopted as such in conformity with the laws of the state where adopted,

8 any lineal descendant, any lineal descendant legally adopted as such in

9 conformity with the laws of the state where adopted, any person to whom

10 the deceased for not less than ten years prior to death stood in the

11 acknowledged relation of a parent, or the spouse or surviving spouse of

12 any such persons, the rate of tax shall be:

13 (a) For decedents dying prior to January 1, 2023, one percent of the

14 clear market value of the property received by each person in excess of

15 forty thousand dollars; ~~and~~

16 (b) For decedents dying on or after January 1, 2023, and before

17 January 1, 2025, one percent of the clear market value of the property

18 received by each person in excess of one hundred thousand dollars; ~~and~~ -

19 ~~(c) For decedents dying on or after January 1, 2025, zero percent.~~

20 (2) Any interest in property, including any interest acquired in the  
21 manner set forth in section 77-2002, which may be valued at a sum less  
22 than or equal to the applicable exempt amount under subsection (1) of  
23 this section shall not be subject to tax. In addition the homestead  
24 allowance, exempt property, and family maintenance allowance shall not be  
25 subject to tax. Interests passing to the surviving spouse by will, in the  
26 manner set forth in section 77-2002, or in any other manner shall not be  
27 subject to tax. Any interest passing to a person described in subsection  
1 (1) of this section who is under twenty-two years of age shall not be  
2 subject to tax.

3 Sec. 9. Section 77-2005, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related  
6 to the deceased by blood or legal adoption, or other lineal descendant of  
7 the same, or the spouse or surviving spouse of any of such persons, the  
8 rate of tax shall be:

9 (a) For decedents dying prior to January 1, 2023, thirteen percent  
10 of the clear market value of the property received by each person in  
11 excess of fifteen thousand dollars; ~~and~~

12 (b) For decedents dying on or after January 1, 2023, and before  
13 January 1, 2025, eleven percent of the clear market value of the property  
14 received by each person in excess of forty thousand dollars; ~~and~~ -

15 ~~(c) For decedents dying on or after January 1, 2025, zero percent.~~

16 (2) If the clear market value of the beneficial interest is less  
17 than or equal to the applicable exempt amount under subsection (1) of  
18 this section, it shall not be subject to tax. In addition, any interest  
19 passing to a person described in subsection (1) of this section who is  
20 under twenty-two years of age shall not be subject to tax.

21 Sec. 10. Section 77-2006, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 77-2006 (1) In all other cases the rate of tax shall be:

24 (a) For decedents dying prior to January 1, 2023, eighteen percent  
25 of the clear market value of the beneficial interests received by each  
26 person in excess of ten thousand dollars; ~~and~~

27 (b) For decedents dying on or after January 1, 2023, and before  
28 January 1, 2025, fifteen percent of the clear market value of the  
29 beneficial interests received by each person in excess of twenty-five  
30 thousand dollars; ~~and~~ -

31 ~~(c) For decedents dying on or after January 1, 2025, zero percent.~~

1 (2) If the clear market value of the beneficial interest is less  
2 than or equal to the applicable exempt amount under subsection (1) of  
3 this section, it shall not be subject to any tax. In addition, any  
4 interest passing to a person who is under twenty-two years of age shall  
5 not be subject to tax.

6 Sec. 11. Section 77-2015, Revised Statutes Supplement, 2023, is  
7 amended to read:

8 77-2015 ~~(1)(a) (†)~~ Each petitioner in a proceeding to determine  
9 inheritance tax shall, upon the entry of an order determining inheritance  
10 tax, if any, submit a report regarding inheritance taxes to the county  
11 treasurer of ~~each~~ the county in which the inheritance tax is owed  
12 ~~determination was conducted. If such reported inheritance taxes are~~  
13 ~~changed or amended, the petitioner shall submit an amended report~~  
14 ~~regarding such changed or amended inheritance taxes to the county~~  
15 ~~treasurer of each county in which the inheritance taxes were changed or~~  
16 ~~amended. Such report or amended report shall be required for any decedent~~  
17 ~~dying prior to January 1, 2025. No inheritance tax may be paid or~~  
18 ~~refunded before the report or amended report, if required, is submitted.~~  
19 ~~In the event of noncompliance by the petitioner, the county treasurer or~~  
20 ~~county attorney of the county in which inheritance tax is owed may~~  
21 ~~complete the form in place of the petitioner.~~

22 (b) Until June 30, 2024, ~~the~~ The report or amended report shall be  
23 submitted on a form prescribed by the Department of Revenue and shall



24 include the following information:

25 (i) ~~(a)~~ The amount of inheritance tax revenue generated under  
26 section 77-2004 and the number of persons receiving property that was  
27 subject to tax under section 77-2004 and on which inheritance tax was  
28 assessed;

29 (ii) ~~(b)~~ The amount of inheritance tax revenue generated under  
30 section 77-2005 and the number of persons receiving property that was  
31 subject to tax under section 77-2005 and on which inheritance tax was  
1 assessed;

2 (iii) ~~(c)~~ The amount of inheritance tax revenue generated under  
3 section 77-2006 and the number of persons receiving property that was  
4 subject to tax under section 77-2006 and on which inheritance tax was  
5 assessed; and

6 (iv) ~~(d)~~ The number of persons who do not reside in this state and  
7 who received any property that was subject to tax under section 77-2004,  
8 77-2005, or 77-2006 and on which inheritance tax was assessed.

9 (c) ~~Beginning July 1, 2024, the report or amended report shall be~~  
10 ~~submitted on a form prescribed by the Department of Revenue and shall~~  
11 ~~include the following information:~~

12 (i) ~~The amount of inheritance tax paid under section 77-2004 and the~~  
13 ~~number of persons receiving property that was subject to tax under~~  
14 ~~section 77-2004 and on which inheritance tax was assessed;~~

15 (ii) ~~The amount of inheritance tax paid under section 77-2005 and~~  
16 ~~the number of persons receiving property that was subject to tax under~~  
17 ~~section 77-2005 and on which inheritance tax was assessed;~~

18 (iii) ~~The amount of inheritance tax paid under section 77-2006 and~~  
19 ~~the number of persons receiving property that was subject to tax under~~  
20 ~~section 77-2006 and on which inheritance tax was assessed; and~~

21 (iv) ~~The number of persons who do not reside in this state and who~~  
22 ~~received any property that was subject to tax under section 77-2004,~~  
23 ~~77-2005, or 77-2006 and on which inheritance tax was assessed.~~

24 (2)(a) ~~(2)~~ The county treasurer of each county shall compile and  
25 submit a report regarding inheritance taxes generated from January 1,  
26 2023, through June 30, 2023, to the Department of Revenue on or before  
27 August 1, 2023. ~~The Beginning July 1, 2023, the county treasurer of each~~

28 ~~county shall compile and submit a report regarding annual inheritance~~  
29 ~~taxes generated from July 1, 2023, of each year through June 30, 2024 of~~  
30 ~~the next year, to the Department of Revenue on or before August 1, 2024.~~

31 ~~Beginning July 1, 2024, the county treasurer of each county shall compile~~  
1 ~~and submit a report regarding annual inheritance taxes paid from July 1~~  
2 ~~of each year through June 30 of the next year, to the Department of~~

3 ~~Revenue on or before August 1, 2025, and on or before August 1 of each~~  
4 ~~year thereafter through the year 2026.~~

5 (b) ~~Until June 30, 2024, the~~ ~~The~~ reports shall be submitted on a  
6 form prescribed by the Department of Revenue and shall include the  
7 following information:

8 (i) ~~(a)~~ The amount of inheritance tax revenue generated under  
9 section 77-2004 and the number of persons receiving property that was  
10 subject to tax under section 77-2004 and on which inheritance tax was  
11 assessed;

12 (ii) ~~(b)~~ The amount of inheritance tax revenue generated under  
13 section 77-2005 and the number of persons receiving property that was  
14 subject to tax under section 77-2005 and on which inheritance tax was  
15 assessed;

16 (iii) ~~(c)~~ The amount of inheritance tax revenue generated under  
17 section 77-2006 and the number of persons receiving property that was  
18 subject to tax under section 77-2006 and on which inheritance tax was  
19 assessed; and

20 (iv) ~~(d)~~ The number of persons who do not reside in this state and  
21 who received any property that was subject to tax under section 77-2004,  
22 77-2005, or 77-2006 and on which inheritance tax was assessed.

23 (c) ~~Beginning July 1, 2024, the reports shall be submitted on a form~~  
24 ~~prescribed by the Department of Revenue and shall include the following~~  
25 ~~information:~~

26 (i) The amount of inheritance tax paid under section 77-2004 and the  
 27 number of persons receiving property that was subject to tax under  
 28 section 77-2004 and on which inheritance tax was assessed;  
 29 (ii) The amount of inheritance tax paid under section 77-2005 and  
 30 the number of persons receiving property that was subject to tax under  
 31 section 77-2005 and on which inheritance tax was assessed;  
 1 (iii) The amount of inheritance tax paid under section 77-2006 and  
 2 the number of persons receiving property that was subject to tax under  
 3 section 77-2006 and on which inheritance tax was assessed; and  
 4 (iv) The number of persons who do not reside in this state and who  
 5 received any property that was subject to tax under section 77-2004,  
 6 77-2005, or 77-2006 and on which inheritance tax was assessed.  
 7 (3) On or before September 1, 2023, and on or before September 1 of  
 8 each year thereafter through the year 2026, the Department of Revenue  
 9 shall compile and aggregate such treasurer reports received from each  
 10 county and make each county report and a statewide aggregate of such  
 11 county reports available to the public on the Department of Revenue's  
 12 website.  
 13 2. Renumber the remaining sections and correct the repealer  
 14 accordingly.

### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Bosn name added to LB832.  
 Senator M. Cavanaugh name added to LB857.  
 Senator DeBoer name added to LB933.  
 Senator Dungan name added to LB1047.  
 Senator Hardin name added to LB1178.

### **VISITOR(S)**

Visitors to the Chamber were Julie Jacobson, North Platte; students from Oakdale Elementary, Omaha; students from Westbrook Elementary, Omaha; students, teachers, and sponsors from Lincoln High School, Lincoln.

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

### **ADJOURNMENT**

At 11:58 a.m., on a motion by Senator Linehan, the Legislature adjourned until 10:00 a.m., Monday, February 12, 2024.

Brandon Metzler  
 Clerk of the Legislature

**TWENTY-SIXTH DAY - FEBRUARY 12, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, February 12, 2024

**PRAYER**

The prayer was offered by Eddie Goff, New Hope Baptist Church, Hastings.

**PRESENTATION OF COLORS**

In recognition of the 215th anniversary of the birth of Abraham Lincoln, born February 12, 1809, the Colors are being posted by the Nebraska Department of the Sons of Union Veterans of the Civil War.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Sanders.

**ROLL CALL**

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

The roll was called and all members were present except Senator Raybould who was excused; and Senators Bostar, Conrad, Day, Hunt, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-fifth day was approved.

**COMMITTEE REPORT(S)**

Banking, Commerce and Insurance

**LEGISLATIVE BILL 852.** Placed on General File with amendment.

[AM2355](#)

- 1 I. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 44-3601, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:

5 44-3601 Sections 44-3601 to 44-3610 and sections 3 to 5 of this act  
 6 shall be known and may be cited as the Medicare Supplement Insurance  
 7 Minimum Standards Act.

8 Sec. 2. Section 44-3602, Reissue Revised Statutes of Nebraska, is  
 9 amended to read:

10 44-3602 For purposes of the Medicare Supplement Insurance Minimum  
 11 Standards Act:

12 (1) Applicant shall mean:

13 (a) In the case of an individual medicare supplement policy, the  
 14 person who seeks to contract for insurance benefits; and

15 (b) In the case of a group medicare supplement policy, the proposed  
 16 certificate holder;

17 (2) Certificate shall mean any certificate delivered or issued for  
 18 delivery in this state under a group medicare supplement policy;

19 (3) Certificate form shall mean the form on which the certificate is  
 20 delivered or issued for delivery by the issuer;

21 (4) Director shall mean the Director of Insurance;

22 (5) Issuer shall include insurance companies, fraternal benefit  
 23 societies, health care service plans, health maintenance organizations,  
 24 and any other entities delivering or issuing for delivery in this state  
 25 medicare supplement policies or certificates;

26 (6) Medicare shall mean the Health Insurance for the Aged Act, Title  
 27 XVIII of the Social Security Amendments of 1965, as then constituted or  
 1 later amended;

2 (7) Medicare-approved amount shall mean the current payment rate  
 3 listed in the applicable fee schedule established by the federal Centers  
 4 for Medicare and Medicaid Services;

5 (8) (7) Medicare supplement policy shall mean a group or individual  
 6 policy of sickness and accident insurance or a subscriber contract of  
 7 health maintenance organizations, other than a policy issued pursuant to  
 8 a contract under section 1876 of the federal Social Security Act, 42  
 9 U.S.C. 1395 et seq., or an issued policy under a demonstration project  
 10 specified in 42 U.S.C. 1395ss(g)(1), which is advertised, marketed, or  
 11 designed primarily as a supplement to reimbursements under medicare for  
 12 the hospital, medical, or surgical expenses of persons eligible for  
 13 medicare; ~~and~~

14 (9) (8) Policy form shall mean the form on which the policy is  
 15 delivered or issued for delivery by the issuer; and -

16 (10) Supplier shall have the same meaning as defined in 42 C.F.R.  
 17 400.202, including an entity or individual that sells or rents Medicare  
 18 Part B covered durable medical equipment, prosthetics, orthotics, and  
 19 supplies to medicare beneficiaries.

20 Sec. 3. A supplier that is a nonparticipating supplier in the  
 21 medicare program and who does not accept medicare assignment shall not  
 22 charge a Nebraska medicare beneficiary an amount greater than one hundred  
 23 fifteen percent of the medicare-approved amount for durable medical  
 24 equipment, prosthetics, orthotics, and supplies. Nothing in this section  
 25 shall prohibit a supplier from charging a deductible or coinsurance  
 26 amount as required by medicare.

27 Sec. 4. An issuer of a medicare supplement policy or certificate  
 28 shall not be required to reimburse a supplier in an amount greater than  
 29 the amount provided in section 3 of this act. Nothing in this section  
 30 shall be construed to prevent an issuer from negotiating the level and  
 31 type of reimbursement with a supplier for covered durable medical  
 1 equipment, prosthetics, orthotics, or supplies.

2 Sec. 5. (1) An issuer that makes a medicare supplement policy or  
 3 certificate available to an individual who is sixty-five years of age and  
 4 eligible for medicare benefits as described in 42 U.S.C. 1395c(1), as  
 5 such section existed on January 1, 2024, shall make at least one medicare  
 6 supplement policy or certificate that meets the requirements of the

7 Medicare Supplement Insurance Minimum Standards Act available to an  
 8 individual who is under sixty-five years of age and eligible for and  
 9 enrolled in medicare by reason of disability as described in 42 U.S.C.  
 10 1395c(2), as such section existed on January 1, 2024.  
 11 (2) Premium rates for medicare supplement insurance policies or  
 12 certificates may differ between an individual who qualifies for medicare  
 13 who is sixty-five years of age or older and an individual who qualifies  
 14 for medicare by reason of disability and who is under sixty-five years of  
 15 age. Such differences in premiums shall not be excessive, inadequate, or  
 16 unfairly discriminatory and shall be based on sound actuarial principles  
 17 and be reasonable in relation to the benefits provided. The premium for  
 18 an individual who is under sixty-five years of age shall not exceed one  
 19 hundred fifty percent of the premium for a similarly situated individual  
 20 who is sixty-five years of age.  
 21 (3) An individual who is under sixty-five years of age and is  
 22 eligible for a medicare supplement policy or certificate by reason of  
 23 disability as described in subsection (1) of this section shall be  
 24 subject to the same open enrollment rules applicable to an individual who  
 25 is sixty-five years of age and eligible for a medicare supplement policy  
 26 or certificate as described in subsection (1) of this section beginning  
 27 on the first day of the first month that the individual turns sixty-five  
 28 years of age.  
 29 Sec. 6. Section 5 of this act becomes operative on January 1, 2025.  
 30 The other sections of this act become operative on their effective date.  
 31 Sec. 7. Original sections 44-3601 and 44-3602, Reissue Revised  
 1 Statutes of Nebraska, are repealed.

(Signed) Julie Slama, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
 Natural Resources  
 Room 1525 1:30 PM

Wednesday, February 21, 2024  
 Roger Helgoth - Nebraska Environmental Trust Board

(Signed) Bruce Bostelman, Chairperson

**COMMITTEE REPORT(S)**  
 Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Tracy Zink - Nebraska Ethanol Board  
 Jan K. tenBensel - Nebraska Ethanol Board

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

William F. Austin - Nebraska Power Review Board  
David Liegl - Nebraska Power Review Board

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

Business and Labor

The Business and Labor Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Dallas Jones - Commission of Industrial Relations

Aye: 6. Blood, Halloran, Hansen, Hunt, Ibach, Riepe. Nay: 0. Absent: 0. Present and not voting: 1. McKinney.

(Signed) Merv Riepe, Chairperson

### COMMUNICATION

Received communication to President Kelly, Speaker Arch, and Members of the Legislature from Vicki Kramer, Director, Department of Transportation, regarding the appointment of the following to the Aeronautics Division Director of the Nebraska Department of Transportation:

Jeremy S. Borrell

### AMENDMENT(S) - Print in Journal

Senator Fredrickson filed the following amendment to [LB932](#):

#### [AM2401](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 38-130, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 38-130 (1) An individual shall file an application for a credential
- 6 to practice a profession with the department accompanied by the fee set
- 7 pursuant to the Uniform Credentialing Act. The application may be
- 8 submitted up to ninety days prior to the date of the applicant's
- 9 graduation from the required course of study and shall contain:
- 10 (a) The legal name of the applicant;
- 11 (b) The date and place of birth of the applicant;
- 12 (c) The address of the applicant;
- 13 (d) The social security number of the applicant or the resident
- 14 identification number of the applicant if the applicant is not a citizen
- 15 of the United States and is otherwise eligible to be credentialed under
- 16 section 38-129; and
- 17 (e) Any other information required by the department.

18 (2) A business shall file an application for a credential with the  
19 department accompanied by the fee set pursuant to the Uniform  
20 Credentialing Act. The application shall contain:  
21 (a) The full name and address of the business;  
22 (b) The full name and address of the owner of the business;  
23 (c) The name of each person in control of the business;  
24 (d) The social security number of the business if the applicant is a  
25 sole proprietorship; and  
26 (e) Any other information required by the department.  
27 (3) The applicant shall sign the application. If the applicant is a  
1 business, the application shall be signed by:  
2 (a) The owner or owners if the applicant is a sole proprietorship, a  
3 partnership, or a limited liability company that has only one member;  
4 (b) Two of its members if the applicant is a limited liability  
5 company that has more than one member;  
6 (c) Two of its officers if the applicant is a corporation;  
7 (d) The head of the governmental unit having jurisdiction over the  
8 business if the applicant is a governmental unit; or  
9 (e) If the applicant is not an entity described in subdivisions (a)  
10 through (d) of this subsection, the owner or owners or, if there is no  
11 owner, the chief executive officer or comparable official.  
12 (4) Each credential holder under the Uniform Credentialing Act shall  
13 notify the department of any change to the address of record so that the  
14 department can update the record of the credential holder under section  
15 38-123.  
16 (5) Social security numbers obtained under this section shall not be  
17 public information but may be shared by the department for administrative  
18 purposes if necessary and only under appropriate circumstances to ensure  
19 against any unauthorized access to such information.  
20 Sec. 2. Original section 38-130, Reissue Revised Statutes of  
21 Nebraska, is repealed.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 291, 292, 293, 294, 295, 296, and 297 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 291, 292, 293, 294, 295, 296, and 297.

**MOTION(S) - Confirmation Report(s)**

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 626:

State Highway Commission  
Greg Wolford

Voting in the affirmative, 34:

Aguilar	Bostelman	DeKay	Ibach	Moser
Albrecht	Brandt	Dorn	Kauth	Murman
Arch	Cavanaugh, J.	Dungan	Linehan	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Hansen	Lowe	Slama
Blood	Day	Holdcroft	McDonnell	von Gillern
Bosn	DeBoer	Hughes	Meyer	

Voting in the negative, 0.

Present and not voting, 10:

Brewer	Dover	Hardin	McKinney	Walz
Clements	Erdman	Jacobson	Vargas	Wayne

Excused and not voting, 5:

Bostar	Halloran	Hunt	Raybould	Wishart
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The appointment was confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 626:

State Highway Commission  
James Kindig

Voting in the affirmative, 37:

Aguilar	Brandt	Dover	Jacobson	Riepe
Albrecht	Brewer	Dungan	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linehan	Slama
Armendariz	Cavanaugh, M.	Hansen	Lippincott	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	DeBoer	Holdercroft	Meyer	
Bosn	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 7:

Clements	Erdman	McKinney	Wayne
Day	Lowe	Vargas	

Excused and not voting, 5:



Bostar Halloran Hunt Raybould Wishart

The appointment was confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 626:

State Highway Commission  
David Cople

Voting in the affirmative, 30:

Aguilar	Bosn	DeKay	Kauth	Moser
Albrecht	Bostelman	Dorn	Linehan	Murman
Arch	Brandt	Dover	Lippincott	Sanders
Armendariz	Cavanaugh, J.	Fredrickson	Lowe	Slama
Ballard	Cavanaugh, M.	Hardin	McDonnell	von Gillern
Blood	DeBoer	Jacobson	Meyer	Walz

Voting in the negative, 0.

Present and not voting, 13:

Brewer	Day	Holdcroft	McKinney	Wayne
Clements	Dungan	Hughes	Riepe	
Conrad	Erdman	Ibach	Vargas	

Excused and not voting, 6:

Bostar	Hansen	Raybould
Halloran	Hunt	Wishart

The appointment was confirmed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 627:

State Highway Commission  
Richard W. Meginnis

Voting in the affirmative, 32:

Aguilar	Brandt	Dorn	Lippincott	Slama
Albrecht	Cavanaugh, J.	Dover	Lowe	Vargas
Arch	Cavanaugh, M.	Fredrickson	McDonnell	von Gillern
Armendariz	Clements	Hardin	Meyer	Walz
Ballard	Conrad	Jacobson	Moser	
Bosn	DeBoer	Kauth	Murman	
Bostelman	DeKay	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 11:

Blood	Dungan	Hughes	Riepe
Brewer	Erdman	Ibach	Wayne
Day	Holdcroft	McKinney	

Excused and not voting, 6:

Bostar	Hansen	Raybould
Halloran	Hunt	Wishart

The appointment was confirmed with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 627:

State Highway Commission  
Heath Mello

Voting in the affirmative, 29:

Aguilar	Cavanaugh, J.	Dover	Lippincott	Sanders
Arch	Cavanaugh, M.	Dungan	Lowe	Slama
Ballard	Clements	Fredrickson	McDonnell	Vargas
Bosn	Conrad	Hardin	Meyer	von Gillern
Bostelman	DeBoer	Jacobson	Moser	Walz
Brandt	Dorn	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 14:

Albrecht	Brewer	Erdman	Ibach	Riepe
Armendariz	Day	Holdcroft	Linehan	Wayne
Blood	DeKay	Hughes	McKinney	

Excused and not voting, 6:

Bostar           Hansen           Raybould  
Halloran        Hunt              Wishart

The appointment was confirmed with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

#### GENERAL FILE

**LEGISLATIVE BILL 685.** Title read. Considered.

The Briese amendment, [AM242](#), found on page 479, First Session, 2023, was not considered.

Committee [AM2382](#), found on page 654, was offered.

The committee amendment was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

Senator Lowe withdrew [AM2035](#), found on page 352.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

#### BILL ON FIRST READING

The following bill was read for the first time by title:

**LEGISLATIVE BILL 829A.** Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 829, One Hundred Eighth Legislature, Second Session, 2024.

#### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 605.** Placed on Select File with amendment.

##### [ER55](#)

- 1 1. On page 1, line 3, strike "and sections 38-121," and insert
- 2 "sections"; and in line 5 after "2022" insert ", and section 38-121,
- 3 Revised Statutes Supplement, 2023".
- 4 2. On page 18, line 23, strike "and sections 38-121," and insert
- 5 "sections"; and in line 25 after the second comma insert "and section
- 6 38-121, Revised Statutes Supplement, 2023,".

**LEGISLATIVE BILL 303.** Placed on Select File.

**LEGISLATIVE BILL 317.** Placed on Select File.

**LEGISLATIVE BILL 235.** Placed on Select File with amendment.

##### [ER57](#)

1 1. Strike original section 1 and insert the following new section:  
 2 Section 1. Section 77-6801, Revised Statutes Supplement, 2023, is  
 3 amended to read:  
 4 77-6801 Sections 77-6801 to 77-6846 and section 3 of this act shall  
 5 be known and may be cited as the ImagiNE Nebraska Act.  
 6 2. On page 1, line 2, strike "77-6801,"; and in line 3 after "2022"  
 7 insert ", and section 77-6801, Revised Statutes Supplement, 2023".  
 8 3. On page 21, line 31, strike "77-6801,".  
 9 4. On page 22, line 1, after "2022" insert ", and section 77-6801,  
 10 Revised Statutes Supplement, 2023".

**LEGISLATIVE BILL 190.** Placed on Select File.

**LEGISLATIVE BILL 358.** Placed on Select File with amendment.

[ER54](#)

1 1. Strike original section 1 and insert the following new section:  
 2 68-901, attached as marked.  
 3 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-901 Sections 68-901 to 68-9,104 and section 2 of this act shall  
 6 be known and may be cited as the Medical Assistance Act.  
 7 2. On page 1, line 2, strike "Revised Statutes Cumulative  
 8 Supplement, 2022" and insert "Revised Statutes Supplement, 2023".  
 9 3. On page 2, line 8, strike "Cumulative"; and in line 9 strike  
 10 "2022" and insert "2023".

**LEGISLATIVE BILL 130.** Placed on Select File with amendment.

[ER53](#)

1 1. On page 1, strike beginning with "Department" in line 1 through  
 2 line 2 and insert "Medical Assistance Act; to amend section 68-949,  
 3 Reissue Revised Statutes of Nebraska; to state intent regarding medicaid  
 4 nursing facility rates; to provide for reports; and to repeal the  
 5 original section.".

**LEGISLATIVE BILL 204.** Placed on Select File with amendment.

[ER56](#)

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-901 Sections 68-901 to 68-9,104 and section 2 of this act shall  
 6 be known and may be cited as the Medical Assistance Act.  
 7 Sec. 2. (1)(a) Beginning with fiscal year 2024-25, contingent upon  
 8 implementation of the contractual agreements with medicaid managed care  
 9 organizations as described in subsection (2) of this section, the  
 10 department shall establish a fee-for-service pharmacy dispensing fee  
 11 reimbursement of ten dollars and thirty-eight cents per prescription for  
 12 any independent pharmacy until a cost-of-dispensing survey is completed.  
 13 The actual dispensing fee shall be determined by a cost-of-dispensing  
 14 survey administered by the department and completed by all medical  
 15 assistance program participating independent pharmacies every two years.  
 16 The change in the dispensing fee shall become effective following federal  
 17 approval of the medicaid state plan.  
 18 (b) For purposes of this section, independent pharmacy means any  
 19 pharmacy as defined in section 71-425 that owns six or fewer pharmacies.  
 20 (2) The department shall amend all medicaid managed care  
 21 organization contracts to authorize establishment of a managed care

22 pharmacy dispensing fee reimbursement in accordance with the established  
 23 fee-for-service pharmacy dispensing fee reimbursement per prescription  
 24 for independent pharmacies pursuant to subsection (1) of this section.  
 25 (3) Any dispensing fee cost information submitted to the department  
 26 as part of the cost-of-dispensing survey described in subsection (1) of  
 27 this section that specifically identifies individual costs of a pharmacy  
 1 or provider shall remain confidential.  
 2 (4) No later than December 15, 2024, the department shall  
 3 electronically submit a report to the Clerk of the Legislature providing  
 4 recommendations for adjusting pharmacy dispensing fees between completion  
 5 of surveys to ensure fair and adequate reimbursement for independent  
 6 pharmacies.  
 7 Sec. 3. Original section 68-901, Revised Statutes Supplement, 2023,  
 8 is repealed.  
 9 2. On page 1, line 2, strike "Cumulative Supplement, 2022" and  
 10 insert "Supplement, 2023".

(Signed) Beau Ballard, Chairperson

Health and Human Services

**LEGISLATIVE BILL 233.** Placed on General File with amendment.

[AM2064](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 43-512, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 43-512 (1) Any dependent child as defined in section 43-504 or any  
 6 relative or eligible caretaker of such a dependent child may file with  
 7 the Department of Health and Human Services a written application for  
 8 financial assistance for such child on forms furnished by the department.  
 9 (2) The department, through its agents and employees, shall make  
 10 such investigation pursuant to the application as it deems necessary or  
 11 as may be required by the county attorney or authorized attorney. If the  
 12 investigation or the application for financial assistance discloses that  
 13 such child has a parent or stepparent who is able to contribute to the  
 14 support of such child and has failed to do so, a copy of the finding of  
 15 such investigation and a copy of the application shall immediately be  
 16 filed with the county attorney or authorized attorney.  
 17 (3) The department shall make a finding as to whether the  
 18 application referred to in subsection (1) of this section should be  
 19 allowed or denied. If the department finds that the application should be  
 20 allowed, the department shall further find the amount of monthly  
 21 assistance which should be paid with reference to such dependent child.  
 22 Except as may be otherwise provided, payments shall be made by unit size  
 23 and shall be consistent with subdivisions (1)(p), (1)(q), (1)(t), and (1)  
 24 (u), and (1)(v) of section 68-1713. Beginning on August 30, 2015, the  
 25 maximum payment level for monthly assistance shall be fifty-five percent  
 26 of the standard of need described in section 43-513.  
 27 No payments shall be made for amounts totaling less than ten dollars  
 1 per month except in the recovery of overpayments.  
 2 (4) The amount which shall be paid as assistance with respect to a  
 3 dependent child shall be based in each case upon the conditions disclosed  
 4 by the investigation made by the department. An appeal shall lie from the  
 5 finding made in each case to the chief executive officer of the  
 6 department or his or her designated representative. Such appeal may be  
 7 taken by any taxpayer or by any relative of such child. Proceedings for  
 8 and upon appeal shall be conducted in the same manner as provided for in  
 9 section 68-1016.  
 10 (5)(a) For the purpose of preventing dependency, the department  
 11 shall adopt and promulgate rules and regulations providing for services

12 to former and potential recipients of aid to dependent children and  
13 medical assistance benefits. The department shall adopt and promulgate  
14 rules and regulations establishing programs and cooperating with programs  
15 of work incentive, work experience, job training, and education. The  
16 provisions of this section with regard to determination of need, amount  
17 of payment, maximum payment, and method of payment shall not be  
18 applicable to families or children included in such programs. Income and  
19 assets described in section 68-1201 shall not be included in  
20 determination of need under this section.

21 (b) If a recipient of aid to dependent children becomes ineligible  
22 for aid to dependent children as a result of increased hours of  
23 employment or increased income from employment after having participated  
24 in any of the programs established pursuant to subdivision (a) of this  
25 subsection, the recipient may be eligible for the following benefits, as  
26 provided in rules and regulations of the department in accordance with  
27 sections 402, 417, and 1925 of the federal Social Security Act, as  
28 amended, Public Law 100-485, in order to help the family during the  
29 transition from public assistance to independence:

30 (i) An ongoing transitional payment that is intended to meet the  
31 family's ongoing basic needs which may include food, clothing, shelter,  
1 utilities, household goods, personal care items, and general incidental  
2 expenses during the five months following the time the family becomes  
3 ineligible for assistance under the aid to dependent children program, if  
4 the family's earned income is at or below one hundred eighty-five percent  
5 of the federal poverty level at the time the family becomes ineligible  
6 for the aid to dependent children program. Payments shall be made in five  
7 monthly payments, each equal to one-fifth of the aid to dependent  
8 children payment standard for the family's size at the time the family  
9 becomes ineligible for the aid to dependent children program. If during  
10 the five-month period, (A) the family's earnings exceed one hundred  
11 eighty-five percent of the federal poverty level, (B) the family members  
12 are no longer working, (C) the family ceases to be Nebraska residents,  
13 (D) there is no longer a minor child in the family's household, or (E)  
14 the family again becomes eligible for the aid to dependent children  
15 program, the family shall become ineligible for any remaining  
16 transitional benefits under this subdivision;

17 (ii) Child care as provided in subdivision (1)(c) of section  
18 68-1724; and

19 (iii) Except as may be provided in accordance with subsection (2) of  
20 section 68-1713 and subdivision (1)(c) of section 68-1724, medical  
21 assistance for up to twelve months after the month the recipient becomes  
22 employed and is no longer eligible for aid to dependent children.

23 (6) For purposes of sections 43-512 to 43-512.18:

24 (a) Authorized attorney shall mean an attorney, employed by the  
25 county subject to the approval of the county board, employed by the  
26 department, or appointed by the court, who is authorized to investigate  
27 and prosecute child, spousal, and medical support cases. An authorized  
28 attorney shall represent the state as provided in section 43-512.03;

29 (b) Child support shall be defined as provided in section 43-1705;

30 (c) Medical support shall include all expenses associated with the  
31 birth of a child, cash medical support as defined in section 42-369,  
1 health care coverage as defined in section 44-3,144, and medical and  
2 hospital insurance coverage or membership in a health maintenance  
3 organization or preferred provider organization;

4 (d) Spousal support shall be defined as provided in section 43-1715;

5 (e) State Disbursement Unit shall be defined as provided in section  
6 43-3341; and

7 (f) Support shall be defined as provided in section 43-3313.

8 Sec. 2. Section 43-512.07, Reissue Revised Statutes of Nebraska, is  
9 amended to read:

10 43-512.07 (1) Any action, payment, aid, or assistance listed in this  
11 subsection shall constitute an assignment by operation of law to the  
12 Department of Health and Human Services of any right to spousal or  
13 medical support, when ordered by the court, and to child support, whether

14 or not ordered by the court, which a person may have in his or her own  
15 behalf or on behalf of any other person for whom such person receives  
16 such payments, aid, or assistance:

17 (a) Application for and acceptance of one or more aid to dependent  
18 children payments by a parent, another relative, or a custodian;

19 (b) Receipt of aid by or on behalf of any dependent child as defined  
20 in section 43-504; or

21 (c) Receipt of aid from child welfare funds.

22 The assignment under this section is the right to support payments  
23 that become due while the person is receiving payments, aid, or  
24 assistance listed in this subsection. The department shall be entitled to  
25 retain such child, spousal, or other support up to the amount of  
26 payments, aid, or assistance provided to a recipient. For purposes of  
27 this section, the right to receive child support shall belong to the  
28 child and the assignment shall be effective as to any such support even  
29 if the recipient of the payments, aid, or assistance is not the same as  
30 the payee of court-ordered support.

31 (2) After notification of the State Disbursement Unit receiving the  
1 child, spousal, or other support payments made pursuant to a court order  
2 that the person for whom such support is ordered is a recipient of  
3 payments, aid, or assistance listed in subsection (1) of this section,  
4 the department shall also give notice to the payee named in the court  
5 order at his or her last-known address.

6 (3) Upon written or other notification from the department or from  
7 another state of such assignment of child, spousal, or other support  
8 payments, the State Disbursement Unit shall transmit the support payments  
9 received to the department or the other state without the requirement of  
10 a subsequent order by the court. The State Disbursement Unit shall  
11 continue to transmit the support payments for as long as the payments,  
12 aid, or assistance listed in subsection (1) of this section continues.

13 (4) Any court-ordered child, spousal, or other support remaining  
14 unpaid for the months during which such payments, aid, or assistance was  
15 made shall constitute a debt and a continuing assignment at the  
16 termination of payments, aid, or assistance listed in subsection (1) of  
17 this section, collectible by the department or other state as  
18 reimbursement for such payments, aid, or assistance. The continuing  
19 assignment shall only apply to support payments made during a calendar  
20 period which exceed the specific amount of support ordered for that  
21 period. When payments, aid, or assistance listed in subsection (1) of  
22 this section have ceased and upon notice by the department or the other  
23 state, the State Disbursement Unit shall continue to transmit to the  
24 department or the other state any support payments received in excess of  
25 the amount of support ordered for that specific calendar period until  
26 notified by the department or the other state that the debt has been paid  
27 in full.

28 (5) Beginning January 1, 2025, the department shall pay to the  
29 recipient of any payments, aid, or assistance listed in subdivision (1)  
30 (a) of this section, the current child support collected pursuant to the  
31 assignment. Such payments shall not be considered income for purposes of  
1 calculating a recipient's eligibility for assistance. The department  
2 shall disregard the amount of child support paid to the recipient in  
3 calculating the amount of the recipient's monthly assistance payment.

4 Sec. 3, Section 68-1201, Revised Statutes Cumulative Supplement,  
5 2022, is amended to read:

6 68-1201 (1) In determining eligibility for the program for aid to  
7 dependent children pursuant to section 43-512 as administered by the  
8 State of Nebraska pursuant to the federal Temporary Assistance for Needy  
9 Families program, 42 U.S.C. 601 et seq., for the low-income home energy  
10 assistance program administered by the State of Nebraska pursuant to the  
11 federal Energy Policy Act of 2005, 42 U.S.C. 8621 to 8630, for the  
12 Supplemental Nutrition Assistance Program administered by the State of  
13 Nebraska pursuant to the federal Food and Nutrition Act of 2008, 7 U.S.C.  
14 2011 et seq., and for the child care subsidy program established pursuant  
15 to section 68-1202, the following shall not be included in determining

16 assets or income:

17 (a) (1) Assets in or income from an educational savings account, a  
18 Coverdell educational savings account described in 26 U.S.C. 530, a  
19 qualified tuition program established pursuant to 26 U.S.C. 529, or any  
20 similar savings account or plan established to save for qualified higher  
21 education expenses as defined in section 85-1802;

22 (b) (2) Income from scholarships or grants related to postsecondary  
23 education, whether merit-based, need-based, or a combination thereof;  
24 (c) (3) Income from postsecondary educational work-study programs,  
25 whether federally funded, funded by a postsecondary educational  
26 institution, or funded from any other source;

27 (d) (4) Assets in or income from an account under a qualified  
28 program as provided in section 77-1402;

29 (e) (5) Income received for participation in grant-funded research  
30 on the impact that income has on the development of children in low-  
31 income families, except that such exclusion of income must not exceed  
1 four thousand dollars per year for a maximum of eight years and such  
2 exclusion shall only be made if the exclusion is permissible under  
3 federal law for each program referenced in this section. No such  
4 exclusion shall be made for such income on or after December 31, 2026;  
5 and

6 (f) (6) Income from any tax credits received pursuant to the School  
7 Readiness Tax Credit Act.

8 (2) In determining eligibility for the program for aid to dependent  
9 children pursuant to section 43-512 as administered by the State of  
10 Nebraska pursuant to the federal Temporary Assistance for Needy Families  
11 program, 42 U.S.C. 601 et seq., income from child support as described in  
12 section 43-512.07 shall not be included in determining assets or income.  
13 Sec. 4. Section 68-1713, Reissue Revised Statutes of Nebraska, is  
14 amended to read:

15 68-1713 (1) The Department of Health and Human Services shall  
16 implement the following policies:

17 (a) Permit Work Experience in Private for-Profit Enterprises;

18 (b) Permit Job Search;

19 (c) Permit Employment to be Considered a Program Component;

20 (d) Make Sanctions More Stringent to Emphasize Participant  
21 Obligations;

22 (e) Alternative Hearing Process;

23 (f) Permit Adults in Two-Parent Households to Participate in

24 Activities Based on Their Self-Sufficiency Needs;

25 (g) Eliminate Exemptions for Individuals with Children Between the  
26 Ages of 12 Weeks and Age Six;

27 (h) Providing Poor Working Families with Transitional Child Care to  
28 Ease the Transition from Welfare to Self-Sufficiency;

29 (i) Provide Transitional Health Care for 12 Months After Termination  
30 of ADC if funding for such transitional medical assistance is available  
31 under Title XIX of the federal Social Security Act, as amended, as  
1 described in section 68-906;

2 (j) Require Adults to Ensure that Children in the Family Unit Attend  
3 School;

4 (k) Encourage Minor Parents to Live with Their Parents;

5 (l) Establish a Resource Limit of \$4,000 for a single individual and  
6 \$6,000 for two or more individuals for ADC;

7 (m) Exclude the Value of One Vehicle Per Family When Determining ADC  
8 Eligibility;

9 (n) Exclude the Cash Value of Life Insurance Policies in Calculating  
10 Resources for ADC;

11 (o) Establish the Supplemental Nutrition Assistance Program as a  
12 Continuous Benefit with Eligibility Reevaluated with Yearly  
13 Redeterminations;

14 (p) Establish a Budget the Gap Methodology Whereby Countable Earned  
15 Income is Subtracted from the Standard of the Need and Payment is Based  
16 on the Difference or Maximum Payment Level, Whichever is Less. That this  
17 Gap be Established at a Level that Encourages Work but at Least at a



18 Level that Ensures that Those Currently Eligible for ADC do not Lose  
 19 Eligibility Because of the Adoption of this Methodology;  
 20 (q) Adopt an Earned Income Disregard described in section 68-1726 in  
 21 the ADC Program, One Hundred Dollars in the Related Medical Assistance  
 22 Program, and Income and Assets Described in section 68-1201;  
 23 (r) Disregard Financial Assistance Described in section 68-1201 and  
 24 Other Financial Assistance Intended for Books, Tuition, or Other Self-  
 25 Sufficiency Related Use;  
 26 (s) Culture: Eliminate the 100-Hour Rule, The Quarter of Work  
 27 Requirement, and The 30-Day Unemployed/Underemployed Period for ADC-UP  
 28 Eligibility;  
 29 (t) Make ADC a Time-Limited Program;~~and~~  
 30 (u) Adopt an Unearned Income Disregard described in section 68-1201  
 31 in the ADC Program, the Supplemental Nutrition Assistance Program, and  
 1 the Child Care Subsidy Program established pursuant to section 68-1202;  
 2 ~~and~~ -  
 3 (v) Adopt a child support disregard described pursuant to section  
 4 43-512.07.  
 5 (2) The Department of Health and Human Services shall (a) apply for  
 6 a waiver to allow for a sliding-fee schedule for the population served by  
 7 the caretaker relative program or (b) pursue other public or private  
 8 mechanisms, to provide for transitional health care benefits to  
 9 individuals and families who do not qualify for cash assistance. It is  
 10 the intent of the Legislature that transitional health care coverage be  
 11 made available on a sliding-scale basis to individuals and families with  
 12 incomes up to one hundred eighty-five percent of the federal poverty  
 13 level if other health care coverage is not available.  
 14 Sec. 5. Original sections 43-512, 43-512.07, and 68-1713, Reissue  
 15 Revised Statutes of Nebraska, and section 68-1201, Revised Statutes  
 16 Cumulative Supplement, 2022, are repealed.

(Signed) Ben Hansen, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator McDonnell filed the following amendment to [LB686](#):  
[AM2285](#) is available in the Bill Room.

#### NOTICE OF COMMITTEE HEARING(S) Nebraska Retirement Systems Room 1525 12:00 PM

Tuesday, February 20, 2024  
 AM2285 Amending LB686

(Signed) Mike McDonnell, Chairperson

#### GENERAL FILE

**LEGISLATIVE BILL 644.** Senator Slama offered the following  
 amendment:  
[AM1476](#) is available in the Bill Room.

Senator Slama moved for a call of the house. The motion prevailed with 24  
 ayes, 0 nays, and 25 not voting.

The Slama amendment was adopted with 30 ayes, 0 nays, 17 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

### COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 1070.** Placed on General File.

**LEGISLATIVE BILL 1152.** Placed on General File.

(Signed) Tom Brewer, Chairperson

Health and Human Services

**LEGISLATIVE BILL 834.** Placed on General File with amendment.

[AM2428](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 38-129.01, Revised Statutes Cumulative  
4 Supplement, 2022, is amended to read:  
5 38-129.01 (1) The department, with the recommendation of the  
6 appropriate board, shall issue a temporary credential to a military  
7 spouse who complies with and meets the requirements of this section  
8 pending issuance of the applicable credential under the Uniform  
9 Credentialing Act. This section shall not apply to a license to practice  
10 dentistry, including a ~~resident temporary~~ license under section 38-1123.  
11 (2) A military spouse shall submit the following with his or her  
12 application for the applicable credential:  
13 (a) A copy of his or her military dependent identification card  
14 which identifies him or her as the spouse of an active duty member of the  
15 United States Armed Forces;  
16 (b) A copy of his or her spouse's military orders reflecting an  
17 active-duty assignment in Nebraska;  
18 (c) A copy of his or her credential from another jurisdiction and  
19 the applicable statutes, rules, and regulations governing the credential;  
20 and  
21 (d) A copy of his or her fingerprints for a criminal background  
22 check if required under section 38-131.  
23 (3) If the department, with the recommendation of the appropriate  
24 board, determines that the applicant is the spouse of an active duty  
25 member of the United States Armed Forces who is assigned to a duty  
26 station in Nebraska, holds a valid credential in another jurisdiction  
27 which has similar standards for the profession to the Uniform  
1 Credentialing Act and the rules and regulations adopted and promulgated  
2 under the act, and has submitted fingerprints for a criminal background  
3 check if required under section 38-131, the department shall issue a  
4 temporary credential to the applicant. The applicant shall not be  
5 required to pay any fees pursuant to the Uniform Credentialing Act for  
6 the temporary credential or the initial regular credential except the  
7 actual cost of the fingerprinting and criminal background check for an  
8 initial license under section 38-131.  
9 (4) A temporary credential issued under this section shall be valid  
10 until the application for the regular credential is approved or rejected,

11 not to exceed one year.  
 12 Sec. 2. Section 38-1123, Reissue Revised Statutes of Nebraska, is  
 13 amended to read:  
 14 38-1123 (1) The department, with the recommendation of the board,  
 15 shall issue a ~~resident temporary~~ license to any person who (a)(i)  
 16 presents proof of graduation with a doctorate degree in dental surgery or  
 17 dental medicine from an accredited school or college of dentistry (a) has  
 18 met the requirements for a license to practice dentistry as set forth in  
 19 section 38-1117, (ii) (b) is enrolled in an accredited school or college  
 20 of dentistry for the purpose of completing a postgraduate or residency  
 21 program in dentistry, (iii) passes an examination approved by the board,  
 22 which shall consist of the National Board Dental Examination, Parts I and  
 23 II, or the Integrated National Board Dental Examination, as constructed  
 24 and administered by the American Dental Association Joint Commission on  
 25 National Dental Examinations, (iv) passes the practical examination  
 26 administered by the Central Regional Dental Testing Service, ADEX, or any  
 27 other regional or state practical examination approved by the board, and  
 28 (v) passes a jurisprudence examination based on Nebraska law and  
 29 administrative rules and regulations governing the practice of dentistry  
 30 and dental hygiene, or (b)(i) and (e) is licensed in another jurisdiction  
 31 under conditions which the board finds equivalent to the requirements of  
 1 the State of Nebraska for obtaining a license to practice dentistry and  
 2 (ii) passes a jurisprudence examination based on Nebraska law and  
 3 administrative rules and regulations governing the practice of dentistry  
 4 and dental hygiene.  
 5 (2) An accredited school or college of dentistry shall provide input  
 6 to the board annually for purposes of approving regional or state  
 7 practical examinations.  
 8 (3) ~~(2)~~ Any person who desires a ~~resident temporary~~ license shall  
 9 make application to the department. Such application shall be accompanied  
 10 by the required fee.  
 11 ~~(4)~~ ~~(3)~~ The ~~resident temporary~~ license shall be issued for a period  
 12 of one year and, upon application to the department, renewed annually  
 13 without the licensee having to pay a renewal fee.  
 14 (5) ~~(4)~~ The ~~resident temporary~~ licensee shall be entitled to  
 15 practice dentistry, including prescribing legend drugs and controlled  
 16 substances, only under the auspices of the postgraduate or residency  
 17 program in which he or she is enrolled.  
 18 (6) An applicant who is licensed pursuant to this section and has  
 19 completed a postgraduate or residency program in dentistry at an  
 20 accredited school or college of dentistry shall have demonstrated the  
 21 applicant's skill in clinical dentistry for purposes of section 38-1117.  
 22 Sec. 3. Original section 38-1123, Reissue Revised Statutes of  
 23 Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement,  
 24 2022, are repealed.

**LEGISLATIVE BILL 857.** Placed on General File with amendment.  
[AM2409](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. For purposes of sections 1 to 6 of this act:  
 4 (1) At-risk mother means a woman who is (a) eligible for medicaid,  
 5 (b) pregnant, and (c) determined by her health care provider to be at  
 6 risk of having a negative maternal or infant health outcome; and  
 7 (2) Targeted case management has the same meaning as defined in 42  
 8 C.F.R. 440.169, as such regulation existed on January 1, 2024, and may  
 9 only be delivered in a clinical setting by a health care provider  
 10 licensed pursuant to the Uniform Credentialing Act.  
 11 Sec. 2. The Nebraska Prenatal Plus Program is created within the  
 12 Department of Health and Human Services. The purpose of the Nebraska

13 Prenatal Plus Program is to reduce the incidence of low birth weight,  
 14 pre-term birth, and adverse birth outcomes while also addressing other  
 15 lifestyle, behavioral, and nonmedical aspects of an at-risk mother's life  
 16 that may affect the health and well-being of the mother or the child.  
 17 Sec. 3. Services eligible for reimbursement for at-risk mothers  
 18 under the Nebraska Prenatal Plus Program include, but are not limited to:  
 19 (1) Six or fewer sessions of nutrition counseling; (2) psychosocial  
 20 counseling and support; (3) general client education and health  
 21 promotion; (4) breastfeeding support; and (5) targeted case management.  
 22 Sec. 4. The Department of Health and Human Services may reimburse  
 23 eligible services for the Nebraska Prenatal Plus Program for at-risk  
 24 mothers at an enhanced rate and shall file a state plan amendment or  
 25 waiver, as necessary, no later than October 1, 2024, to implement the  
 26 program.  
 27 Sec. 5. The Department of Health and Human Services shall  
 1 electronically submit a report to the Legislature on or before December  
 2 15 of each year beginning December 15, 2024, on the Nebraska Prenatal  
 3 Plus Program which includes (1) the number of mothers served, (2) the  
 4 services offered, and (3) the birth outcomes for each mother served.  
 5 Sec. 6. It is the intent of the Legislature to use the Medicaid  
 6 Managed Care Excess Profit Fund established in section 68-996 to fund the  
 7 services provided under the Nebraska Prenatal Plus Program.  
 8 Sec. 7. Section 68-996, Revised Statutes Cumulative Supplement,  
 9 2022, is amended to read:  
 10 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
 11 fund shall contain money returned to the State Treasurer pursuant to  
 12 subdivision (3) of section 68-995. The fund shall first be used to offset  
 13 any losses under subdivision (2) of section 68-995 and then to provide  
 14 for services addressing the health needs of adults and children under the  
 15 Medical Assistance Act, including filling service gaps, providing system  
 16 improvements, and sustaining access to care, and the Nebraska Prenatal  
 17 Plus Program as determined by the Legislature. The fund shall only be  
 18 used for the purposes described in this section. Any money in the fund  
 19 available for investment shall be invested by the state investment  
 20 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
 21 State Funds Investment Act.  
 22 Sec. 8. Original section 68-996, Revised Statutes Cumulative  
 23 Supplement, 2022, is repealed.

(Signed) Ben Hansen, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Bosn name added to LB20.  
 Senator Hughes name added to LB844.  
 Senator DeKay name added to LB1001.  
 Senator Murman name added to LB1047.  
 Senator Conrad name added to LB1071.  
 Senator Vargas name added to LB1225.  
 Senator Erdman name added to LB1301.  
 Senator Erdman name added to LB1396.

**ANNOUNCEMENT**

Senator Hansen announced the Health and Human Services Committee will hold an executive session Tuesday, February 13, 2024, at 10:00 a.m., in Room 2102.

**VISITOR(S)**

Visitors to the Chamber were Steven Dillman, Harvard; Josh Glore and Mike Sidho, Hastings; OutNebraska.

The Doctor of the Day was Dr. Dale Michels of Walton.

**ADJOURNMENT**

At 11:54 a.m., on a motion by Senator Slama, the Legislature adjourned until 9:00 a.m., Tuesday, February 13, 2024.

Brandon Metzler  
Clerk of the Legislature



**TWENTY-SEVENTH DAY - FEBRUARY 13, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, February 13, 2024

**PRAYER**

The prayer was offered by Zeke Pipher, Heartland Evangelical Free Church, Central City.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator von Gillern.

**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 Senator Raybould who was excused; and Senators Bostar, M. Cavanaugh, Conrad, Day, Dover, Hansen, Hunt, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-sixth day was approved.

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 1197.** Placed on General File with amendment. [AM2419](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

Business and Labor

**LEGISLATIVE BILL 906.** Placed on General File.

**LEGISLATIVE BILL 851.** Placed on General File with amendment.**AM2207**

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 81-1210.02, Revised Statutes Cumulative  
4 Supplement, 2022, is amended to read:  
5 81-1210.02 (1) The intent of sections 81-1210.01 to 81-1210.03 is to  
6 provide students with valuable internship opportunities in order to  
7 retain such students in the State of Nebraska at institutions of higher  
8 education, convert students to full-time employment in Nebraska, and  
9 attract workers to Nebraska by assisting Nebraska businesses willing to  
10 provide paid internships.  
11 (2) A business may apply to the department for a grant to assist in  
12 providing a student an internship if:  
13 (a) The business certifies that the internship meets the definition  
14 of internship in section 81-1210.01;  
15 (b) The business will pay the student at least the state minimum  
16 hourly wage for the internship;  
17 (c) The internship will be completed within the State of Nebraska;  
18 (d) The internship will be completed within a period of no more than  
19 twenty-four months; and  
20 (e) The internship will be for a duration sufficient to allow the  
21 student to gain significant valuable work experience and knowledge.  
22 (3)(a) The department may provide grants for internships to  
23 reimburse the cost of wages paid to businesses with less than one hundred  
24 fifty full-time-equivalent employees.  
25 (b) The department may also provide grants for internships to any  
26 business to reimburse the costs for any of the following:  
27 (i) Tuition reimbursement for courses at institutions of higher  
1 education;  
2 (ii) Internship housing;  
3 (iii) Transportation expenses relating to internships; and  
4 (iv) Internship administrative or recruitment costs.  
5 (c) The maximum grant award per internship is seven thousand five  
6 hundred dollars.  
7 (4) A business may apply for no more than two grants for the same  
8 student and shall not be awarded more than one hundred grants total in  
9 any twelve-month period.  
10 (5) A business may allow a student to telecommute if the business is  
11 located ~~in Nebraska and more than thirty miles from~~ the college,  
12 university, or other institution of higher education in which the student  
13 is enrolled ~~and if the college, university, or other institution of~~  
14 ~~higher education~~ is in Nebraska.  
15 (6) The department shall, to the extent possible, assure that the  
16 distribution of grants under sections 81-1210.01 to 81-1210.03 provides  
17 equitable access to the grants by all geographic areas of the state.  
18 (7) The department shall, to the extent possible, assure that the  
19 grants awarded pursuant to sections 81-1210.01 to 81-1210.03 are for  
20 internships which provide valuable learning opportunities for students  
21 who will be seeking employment in a professional or technical field.  
22 (8) The department shall not allocate more than one million five  
23 hundred thousand dollars in any one fiscal year from the Job Training  
24 Cash Fund or its subaccounts for purposes of this section. The department  
25 may receive funds from public, private, or other sources for purposes of  
26 this section.  
27 (9) The department shall develop a qualified action plan by January  
28 1 of each even-numbered year. The plan shall, at a minimum, set forth the  
29 department's priorities and selection criteria for awarding grants for  
30 internships. In order to encourage students from across Nebraska to  
31 pursue internships, the plan shall also include strategies for  
1 affirmatively marketing internships to Nebraska students in high schools,  
2 colleges, universities, and other institutions of higher education in  
3 Nebraska. Such strategies shall place an emphasis on marketing to  
4 underserved student populations as defined by the department in the plan.



5 The department shall submit the plan to the Governor for approval.  
6 (10) The department shall execute a memorandum of understanding with  
7 the Department of Labor before December 31, 2022, to ensure the exchange  
8 of available Department of Labor data throughout the continuum from  
9 prekindergarten to postsecondary education to the workforce. The  
10 department may utilize data and agreements under sections 79-776, 85-110,  
11 85-309, and 85-1511.  
12 (11) The department shall submit an annual report to the Governor  
13 and the Legislature on or before July 1 of each year which includes, but  
14 is not limited to, a description of the demand for internship grants and  
15 programs under sections 81-1210.01 to 81-1210.03 from all geographic  
16 regions in Nebraska, a listing of the recipients and amounts of  
17 internship grants awarded in the previous fiscal year, the impact of the  
18 internship grants, and an evaluation of the internship grants and  
19 programs under sections 81-1210.01 to 81-1210.03 based on the documented  
20 goals of the recipients. The report submitted to the Legislature shall be  
21 submitted electronically. The department may require recipients to  
22 provide periodic performance reports to enable the department to fulfill  
23 the requirements of this subsection. The report shall contain no  
24 information that is protected by state or federal confidentiality laws.  
25 (12) The department may enter into a contract with a Nebraska-based  
26 nonprofit entity for the purposes of carrying out any or all of the  
27 provisions of sections 81-1210.01 to 81-1210.03.  
28 Sec. 2. This act becomes operative on July 1, 2024.  
29 Sec. 3. Original section 81-1210.02, Revised Statutes Cumulative  
30 Supplement, 2022, is repealed.  
31 Sec. 4. Since an emergency exists, this act takes effect when  
1 passed and approved according to law.

(Signed) Merv Riepe, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
Government, Military and Veterans Affairs  
Room 1507 1:30 PM

Wednesday, February 21, 2024

LR282  
LR146  
LB869  
LB1037

Room 1507 1:30 PM

Thursday, February 22, 2024

LB1191 (reschedule)  
LB1243  
LB1404  
LB1076

Room 1507 1:30 PM

Friday, February 23, 2024

LR286CA  
LB1277  
LB1048

(Signed) Tom Brewer, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Armendariz - LB1087

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR299 was adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR299.

**GENERAL FILE**

**LEGISLATIVE BILL 829A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 1 nay, 7 present and not voting, and 10 excused and not voting.

**LEGISLATIVE BILL 61.** Title read. Considered.

The Geist amendment, [AM905](#), found on page 835, First Session, 2023, was not considered.

The Geist amendment, [AM893](#), found on page 838, First Session, 2023, was not considered.

The Geist amendment, [AM896](#), found on page 838, First Session, 2023, was not considered.

The Geist amendment, [AM895](#), found on page 838, First Session, 2023, was not considered.

The Geist amendment, [AM894](#), found on page 839, First Session, 2023, was not considered.

The Geist amendment, [AM892](#), found on page 839, First Session, 2023, was not considered.

The Geist amendment, [AM781](#), found on page 839, First Session, 2023, was not considered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO215](#), found on page 928, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO216](#), found on page 929, First Session, 2023, to recommit to committee.

[MO217](#), found on page 929, First Session, 2023, to bracket.

[MO218](#), found on page 929, First Session, 2023, to indefinitely postpone.

[MO219](#), found on page 929, First Session, 2023, to recommit to committee.

[MO220](#), found on page 929, First Session, 2023, to bracket.

[MO221](#), found on page 929, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator Brandt offered [AM2296](#), found on page 579.

Senator DeBoer offered the following amendment to the Brandt amendment:

[AM2471](#) is available in the Bill Room.

Pending.

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 992A.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 203; to decrease appropriations to aid in carrying out the provisions of Legislative Bill 992, One Hundred Eighth Legislature, Second Session, 2024; and to repeal the original section.

### **COMMITTEE REPORT(S)**

Business and Labor

**LEGISLATIVE BILL 1170.** Placed on General File.

**LEGISLATIVE BILL 993.** Placed on General File with amendment.

[AM2373](#)

1 1. Insert the following new section:

2 Sec. 7. The Apprenticeship Grant Act terminates on June 30, 2030.

3 The State Treasurer shall transfer any unobligated money remaining in the

4 Apprenticeship Nebraska Cash Fund on such date to the General Fund.

5 2. On page 2, line 1, strike "6" and insert "7".

6 3. On page 3, line 16, strike "one hundred" and insert "five".

(Signed) Merv Riepe, Chairperson

## Health and Human Services

**LEGISLATIVE BILL 905.** Placed on General File.

**LEGISLATIVE BILL 1035.** Placed on General File.

**LEGISLATIVE BILL 1143.** Placed on General File.

**LEGISLATIVE BILL 1214.** Placed on General File.

**LEGISLATIVE BILL 1087.** Placed on General File with amendment.

AM2404

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

2 sections:

3 Section 1. Sections 1 to 9 of this act shall be known and may be

4 cited as the Hospital Quality Assurance and Access Assessment Act.

5 Sec. 2. For purposes of the Hospital Quality Assurance and Access

6 Assessment Act:

7 (1) Assessment means a quality assurance and access assessment

8 imposed on hospitals pursuant to section 3 of this act;

9 (2) Department means the Division of Medicaid and Long-Term Care

10 Services of the Department of Health and Human Services;

11 (3) Hospital means a hospital as defined in section 71-419 or a

12 rural emergency hospital as defined in section 71-477;

13 (4) Medical assistance program means the medical assistance program

14 established pursuant to the Medical Assistance Act; and

15 (5) Net patient revenue means the revenue paid to a hospital for

16 patient care, room, board, and services less contractual adjustments, bad

17 debt, and revenue from sources other than operations, including, but not

18 limited to, interest, guest meals, gifts, and grants.

19 Sec. 3. (1) The department shall amend the medicaid state plan or

20 file other federal authorizing documents to establish assessments and

21 directed-payment programs for hospital inpatient and outpatient services.

22 (2) Upon approval by the federal Centers for Medicare and Medicaid

23 Services of a hospital assessment and a directed-payment program, the

24 department shall impose an assessment on hospitals to assure quality and

25 access in the medical assistance program.

26 (3) The department may establish different assessment rates based on

27 categories of hospital or hospital services as allowed by federal law.

1 (4) The department shall consult with a statewide association

2 representing a majority of hospitals and health systems in Nebraska

3 regarding the development, implementation, and annual renewal of the

4 assessments and the directed-payment programs.

5 (5) The department shall partner with a statewide association

6 representing a majority of hospitals and health systems in Nebraska to

7 aggregate inpatient, outpatient, and clinic claims data in order to

8 establish medicaid quality improvement metrics and track progress on

9 identified metrics.

10 (6) The department shall adopt and promulgate rules and regulations

11 that are necessary and proper to implement the Hospital Quality Assurance

12 and Access Assessment Act.

13 Sec. 4. The department shall collect assessments from hospitals and

14 remit the assessments to the State Treasurer for credit to the Hospital

15 Quality Assurance and Access Assessment Fund. It is the intent of the

16 Legislature that no proceeds from the fund, including the federal match,

17 shall be placed in the General Fund.

18 Sec. 5. (1) Each hospital shall pay an assessment based on net

19 patient revenue for the purpose of improving the quality of, and access

20 to, hospital care in the state. The statewide aggregate assessment shall

21 equal (a) the state share of the payments authorized by the federal

22 Centers for Medicare and Medicaid Services and (b) an administrative fee  
23 retained by the department that shall be no more than two percent of the  
24 statewide aggregate assessment required to fund the directed-payment  
25 program. The statewide aggregate assessment total shall not exceed six  
26 percent of the net patient revenue of all assessed hospitals.  
27 (2)(a) A hospital shall pay its quarterly assessment within thirty  
28 days after receipt of its quarterly directed payments. Failure of a  
29 hospital to remit the assessments may result in penalties, interest, or  
30 legal action.  
31 (b) A new hospital shall begin paying an assessment and receiving  
1 directed payments at the start of the first full fiscal year after the  
2 hospital is eligible for medicaid reimbursement for inpatient or  
3 outpatient services. A hospital that has merged with another hospital  
4 shall have its assessment and directed payments revised at the start of  
5 the first full fiscal year after the merger is recognized by the  
6 department. A closed hospital shall be retroactively responsible for  
7 assessments owed and shall receive directed payments for services  
8 provided.  
9 (3) If the department determines that a hospital has underpaid or  
10 overpaid assessments, the department shall notify the hospital of the  
11 unpaid assessments or of any refund due. Such payment or refund shall be  
12 due or refunded within thirty days after the date of the notice.  
13 Sec. 6. (1) The Hospital Quality Assurance and Access Assessment  
14 Fund is created. Interest earned on the fund shall be credited to the  
15 fund. Any money in the fund available for investment shall be invested by  
16 the state investment officer pursuant to the Nebraska Capital Expansion  
17 Act and the Nebraska State Funds Investment Act.  
18 (2) The department shall use the Hospital Quality Assurance and  
19 Access Assessment Fund, including the matching federal financial  
20 participation, for the purpose of enhancing rates paid to hospitals under  
21 the medical assistance program. Money in the fund shall not be used to  
22 replace or offset existing state funds paid to hospitals for providing  
23 services under the medical assistance program.  
24 (3) The Hospital Quality Assurance and Access Assessment Fund shall  
25 also be used to pay the department the administrative fee described in  
26 section 5 of this act, to collect assessments and administer directed-  
27 payment programs established by the Hospital Quality Assurance and Access  
28 Assessment Act.  
29 (4) In calculating rates, the proceeds from assessments and federal  
30 match not utilized under subsection (3) of this section shall be used to  
31 enhance rates for hospital inpatient and outpatient services in addition  
1 to any funds appropriated by the Legislature.  
2 (5) The department shall collect data for revenue, discharge, and  
3 inpatient days from a hospital that does not file an annual medicare cost  
4 report. At the request of the department, a hospital that does not file  
5 an annual medicare cost report shall submit such requested data to the  
6 department.  
7 (6) The department shall prohibit a medicaid managed care  
8 organization from (a) setting, establishing, or negotiating reimbursement  
9 rates with a hospital in a manner that takes into account, directly or  
10 indirectly, a directed payment that a hospital receives under the  
11 Hospital Quality Assurance and Access Assessment Act, (b) unnecessarily  
12 delaying a directed payment to a hospital, or (c) recouping or offsetting  
13 a directed payment for any reason.  
14 (7) A hospital shall not directly pass on the cost of an assessment  
15 to patients or non-medicare payors, including as a fee or rate increase.  
16 A hospital that violates this subsection shall not receive a directed  
17 payment for the remainder of the rate year. This subsection shall not be  
18 construed to prohibit a hospital from negotiating with a non-medicare  
19 payor for a rate increase.

20 Sec. 7. It is the intent of the Legislature that medicaid rates  
 21 paid for hospital inpatient and outpatient services and the General Fund  
 22 appropriations for hospital inpatient and outpatient services in the  
 23 medical assistance program shall not be reduced to an amount below the  
 24 rates paid and General Fund appropriations for these services in fiscal  
 25 year 2023-24.

26 Sec. 8. Assessments and directed-payment programs shall be treated  
 27 as a separate component in developing rates paid to hospitals and shall  
 28 not be included with existing rate components. The assessments and  
 29 directed-payment programs shall be retroactive to July 1, 2024, or the  
 30 effective date approved by the federal Centers for Medicare and Medicaid  
 31 Services.

1 Sec. 9. (1) The department shall discontinue the collection of  
 2 assessments when federal matching funds are unavailable. In such case,  
 3 the department shall terminate the collection of the assessments  
 4 beginning on the date such federal matching funds become unavailable.

5 (2) If collection of assessments is discontinued as provided in this  
 6 section, the money in the Hospital Quality Assurance and Access  
 7 Assessment Fund shall be returned to the hospitals from which the  
 8 assessments were collected on the same proportional basis as the  
 9 assessments were assessed.

10 Sec. 10. Since an emergency exists, this act takes effect when  
 11 passed and approved according to law.

(Signed) Ben Hansen, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to [LB307](#):  
[AM2380](#)

(Amendments to Standing Committee amendments, AM381)

1 1. Strike sections 1 to 3 and insert the following new sections:

2 Section 1. (1) The governing body of a municipality or county may  
 3 authorize by ordinance or resolution a syringe services program to  
 4 operate within the bounds of such municipality or county. A county  
 5 ordinance or resolution shall not be effective within the corporate  
 6 boundaries of any incorporated municipality located in whole or in part  
 7 within the county.

8 (2) A syringe services program authorized by this section shall, at  
 9 a minimum, offer or arrange for the provision of the following:

10 (a) A needs assessment for program participants;

11 (b) Access to sterile syringes, needles, and other items or  
 12 equipment used to reduce the risk of disease transmission or other harm;  
 13 (c) Safe disposal of used syringes, needles, and other items or  
 14 equipment;

15 (d) Referral information and educational materials regarding  
 16 substance use disorder prevention and treatment;

17 (e) Information to reduce injection and overdose risks;

18 (f) Naloxone or information about where naloxone can be obtained at  
 19 low or no cost; and

20 (g) Referral information and educational materials regarding social  
 21 services, mental health care, and other health care services.

22 (3) A syringe services program authorized by this section shall not  
 23 be located within five hundred feet of any:

24 (a) Public or private: Childcare facility; elementary, vocational,  
 25 or secondary school; or youth center; or

26 (b) Public: Community recreation center, library, or swimming pool.

1 Sec. 2. Section 28-441, Revised Statutes Cumulative Supplement,  
 2 2022, is amended to read:

3 28-441 (1) It shall be unlawful for any person to use, or to possess  
4 with intent to use, drug paraphernalia to manufacture, inject, ingest,  
5 inhale, or otherwise introduce into the human body a controlled substance  
6 in violation of sections 28-101, 28-431, and 28-439 to 28-444.

7 (2) Any person who violates this section shall be guilty of an  
8 infraction.

9 (3) A person shall not be in violation of this section if section  
10 28-472 or 28-1701 applies.

11 (4) This section does not apply to:

12 (a) The staff of a syringe services program authorized by section 1  
13 of this act when such staff are engaged in the provision, retrieval, or  
14 disposal of syringes, needles, or other items or equipment in connection  
15 with the program; or

16 (b) A participant of such a program when the participant is engaged  
17 in the retrieval or disposal of syringes, needles, or other items or  
18 equipment at or within the immediate vicinity of the program site or  
19 facility.

20 Sec. 3. Section 28-442, Revised Statutes Cumulative Supplement,  
21 2022, is amended to read:

22 28-442 (1) It shall be unlawful for any person to deliver, possess  
23 with intent to deliver, or manufacture with intent to deliver, drug  
24 paraphernalia, knowing, or under circumstances in which one reasonably  
25 should know, that it will be used to manufacture, inject, ingest, or  
26 inhale or otherwise be used to introduce into the human body a controlled  
27 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.

28 (2) This section shall not apply to:

29 (a) Pharmacies, pharmacists, pharmacist interns, pharmacy  
30 technicians, and pharmacy clerks who sell hypodermic syringes or needles  
31 for the prevention of the spread of infectious diseases; -

1 (b) The staff of a syringe services program authorized by section 1  
2 of this act when such staff are engaged in the provision, retrieval, or  
3 disposal of syringes, needles, or other items or equipment in connection  
4 with the program; or

5 (c) A participant of such a program when the participant is engaged  
6 in the retrieval or disposal of syringes, needles, or other items or  
7 equipment at or within the immediate vicinity of the program site or  
8 facility.

9 (3) Any person who violates this section shall be guilty of a Class  
10 II misdemeanor.

11 Sec. 4. Original sections 28-441 and 28-442, Revised Statutes  
12 Cumulative Supplement, 2022, are repealed.

Senator Arch filed the following amendment to [LB1321](#):  
[AM2438](#) is available in the Bill Room.

Senator Clements filed the following amendment to [LB857](#):  
[FA216](#)

Amend AM2409 on page 1, line 16, after "." insert "This program shall terminate on June 30,  
2027."

Senator Walz filed the following amendment to [LB358](#):  
[AM2410](#)

1 1. On page 2, line 6, after "percent" insert "for fiscal year  
2 2024-25".

Senator Aguilar filed the following amendment to [LB909](#):  
[AM2413](#)

1 1. Insert the following new section:

2 Sec. 3. Since an emergency exists, this act takes effect when passed  
3 and approved according to law.

Senator Bostelman filed the following amendment to LB61:

FA215

Amend AM2296 on page 11, line 7, strike "underserved" and replace with "unserved"; on page 11, strike lines 20 through 31; on page 12, strike line 1; on page 12, line 25, strike "underserved" and replace with "unserved," and strike the word "or"; on page 12, line 26, strike the words "unserved locations"; on page 13, line 10, strike "underserved"; and on page 13, line 11, strike "locations or."

**NOTICE OF COMMITTEE HEARING(S)**

Education

Room 1525 1:30 PM

Tuesday, February 20, 2024

LB1371

LB962

LB1231

LB1291

LB862

LB987

LB1271

LB1272

LB1348

(Signed) Dave Murman, Chairperson

Health and Human Services

Room 1510 1:30 PM

Wednesday, February 21, 2024

LB920

LB946

LB1350

LB1100

Room 1510 1:30 PM

Thursday, February 22, 2024

LB1106

LB1373

LB823

LB1107

Room 1510 1:30 PM

Friday, February 23, 2024

LB882

LB927



LB1194  
LB1221

(Signed) Ben Hansen, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

General Affairs - LB1204  
Hughes - LB1035  
State-Tribal Relations - LB1288

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB947.  
Senator J. Cavanaugh name added to LB1050.  
Senator Hughes name added to LB1373.

**VISITOR(S)**

Visitors to the Chamber were Ben and Archer Schwartz with Blue Valley Community Action, Fairbury; members and staff from Eastern Nebraska Community Action Partnership in North Omaha; members from Children and Family Coalition of Nebraska, Family Focused Treatment Association; Nebraska Association of Homes and Services for Children, The Alliance.

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

**ADJOURNMENT**

At 11:56 a.m., on a motion by Senator Albrecht, the Legislature adjourned until 9:00 a.m., Wednesday, February 14, 2024.

Brandon Metzler  
Clerk of the Legislature



**TWENTY-EIGHTH DAY - FEBRUARY 14, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 14, 2024

**PRAYER**

The prayer was offered by Arin Hess, Capitol Studies Offices, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Aguilar.

**ROLL CALL**

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

The roll was called and all members were present except Senators Linehan and Raybould who were excused; and Senators Bostar, Conrad, Day, Dover, Hunt, Jacobson, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-seventh day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, February 21, 2024

LB1022  
LB1095  
LB1002  
LB1324  
LB1367  
LB825  
LB1363

(Signed) Lou Ann Linehan, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Business and Labor - LB1170 and LB1017

Speaker Arch announced the Government, Military and Veterans Affairs Committee will conduct its hearing today, February 14, 2024, in Room 1525 and the Natural Resources Committee will conduct its hearing in Room 1510, both at 1:30 p.m.

**GENERAL FILE**

**LEGISLATIVE BILL 992A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

**MOTION(S) - Confirmation Report(s)**

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 661:

Nebraska Ethanol Board  
Tracy Zink  
Jan K. tenBensel

Voting in the affirmative, 28:

Aguilar	Brandt	Fredrickson	Lippincott	Sanders
Albrecht	Brewer	Halloran	McDonnell	Slama
Arch	Cavanaugh, J.	Hansen	Meyer	Vargas
Armendariz	Clements	Hardin	Moser	von Gillern
Ballard	Dorn	Hughes	Murman	
Bostelman	Erdman	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 12:

Blood	DeBoer	Holdcroft	Lowe
Bosn	DeKay	Hunt	McKinney
Cavanaugh, M.	Dungan	Ibach	Wayne

Excused and not voting, 9:

Bostar	Day	Jacobson	Raybould	Wishart
Conrad	Dover	Linehan	Walz	

The appointments were confirmed with 28 ayes, 0 nays, 12 present and not voting, and 9 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 662:

Nebraska Power Review Board  
 William F. Austin  
 David Liegl

Voting in the affirmative, 29:

Aguilar	Brandt	Erdman	Lippincott	Riepe
Albrecht	Brewer	Fredrickson	Low	Sanders
Arch	Cavanaugh, J.	Hansen	McDonnell	Slama
Armendariz	Clements	Hardin	Meyer	Vargas
Ballard	Dorn	Hughes	Moser	von Gillern
Bostelman	Dungan	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 10:

Blood	Cavanaugh, M.	DeKay	Hunt	McKinney
Bosn	DeBoer	Holdcroft	Ibach	Wayne

Excused and not voting, 10:

Bostar	Day	Halloran	Linehan	Walz
Conrad	Dover	Jacobson	Raybould	Wishart

The appointments were confirmed with 29 ayes, 0 nays, 10 present and not voting, and 10 excused and not voting.

Senator Riepe moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment(s) found on page 662:

Commission of Industrial Relations  
 Dallas Jones

Voting in the affirmative, 28:

Aguilar	Brandt	Erdman	Lowe	Sanders
Albrecht	Brewer	Hansen	McDonnell	Slama
Arch	Cavanaugh, J.	Hardin	Meyer	Vargas
Armendariz	Clements	Hughes	Moser	von Gillern
Ballard	Dorn	Kauth	Murman	
Bostelman	Dungan	Lippincott	Riepe	

Voting in the negative, 0.

Present and not voting, 11:

Blood	DeBoer	Holdercroft	McKinney
Bosn	DeKay	Hunt	Wayne
Cavanaugh, M.	Fredrickson	Ibach	

Excused and not voting, 10:

Bostar	Day	Halloran	Linehan	Walz
Conrad	Dover	Jacobson	Raybould	Wishart

The appointment was confirmed with 28 ayes, 0 nays, 11 present and not voting, and 10 excused and not voting.

### GENERAL FILE

**LEGISLATIVE BILL 857.** Title read. Considered.

Committee [AM2409](#), found on page 675, was offered.

Senator Clements withdrew [FA216](#), found on page 687, to the committee amendment.

Senator Clements offered the following amendment to the committee amendment:

#### [FA218](#)

Amend AM2409 to LB857 on page 1, line 16, after "." insert "This program shall terminate on June 30, 2028."

### SPEAKER ARCH PRESIDING

Senator Clements moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

The Clements amendment, to the committee amendment, was adopted with 25 ayes, 15 nays, 7 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

### MESSAGE(S) FROM THE GOVERNOR

February 13, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bill 1, 78, 94, 140/140A, 146, 151, 247, 252, 279, 299e, 308, 461, 628, and 664 were received in my office on February 8, 2024, and signed on February 13, 2024.

These bills were signed and delivered to the Secretary of State on February 13, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

### COMMITTEE REPORT(S)

Agriculture

**LEGISLATIVE BILL 844.** Placed on General File with amendment.

[AM2449](#)

1 1. On page 3, strike line 31 and insert the following new  
2 subsections:  
3 "(3)(a) By April 1, 2025, the Director of Agriculture shall publish  
4 a directory on the Department of Agriculture's website, updated by  
5 December of each year, that contains:  
6 (i) The name of each operation with a valid certificate of exemption  
7 described in subdivision (7) of section 48-1703 that provides detasseling  
8 or roguing services for seed corn;  
9 (ii) The address of the headquarters for each such operation; and  
10 (iii) Contact information for each such operation, including a  
11 telephone number.  
12 (b) Beginning in 2026, by January 15 of each year the Director of  
13 Agriculture shall send, by registered mail, a copy of the most recently  
14 updated directory described in this subsection to the following:  
15 (i) Each seed corn producer that submitted the form described in  
16 subdivision (1)(b) of this section during the previous year; and  
17 (ii) Any seed corn producer that notifies the Director of  
18 Agriculture of its intention to produce seed corn in this state during  
19 the next growing season. The Director of Agriculture shall prescribe the  
20 method by which any such seed corn producer may notify the Director of  
21 Agriculture of its intention to produce seed corn in the next growing

22 season and receive a copy of the most recently updated directory  
 23 described in this subsection.  
 24 (4) The Department of Agriculture may adopt and promulgate rules and  
 25 regulations to carry out this section."  
 26 2. On page 4, strike lines 1 through 10.

**LEGISLATIVE BILL 1061.** Placed on General File with amendment.  
[AM2426](#)

1 1. On page 5, strike lines 8 through 11 and insert the following new  
 2 subdivisions:  
 3 "(a) Until and on September 30, 2024, one-half cent per bushel; and  
 4 (b) Beginning October 1, 2024, one cent per bushel."

(Signed) Steve Halloran, Chairperson

Health and Human Services

**LEGISLATIVE BILL 1196.** Placed on General File.

(Signed) Ben Hansen, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Albrecht filed the following amendment to [LB605](#):

[AM2417](#)

1 1. Strike original section 16 and insert the following new section:  
 2 Sec. 16. (1) For purposes of this section, qualified supervisor  
 3 means a qualified physician, a psychologist licensed to engage in the  
 4 practice of psychology, a licensed mental health practitioner, a licensed  
 5 independent mental health practitioner, or a certified art therapist who  
 6 has met standards for supervision specified in rules and regulations  
 7 approved by the board and adopted and promulgated by the department.  
 8 (2) A person who submits a complete application to the department  
 9 for certification as an art therapist shall be qualified for such  
 10 certification if such person:  
 11 (a) Provides evidence to the department that such person:  
 12 (i) Has a master's or doctoral degree in art therapy from an  
 13 approved educational program or a master's degree in a related mental  
 14 health field and graduate-level course work determined by the board to be  
 15 equivalent in didactic content and supervised clinical experience to an  
 16 approved educational program in art therapy; and  
 17 (ii) Has had at least three thousand hours of experience in art  
 18 therapy supervised by a qualified supervisor following receipt of such  
 19 graduate degree and at least one-half of such hours were supervised by a  
 20 certified art therapist acting as the qualified supervisor. The three  
 21 thousand hours of experience shall include at least one thousand five  
 22 hundred hours of direct client contact, and at least one-half of such  
 23 hours shall be supervised by a certified art therapist acting as the  
 24 qualified supervisor. The direct-client-contact hours shall include at  
 25 least one hundred hours of supervisor-supervisee-contact hours supervised  
 26 by a qualified supervisor, with supervision provided at least one hour  
 27 per week or two hours every two weeks, and at least one-half of such  
 1 hours shall be supervised by a certified art therapist acting as the  
 2 qualified supervisor; and  
 3 (b) Passes an examination approved by the board.  
 4 (3) An applicant for certification as a certified art therapist who  
 5 has completed all or part of such applicant's qualifying experience in



6 art therapy in another state or jurisdiction shall have completed not  
 7 less than one-half of the required three thousand hours of experience and  
 8 not less than one-half of the direct-client-contact hours and supervisor-  
 9 supervisee-contact hours supervised by a certified art therapist or a  
 10 person holding a credential as a Board Certified Art Therapist from the  
 11 Art Therapy Credentials Board, Inc., as determined by the Board of Mental  
 12 Health Practice acting as the qualified supervisor.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Erdman - LB1169  
 Transportation and Telecommunications - LB1200 and LB1031  
 Moser - LB1335  
 Banking, Commerce and Insurance - LB1073 and LB1074  
 Wishart - LB905  
 Vargas - LB1355  
 Nebraska Retirement Systems - LB196 and LB686  
 Executive Board - LB1104

### GENERAL FILE

**LEGISLATIVE BILL 1035.** Title read. Considered.

Senator Hughes offered the following amendment:

[AM2442](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Sections 1 to 7 of this act shall be known and may be  
 4 cited as the Prescription Drug Donation Program Act.  
 5 Sec. 2. For purposes of the Prescription Drug Donation Program Act:  
 6 (1) Department means the Department of Health and Human Services;  
 7 (2) Health care facility has the definition found in section 71-413  
 8 and includes the office of an individual licensed to practice medicine  
 9 and surgery or osteopathic medicine and surgery;  
 10 (3) Pharmacy has the definition found in section 71-425;  
 11 (4) Prescribing practitioner means a health care practitioner  
 12 licensed under the Uniform Credentialing Act who is authorized to  
 13 prescribe drugs;  
 14 (5) Prescription drug has the definition found in section 38-2841  
 15 excluding controlled substances as defined in section 28-401 and any  
 16 drugs subject to the requirements of 21 U.S.C. 355-1(f)(3); and  
 17 (6) Program means the Prescription Drug Donation Program approved  
 18 pursuant to section 3 of this act.  
 19 Sec. 3. The department shall approve a prescription drug donation  
 20 program that meets the criteria set forth in section 5 of this act and  
 21 may designate or appoint a nonprofit organization to administer the  
 22 program. Participation in the program shall be voluntary.  
 23 Sec. 4. Any individual or entity, including, but not limited to, a  
 24 prescription drug manufacturer or health care facility, may donate  
 25 prescription drugs, over-the-counter medicines and products, and supplies  
 26 to the program. A health care facility or pharmacy may charge a handling  
 27 fee for distributing or dispensing prescription drugs or supplies under  
 1 the program.  
 2 Sec. 5. The department shall ensure that donated prescription drugs

3 meet the following requirements:

4 (1) A prescription drug or supply is in its original, unopened,  
 5 sealed, and tamper-evident packaging. A prescription drug packaged in  
 6 single-unit doses may be accepted and dispensed if the outside packaging  
 7 is opened but the single-unit-dose packaging is unopened. There shall be  
 8 no limitation on the number of doses that can be donated to the program;

9 (2) The prescription drug or supply is inspected by the program  
 10 before the prescription drug or supply is dispensed by a licensed  
 11 pharmacist and such drugs are only dispensed pursuant to a prescription  
 12 issued by a prescribing practitioner. Such drugs may be distributed to  
 13 another health care facility or pharmacy for dispensing; and

14 (3) The prescription drug (a) bears an expiration date that is more  
 15 than six months after the date the prescription drug was donated, except  
 16 that such drug may be accepted and distributed if the drug is in high  
 17 demand as determined by the program and can be dispensed for use, (b) is  
 18 not adulterated or misbranded as defined in section 71-2461 or 71-2470,  
 19 (c) has not expired, and (d) does not have restricted distribution by the  
 20 federal Food and Drug Administration.

21 Sec. 6. (1) The program shall (a) comply with all applicable  
 22 provisions of state and federal law relating to the storage,  
 23 distribution, and dispensing of donated prescription drugs and (b) not  
 24 resell donated prescription drugs and supplies.

25 (2) Nothing in the Prescription Drug Donation Program Act shall be  
 26 construed to restrict the use of samples by a prescribing practitioner  
 27 during the course of such practitioner's duties at a health care facility  
 28 or pharmacy.

29 Sec. 7. (1) Any individual or entity which exercises reasonable  
 30 care in donating, accepting, distributing, or dispensing prescription  
 31 drugs or supplies under the Prescription Drug Donation Program Act or  
 1 rules and regulations adopted and promulgated by the department shall be  
 2 immune from civil or criminal liability or professional disciplinary  
 3 action of any kind for any injury, death, or loss to person or property  
 4 relating to such activities.

5 (2) Any nonprofit organization administering such program shall be  
 6 immune from civil or criminal liability or professional disciplinary  
 7 action of any kind for any injury, death, or loss to person or property  
 8 relating to such activities.

9 (3) A drug manufacturer shall not, in the absence of bad faith or a  
 10 finding of gross negligence, be subject to criminal prosecution or  
 11 liability in tort or other civil action, for injury, death, or loss to a  
 12 person or property for matters related to the donation, acceptance, or  
 13 dispensing of a drug manufactured by the drug manufacturer that is  
 14 donated by any person under the program, including, but not limited to,  
 15 liability for failure to transfer or communicate product or consumer  
 16 information or the expiration date of the donated prescription drug.

Senator Hughes offered the following amendment to her amendment:

[FA217](#)

Amend AM2442 on page 1, line 21, strike "may" and "or appoint."

### SENATOR VON GILLERN PRESIDING

The Hughes amendment, to her amendment, was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

The Hughes amendment, as amended, was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

### ANNOUNCEMENT(S)

Priority designation(s) received:

Riepe - LB1109

### SELECT FILE

**LEGISLATIVE BILL 184.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 307.** [ER45](#), found on page 568, was offered.

ER45 was adopted.

Senator Arch offered [AM2380](#), found on page 686.

The Arch amendment was adopted with 31 ayes, 3 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 829.** [ER50](#), found on page 647, was offered.

ER50 was adopted.

Senator Blood offered the following amendment:

[AM2384](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 44-7,102, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 44-7,102 (1) Notwithstanding section 44-3,131, (a) any individual or  
6 group sickness and accident insurance policy, certificate, or subscriber  
7 contract delivered, issued for delivery, or renewed in this state and any  
8 hospital, medical, or surgical expense-incurred policy, except for short-  
9 term major medical policies of six months or less duration and policies  
10 that provide coverage for a specified disease or other limited-benefit  
11 coverage, and (b) any self-funded employee benefit plan to the extent not  
12 preempted by federal law shall include screening coverage for a  
13 colorectal cancer examination, ~~and laboratory tests for cancer, and a~~  
14 ~~concurrent removal of polyps or biopsy, or both,~~ for any nonsymptomatic  
15 person forty-five years of age or older covered under such policy,  
16 certificate, contract, or plan. Such screening coverage shall include a  
17 maximum of one stool-based preventive screening test as approved by the  
18 United States Preventive Services Task Force annually and a flexible  
19 sigmoidoscopy every five years, a colonoscopy every ten years, or a  
20 barium enema every five to ten years, or any combination, or the most  
21 reliable, medically recognized screening test available. The screenings  
22 selected shall be as deemed appropriate by a health care provider and the  
23 patient.

24 ~~(2)(a)~~ (2) On or after December 31, 2023, no policy, certificate, or  
 25 contract, delivered, issued for delivery, or renewed in this state, or  
 26 any self-funded employee benefit plan, to the extent not preempted by  
 27 federal law, shall impose a deductible, coinsurance, or any other cost-  
 1 sharing requirements for screening colonoscopies as recommended by the  
 2 United States Preventive Services Task Force, including those performed  
 3 as a result of a positive noncolonoscopy stool-based preventive screening  
 4 test.

5 (b) No policy, certificate, or contract, delivered, issued for  
 6 delivery, or renewed in this state, or any self-funded employee benefit  
 7 plan, to the extent not preempted by federal law, shall impose a  
 8 deductible, coinsurance, or any other cost-sharing requirements for any  
 9 service or item that is an integral part of performing a colorectal  
 10 cancer screening, including:

11 (i) Polyp removal performed during the screening procedure;  
 12 (ii) Any pathology examination on a polyp biopsy performed as part  
 13 of the screening procedure;  
 14 (iii) Required specialist consultation prior to the screening  
 15 procedure;  
 16 (iv) Bowel preparation medications prescribed for the screening  
 17 procedure; and  
 18 (v) Anesthesia services performed in connection with a preventive  
 19 colonoscopy.

20 Sec. 2. This act becomes operative on January 1, 2025.

21 Sec. 3. Original section 44-7,102, Revised Statutes Supplement,  
 22 2023, is repealed.

The Blood amendment was adopted with 25 ayes, 4 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 102.** [ER47](#), found on page 567, was offered.

ER47 was adopted.

Senator Erdman offered [AM2258](#), found on page 571.

The Erdman amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 102A.** [ER48](#), found on page 568, was offered.

ER48 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 83.** Senator DeBoer offered [AM2279](#), found on page 593.

The DeBoer amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 152.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 731.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 771.** [ER51](#), found on page 647, was offered.

ER51 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 147.** [ER49](#), found on page 649, was offered.

ER49 was adopted.

#### **SENATOR DORN PRESIDING**

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 218.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 218A.** Senator Ibach offered the following amendment:

[AM2505](#)

1 1. On page 2, lines 1 and 7, strike "\$5,294,000" and insert  
2 "\$3,000,000".

The Ibach amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 303.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 317.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 190.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 358.** [ER54](#), found on page 668, was offered.

ER54 was adopted.

Senator Walz offered [AM2410](#), found on page 687.

The Walz amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 130.** [ER53](#), found on page 668, was offered.

ER53 was adopted.

Advanced to Enrollment and Review for Engrossment.

#### ANNOUNCEMENT(S)

Priority designation(s) received:

Dorn - LB1108

#### NOTICE OF COMMITTEE HEARING(S)

Judiciary  
Room 1113 1:00 PM

Wednesday, February 21, 2024  
John Brazda - Crime Victim's Reparations Committee  
Ann E. Ames - Crime Victim's Reparations Committee

Room 1113 1:30 PM

Wednesday, February 21, 2024  
LB1092  
LB916  
LB1161  
LB1071  
LB922 (reschedule)  
LB978

(Signed) Justin Wayne, Chairperson

#### GENERAL FILE

**LEGISLATIVE BILL 644.** Senator McDonnell moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 1 nay, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 895.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 198.** Placed on Select File with amendment.  
[ER64](#) is available in the Bill Room.

**LEGISLATIVE BILL 908.** Placed on Select File.  
**LEGISLATIVE BILL 909.** Placed on Select File.  
**LEGISLATIVE BILL 989.** Placed on Select File.

**LEGISLATIVE BILL 992.** Placed on Select File with amendment.  
[ER59](#)

- 1 1. On page 1, line 6, after the second semicolon insert "to adopt
- 2 updates to federal law and uniform standards;".
- 3 2. On page 2, line 3, strike "2" and insert "4"; and in line 8
- 4 strike "3" and insert "4".
- 5 3. On page 23, line 1, after "that" insert "the".
- 6 4. On page 31, line 21, after "dates" insert "for credentials".

**LEGISLATIVE BILL 16A.** Placed on Select File.

**LEGISLATIVE BILL 257.** Placed on Select File with amendment.  
[ER58](#)

- 1 1. On page 2, line 18, after "prior" insert "to".
- 2 2. On page 5, line 3, after "cemetary" insert an underscored comma.
- 3 3. On page 6, line 21, strike "invester" and insert "investor".

**LEGISLATIVE BILL 144.** Placed on Select File with amendment.  
[ER63](#)

- 1 1. On page 1, line 8, after the second semicolon insert "to provide
- 2 restrictions for installation authority as prescribed;".

**LEGISLATIVE BILL 716.** Placed on Select File.  
**LEGISLATIVE BILL 304.** Placed on Select File.

**LEGISLATIVE BILL 569.** Placed on Select File with amendment.  
[ER60](#)

- 1 1. On page 1, strike beginning with "prohibit" in line 1 through
- 2 line 4 and insert "define terms; to require a county board to publish
- 3 notice and conduct public meetings relating to certain financial
- 4 interests prior to construction of any new electric generation facility
- 5 as prescribed; to provide an exception; and to declare an emergency;".

**LEGISLATIVE BILL 624.** Placed on Select File with amendment.  
[ER62](#)

1 1. On page 1, strike beginning with "sections" in line 2 through  
2 line 7 and insert "section 81-3710, Revised Statutes Cumulative  
3 Supplement, 2022; to change membership provisions for the Nebraska  
4 Tourism Commission; to eliminate obsolete provisions; and to repeal the  
5 original section."

**LEGISLATIVE BILL 139.** Placed on Select File with amendment.

[ER61](#)

1 1. In the Standing Committee amendments, AM1518, on page 2, line 3,  
2 strike "2023" and insert "2024".  
3 2. On page 1, line 2, after "change" insert "and eliminate  
4 provisions relating to".

**LEGISLATIVE BILL 854.** Placed on Select File.

**LEGISLATIVE BILL 847.** Placed on Select File.

**LEGISLATIVE BILL 848.** Placed on Select File.

**LEGISLATIVE BILL 936.** Placed on Select File.

**LEGISLATIVE BILL 940.** Placed on Select File with amendment.

[ER65](#)

1 1. On page 1, strike beginning with "provide" in line 3 through line  
2 8 and insert "change the powers of a county relating to agreements as  
3 prescribed; to change and provide authority for a county to provide  
4 certain protective services; to harmonize provisions; and to repeal the  
5 original sections."

**LEGISLATIVE BILL 1102.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Health and Human Services

**LEGISLATIVE BILL 62.** Placed on General File with amendment.

[AM644](#)

1 1. On page 4, line 14, after the first occurrence of "for" insert ",  
2 and reimbursement to providers for."

(Signed) Ben Hansen, Chairperson

Revenue

**LEGISLATIVE BILL 165.** Placed on General File.

**LEGISLATIVE BILL 901.** Placed on General File.

**LEGISLATIVE BILL 1088.** Placed on General File.

**LEGISLATIVE BILL 1177.** Placed on General File.

**LEGISLATIVE BILL 877.** Placed on General File with amendment.

[AM2420](#)

1 1. On page 2, strike lines 24 and 25.

(Signed) R. Brad von Gillern, Vice Chairperson



## Transportation and Telecommunications

**LEGISLATIVE BILL 1030.** Placed on General File.

(Signed) Mike Moser, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McDonnell filed the following amendment to LB607:

AM2264

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 75-1101, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 75-1101 (1) For purposes of this section, 211 Information and  
6 Referral Network means a statewide information and referral network  
7 providing information to the public regarding disaster and emergency  
8 response and health and human services provided by public and private  
9 entities throughout the state.  
10 (2) The Public Service Commission shall award a grant annually to a  
11 211 Information and Referral Network which submits an application and  
12 meets the requirements of this section. ~~Beginning July 1, 2022, the~~  
13 ~~amount of each grant shall be nine hundred fifty-five thousand dollars.~~  
14 (3) To be eligible for a grant, the 211 Information and Referral  
15 Network shall update the information and referral services on the network  
16 at least annually, shall geographically index the services to provide  
17 information on a county-by-county basis, and shall be accredited as  
18 meeting the standards for service delivery and quality by the Alliance of  
19 Information and Referral Systems or a similar organization approved by  
20 the commission.  
21 (4) The grant may be used to establish a website which includes  
22 links to providers of health and human services, the name, address, and  
23 telephone number of any organization listed on the website, a description  
24 of the type of services provided by the organization, and other  
25 information to educate the public about the health and human services  
26 available on a geographic basis. The grant may also be used to provide  
27 access to the network twenty-four hours per day, seven days per week,  
1 through telephone access and website access.  
2 (5) There is hereby created the 211 Cash Fund. The fund shall be  
3 used solely for the purpose of providing grants pursuant to this section  
4 and associated administrative costs. All money received by the Public  
5 Service Commission for such grants shall be remitted to the State  
6 Treasurer for credit to such fund. Any money in the fund available for  
7 investment shall be invested by the state investment officer pursuant to  
8 the Nebraska Capital Expansion Act and the Nebraska State Funds  
9 Investment Act.  
10 Sec. 2. Original section 75-1101, Revised Statutes Cumulative  
11 Supplement, 2022, is repealed.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

McKinney - LB631

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB857.  
Senator Conrad name added to LB953.

**VISITOR(S)**

Visitors to the Chamber were Cleo Zagurski; members of League of Women Voters; Nebraska Youth Justice Policy Fellowship from Boys Town.

**ADJOURNMENT**

At 11:39 a.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Thursday, February 15, 2024.

Brandon Metzler  
Clerk of the Legislature

**TWENTY-NINTH DAY - FEBRUARY 15, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**TWENTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 15, 2024

**PRAYER**

The prayer was offered by Pastor Roger Sloan, First Christian Church, O'Neill.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senators Dover, Linehan, and Raybould who were excused; and Senators Bostar, M. Cavanaugh, Conrad, Day, Dungan, Hunt, McKinney, Vargas, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-eighth day was approved.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of February 14, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Baldocchi, Danny  
Airbnb, Inc.  
Beienburg, Matt

Barry Goldwater Institute for Public Policy Research  
 Catalyst Public Affairs  
 Jasper Stone Partners LLC  
 Fernandez, David  
 Altria Client Services LLC and its Affiliates  
 Frazier, Travis  
 Association of National Advertisers  
 Gorynski, Alec  
 Lincoln Community Foundation  
 Husch Blackwell Strategies  
 Papio Valley Preservation Association, Inc.  
 Jensen Rogert Associates, Inc.  
 Veteran Benefits Guide  
 Norman, Brian  
 Barry Goldwater Institute for Public Policy Research  
 O'Hara Lindsay & Associates, Inc.  
 E-Titan Vapors LLC  
 Fresenius Medical Care North America  
 Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
 Delta Dental of Nebraska  
 Good Life Coalition

### REPORTS

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

### ANNOUNCEMENT(S)

Priority designation(s) received:

DeBoer - LB175  
 Legislature's Planning Committee - LB904  
 Agriculture - LB262 and LB844  
 Meyer - LB71  
 Urban Affairs - LB840  
 Dover - LB1313  
 Ibach - LB1368

### GENERAL FILE

**LEGISLATIVE BILL 1087.** Title read. Considered.

Committee [AM2404](#), found on page 684, was offered.

Senator Jacobson offered the following amendment to the committee amendment:

[AM2512](#)

(Amendments to Standing Committee amendments, AM2404)

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

2 sections:

3 Section 1. Sections 1 to 10 of this act shall be known and may be  
4 cited as the Hospital Quality Assurance and Access Assessment Act.

5 Sec. 2. For purposes of the Hospital Quality Assurance and Access  
6 Assessment Act:

7 (1) Assessment means a quality assurance and access assessment  
8 imposed on hospitals pursuant to section 3 of this act;

9 (2) Department means the Division of Medicaid and Long-Term Care  
10 Services of the Department of Health and Human Services;

11 (3) Hospital means a hospital as defined in section 71-419 or a  
12 rural emergency hospital as defined in section 71-477;

13 (4) Medical assistance program means the medical assistance program  
14 established pursuant to the Medical Assistance Act; and

15 (5) Net patient revenue means the revenue paid to a hospital for  
16 patient care, room, board, and services less contractual adjustments, bad  
17 debt, and revenue from sources other than operations, including, but not  
18 limited to, interest, guest meals, gifts, and grants.

19 Sec. 3. (1) The department shall amend the medicaid state plan or  
20 file other federal authorizing documents to establish assessments and  
21 directed-payment programs for hospital inpatient and outpatient services.

22 (2) Upon approval by the federal Centers for Medicare and Medicaid  
23 Services of a hospital assessment and a directed-payment program, the  
24 department shall impose an assessment on hospitals to assure quality and  
25 access in the medical assistance program.

26 (3) The department may establish different assessment rates based on  
1 categories of hospital or hospital services as allowed by federal law.

2 (4) The department shall consult with a statewide association  
3 representing a majority of hospitals and health systems in Nebraska  
4 regarding the development, implementation, and annual renewal of the  
5 assessments and the directed-payment programs.

6 (5) The department shall partner with a statewide association  
7 representing a majority of hospitals and health systems in Nebraska to:

8 (a) Aggregate inpatient, outpatient, and clinic claims data in order  
9 to establish quality improvement metrics and track progress on identified  
10 metrics;

11 (b) Design and implement initiatives to improve children's mental  
12 health, adult mental health, maternity care, and senior care; and

13 (c) Increase the workforce development of nurses and other health  
14 professionals by hospitals and health systems providing at least fifty  
15 million dollars per year in private investments in statewide health care  
16 workforce development.

17 (6) The department shall adopt and promulgate rules and regulations  
18 that are necessary and proper to implement the Hospital Quality Assurance  
19 and Access Assessment Act.

20 Sec. 4. Except as provided in section 6 of this act, the department  
21 shall collect assessments from hospitals and remit the assessments to the  
22 State Treasurer for credit to the Hospital Quality Assurance and Access  
23 Assessment Fund. It is the intent of the Legislature that no proceeds  
24 from the fund, including the federal match, shall be placed in the  
25 General Fund.

26 Sec. 5. (1) Each hospital shall pay an assessment based on net  
27 patient revenue for the purpose of improving the quality of, and access  
28 to, hospital care in the state. The statewide aggregate assessment shall  
29 equal (a) the state share of the payments authorized by the federal  
30 Centers for Medicare and Medicaid Services and (b) funds for expenditures  
31 as provided in subsection (3) of section 6 of this act. The statewide  
1 aggregate assessment total shall not exceed six percent of the net  
2 patient revenue of all assessed hospitals.

3 (2)(a) A hospital shall pay its quarterly assessment within thirty  
4 days after receipt of its quarterly directed payments. Failure of a  
5 hospital to remit the assessments may result in penalties, interest, or  
6 legal action.

7 (b) A new hospital shall begin paying an assessment and receiving  
8 directed payments at the start of the first full fiscal year after the

9 hospital is eligible for medicaid reimbursement for inpatient or  
10 outpatient services. A hospital that has merged with another hospital  
11 shall have its assessment and directed payments revised at the start of  
12 the first full fiscal year after the merger is recognized by the  
13 department. A closed hospital shall be retroactively responsible for  
14 assessments owed and shall receive directed payments for services  
15 provided.

16 (3) If the department determines that a hospital has underpaid or  
17 overpaid assessments, the department shall notify the hospital of the  
18 unpaid assessments or of any refund due. Such payment or refund shall be  
19 due or refunded within thirty days after the date of the notice.

20 Sec. 6. (1) The Hospital Quality Assurance and Access Assessment  
21 Fund is created. Interest earned on the fund shall be credited to the  
22 fund. Any money in the fund available for investment shall be invested by  
23 the state investment officer pursuant to the Nebraska Capital Expansion  
24 Act and the Nebraska State Funds Investment Act.

25 (2) The department shall use the Hospital Quality Assurance and  
26 Access Assessment Fund, including the matching federal financial  
27 participation, for the purpose of enhancing rates paid to hospitals under  
28 the medical assistance program except as allowed by subsection (3) of  
29 this section. Money in the fund shall not be used to replace or offset  
30 existing state funds paid to hospitals for providing services under the  
31 medical assistance program.

1 (3) The Hospital Quality Assurance and Access Assessment Fund shall  
2 also be used to:

3 (a) Recover funds used to process directed payments to hospitals;  
4 (b) Reimburse the department an administrative fee of three percent  
5 of the assessment, not to exceed fifteen million dollars per year, to  
6 collect assessments and administer directed-payment programs established  
7 by the Hospital Quality Assurance and Access Assessment Act;  
8 (c) Provide the Nebraska Center for Nursing Board one-half of one  
9 percent of the assessment, not to exceed two million five hundred  
10 thousand dollars per year, for the expansion of clinical nursing training  
11 sites as authorized in subsection (3) of section 71-1798; and  
12 (d) Provide funding of three and one-half of one percent of the  
13 assessment, not to exceed seventeen million five hundred thousand dollars  
14 per year, for rates for nonhospital providers in the medical assistance  
15 program, continuous eligibility for children, or the designated health  
16 information exchange authorized in section 81-6,125.

17 (4) In calculating rates, the proceeds from assessments and federal  
18 match not utilized under subsection (3) of this section shall be used to  
19 enhance rates for hospital inpatient and outpatient services in addition  
20 to any funds appropriated by the Legislature.

21 (5) The department shall collect data for revenue, discharge, and  
22 inpatient days from a hospital that does not file an annual medicare cost  
23 report. At the request of the department, a hospital that does not file  
24 an annual medicare cost report shall submit such requested data to the  
25 department.

26 (6) The department shall prohibit a medicaid managed care  
27 organization from (a) setting, establishing, or negotiating reimbursement  
28 rates with a hospital in a manner that takes into account, directly or  
29 indirectly, a directed payment that a hospital receives under the  
30 Hospital Quality Assurance and Access Assessment Act, (b) unnecessarily  
31 delaying a directed payment to a hospital, or (c) recouping or offsetting  
1 a directed payment for any reason.

2 (7)(a) A hospital shall not:

3 (i) Set, establish, or negotiate reimbursement rates with a managed  
4 care organization in a manner that directly or indirectly takes into  
5 account a directed payment that a hospital receives under the Hospital  
6 Quality Assurance and Access Assessment Act; or  
7 (ii) Directly pass on the cost of an assessment to patients or  
8 nonmedicaid payors, including as a fee or rate increase.

9 (b) A hospital that violates this subsection shall not receive a  
10 directed payment for the remainder of the rate year. This subsection

11 shall not be construed to prohibit a hospital from negotiating with a  
 12 payor for a rate increase.  
 13 Sec. 7. It is the intent of the Legislature that medicaid rates  
 14 paid for hospital inpatient and outpatient services and the General Fund  
 15 appropriations for hospital inpatient and outpatient services in the  
 16 medical assistance program shall not be reduced to an amount below the  
 17 rates paid and General Fund appropriations for these services in fiscal  
 18 year 2023-24.  
 19 Sec. 8. Assessments and directed-payment programs shall be treated  
 20 as a separate component in developing rates paid to hospitals and shall  
 21 not be included with existing rate components. The assessments and  
 22 directed-payment programs shall be retroactive to July 1, 2024, or the  
 23 effective date approved by the federal Centers for Medicare and Medicaid  
 24 Services.  
 25 Sec. 9. (1) The department shall discontinue the collection of  
 26 assessments when federal matching funds are unavailable. In such case,  
 27 the department shall terminate the collection of the assessments  
 28 beginning on the date such federal matching funds become unavailable.  
 29 (2) If collection of assessments is discontinued as provided in this  
 30 section, the money in the Hospital Quality Assurance and Access  
 31 Assessment Fund shall be returned to the hospitals from which the  
 1 assessments were collected on the same proportional basis as the  
 2 assessments were assessed for the quarter in which the assessment was  
 3 terminated.  
 4 Sec. 10. The Hospital Quality Assurance and Access Assessment Act  
 5 shall terminate effective January 1, 2027.  
 6 Sec. 11. Since an emergency exists, this act takes effect when  
 7 passed and approved according to law.

Senator Jacobson moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

The Jacobson amendment, to the committee amendment, was adopted with 34 ayes, 3 nays, 5 present and not voting, and 7 excused and not voting.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

## **SENATOR DEKAY PRESIDING**

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

### **COMMITTEE REPORT(S)** Health and Human Services

**LEGISLATIVE BILL 856.** Placed on General File with amendment.

#### AM2510

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 68-1206, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-1206 (1) The Department of Health and Human Services shall  
 6 administer the program of social services in this state. The department  
 7 may contract with other social agencies for the purchase of social

8 services at rates not to exceed those prevailing in the state or the cost  
9 at which the department could provide those services. The statutory  
10 maximum payments for the separate program of aid to dependent children  
11 shall apply only to public assistance grants and shall not apply to  
12 payments for social services.

13 (2)(a) As part of the provision of social services authorized by  
14 section 68-1202, the department shall participate in the federal child  
15 care assistance program under 42 U.S.C. 9857 et seq., as such sections  
16 existed on January 1, 2023, and provide child care assistance to families  
17 with incomes up to (i) one hundred eighty-five percent of the federal  
18 poverty level prior to October 1, 2026, or (ii) one hundred thirty  
19 percent of the federal poverty level on and after October 1, 2026.

20 (b)(i) (b) As part of the provision of social services authorized by  
21 this section and section 68-1202, the department shall participate in the  
22 federal Child Care Subsidy program. A child care provider seeking to  
23 participate in the federal Child Care Subsidy program shall comply with  
24 the criminal history record information check requirements of the Child  
25 Care Licensing Act. In determining ongoing eligibility for this program,  
26 ten percent of a household's gross earned income shall be disregarded  
27 after twelve continuous months on the program and at each subsequent  
1 redetermination. In determining ongoing eligibility, if a family's income  
2 exceeds one hundred eighty-five percent of the federal poverty level  
3 prior to October 1, 2026, or one hundred thirty percent of the federal  
4 poverty level on and after October 1, 2026, the family shall receive  
5 transitional child care assistance through the remainder of the family's  
6 eligibility period or until the family's income exceeds eighty-five  
7 percent of the state median income for a family of the same size as  
8 reported by the United States Bureau of the Census, whichever occurs  
9 first. When the family's eligibility period ends, the family shall  
10 continue to be eligible for transitional child care assistance if the  
11 family's income is below two hundred percent of the federal poverty level  
12 prior to October 1, 2026, or one hundred eighty-five percent of the  
13 federal poverty level on and after October 1, 2026. The family shall  
14 receive transitional child care assistance through the remainder of the  
15 transitional eligibility period or until the family's income exceeds  
16 eighty-five percent of the state median income for a family of the same  
17 size as reported by the United States Bureau of the Census, whichever  
18 occurs first. The amount of such child care assistance shall be based on  
19 a cost-shared plan between the recipient family and the state and shall  
20 be based on a sliding-scale methodology. A recipient family may be  
21 required to contribute a percentage of such family's gross income for  
22 child care that is no more than the cost-sharing rates in the  
23 transitional child care assistance program as of January 1, 2015, for  
24 those no longer eligible for cash assistance as provided in section  
25 68-1724.

26 (ii) A household shall have all earned and unearned income excluded  
27 from its eligibility determination if the applicant or adult household  
28 member is:

29 (A)(I) Self-employed at a licensed child care program as described  
30 in section 71-1911, (II) employed at a licensed child care program as  
31 described in section 71-1911, (III) employed at a federal Head Start  
1 program, as described in 42 U.S.C. 9831 et seq., or (IV) employed at an  
2 Early Head Start program, as described in 42 U.S.C. 9840a;

3 (B) Verified for a minimum of twenty hours of employment per week;  
4 and

5 (C) Listed in the Nebraska Early Childhood Professional Record  
6 System as described in section 71-1962.

7 (iii) Child care programs with an eligible household described in  
8 subdivision (2)(b)(ii)(A)(II) or (2)(b)(ii)(A)(III) of this section shall  
9 make reasonable accommodations so that the eligible applicant or adult



10 household member is not a primary caregiver to such applicant's or adult  
 11 household member's child. If reasonable accommodation cannot be made, the  
 12 department shall allow the applicant or adult household member to receive  
 13 child care assistance for the applicant's or adult household member's  
 14 child including when the applicant or adult household member is the  
 15 primary caregiver for such child.  
 16 (iv) An eligible household described in subdivision (2)(b)(ii)(A)(i)  
 17 of this section may enroll the household member's child in a child care  
 18 program other than the household member's child care program to receive  
 19 child care assistance.  
 20 (v) Nothing in subdivision (2)(b)(ii) of this section shall preclude  
 21 a household from meeting additional eligibility requirements of the  
 22 federal Child Care Subsidy program.  
 23 (vi) The department shall submit a report electronically to the  
 24 Legislature on December 1 of each year that includes the monthly number  
 25 of enrolled children and households by county and program type for  
 26 households eligible pursuant to subdivision (2)(b)(ii) of this section.  
 27 (c) For the period beginning July 1, 2021, through September 30,  
 28 2026, funds provided to the State of Nebraska pursuant to the Child Care  
 29 and Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such  
 30 act and sections existed on January 1, 2023, shall be used to pay the  
 31 costs to the state resulting from the income eligibility changes made in  
 1 subdivisions (2)(a) and (b) of this section by Laws 2021, LB485. If the  
 2 available amount of such funds is insufficient to pay such costs, then  
 3 funds provided to the state for the Temporary Assistance for Needy  
 4 Families program established in 42 U.S.C. 601 et seq. may also be used.  
 5 No General Funds shall be used to pay the costs to the state, other than  
 6 administration costs, resulting from the income eligibility changes made  
 7 in subdivisions (2)(a) and (b) of this section by Laws 2021, LB485, for  
 8 the period beginning July 1, 2021, through September 30, 2026.  
 9 (d) The Department of Health and Human Services shall collaborate  
 10 with a private nonprofit organization with expertise in early childhood  
 11 care and education for an independent evaluation of the income  
 12 eligibility changes made in subdivisions (2)(a) and (b) of this section  
 13 by Laws 2021, LB485, if private funding is made available for such  
 14 purpose. The evaluation shall be completed by July 1, 2024, and shall be  
 15 submitted electronically to the department and to the Health and Human  
 16 Services Committee of the Legislature.  
 17 (3) In determining the rate or rates to be paid by the department  
 18 for child care as defined in section 43-2605, the department shall adopt  
 19 a fixed-rate schedule for the state or a fixed-rate schedule for an area  
 20 of the state applicable to each child care program category of provider  
 21 as defined in section 71-1910 which may claim reimbursement for services  
 22 provided by the federal Child Care Subsidy program, except that the  
 23 department shall not pay a rate higher than that charged by an individual  
 24 provider to that provider's private clients. The schedule may provide  
 25 separate rates for care for infants, for children with special needs,  
 26 including disabilities or technological dependence, or for other  
 27 individual categories of children. The schedule may also provide tiered  
 28 rates based upon a quality scale rating of step three or higher under the  
 29 Step Up to Quality Child Care Act. The schedule shall be effective on  
 30 October 1 of every year and shall be revised annually by the department.  
 31 Sec. 2. Original section 68-1206, Revised Statutes Supplement,  
 1 2023, is repealed.

**LEGISLATIVE BILL 932.** Placed on General File with amendment.

AM2509

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 38-130, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 38-130 (1) An individual shall file an application for a credential  
6 to practice a profession with the department accompanied by the fee set  
7 pursuant to the Uniform Credentialing Act. The application may be  
8 submitted up to ninety days prior to the date of the applicant's  
9 graduation from the required course of study and shall contain:

10 (a) The legal name of the applicant;  
11 (b) The date and place of birth of the applicant;  
12 (c) The address of the applicant;  
13 (d) The social security number of the applicant or the resident  
14 identification number of the applicant if the applicant is not a citizen  
15 of the United States and is otherwise eligible to be credentialed under  
16 section 38-129; and

17 (e) Any other information required by the department.

18 (2) A business shall file an application for a credential with the  
19 department accompanied by the fee set pursuant to the Uniform  
20 Credentialing Act. The application shall contain:

21 (a) The full name and address of the business;  
22 (b) The full name and address of the owner of the business;  
23 (c) The name of each person in control of the business;  
24 (d) The social security number of the business if the applicant is a  
25 sole proprietorship; and

26 (e) Any other information required by the department.

27 (3) The applicant shall sign the application. If the applicant is a  
1 business, the application shall be signed by:

2 (a) The owner or owners if the applicant is a sole proprietorship, a  
3 partnership, or a limited liability company that has only one member;

4 (b) Two of its members if the applicant is a limited liability  
5 company that has more than one member;

6 (c) Two of its officers if the applicant is a corporation;

7 (d) The head of the governmental unit having jurisdiction over the  
8 business if the applicant is a governmental unit; or

9 (e) If the applicant is not an entity described in subdivisions (a)  
10 through (d) of this subsection, the owner or owners or, if there is no  
11 owner, the chief executive officer or comparable official.

12 (4) Each credential holder under the Uniform Credentialing Act shall  
13 notify the department of any change to the address of record so that the  
14 department can update the record of the credential holder under section  
15 38-123.

16 (5) Social security numbers obtained under this section shall not be  
17 public information but may be shared by the department for administrative  
18 purposes if necessary and only under appropriate circumstances to ensure  
19 against any unauthorized access to such information.

20 Sec. 2. Original section 38-130, Reissue Revised Statutes of  
21 Nebraska, is repealed.

(Signed) Ben Hansen, Chairperson

Revenue

**LEGISLATIVE BILL 1394.** Placed on General File.

**LEGISLATIVE BILL 1067.** Placed on General File with amendment.

[AM2492](#)

1 1. On page 2, line 13, strike "thirty-five" and insert "one  
2 hundred".

3 2. On page 16, line 9, after "use" insert "up to fifty percent of".

(Signed) R. Brad von Gillern, Vice Chairperson

## Transportation and Telecommunications

**LEGISLATIVE BILL 1108.** Placed on General File with amendment.[AM2482](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 60-3,156, Reissue Revised Statutes of Nebraska,  
4 is amended to read:  
5 60-3,156 In addition to the registration fees for motor vehicles and  
6 trailers, the county treasurer or his or her agent shall collect:  
7 (1) Two dollars for each certificate issued and shall remit two  
8 dollars of each additional fee collected to the State Treasurer for  
9 credit to the Department of Motor Vehicles Cash Fund;  
10 (2) ~~One dollar Fifty cents~~ for each certificate issued and shall  
11 remit the fee to the State Treasurer for credit to the Nebraska Emergency  
12 Medical System Operations Fund; and  
13 (3) One dollar and fifty cents for each certificate issued and shall  
14 remit the fee to the State Treasurer for credit to the State Recreation  
15 Road Fund.  
16 Sec. 2. Section 71-51,103, Reissue Revised Statutes of Nebraska, is  
17 amended to read:  
18 71-51,103 ~~(1)~~ There is hereby created the Nebraska Emergency  
19 Medical System Operations Fund. The fund may receive gifts, bequests,  
20 grants, fees, or other contributions or donations from public or private  
21 entities.  
22 ~~(2)~~ The fund shall be used to carry out the purposes of the  
23 Statewide Trauma System Act and the Emergency Medical Services Practice  
24 Act, including:  
25 ~~(a) Activities~~ activities related to the design, maintenance, or  
26 enhancement of the statewide trauma system; ;  
27 ~~(b) Support for support of~~ emergency medical services programs; ;  
1 and  
2 ~~(c) Support support~~ for the emergency medical services programs for  
3 children; ;  
4 ~~(d) Financial support for the statewide patient care reporting~~  
5 ~~system and trauma registry described in section 71-8248; and~~  
6 ~~(e) Financial support for recruitment, retention, and training~~  
7 ~~emergency medical responders.~~  
8 ~~(3) The Department of Health and Human Services shall electronically~~  
9 ~~deliver a report to the Clerk of the Legislature by December 31 of each~~  
10 ~~year that includes the following information from the most recent~~  
11 ~~previous fiscal year:~~  
12 ~~(a) The amount of money appropriated to the Department of Health and~~  
13 ~~Human Services from the Nebraska Emergency Medical System Operations Fund~~  
14 ~~that was not spent and an explanation for why such money was not spent;~~  
15 and  
16 ~~(b) The amount of money appropriated to the Department of Health and~~  
17 ~~Human Services from the Nebraska Emergency Medical System Operations Fund~~  
18 ~~that was spent and an explanation for how such money was spent.~~  
19 ~~(4) Any money in the fund available for investment shall be invested~~  
20 ~~by the state investment officer pursuant to the Nebraska Capital~~  
21 ~~Expansion Act and the Nebraska State Funds Investment Act.~~  
22 Sec. 3. This act becomes operative on August 1, 2024.  
23 Sec. 4. Original sections 60-3,156 and 71-51,103, Reissue Revised  
24 Statutes of Nebraska, are repealed.

(Signed) Mike Moser, Chairperson

## AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to LB120:  
AM2489

1 1. Strike the original section and insert the following new

2 sections:

3 Section 1. Section 70-1001.01, Revised Statutes Supplement, 2023, is

4 amended to read:

5 70-1001.01 For purposes of sections 70-1001 to 70-1028, unless the

6 context otherwise requires:

7 (1) Board means the Nebraska Power Review Board;

8 (2) Electric supplier or supplier of electricity means any legal

9 entity supplying, producing, or distributing electricity within the state

10 for sale at wholesale or retail;

11 (3) ~~Military installation~~ means a military base where fixed-wing

12 aircraft or strategic weapon assets are on a permanent or temporary basis

13 assigned, stored, operated from, or otherwise located;

14 (4) ~~(3)~~ Private electric supplier means an electric supplier

15 producing electricity from a privately developed renewable energy

16 generation facility that is not a public power district, a public power

17 and irrigation district, a municipality, a registered group of

18 municipalities, an electric cooperative, an electric membership

19 association, any other governmental entity, or any combination thereof;

20 (5) ~~(4)~~ Privately developed renewable energy generation facility

21 means a facility that (a) generates electricity using solar, wind,

22 geothermal, biomass, landfill gas, or biogas, including all electrically

23 connected equipment used to produce, collect, and store the facility

24 output up to and including the transformer that steps up the voltage to

25 sixty thousand volts or greater, and including supporting structures,

26 buildings, and roads, unless otherwise agreed to in a joint transmission

27 development agreement, (b) is developed, constructed, and owned, in whole

1 or in part, by one or more private electric suppliers, and (c) is not

2 wholly owned by a public power district, a public power and irrigation

3 district, a municipality, a registered group of municipalities, an

4 electric cooperative, an electric membership association, any other

5 governmental entity, or any combination thereof;

6 (6) ~~(5)~~ Regional transmission organization means an entity

7 independent from those entities generating or marketing electricity at

8 wholesale or retail, which has operational control over the electric

9 transmission lines in a designated geographic area in order to reduce

10 constraints in the flow of electricity and ensure that all power

11 suppliers have open access to transmission lines for the transmission of

12 electricity;

13 (7) ~~(6)~~ Reliable or reliability means the ability of an electric

14 supplier to supply the aggregate electric power and energy requirements

15 of its electricity consumers in Nebraska at all times under normal

16 operating conditions, taking into account scheduled and unscheduled

17 outages, including sudden disturbances or unanticipated loss of system

18 components that are to be reasonably expected for any electric utility

19 following prudent utility practices, recognizing certain weather

20 conditions and other contingencies may cause outages at the distribution,

21 transmission, and generation level;

22 (8) ~~(7)~~ Representative organization means an organization designated

23 by the board and organized for the purpose of providing joint planning

24 and encouraging maximum cooperation and coordination among electric

25 suppliers. Such organization shall represent electric suppliers owning a

26 combined electric generation plant accredited capacity of at least ninety

27 percent of the total electric generation plant accredited capacity

28 constructed and in operation within the state;

29 (9) (8) State means the State of Nebraska; and

30 (10) (9) Unbundled retail rates means the separation of utility  
31 bills into the individual price components for which an electric supplier  
1 charges its retail customers, including, but not limited to, the separate  
2 charges for the generation, transmission, and distribution of  
3 electricity.

4 Sec. 2. Section 70-1012, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 70-1012 (1) Before any electric generation facilities or any  
7 transmission lines or related facilities carrying more than seven hundred  
8 volts are constructed or acquired by any supplier, an application, filed  
9 with the board and containing such information as the board shall  
10 prescribe, shall be approved by the board, except that such approval  
11 shall not be required (a) for the construction or acquisition of a  
12 transmission line extension or related facilities within a supplier's own  
13 service area or for the construction or acquisition of a line not  
14 exceeding one-half mile outside its own service area when all owners of  
15 electric lines located within one-half mile of the extension consent  
16 thereto in writing and such consents are filed with the board, (b) for  
17 any generation facility when the board finds that (i) such facility is  
18 being constructed or acquired to replace a generating plant owned by an  
19 individual municipality or registered group of municipalities with a  
20 capacity not greater than that of the plant being replaced, (ii) such  
21 facility will generate less than twenty-five thousand kilowatts of  
22 electric energy at rated capacity, and (iii) the applicant will not use  
23 the plant or transmission capacity to supply wholesale power to customers  
24 outside the applicant's existing retail service area or chartered  
25 territory, (c) for acquisition of transmission lines or related  
26 facilities, within the state, carrying one hundred fifteen thousand volts  
27 or less, if the current owner of the transmission lines or related  
28 facilities notifies the board of the lines or facilities involved in the  
29 transaction and the parties to the transaction, or (d) for the  
30 construction of a qualified facility as defined in section 70-2002.

31 (2) Before any electric supplier commences construction of or  
1 acquires an electric generation facility or transmission lines or related  
2 facilities of any voltage that will be located within a ten-mile radius  
3 of a military installation, the owner of such proposed facility,  
4 transmission lines, or related facilities shall provide written notice  
5 certifying to the board that such facility or facilities contain no  
6 materials, electronics, or other components manufactured by any foreign  
7 government or foreign nongovernment person determined to be a foreign  
8 adversary pursuant to 15 C.F.R. 7.4.

9 (3) (2) A privately developed renewable energy generation facility  
10 is exempt from this section if it complies with section 70-1014.02.

11 Sec. 3. Section 70-1014.02, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 70-1014.02 (1) The Legislature finds that:

14 (a) Nebraska has the authority as a sovereign state to protect its  
15 land, natural resources, and cultural resources for economic and  
16 aesthetic purposes for the benefit of its residents and future  
17 generations by regulation of energy generation projects;  
18 (b) The unique terrain and ecology of the Nebraska Sandhills provide  
19 an irreplaceable habitat for millions of migratory birds and other  
20 wildlife every year and serve as the home to numerous ranchers and  
21 farmers;  
22 (c) The grasslands of the Nebraska Sandhills and other natural  
23 resources in Nebraska will become increasingly valuable, both  
24 economically and strategically, as the demand for food and energy  
25 increases; and  
26 (d) The Nebraska Sandhills are home to priceless archaeological

27 sites of historical and cultural significance to American Indians.  
 28 (2)(a) A privately developed renewable energy generation facility  
 29 that meets the requirements of this section is exempt from sections  
 30 70-1012 to 70-1014.01 if no less than thirty days prior to the  
 31 commencement of construction the owner of the facility:  
 1 (i) Notifies the board in writing of its intent to commence  
 2 construction of a privately developed renewable energy generation  
 3 facility;  
 4 (ii) Certifies to the board that the facility will meet the  
 5 requirements for a privately developed renewable energy generation  
 6 facility;  
 7 (iii) Certifies to the board that the private electric supplier will  
 8 (A) comply with any decommissioning requirements adopted by the local  
 9 governmental entities having jurisdiction over the privately developed  
 10 renewable energy generation facility and (B) except as otherwise provided  
 11 in subdivision (b) of this subsection, submit a decommissioning plan to  
 12 the board obligating the private electric supplier to bear all costs of  
 13 decommissioning the privately developed renewable energy generation  
 14 facility and requiring that the private electric supplier post a security  
 15 bond or other instrument, no later than the tenth year following  
 16 commercial operation, securing the costs of decommissioning the facility  
 17 and provide a copy of the bond or instrument to the board;  
 18 (iv) Certifies to the board that the private electric supplier has  
 19 entered into or prior to commencing construction will enter into a joint  
 20 transmission development agreement pursuant to subdivision (c) of this  
 21 subsection with the electric supplier owning the transmission facilities  
 22 of sixty thousand volts or greater to which the privately developed  
 23 renewable energy generation facility will interconnect; ~~and~~  
 24 (v) Certifies to the board that the private electric supplier has  
 25 consulted with the Game and Parks Commission to identify potential  
 26 measures to avoid, minimize, and mitigate impacts to species identified  
 27 under subsection (1) or (2) of section 37-806 during the project planning  
 28 and design phases, if possible, but in no event later than the  
 29 commencement of construction; ~~and~~ -  
 30 (vi) Certifies in writing to the board that the facility, if located  
 31 within a ten-mile radius of a military installation, contains no  
 1 materials, electronics, or other components manufactured by any foreign  
 2 government or foreign nongovernment person determined to be a foreign  
 3 adversary pursuant to 15 C.F.R. 7.4.  
 4 (b) The board may bring an action in the name of the State of  
 5 Nebraska for failure to comply with subdivision (a)(iii)(B) of this  
 6 subsection. Subdivision (a)(iii)(B) of this subsection does not apply if  
 7 a local government entity with the authority to create requirements for  
 8 decommissioning has enacted decommissioning requirements for the  
 9 applicable jurisdiction.  
 10 (c) The joint transmission development agreement shall address  
 11 construction, ownership, operation, and maintenance of such additions or  
 12 upgrades to the transmission facilities as required for the privately  
 13 developed renewable energy generation facility. The joint transmission  
 14 development agreement shall be negotiated and executed contemporaneously  
 15 with the generator interconnection agreement or other directives of the  
 16 applicable regional transmission organization with jurisdiction over the  
 17 addition or upgrade of transmission, upon terms consistent with prudent  
 18 electric utility practices for the interconnection of renewable  
 19 generation facilities, the electric supplier's reasonable transmission  
 20 interconnection requirements, and applicable transmission design and  
 21 construction standards. The electric supplier shall have the right to  
 22 purchase and own transmission facilities as set forth in the joint  
 23 transmission development agreement. The private electric supplier of the  
 24 privately developed renewable energy generation facility shall have the

25 right to construct any necessary facilities or improvements set forth in  
 26 the joint transmission development agreement pursuant to the standards  
 27 set forth in the agreement at the private electric supplier's cost.  
 28 (3) Within ten days after receipt of a written notice complying with  
 29 subsection (2) of this section, the executive director of the board shall  
 30 issue a written acknowledgment that the privately developed renewable  
 31 energy generation facility is exempt from sections 70-1012 to 70-1014.01.  
 1 (4) The exemption allowed under this section for a privately  
 2 developed renewable energy generation facility shall extend to and exempt  
 3 all private electric suppliers owning any interest in the facility,  
 4 including any successor private electric supplier which subsequently  
 5 acquires any interest in the facility.  
 6 (5) No property owned, used, or operated as part of a privately  
 7 developed renewable energy generation facility shall be subject to  
 8 eminent domain by a consumer-owned electric supplier operating in the  
 9 State of Nebraska. Nothing in this section shall be construed to grant  
 10 the power of eminent domain to a private electric supplier or limit the  
 11 rights of any entity to acquire any public, municipal, or utility right-  
 12 of-way across property owned, used, or operated as part of a privately  
 13 developed renewable energy generation facility as long as the right-of-  
 14 way does not prevent the operation of or access to the privately  
 15 developed renewable energy generation facility.  
 16 (6) Only a consumer-owned electric supplier operating in the State  
 17 of Nebraska may exercise eminent domain authority to acquire the land  
 18 rights necessary for the construction of transmission lines and related  
 19 facilities. There is a rebuttable presumption that the exercise of  
 20 eminent domain to provide needed transmission lines and related  
 21 facilities for a privately developed renewable energy generation facility  
 22 is a public use.  
 23 (7) Nothing in this section shall be construed to authorize a  
 24 private electric supplier to sell or deliver electricity at retail in  
 25 Nebraska.  
 26 (8) Nothing in this section shall be construed to limit the  
 27 authority of or require a consumer-owned electric supplier operating in  
 28 the State of Nebraska to enter into a joint agreement with a private  
 29 electric supplier to develop, construct, and jointly own a privately  
 30 developed renewable energy generation facility.  
 31 Sec. 4. Original section 70-1012, Reissue Revised Statutes of  
 1 Nebraska, section 70-1014.02, Revised Statutes Cumulative Supplement,  
 2 2022, and section 70-1001.01, Revised Statutes Supplement, 2023, are  
 3 repealed.  
 4 Sec. 5. The following sections are outright repealed: Sections  
 5 70-1029, 70-1030, 70-1031, and 70-1033, Reissue Revised Statutes of  
 6 Nebraska, and section 70-1032, Revised Statutes Cumulative Supplement,  
 7 2022.  
 8 Sec. 6. Since an emergency exists, this act takes effect when passed  
 9 and approved according to law.

Senator M. Cavanaugh filed the following amendment to [LB1139](#):  
[AM2502](#)

1 1. On page 7, after line 18 insert the following new subsection:  
 2 "(3) A covered individual shall not be eligible to receive family  
 3 and medical leave benefits until the covered individual has paid six  
 4 months' worth of required contributions."; in line 19 strike "(3)" and  
 5 insert "(4)"; in line 29 strike "(4)" and insert "(5)"; and in line 31  
 6 strike "(5)" and insert "(6)".  
 7 2. On page 8, line 7, strike "(6)" and insert "(7)"; and in line 10  
 8 strike "(7)" and insert "(8)".  
 9 3. On page 10 after line 5 insert the following new subsection:  
 10 "(3) A covered individual shall not terminate participation in the

11 act after receiving paid family and medical leave benefits until the  
12 covered individual either:  
13 (a) Participates in the act and pays contributions for six months  
14 following return from such leave; or  
15 (b) Pays contributions in an amount equal to the amount of family  
16 and medical leave benefits received for such leave."

Senator Murman filed the following amendment to LB1329:

[AM2475](#)

1 1. Strike section 1.

Senator Murman filed the following amendment to LB1331:

[AM2474](#)

1 1. Strike section 1.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 1:30 PM

Thursday, February 22, 2024  
AM2489 Amending LB120

(Signed) Bruce Bostelman, Chairperson

Revenue  
Room 1524 1:30 PM

Thursday, February 22, 2024

LB1279  
LB1372  
LB1032  
LB1218  
LB853  
LB1058  
LB1341

Room 1524 1:30 PM

Friday, February 23, 2024

LB1389  
LB950  
LB1019  
LB1151  
LB1041  
LB1362  
LR285CA

(Signed) R. Brad von Gillern, Vice Chairperson



**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 302.** Introduced by Sanders, 45.

WHEREAS, the United States Air Force Forty-Fifth Reconnaissance Squadron at Offutt Air Force Base in Bellevue, Nebraska, also known as the "Wildcats", is celebrating the thirtieth anniversary of its activation on July 1, 2024; and

WHEREAS, the Wildcats are one of four flying squadrons at Offutt Air Force Base and the squadron has numerous past achievements including the reception of the Air Force Outstanding Unit Award in 2016 and the Meritorious Unit Award in 2017; and

WHEREAS, the Wildcats have two hundred and twelve service members in the squadron and are commanded by Lieutenant Colonel Maria Methe; and

WHEREAS, the Wildcats fly and deploy the RC-135S Cobra Ball, RC-135U Combat Sent, and WC-135R Constant Phoenix; and

WHEREAS, the Wildcats have earned well-deserved recognition and admiration for thirty years of work at Offutt Air Force Base.

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

1. That the Legislature recognizes and congratulates the United States Air Force Forty-Fifth Reconnaissance Squadron Wildcats for thirty years of dedicated service to the United States.

2. That a copy of this resolution be sent to the United States Air Force Forty-Fifth Reconnaissance Squadron Wildcats.

Laid over.

**ANNOUNCEMENT(S)**

Priority designation(s) received:

von Gillern - LB1023

Health and Human Services - LB1215

M. Cavanaugh - LB62

Murman - LB1092

Education - LB1329 and LB1331

Ballard - LB1300

McDonnell - LB1363

Wayne - LB25

Judiciary - LB253 and LB348

**GENERAL FILE**

**LEGISLATIVE BILL 905.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 61.** Senator Brandt renewed [AM2296](#), found on page 579 and considered on page 683.

Senator DeBoer withdrew [AM2471](#), to the Brandt amendment, found and considered on page 683.

Senator Bostelman withdrew [FA215](#), found on page 688.

Senator DeBoer offered the following amendment to the Brandt amendment:

[AM2531](#) is available in the Bill Room.

The DeBoer amendment, to the Brandt amendment, was adopted with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

The Brandt amendment, as amended, was adopted with 32 ayes, 0 nays, 10 present and not voting, and 7 excused and not voting.

Senator DeBoer withdrew [FA213](#), found on page 630.

Senator Bostelman withdrew [AM2068](#), found on page 328.

Senator Brandt withdrew [FA29](#), found on page 774, First Session, 2023.

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

Advanced to Enrollment and Review Initial with 34 ayes, 2 nays, 3 present and not voting, 3 absent and not voting, and 7 excused and not voting.

**NOTICE OF COMMITTEE HEARING(S)**

Government, Military and Veterans Affairs

Room 1507 1:30 PM

Wednesday, February 28, 2024

LB1203

LB1382

LB1390 Note: \*Note LB1390 will be a combined bill hearing with LB1262

LB1262 Note: \*Note LB1262 will be a combined bill hearing with LB1390

Room 1507 1:30 PM

Thursday, February 29, 2024

LB1153

LB1417

LB1327  
LB1246

(Signed) Tom Brewer, Chairperson

Judiciary  
Room 1113 1:00 PM

Thursday, February 22, 2024  
Michael D. Jones - Crime Victim's Reparations Committee  
Bryan Tuma - Nebraska Crime Commission  
Layne Gissler - Board of Parole

Room 1113 1:30 PM

Thursday, February 22, 2024  
LB1109  
LB1360  
LB1021  
LB883  
LB921  
LB919

Room 1113 1:30 PM

Friday, February 23, 2024  
AM2534 Amending LB253  
LB1281  
LB1282  
LB1208  
LB1157  
LB890  
LB1057

(Signed) Justin Wayne, Chairperson

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Revenue - LB1317 and LB388  
Linehan - LB1402

**AMENDMENT(S) - Print in Journal**

Senator Bosn filed the following amendment to LB892:

[AM2278](#)

1 1. On page 26, strike line 18 and insert the following new  
2 subdivisions:

3 "(27)(A) Xylazine or any of the substances listed below, including  
4 their salts, isomers, and salts of isomers whenever the existence of such  
5 salts, isomers, and salts of isomers is possible within the specific  
6 chemical designation:  
7 (i) Xylazine-M (2,6-Mich dimethylaniline);  
8 (ii) Xylazine-M (N-thiourea-2,6-dimethylaniline);  
9 (iii) Xylazine-M (sulfone-HO-) isomer 2;  
10 (iv) Xylazine-M (HO-2,6-dimethylaniline isomer 1);  
11 (v) Xylazine-M (HO-2,6-dimethylaniline isomer 2);  
12 (vi) Xylazine M (oxo-);  
13 (vii) Xylazine-M (HO-) isomer 1;  
14 (viii) Xylazine-M (HO-) isomer 1 glucuronide;  
15 (ix) Xylazine-M (HO-) isomer 2;  
16 (x) Xylazine-M (HO-) isomer 2 glucuronide;  
17 (xi) Xylazine-M (HO-oxo-) isomer 1;  
18 (xii) Xylazine-M (HO-oxo-) isomer 1 glucuronide;  
19 (xiii) Xylazine-M (HO-oxo-) isomer 2;  
20 (xiv) Xylazine-M (HO-oxo-) isomer 2 glucuronide;  
21 (xv) Xylazine-M (sulfone); and  
22 (xvi) Xylazine-M (sulfone-HO-) isomer 1.  
23 (B) This subdivision (27) shall not include xylazine when it is used  
24 in any of the following manners:  
25 (i) Dispensing or prescribing for, or administering to, a nonhuman  
26 species a drug containing xylazine that has been approved by the United  
27 States Secretary of Health and Human Services under section 512 of the  
1 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b, as such act existed  
2 on January 1, 2024;  
3 (ii) Dispensing or prescribing for, or administering to, a nonhuman  
4 species that is permissible under section 512(a)(4) of the Federal Food,  
5 Drug, and Cosmetic Act, 21 U.S.C. 360b(a)(4), as such act existed on  
6 January 1, 2024;  
7 (iii) The manufacturing, distribution, or use of xylazine as an  
8 active pharmaceutical ingredient for manufacturing an animal drug that  
9 has been approved under section 512 of the Federal Food, Drug, and  
10 Cosmetic Act, 21 U.S.C. 360b, or that has been issued an investigational  
11 use exemption under section 512(j) of the act, 21 U.S.C. 360b(j), as such  
12 act existed on January 1, 2024;  
13 (iv) The manufacturing, distribution, or use of a xylazine bulk  
14 chemical for pharmaceutical compounding by licensed pharmacists or  
15 veterinarians for a nonhuman species in accordance with subdivision (B)  
16 (i) or (ii) of this subdivision (27); or  
17 (v) Any other use approved or permissible under the Federal Food,  
18 Drug, and Cosmetic Act, when dispensed or prescribed for, or administered  
19 to, a nonhuman species in accordance with subdivision (B)(i) or (ii) of  
20 this subdivision (27)."

**LEGISLATIVE BILL 1104.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 1 nay, 11 present and not voting, and 7 excused and not voting.

### EASE

The Legislature was at ease from 11:11 a.m. until 11:18 a.m.

**SENATOR FREDRICKSON PRESIDING**

**ANNOUNCEMENT(S)**

Priority designation(s) received:

Hansen - LB1004  
Natural Resources - LB867 and LB1370  
Bostelman - LB399  
Albrecht - LB441  
Bostar - LB937  
Brewer - LB1394

**VISITOR(S)**

Visitors to the Chamber were Parent Ambassadors from across the state; students from Loveland and Westgate Elementaries, Omaha.

The Doctor of the Day was Dr. Steve Williams of Omaha.

**ADJOURNMENT**

At 11:19 a.m., on a motion by Senator DeBoer, the Legislature adjourned until 10:00 a.m., Tuesday, February 20, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTIETH DAY - FEBRUARY 20, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, February 20, 2024

**PRAYER**

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Seton Catholic Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Bosn.

**ROLL CALL**

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

The roll was called and all members were present except Senators Conrad, DeBoer, Dover, Hughes, Hunt, McKinney, Sanders, Vargas, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-ninth day was approved.

**COMMITTEE REPORT(S)**  
Judiciary

**LEGISLATIVE BILL 832.** Placed on General File.

**LEGISLATIVE BILL 898.** Placed on General File.

**LEGISLATIVE BILL 918.** Placed on General File.

**LEGISLATIVE BILL 1288.** Placed on General File.

**LEGISLATIVE BILL 137.** Placed on General File with amendment.

[AM2154](#)

1 1. On page 7, line 11, strike "IB", show as stricken, and insert

2 "IC".

**LEGISLATIVE BILL 348.** Placed on General File with amendment.  
[AM1464](#) is available in the Bill Room.

**LEGISLATIVE BILL 631.** Placed on General File with amendment.  
[AM2098](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 83-190, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 83-190 (1) The members of the Board of Parole shall have terms of  
6 office of six years and until their successors are appointed. The  
7 successors shall be appointed in the same manner as provided for the  
8 members first appointed, and a vacancy occurring before expiration of a  
9 term of office shall be similarly filled for the unexpired term. A member  
10 of the board may be reappointed. The members of the board ~~shall~~ may be  
11 removed ~~only~~ for disability, neglect of duty, or malfeasance in office by  
12 the Board of Pardons after a hearing. The Board of Pardons shall promptly  
13 file in the office of the Secretary of State a complete statement of the  
14 charges, its findings and disposition, and a complete record of the  
15 proceedings.  
16 ~~(2) For purposes of this section, neglect of duty includes not~~  
17 attending a total of twelve full days of hearings of the Board of Parole  
18 within a calendar year. A member's failure to attend a hearing day shall  
19 not count toward such limit if the failure was due to a medical  
20 appointment that could not reasonably be rescheduled or delayed, a family  
21 emergency, illness, an act of God, or similar circumstances beyond the  
22 member's control.  
23 Sec. 2. Section 83-196, Reissue Revised Statutes of Nebraska, is  
24 amended to read:  
25 83-196 ~~Four~~ Three members of the Board of Parole are required to  
26 shall constitute a quorum in order to transact ~~for the purpose of~~  
27 ~~transacting~~ any official business. The decisions of the Board of Parole  
1 shall be by majority vote. The board shall keep a record of its acts and  
2 shall notify the Director of Correctional Services of its decisions  
3 relating to offenders who are or have been committed.  
4 Sec. 3. The Board of Parole shall adopt and promulgate rules and  
5 regulations that include:  
6 (1) Clearly defined, easily understood written mission statements  
7 and strategic plans encompassing public safety and rehabilitation;  
8 (2) Procedures to ensure that victims are appropriately notified and  
9 given the opportunity to provide input in the rulemaking process;  
10 (3) A requirement that board members receive initial and ongoing  
11 training on cultural competency, implicit bias, an understanding of the  
12 historical perspective of how and why parole was created, the powers and  
13 duties of the board, and ethics. Such training shall address current  
14 suggested best practices and enhance and strengthen members'  
15 decisionmaking skills;  
16 (4) A code of ethics for members of the board;  
17 (5) Requirements and procedures for the board to incorporate  
18 evidence-based practices that reduce recidivism. This includes, but is  
19 not limited to, a requirement that the board measure performance outcomes  
20 and develop transparent, written criteria that shall be considered when  
21 making decisions on whether to grant or revoke parole and when setting  
22 the conditions of parole;  
23 (6) Methods by which the board will enhance opportunities for the  
24 success of people released on parole by collaborating with partners  
25 within and outside of the criminal justice system, supporting the  
26 supervision of people released on parole in their communities, employing  
27 informal social controls, and enabling people released on parole to



28 participate meaningfully in the supervision process; and  
29 (7) Policies and standard practices that will assist in ensuring  
30 neutrality, impartiality, and objectivity as an integral part of the  
31 board's culture and practices.  
1 Sec. 4. (1) This section applies to the Board of Parole whenever it  
2 makes a determination of whether to grant or deny parole, sets the  
3 conditions of parole, or determines the sanctions for a violation of  
4 parole.  
5 (2) The board shall serve as an impartial, neutral, and objective  
6 decisionmaker and shall be insulated from undue influences of specific  
7 ideological views and positions and from predetermined conceptions of the  
8 desired outcomes of proceedings before the board.  
9 (3) If the board collaborates with or receives input from other  
10 entities within the criminal justice system, the board shall do so in a  
11 manner that respects and reinforces impartiality, neutrality, and  
12 objectivity.  
13 (4) The board shall consider all evidence regarding a committed  
14 offender in an impartial, neutral, and objective manner.  
15 Sec. 5. Section 83-1,114, Revised Statutes Supplement, 2023, is  
16 amended to read:  
17 83-1,114 (1) Whenever the board considers the release of a committed  
18 offender who is eligible for release on parole, it shall order his or her  
19 release unless it is of the opinion that his or her release should be  
20 deferred because:  
21 (a) There is a substantial risk that he or she will not conform to  
22 the conditions of parole;  
23 (b) His or her release would depreciate the seriousness of his or  
24 her crime or promote disrespect for law;  
25 (c) His or her release would have a substantially adverse effect on  
26 institutional discipline; or  
27 (d) ~~Subject to subsection (3) of this section, his~~ His or her  
28 continued correctional treatment, medical care, or vocational or other  
29 training in the facility will substantially enhance his or her capacity  
30 to lead a law-abiding life when released at a later date.  
31 (2) In making its determination regarding a committed offender's  
1 release on parole, the board shall give consideration to the decision  
2 guidelines as set forth in its rules and regulations and shall take into  
3 account each of the following factors:  
4 (a) The adequacy of the offender's parole plan, including  
5 sufficiency of residence, employment history, and employability;  
6 (b) The offender's prior criminal record, including the nature and  
7 circumstances, dates, and frequency of previous offenses;  
8 (c) The offender's institutional behavior;  
9 (d) The offender's previous experience on parole and how recent such  
10 experience is;  
11 (e) Whether the offender has completed a risk and needs assessment  
12 completed pursuant to section 83-192; and  
13 (f) Any testimony or written statement by a victim as provided in  
14 section 81-1848.  
15 (3) ~~Parole shall not be denied for a committed offender solely~~  
16 ~~because the department did not offer or delayed programming due to~~  
17 ~~operational issues, including staffing shortages, maintenance issues, or~~  
18 ~~lack of funding.~~  
19 Sec. 6. Section 83-1,135, Revised Statutes Supplement, 2023, is  
20 amended to read:  
21 83-1,135 Sections 83-170 to 83-1,135.05 and sections 3 and 4 of this  
22 act shall be known and may be cited as the Nebraska Treatment and  
23 Corrections Act.  
24 Sec. 7. Section 83-962, Revised Statutes Cumulative Supplement,  
25 2022, is amended to read:

26 83-962 (1) ~~Until July 1, 2020, the Governor may declare a~~  
 27 ~~correctional system overcrowding emergency whenever the director~~  
 28 ~~certifies that the department's inmate population is over one hundred~~  
 29 ~~forty percent of design capacity. Beginning July 1, 2020, a correctional~~  
 30 ~~system overcrowding emergency shall exist whenever the director certifies~~  
 31 ~~that the department's inmate population is over one hundred forty percent~~  
 1 ~~of design capacity. The director shall so certify within thirty days~~  
 2 ~~after the date on which the population first exceeds one hundred forty~~  
 3 ~~percent of design capacity.~~  
 4 (2) During a correctional system overcrowding emergency, the board  
 5 shall immediately consider or reconsider committed offenders eligible for  
 6 parole who have not been released on parole.  
 7 (3) Upon such consideration or reconsideration, and for all other  
 8 consideration of committed offenders eligible for parole while the  
 9 correctional system overcrowding emergency is in effect, the board shall  
 10 order the release of each committed offender unless it is of the opinion  
 11 that such release should be deferred because:  
 12 (a) The board has determined that it is more likely than not that  
 13 the committed offender will not conform to the conditions of parole;  
 14 (b) The board has determined that release of the committed offender  
 15 would have a very significant and quantifiable effect on institutional  
 16 discipline; or  
 17 (c) The board has determined that there is a very substantial risk  
 18 that the committed offender will commit a violent act against a person.  
 19 (4) In making the determination regarding the risk that a committed  
 20 offender will not conform to the conditions of parole, the board shall  
 21 take into account the factors set forth in subsection (2) of section  
 22 83-1,114 and shall comply with the requirements of subsection (3) of  
 23 section 83-1,114 and section 4 of this act.  
 24 (5) The board shall continue granting parole to offenders under this  
 25 section until the director certifies that the population is at  
 26 operational capacity. The director shall so certify within thirty days  
 27 after the date on which the population first reaches operational  
 28 capacity.  
 29 Sec. 8. Original sections 83-190 and 83-196, Reissue Revised  
 30 Statutes of Nebraska, section 83-962, Revised Statutes Cumulative  
 31 Supplement, 2022, and sections 83-1,114 and 83-1,135, Revised Statutes  
 1 Supplement, 2023, are repealed.  
 2 Sec. 9. Since an emergency exists, this act takes effect when  
 3 passed and approved according to law.

**LEGISLATIVE BILL 894.** Placed on General File with amendment.

[AM2370](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 23-1701, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 23-1701 (1) It is the duty of the sheriff to serve or otherwise  
 6 execute, according to law, and return writs or other legal process issued  
 7 by lawful authority and directed or committed to the sheriff and to  
 8 perform such other duties as may be required by law. The county sheriff  
 9 shall prepare and file the required annual inventory statement of county  
 10 personal property in his or her custody or possession as provided in  
 11 sections 23-346 to 23-350.  
 12 (2) Except as provided in subsection (3) of this section, a  
 13 sheriff elected after November 1986 need not be a resident of the county  
 14 when he or she files for election as sheriff, but a sheriff shall reside  
 15 in a county for which he or she holds office.  
 16 (3) If there is no county sheriff elected pursuant to section 32-520  
 17 or if a vacancy occurs for any other reason, the county board of such

18 county may appoint a law enforcement officer qualified pursuant to  
 19 section 23-1701.01 from any Nebraska county to the office of county  
 20 sheriff. In making such appointment, the county board shall enter into a  
 21 contract with the appointed county sheriff, such contract to specify the  
 22 terms and conditions of the appointment, including the compensation of  
 23 the appointed county sheriff, which compensation shall not be subject to  
 24 sections 23-1114.02 to 23-1114.06.

25 Sec. 2. Section 23-1701.01, Reissue Revised Statutes of Nebraska, is  
 26 amended to read:

27 23-1701.01 (1) Any candidate for the office of sheriff and any  
 1 sheriff appointed under subsection (3) of section 23-1701 shall possess  
 2 who does not have a law enforcement officer certificate or diploma issued  
 3 by the Nebraska Commission on Law Enforcement and Criminal Justice. A  
 4 shall submit with the candidate filing form required by section 32-607 a  
 5 standardized letter issued by the director of the Nebraska Law  
 6 Enforcement Training Center certifying that the candidate or appointee  
 7 was duly issued such certificate or diploma shall be filed by a candidate  
 8 with the candidate filing form required by section 32-607 and by an  
 9 appointee with the contract entered into under section 23-1701, has:  
 10 (a) Within one calendar year prior to the deadline for filing the  
 11 candidate filing form, passed a background investigation performed by the  
 12 Nebraska Law Enforcement Training Center based on a check of his or her  
 13 criminal history record information maintained by the Federal Bureau of  
 14 Investigation through the Nebraska State Patrol. The candidate who has  
 15 not passed a background investigation shall apply for the background  
 16 investigation at least thirty days prior to the filing deadline for the  
 17 candidate filing form; and  
 18 (b) Received a minimum combined score on the reading comprehension  
 19 and English language portions of an adult basic education examination  
 20 designated by the Nebraska Law Enforcement Training Center.  
 21 (2) Each sheriff shall attend the Sheriff's Certification Course  
 22 conducted by the Nebraska Law Enforcement Training Center and obtain  
 23 receive a certificate awarded by the Nebraska Commission on Law  
 24 Enforcement and Criminal Justice attesting to satisfactory completion of  
 25 such course the Sheriff's Certification Course within eight months after  
 26 taking office unless such sheriff has already been awarded a certificate  
 27 by the commission Nebraska Commission on Law Enforcement and Criminal  
 28 Justice attesting to satisfactory completion of such course or unless  
 29 such sheriff can demonstrate to the Nebraska Police Standards Advisory  
 30 Council that his or her previous training and education is such that he  
 31 or she will professionally discharge the duties of the office. Any  
 1 sheriff in office prior to July 19, 1980, shall not be required to obtain  
 2 a certificate awarded by the commission attesting to satisfactory  
 3 completion of the Sheriff's Certification Course but shall otherwise be  
 4 subject to this section.

5 (3) Each sheriff shall attend continuing education as provided in  
 6 section 81-1414.07 each year following the first year of such sheriff's  
 7 term of office.

8 (4) Unless a sheriff is able to show good cause for not complying  
 9 with subsection (2) or (3) of this section or obtains a waiver of the  
 10 training requirements from the council, any sheriff who violates  
 11 subsection (2) or (3) of this section shall be punished by a fine equal  
 12 to such sheriff's monthly salary. Each month in which such violation  
 13 occurs shall constitute a separate offense.

14 Sec. 3. Section 32-520, Reissue Revised Statutes of Nebraska, is  
 15 amended to read:

16 32-520 Except as provided in section 23-1701, a A county sheriff  
 17 shall be elected in each county at the statewide general election in 1990  
 18 and each four years thereafter. The term of the county sheriff shall be  
 19 four years or until his or her successor is elected and qualified. The

20 county sheriff shall meet the qualifications found in sections 23-1701  
 21 and 23-1701.01. The county sheriff shall be elected on the partisan  
 22 ballot.

23 Sec. 4. Section 32-604, Revised Statutes Cumulative Supplement,  
 24 2022, is amended to read:

25 32-604 (1) Except as provided in subsection (2) or (4) of this  
 26 section, no person shall be precluded from being elected or appointed to  
 27 or holding an elective office for the reason that he or she has been  
 28 elected or appointed to or holds another elective office.

29 (2) No person serving as a member of the Legislature or in an  
 30 elective office described in Article IV, section 1 or 20, or Article VII,  
 31 section 3 or 10, of the Constitution of Nebraska shall simultaneously  
 1 serve in any other elective office, except that such a person may  
 2 simultaneously serve in another elective office which is filled at an  
 3 election held in conjunction with the annual meeting of a public body.

4 (3) Whenever an incumbent serving as a member of the Legislature or  
 5 in an elective office described in Article IV, section 1 or 20, or  
 6 Article VII, section 3 or 10, of the Constitution of Nebraska assumes  
 7 another elective office, except an elective office filled at an election  
 8 held in conjunction with the annual meeting of a public body, the office  
 9 first held by the incumbent shall be deemed vacant.

10 (4) No person serving in a high elective office shall simultaneously  
 11 serve in any other high elective office, except that (a) a county  
 12 attorney may serve as the county attorney for more than one county if  
 13 appointed under subsection (2) of section 23-1201.01 and (b) a county  
 14 sheriff may serve as the county sheriff for more than one county if  
 15 appointed under subsection (3) of section 23-1701.

16 (5) Notwithstanding subsection (4) of this section, any person  
 17 holding more than one high elective office upon July 15, 2010, shall be  
 18 entitled to serve the remainder of all terms for which he or she was  
 19 elected or appointed.

20 (6) For purposes of this section, (a) elective office has the  
 21 meaning found in section 32-109 and includes an office which is filled at  
 22 an election held in conjunction with the annual meeting of a public body  
 23 created by an act of the Legislature but does not include a member of a  
 24 learning community coordinating council appointed pursuant to subsection  
 25 (5) or (7) of section 32-546.01 prior to January 5, 2017, and (b) high  
 26 elective office means a member of the Legislature, an elective office  
 27 described in Article IV, section 1 or 20, or Article VII, section 3 or  
 28 10, of the Constitution of Nebraska, or a county, city, community college  
 29 area, learning community, regional metropolitan transit authority, or  
 30 school district elective office.

31 Sec. 5. Original sections 23-1701, 23-1701.01, and 32-520, Reissue  
 1 Revised Statutes of Nebraska, and section 32-604, Revised Statutes  
 2 Cumulative Supplement, 2022, are repealed.

(Signed) Justin Wayne, Chairperson

### MESSAGE(S) FROM THE GOVERNOR

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 Brand Committee:

Christopher J Gentry, 25863 Dumbell Road, Hyannis, NE 69350, Rancher

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

### **AMENDMENT(S) - Print in Journal**

Senator Bosn filed the following amendment to [LB137](#):

[FA219](#)

Strike the comma after "adjudication" on page 8, line 25.

Senator Bosn filed the following amendment to [LB934](#):

[AM2573](#)

1 1. Insert the following new section:  
2 Sec. 9. Since an emergency exists, this act takes effect when passed  
3 and approved according to law.

Senator Bosn filed the following amendment to [LB934](#):

[AM2574](#)

1 1. Insert the following new section:  
2 Sec. 9. Since an emergency exists, this act takes effect when passed  
3 and approved according to law.

### **RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 300 and 301 were adopted.

### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 300 and 301.

### **ANNOUNCEMENT(S)**

Speaker priority bill/resolution designations are as follows:

LBs 233, 607, 834, 839, 852, 870, 874, 876, 894, 906, 932, 1027, 1030, 1051, 1069, 1088, 1126, 1195, 1197, 1306, 1344, and 1393.

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB1402](#):

[FA220](#)

On page 4, line 27, insert "eligible" after "such" and before "student".

Senator Linehan filed the following amendment to [LB1402](#):

[FA221](#)

Strike Section 1.

Senator Linehan filed the following amendment to [LB1402](#):

[FA222](#)

On page 2, line 26, after "sibling of" and before "student" insert "eligible".

Senator Linehan filed the following amendment to [LB1402](#):

[FA223](#)

On page 3, line 9, after "assist" and before "in attending," strike "them" and insert "such eligible students".

Senator Linehan filed the following amendment to [LB1402](#):

[FA224](#)

On page 3, line 26, after "sibling of a" and before "student," insert "eligible".

Senator Linehan filed the following amendment to [LB1402](#):

[AM2590](#)

1 1. On page 4, line 26, after "any" insert "eligible".

**MOTION(S) - Print in Journal**

Senator Linehan filed the following motion to [LB1402](#):

[MO1186](#)

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

Senator Linehan filed the following motion to [LB1402](#):

[MO1187](#)

Bracket until April 18, 2024.

Senator Linehan filed the following motion to [LB1402](#):

[MO1188](#)

Recommit to the Appropriations Committee.

**SELECT FILE**

**LEGISLATIVE BILL 16A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 605.** [ER55](#), found on page 667, was offered.

ER55 was adopted.

Senator Albrecht offered [AM2417](#), found on page 696.

The Albrecht amendment was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 908.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 909.** Senator Aguilar offered [AM2413](#), found on page 687.

The Aguilar amendment was adopted with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 989.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 992.** [ER59](#), found on page 703, was offered.

ER59 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 257.** [ER58](#), found on page 703, was offered.

ER58 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 144.** [ER63](#), found on page 703, was offered.

ER63 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 716.** Senator Bostar offered the following amendment:

[AM2582](#)

1 1. Insert the following new section:

2 Section 1. Section 81-2104, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 81-2104 The board shall have power to:

5 (1) Elect its own officers;

6 (2) Engage and fix the compensation of such officers, inspectors,

7 and employees as may be required in the performance of its duties;

8 (3) Pay such other expenses as may be necessary in the performance

9 of its duties;

- 10 (4) Provide upon request such additional voluntary inspections and  
 11 reviews as it deems appropriate;
- 12 (5) Adopt, promulgate, and revise rules and regulations necessary to  
 13 enable it to carry into effect the State Electrical Act. In adopting and  
 14 promulgating such rules and regulations, the board shall be governed by  
 15 the minimum standards set forth in the National Electrical Code issued  
 16 and adopted by the National Fire Protection Association as follows: (i)  
 17 Until January 1, 2026, the minimum standards of the 2020 edition of the  
 18 National Electrical Code, Publication Number 70-2020, except that the  
 19 minimum standards set forth in the 2017 edition of the National  
 20 Electrical Code shall apply for sections 210.8(A), 210.8(A)(3), 210.8(A)  
 21 (5), 210.52(c)(2)(a), 210.52(c)(2)(b), 230.67(A), and 230.85; and (ii)  
 22 beginning January 1, 2026, the minimum standards of the 2023 edition of  
 23 the National Electrical Code, Publication Number 70-2023, except that the  
 24 minimum standards set forth in the 2017 edition of the National  
 25 Electrical Code shall apply for sections 210.8(A), 210.8(A)(3), 210.8(A)  
 26 (5), 230.67(A), and 230.85. Each edition of the National Electrical Code  
 27 mentioned in this subdivision in 2017, Publication Number 70-2017, which  
 1 code shall be filed in the offices of the Secretary of State and the  
 2 board during the time the edition is in use under this subdivision and  
 3 shall be a public record. The board shall adopt and promulgate rules and  
 4 regulations establishing wiring standards that protect public safety and  
 5 health and property and that apply to all electrical wiring which is  
 6 installed subject to the State Electrical Act;
- 7 (6) Revoke, suspend, or refuse to renew any license or registration  
 8 granted pursuant to the State Electrical Act when the licensee or  
 9 registrant (a) violates any provision of the National Electrical Code as  
 10 adopted pursuant to subdivision (5) of this section, the act, or any rule  
 11 or regulation adopted and promulgated pursuant to the act, (b) fails or  
 12 refuses to pay any examination, registration, or license renewal fee  
 13 required by law, (c) is an electrical contractor or master electrician  
 14 and fails or refuses to provide and keep in force a public liability  
 15 insurance policy as required by the board, or (d) violates any political  
 16 subdivision's approved inspection ordinances;
- 17 (7) Order disconnection of power to any electrical installation that  
 18 is proximately dangerous to health and property;
- 19 (8) Order removal of electrical wiring and apparatus from premises  
 20 when such wiring and apparatus is proximately dangerous to health and  
 21 property;
- 22 (9) Investigate, for the purpose of identifying dangerous electrical  
 23 wiring or violations of the National Electrical Code as adopted pursuant  
 24 to subdivision (5) of this section, any death by electrocution that  
 25 occurs within the State of Nebraska;
- 26 (10) Refuse to renew any license granted pursuant to the act when  
 27 the licensee fails to submit evidence of completing the continuing  
 28 education requirements under section 81-2117.01;
- 29 (11) Provide for the amount and collection of fees for inspection  
 30 and other services;
- 31 (12) Adopt a seal, and the executive secretary shall have the care  
 1 and custody thereof; and
- 2 (13) Enforce the provisions of the National Electrical Code as  
 3 adopted pursuant to subdivision (5) of this section.
4. 2. Renumber the remaining sections and correct the repealer  
 5 accordingly.

Pending.



**COMMITTEE REPORT(S)**  
Government, Military and Veterans Affairs

**LEGISLATIVE BILL 1169.** Placed on General File.

**LEGISLATIVE BILL 1175.** Placed on General File.

**LEGISLATIVE BILL 1162.** Placed on General File with amendment.

[AM2500](#)

1 1. On page 4, lines 9, 11, and 12, strike "or earned" and show as  
2 stricken; and strike beginning with "Except" in line 12 through  
3 "collected" in line 14, show the old matter as stricken, and insert "All  
4 mileage fees collected by the sheriff, except when the sheriff or his or  
5 her employee is using a personal vehicle, shall be paid".

**LEGISLATIVE BILL 1174.** Placed on General File with amendment.

[AM2506](#)

1 1. On page 2, line 3, strike "are not required", reinstate the  
2 stricken matter, and after "declared" insert ", but are not required";  
3 in line 6 strike "along" and insert "on"; and in lines 11 and 17 strike  
4 "may" and reinstate the stricken "shall".

(Signed) Tom Brewer, Chairperson

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

John M. Hoggatt - Game and Parks Commission

Donna Kush - Game and Parks Commission

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 716.** Senator Bostar renewed [AM2582](#), found and considered in this day's Journal.

Senator Bostar offered the following amendment to his amendment:

[FA227](#)

Amend AM2582 on page 1, line 16, strike starting with "as" through all of line 21. In line 22, strike "January 1, 2026, the minimum standards" and insert "in".

The Bostar amendment, to his amendment, was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

The Bostar amendment, as amended, was adopted with 32 ayes, 0 nays, 12 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 569.** [ER60](#), found on page 703, was offered.

ER60 was adopted.

Senator Bostelman offered the following amendment:

[AM2496](#)

(Amendments to Standing Committee amendments, AM971)

1 1. On page 1, line 11, after "selection" insert "for the facility";  
2 in line 12 after the first occurrence of "county" insert "related to the  
3 facility"; in line 17 strike "any" and insert "the"; in line 25 strike  
4 "(3)" and insert "(3)(a)"; and after line 27 insert the following new  
5 subdivision:  
6 "(b) This section shall not affect any conflicts-of-interest  
7 provisions of the Nebraska Political Accountability and Disclosure Act.".

The Bostelman amendment was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 624.** [ER62](#), found on page 703, was offered.

ER62 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 139.** [ER61](#), found on page 704, was offered.

ER61 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 854.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 847.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 848.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 936.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 940.** [ER65](#), found on page 704, was offered.

ER65 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1102.** Advanced to Enrollment and Review for Engrossment.

**COMMITTEE REPORT(S)**  
Urban Affairs

**LEGISLATIVE BILL 1118.** Placed on General File.

**LEGISLATIVE BILL 1344.** Placed on General File with amendment.

[AM2361](#)

- 1 1. On page 2, line 19, strike "or"; and after line 20 insert the
- 2 following new subdivisions:
- 3 "(d) Thirty miles of the largest artificial reservoir constructed in
- 4 this state for the storage of water; or
- 5 (e) Any county having a population of less than one hundred thousand
- 6 inhabitants;".
- 7 2. On page 5, line 5, strike "XX" and insert "forty-five".

(Signed) Terrell McKinney, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to [LB62](#):

[AM2547](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 68-911 (1) Medical assistance shall include coverage for health care
- 6 and related services as required under Title XIX of the federal Social
- 7 Security Act, including, but not limited to:
- 8 (a) Inpatient and outpatient hospital services;
- 9 (b) Laboratory and X-ray services;
- 10 (c) Nursing facility services;
- 11 (d) Home health services;
- 12 (e) Nursing services;
- 13 (f) Clinic services;
- 14 (g) Physician services;
- 15 (h) Medical and surgical services of a dentist;
- 16 (i) Nurse practitioner services;
- 17 (j) Nurse midwife services;
- 18 (k) Pregnancy-related services;
- 19 (l) Medical supplies;
- 20 (m) Mental health and substance abuse services;
- 21 (n) Early and periodic screening and diagnosis and treatment
- 22 services for children which shall include both physical and behavioral
- 23 health screening, diagnosis, and treatment services;
- 24 (o) Rural health clinic services; and
- 25 (p) Federally qualified health center services.
- 26 (2) In addition to coverage otherwise required under this section,
- 27 medical assistance may include coverage for health care and related
- 1 services as permitted but not required under Title XIX of the federal

2 Social Security Act, including, but not limited to:

- 3 (a) Prescribed drugs;
- 4 (b) Intermediate care facilities for persons with developmental
- 5 disabilities;
- 6 (c) Home and community-based services for aged persons and persons
- 7 with disabilities;
- 8 (d) Dental services;
- 9 (e) Rehabilitation services;
- 10 (f) Personal care services;
- 11 (g) Durable medical equipment;
- 12 (h) Medical transportation services;
- 13 (i) Vision-related services;
- 14 (j) Speech therapy services;
- 15 (k) Physical therapy services;
- 16 (l) Chiropractic services;
- 17 (m) Occupational therapy services;
- 18 (n) Optometric services;
- 19 (o) Podiatric services;
- 20 (p) Hospice services;
- 21 (q) Mental health and substance abuse services;
- 22 (r) Hearing screening services for newborn and infant children; and
- 23 (s) Administrative expenses related to administrative activities,
- 24 including outreach services, provided by school districts and educational
- 25 service units to students who are eligible or potentially eligible for
- 26 medical assistance.

27 (3) No later than July 1, 2009, the department shall submit a state  
 28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
 29 Services to provide coverage under the medical assistance program for  
 30 community-based secure residential and subacute behavioral health  
 31 services for all eligible recipients, without regard to whether the  
 1 recipient has been ordered by a mental health board under the Nebraska  
 2 Mental Health Commitment Act to receive such services.

3 (4) On or before October 1, 2014, the department, after consultation  
 4 with the State Department of Education, shall submit a state plan  
 5 amendment to the federal Centers for Medicare and Medicaid Services, as  
 6 necessary, to provide that the following are direct reimbursable services  
 7 when provided by school districts as part of an individualized education  
 8 program or an individualized family service plan: Early and periodic  
 9 screening, diagnosis, and treatment services for children; medical  
 10 transportation services; mental health services; nursing services;  
 11 occupational therapy services; personal care services; physical therapy  
 12 services; rehabilitation services; speech therapy and other services for  
 13 individuals with speech, hearing, or language disorders; and vision-  
 14 related services.

15 (5) No later than January 1, 2023, the department shall provide  
 16 coverage for continuous glucose monitors under the medical assistance  
 17 program for all eligible recipients who have a prescription for such  
 18 device.

19 (6) On or before October 1, 2023, the department shall seek federal  
 20 approval for federal matching funds from the federal Centers for Medicare  
 21 and Medicaid Services through a state plan amendment or waiver to extend  
 22 postpartum coverage for beneficiaries from sixty days to at least six  
 23 months. Nothing in this subsection shall preclude the department from  
 24 submitting a state plan amendment for twelve months.

25 (7)(a) No later than January 1, 2024, the department shall provide  
 26 coverage for all necessary translation and interpretation services for  
 27 eligible recipients utilizing a medical assistance program service. The  
 28 department shall take all actions necessary to maximize federal funding  
 29 to carry out this subsection.

30 (b) The services described in subdivision (7)(a) of this section

31 shall be funded by the Medicaid Managed Care Excess Profit Fund as  
 1 described in section 68-996.  
 2 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
 5 fund shall contain money returned to the State Treasurer pursuant to  
 6 subdivision (3) of section 68-995. The fund shall first be used to offset  
 7 any losses under subdivision (2) of section 68-995 and then to provide  
 8 for services addressing the health needs of adults and children under the  
 9 Medical Assistance Act, including filling service gaps, providing system  
 10 improvements, translation and interpretation services, and sustaining  
 11 access to care as determined by the Legislature. The fund shall only be  
 12 used for the purposes described in this section. Any money in the fund  
 13 available for investment shall be invested by the state investment  
 14 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
 15 State Funds Investment Act.  
 16 Sec. 3. Original section 68-996, Revised Statutes Cumulative  
 17 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,  
 18 are repealed.

Senator M. Cavanaugh filed the following amendment to LB1021:  
[AM2423](#)

1 1. Insert the following new sections:  
 2 Sec. 5. Notwithstanding the fact that the federal Occupational  
 3 Safety and Health Act may not apply to the employment of an inmate by a  
 4 jail, the jail and administrator shall act in accordance with the  
 5 requirements of the act and regulations adopted thereunder.  
 6 Sec. 13. Notwithstanding the fact that the federal Occupational  
 7 Safety and Health Act may not apply to the employment of a person  
 8 committed to the department, the department shall act in accordance with  
 9 the requirements of the act and regulations adopted thereunder.  
 10 Sec. 14. Section 83-1,135, Revised Statutes Supplement, 2023, is  
 11 amended to read:  
 12 83-1,135 Sections 83-170 to 83-1,135.05 and section 13 of this act  
 13 shall be known and may be cited as the Nebraska Treatment and Corrections  
 14 Act.  
 15 2. On page 1, line 1, strike "4" and insert "5".  
 16 3. Renumber the remaining sections and correct the repealer  
 17 accordingly.

Senator von Gillern filed the following amendment to LB1134:  
[AM2518](#)

1 1. Insert the following new sections:  
 2 Section 1. Section 77-5005, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 77-5005 (1) Within ten days after appointment, the commissioners  
 5 shall meet at their office in Lincoln, Nebraska, and enter upon the  
 6 duties of their office.  
 7 (2) A majority of the commission shall ~~at all times~~ constitute a  
 8 quorum to transact business, and one vacancy shall not impair the right  
 9 of the remaining commissioners to exercise all the powers of the  
 10 commission, except that two commissioners shall constitute a quorum to  
 11 hear and determine any appeals or petitions.  
 12 (3) Any investigation, inquiry, or hearing held or undertaken by the  
 13 commission may be held or undertaken by a single commissioner in those  
 14 appeals designated for hearing pursuant to section 77-5015.02.  
 15 (4) All investigations, inquiries, hearings, and decisions of a  
 16 single commissioner and every order made by a single commissioner shall  
 17 be deemed to be the order of the commission, except as provided in  
 18 subsection (6) of section 77-5015.02. The full commission, on an

19 application made within thirty days after the date of an order, may grant  
 20 a rehearing and determine de novo any decisions of or orders made by the  
 21 commission. The commission, on an application made within thirty days  
 22 after the date of an order issued after a hearing by a single  
 23 commissioner, except for an order dismissing an appeal or petition for  
 24 failure of the appellant or petitioner to appear at a hearing on the  
 25 merits, shall grant a rehearing on the merits before the commission. The  
 26 thirty-day filing period for appeals under subsection (2) of section  
 27 77-5019 shall be tolled while a motion for rehearing is pending.  
 1 (5) All hearings or proceedings of the commission shall be open to  
 2 the public.  
 3 (6) The Open Meetings Act applies only to hearings or proceedings of  
 4 the commission held pursuant to the rulemaking authority of the  
 5 commission.  
 6 Sec. 4. If any section in this act or any part of any section is  
 7 declared invalid or unconstitutional, the declaration shall not affect  
 8 the validity or constitutionality of the remaining portions.  
 9 Sec. 6. Since an emergency exists, this act takes effect when passed  
 10 and approved according to law.  
 11 2. Renumber the remaining sections and correct the repealer  
 12 accordingly.

### GENERAL FILE

**LEGISLATIVE BILL 844.** Title read. Considered.

Committee [AM2449](#), found on page 695, was offered.

The committee amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Senator Erdman withdrew [AM2208](#), found on page 569.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1394.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1067.** Title read. Considered.

Senator Conrad requested a division of the question on the bill

The Chair took the division of the question under advisement.

Committee [AM2492](#), found on page 714, was offered.

Senator Conrad offered the following amendment to the committee amendment:

[AM2580](#)

(Amendments to Standing Committee amendments, AM2492)

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

3 sections:

4 Section 1. Section 77-2001, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 77-2001 (1) Subject to subsection (2) of this section, all ~~All~~  
7 property, including proceeds of life insurance receivable by the executor  
8 or administrator to the extent of the amount receivable by the executor  
9 or administrator as insurance under policies upon the life of the  
10 decedent, which shall pass by will or by the intestate laws of this state  
11 from any person who, at the time of death was a resident of this state,  
12 or, if the decedent was not a resident, any part of the property within  
13 this state, except property exempted by the provisions of Chapter 77,  
14 article 20, shall be subject to inheritance tax at the rates prescribed  
15 by sections 77-2004 to 77-2006.

16 (2) The inheritance tax shall only apply if the decedent's estate is  
17 valued at one hundred million dollars or more at the time of death.  
18 Sec. 2. Section 77-2002, Revised Statutes Cumulative Supplement,  
19 2022, is amended to read:

20 77-2002 (1) Subject to subsection (4) of this section, any ~~Any~~  
21 interest in property whether created or acquired prior or subsequent to  
22 August 27, 1951, shall be subject to inheritance tax at the rates  
23 prescribed by sections 77-2004 to 77-2006, except property exempted by  
24 the provisions of Chapter 77, article 20, if it shall be transferred by  
25 deed, grant, sale, or gift, in trust or otherwise, and: (a) Made in  
26 contemplation of the death of the grantor; (b) intended to take effect in  
1 possession or enjoyment, after his or her death; (c) by reason of death,  
2 any person shall become beneficially entitled in possession or  
3 expectation to any property or income thereof; or (d) held as joint  
4 owners or joint tenants by the decedent and any other person in their  
5 joint names, except such part thereof as may be shown to have originally  
6 belonged to such other person and never to have been received or acquired  
7 by the latter from the decedent for less than an adequate and full  
8 consideration in money or property, except that when such property or any  
9 part thereof, or part of the consideration with which such property was  
10 acquired, is shown to have been at any time acquired by such other person  
11 from the decedent for less than an adequate and full consideration in  
12 money or property, there shall be excepted only such part of the value of  
13 such property as is proportionate to the consideration furnished by such  
14 other person or, when any property has been acquired by gift, bequest,  
15 devise, or inheritance by the decedent and any other person as joint  
16 owners or joint tenants and their interests are not otherwise specified  
17 or fixed by law, then to the extent of the value of a fractional part to  
18 be determined by dividing the value of the property by the number of  
19 joint owners or joint tenants.

20 (2) For the purpose of subsection (1) of this section, if the  
21 decedent, within a period of three years ending with the date of his or  
22 her death, except in the case of a bona fide sale for an adequate and  
23 full consideration for money or money's worth, transferred an interest in  
24 property for which a federal gift tax return is required to be filed  
25 under the provisions of the Internal Revenue Code, such transfer shall be  
26 deemed to have been made in contemplation of death within the meaning of  
27 subsection (1) of this section; no such transfer made before such three-  
28 year period shall be treated as having been made in contemplation of  
29 death in any event.

30 (3) Proceeds of life insurance receivable by a trustee, of either an  
31 inter vivos trust or a testamentary trust, as insurance under policies  
1 upon the life of the decedent shall not be subject to inheritance tax.  
2 This subsection shall not apply if the decedent's estate is the  
3 beneficiary of the trust.

4 (4) The inheritance tax shall only apply if the decedent's estate is  
5 valued at one hundred million dollars or more at the time of death.

6 Sec. 3. Original section 77-2001, Reissue Revised Statutes of  
7 Nebraska, and section 77-2002, Revised Statutes Cumulative Supplement,  
8 2022, are repealed.

### SENATOR DEBOER PRESIDING

Pending.

### MOTION(S) - Suspend Rules

Senator Linehan offered the following motion to LB1346:

[MO1189](#)

Suspend Rule 3, Sec. 14, to permit the Revenue Committee to conduct a hearing on LB1346 with less than seven days' notice.

The Linehan motion to suspend the rules prevailed with 31 ayes, 1 nay, 12 present and not voting, and 5 excused and not voting.

### NOTICE OF COMMITTEE HEARING(S)

Revenue  
Room 1524 1:30 PM

Wednesday, February 21, 2024  
LB1346

(Signed) Lou Ann Linehan, Chairperson

### COMMITTEE REPORT(S)

Health and Human Services

**LEGISLATIVE BILL 421.** Placed on General File with amendment.

[AM2201](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 71-1626, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 71-1626 For purposes of sections 71-1626 to 71-1636:  
6 (1) Community-wide directed health measure means a public health  
7 action or intervention by a local public health department involving the  
8 total population of the jurisdiction of such local public health  
9 department when there are no known epidemiological links;  
10 (2) (†) Core public health functions means assessment, policy  
11 development, and assurance designed to protect and improve the health of  
12 persons within a geographically defined community by (a) emphasizing  
13 services to prevent illness, disease, and disability, (b) promoting  
14 effective coordination and use of community resources, and (c) extending  
15 health services into the community, including public health nursing,  
16 disease prevention and control, public health education, and  
17 environmental health services;  
18 (3) (‡) County, district, or city-county health department means a  
19 governmental entity approved by the Department of Health and Human  
20 Services as a local full-time public health service which (a) utilizes



21 local, state, federal, and other funds or any combination thereof, (b)  
22 employs qualified public health medical, nursing, environmental health,  
23 health education, and other essential personnel who work under the  
24 direction and supervision of a full-time qualified medical director or of  
25 a full-time qualified lay administrator and are assisted at least part  
26 time by at least one medical consultant who shall be a licensed  
27 physician, and (c) is operated in conformity with the rules, regulations,  
1 and policies of the Department of Health and Human Services. The medical  
2 director or lay administrator shall be called the health director; ~~and~~  
3 (4) Epidemiological link means an instance in which an individual  
4 may have had exposure to a communicable disease and exposure through  
5 known modes of transmission is plausible. An exposure may be considered  
6 epidemiologically linked if at least one entity in the chain of  
7 transmission is a contact or a confirmed, probable, or suspect case; and  
8 (5) (3) Local public health department means a county, district, or  
9 city-county health department.

10 Sec. 2. Section 71-1630, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 71-1630 (1) When a health department has been established by the  
13 county board of a county and approved by the Department of Health and  
14 Human Services as a county health department, the county board of such  
15 county shall appoint a board of health which shall consist of the  
16 following members: (a) One member of the county board; (b) one dentist;  
17 (c) one physician; and (d) six public-spirited men or women interested in  
18 the health of the community. The physician and dentist shall each serve  
19 an initial term of three years. Three public-spirited men or women shall  
20 each serve an initial term of three years, and three public-spirited men  
21 or women shall each serve an initial term of two years. After the initial  
22 terms of office expire, each new appointment shall be for a term of three  
23 years. Appointments to fill any vacancies shall be for the unexpired term  
24 of the member whose term is being filled by such appointment. A county  
25 association or society of dentists or physicians or its managing board  
26 may submit each year to the county board a list of three persons of  
27 recognized ability in such profession. If such a list is submitted, the  
28 county board, in making an appointment for such profession, shall  
29 consider the names on the list and may appoint one of the persons so  
30 named.

31 (2) When a district health department has been established by a  
1 joint resolution of the county boards of each county in a district health  
2 department, the county boards of such district shall meet and establish a  
3 district board of health with due consideration for a fair and equitable  
4 representation from the entire area to be served. The district board of  
5 health shall consist of the following members: (a) One member of each  
6 county board in the district, (b) at least one physician, (c) at least  
7 one dentist, and (d) one or more public-spirited men or women interested  
8 in the health of the community from each county in the district. One-  
9 third of the members shall be appointed for terms of one year, one-third  
10 for terms of two years, and one-third for terms of three years. After  
11 their terms of office expire, each new appointment shall be for a term of  
12 three years. Appointments to fill any vacancies shall be for the  
13 unexpired terms. A county association or society of dentists or  
14 physicians or its managing board may submit each year to the county  
15 boards a list of three persons of recognized ability in such profession.  
16 If such a list is submitted, the county boards, in making an appointment  
17 for such profession, shall consider the names on the list and may appoint  
18 one of the persons so named.

19 (3) Except as provided in subsection (4) of this section, when the  
20 county board of any county and the city council of any city located in  
21 such county have executed an agreement, approved by the Department of  
22 Health and Human Services, for maintaining a city-county health

23 department, the city and county shall establish a city-county board of  
24 health. It shall consist of the following members selected by a majority  
25 vote of the city council and the county board, with due consideration to  
26 be given in an endeavor to secure a fair and equitable representation  
27 from the entire area to be served: (a) One representative of the county  
28 board, (b) one representative from the city council, (c) one physician,  
29 (d) one dentist, and (e) five public-spirited men or women, not employed  
30 in the health industry or in the health professions, who are interested  
31 in the health of the community. One-third of its members shall be  
1 appointed for terms of one year, one-third for terms of two years, and  
2 one-third for terms of three years. After their terms of office expire,  
3 each new appointment shall be for a period of three years. A county  
4 association or society of dentists or physicians or its managing board  
5 may submit each year to the city council and the county board a list of  
6 three persons of recognized ability in such profession. If such a list is  
7 submitted, the city council and the county board, in making an  
8 appointment for such profession, shall consider the names on the list and  
9 may appoint one of the persons so named.

10 (4)(a) When the county board of any county having a population of  
11 more than two hundred thousand inhabitants and the city council of any  
12 city located in such county have executed an agreement, approved by the  
13 Department of Health and Human Services, for maintaining a city-county  
14 health department on or after January 1, 1997, the city and county shall  
15 establish a city-county board of health. The board shall consist of the  
16 following members to be appointed by the mayor with the consent of the  
17 city council and county board: One representative of the county board,  
18 one representative from the city council, one physician, one dentist, and  
19 five public-spirited persons who are interested in the health of the  
20 community. Three of the members shall be appointed for terms of one year,  
21 three for terms of two years, and three for terms of three years. After  
22 the initial terms of office expire, each successor member shall be  
23 appointed for a term of three years. The physician and dentist members  
24 shall be appointed as provided in this subdivision. The mayor shall  
25 invite the local county association or society of dentists or physicians  
26 or its managing board to timely submit to the mayor a list of three  
27 persons of recognized ability in the profession. A list is timely  
28 submitted if it is submitted within sixty days after the mayor's  
29 invitation. If the list is not timely submitted, the mayor may consider  
30 the list timely submitted at any time prior to making an appointment,  
31 otherwise the mayor shall appoint a person of recognized ability in the  
1 profession. If the list is timely submitted, the mayor shall consider the  
2 names on the list and shall either appoint one of the persons on the list  
3 or invite a list of three new names using the process provided in this  
4 subdivision.

5 (b) The board of health shall, immediately after appointment, meet  
6 and organize by the election of one of its own members as president and  
7 one as vice president. The board members may elect such other officers as  
8 they deem necessary and may adopt and promulgate rules for the guidance  
9 of the board which are not inconsistent with law or the agreement  
10 creating the board. If any board member resigns or ceases to meet the  
11 requirements for eligibility on the board, or if there is any other  
12 vacancy on the board, the mayor shall appoint another representative to  
13 serve for the member's unexpired term subject to consent by a majority  
14 vote of both the city council and the county board. Any appointment to  
15 fill a vacancy on the board shall be for the unexpired term of the member  
16 whose vacancy is being filled.

17 (c) The board of health shall have the following duties:  
18 (i) Assessment of community health status and available resources  
19 for health matters, including collecting and analyzing relevant data and  
20 annually reporting and making recommendations on improving public health

21 matters to the mayor, city council, and county board;  
22 (ii) Policy development for proposals before the board of health,  
23 the city council, and the county board to support and improve public  
24 health, including appointing, with the approval of the mayor, city  
25 council, and county board, advisory committees to the board of health to  
26 facilitate community development functions and coalition building related  
27 to public health and adopting and approving official health department  
28 policies consistent with applicable law and approved by the affirmative  
29 vote of not less than five board members at a regular meeting of the  
30 board in the following areas:  
31 (A) Community health services and health promotion and outreach,  
1 specifically including policies related to the following:  
2 (I) Client services and fees;  
3 (II) Standing orders, supervision, screening, and emergency and  
4 referral protocols and procedures;  
5 (III) Monitoring and reporting; and  
6 (IV) Communicable disease investigation, immunization, vaccination,  
7 testing, and prevention measures, including measures to arrest the  
8 progress of communicable diseases;  
9 (B) Environmental health, specifically including policies related to  
10 the following:  
11 (I) Permitting, inspection, and enforcement;  
12 (II) Monitoring, sampling, and reporting;  
13 (III) Technical assistance and plan review; and  
14 (IV) Prevention measures;  
15 (C) Investigating and controlling diseases and injury, specifically  
16 including policies related to the following:  
17 (I) Permitting, inspection, and enforcement;  
18 (II) Monitoring, sampling, and reporting;  
19 (III) Technical assistance and plan review; and  
20 (IV) Prevention measures; and  
21 (D) Other health matters as may be requested by the city council or  
22 county board; and  
23 (iii) Assurance that needed services are available through public or  
24 private sources in the community, including:  
25 (A) Acting in an advisory capacity to review and recommend changes  
26 to ordinances, resolutions, and resource allocations before the city  
27 council or county board related to health matters;  
28 (B) Annually reviewing and recommending changes in the proposed  
29 budget for resource allocations related to the health department as  
30 provided in the city-county agreement; and  
31 (C) Monitoring and reviewing the enforcement of laws and regulations  
1 of the board of health, city council, and county board related to public  
2 health in the community.  
3 (d) The mayor of the city shall appoint, with the approval of the  
4 board of health, city council, and county board, the health director of  
5 the health department. The health director shall be a member of the  
6 unclassified service of the city under the direction and supervision of  
7 the mayor. The health director shall be well-trained in public health  
8 work, but he or she need not be a graduate of an accredited medical  
9 school. If the health director is not a graduate of an accredited medical  
10 school, the health director shall be assisted at least part time by at  
11 least one medical consultant who is a licensed physician. The mayor shall  
12 submit the health department budget to the city council and county board.  
13 The mayor shall also provide budget information to the board of health  
14 with sufficient time to allow such board to consider such information.  
15 The mayor may enter into contracts and accept grants on behalf of the  
16 health department. The mayor may terminate the health director with  
17 approval of a majority vote of the city council, the county board, and  
18 the board of health. The health director shall:

19 (i) Provide administrative supervision of the health department;  
 20 (ii) Make all necessary sanitary and health investigations and  
 21 inspections;  
 22 (iii) Investigate the existence of any contagious or infectious  
 23 disease. The health director shall receive approval of community-wide  
 24 directed health measures in writing prior to issuance by a majority of  
 25 the publicly elected representatives of the county board and city council  
 26 who are appointed to the city-county health department pursuant to  
 27 subdivision (4)(a) of this section, and such directed health measures  
 28 shall be submitted to the city-county board of health for ratification at  
 29 the next regularly scheduled meeting of such board and adopt measures to  
 30 arrest the progress of the disease;  
 31 (iv) Distribute free, as the local needs may require, all vaccines,  
 1 drugs, serums, and other preparations obtained from the Department of  
 2 Health and Human Services or otherwise provided for public health  
 3 purposes;  
 4 (v) Give professional advice and information to school authorities  
 5 and other public agencies on all matters pertaining to sanitation and  
 6 public health;  
 7 (vi) Inform the board of health when the city council or county  
 8 board is considering proposals related to health matters or has otherwise  
 9 requested recommendations from the board of health;  
 10 (vii) Inform the board of health of developments in the field of  
 11 public health and of any need for updating or adding to or deleting from  
 12 the programs of the health department; and  
 13 (viii) Perform duties and functions as otherwise provided by law.  
 14 Sec. 3. Section 71-1632, Reissue Revised Statutes of Nebraska, is  
 15 amended to read:  
 16 71-1632 ~~The~~ Except as provided in subsection (4) of section  
 17 ~~71-1630, the~~ health director of a county, district, or city-county health  
 18 department shall have the power and duty to (1) be the executive officer  
 19 of the local boards of health; (2) appoint, subject to any applicable  
 20 county or city civil service laws, rules, or regulations, a properly  
 21 functioning staff and other personnel as may be necessary, whose  
 22 qualifications shall conform to the United States Public Health Standards  
 23 and whose remuneration shall conform to an established compensation  
 24 schedule set by such local board of health and which is reviewed and  
 25 approved annually by such board; (3) issue and enforce community-wide  
 26 directed health measures. The health director shall receive approval of  
 27 such directed health measures in writing prior to issuance by a majority  
 28 of the publicly elected representatives of the county board and, if a  
 29 city-county health department, the city council, and such directed health  
 30 measures shall be submitted to the board of health for ratification at  
 31 the next regularly scheduled meeting of such board; (4) review annually,  
 1 with the local board of health, the proposed budget of the department;  
 2 ~~(5)~~ ~~(4)~~ organize, with the approval of the local board of health, a  
 3 citizens' advisory health council that will aid in developing a public  
 4 health program to meet the particular needs, hazards, and problems of the  
 5 health district; and ~~(6)~~ ~~(5)~~ organize, with the approval of the local  
 6 board of health, a medical and dental advisory committee.  
 7 Sec. 4. Original sections 71-1626, 71-1630, and 71-1632, Reissue  
 8 Revised Statutes of Nebraska, are repealed.

**LEGISLATIVE BILL 422.** Placed on General File with amendment.

AM414

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 38-2037, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 38-2037 (1) In addition to the grounds for disciplinary action

6 found in sections 38-178 and 38-179, a license to practice medicine and  
 7 surgery or osteopathic medicine and surgery or a license to practice as a  
 8 physician assistant may be denied, refused renewal, limited, revoked, or  
 9 suspended or have other disciplinary measures taken against it in  
 10 accordance with section 38-196 when the applicant or licensee fails to  
 11 comply with the provisions of section 71-603.01, 71-604, 71-605, or  
 12 71-606 relating to the signing of birth and death certificates.  
 13 (2) It is the intent of the Legislature to ensure the protection of  
 14 the rights under the First Amendment to the Constitution of the United  
 15 States for individuals licensed to practice medicine and surgery or  
 16 osteopathic medicine and surgery by providing for the public expression  
 17 of differing medical opinions and allowing such opinions to be subjected  
 18 to the scrutiny of public and professional forums. A license to practice  
 19 medicine and surgery or osteopathic medicine and surgery shall not be  
 20 subject to any disciplinary measures as a result of the applicant or  
 21 licensee merely expressing an opinion in a public or professional forum.  
 22 Sec. 2. Original section 38-2037, Reissue Revised Statutes of  
 23 Nebraska, is repealed.

**LEGISLATIVE BILL 910.** Placed on General File with amendment.

[AM2389](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 38-1201, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 38-1201 Sections 38-1201 to 38-1237 and section 2 of this act shall  
 6 be known and may be cited as the Emergency Medical Services Practice Act.  
 7 Sec. 2. (1) For purposes of this section, law enforcement canine  
 8 means any canine that is owned or employed in the service of any state or  
 9 local law enforcement agency, the Department of Correctional Services,  
 10 any local fire department, or the State Fire Marshal for the purpose of  
 11 aiding in the detection of criminal activity, flammable materials, or  
 12 missing persons; the enforcement of laws; the investigation of fires; or  
 13 the apprehension of criminal offenders.  
 14 (2) An emergency care provider validly licensed for emergency  
 15 transport may transport a law enforcement canine injured in the line of  
 16 duty to a veterinary clinic or similar facility if there is no person  
 17 requiring medical attention or transport at that time.  
 18 (3) An emergency care provider may provide emergency medical care to  
 19 a law enforcement canine injured in the line of duty while at the scene  
 20 of an emergency or while a law enforcement canine is being transported to  
 21 a veterinary clinic or similar facility if there is no person requiring  
 22 medical attention or transport at that time.  
 23 (4) An emergency care provider who acts in good faith to provide  
 24 emergency medical care to an injured law enforcement canine pursuant to  
 25 subsection (2) or (3) of this section shall be immune from criminal or  
 26 civil liability.  
 27 (5) The department may adopt and promulgate rules and regulations to  
 1 implement the provisions of this section.  
 2 Sec. 3. Section 38-3321, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 38-3321 No person may practice veterinary medicine and surgery in  
 5 the state who is not a licensed veterinarian, no person may perform  
 6 delegated animal health care tasks in the state who is not a licensed  
 7 veterinary technician or an unlicensed assistant performing such tasks  
 8 within the limits established under subdivision (2) of section 38-3326,  
 9 and no person may perform health care therapy on animals in the state who  
 10 is not a licensed animal therapist. The Veterinary Medicine and Surgery  
 11 Practice Act shall not be construed to prohibit:  
 12 (1) An employee of the federal, state, or local government from

13 performing his or her official duties;

14 (2) A person who is a student in a veterinary school from performing  
15 duties or actions assigned by his or her instructors or from working  
16 under the direct supervision of a licensed veterinarian;

17 (3) A person who is a student in an approved veterinary technician  
18 program from performing duties or actions assigned by his or her  
19 instructors or from working under the direct supervision of a licensed  
20 veterinarian or a licensed veterinary technician;

21 (4) Any merchant or manufacturer from selling feed or feeds whether  
22 medicated or nonmedicated;

23 (5) A veterinarian regularly licensed in another state from  
24 consulting with a licensed veterinarian in this state;

25 (6) Any merchant or manufacturer from selling from his or her  
26 established place of business medicines, appliances, or other products  
27 used in the prevention or treatment of animal diseases or any merchant or  
28 manufacturer's representative from conducting educational meetings to  
29 explain the use of his or her products or from investigating and advising  
30 on problems developing from the use of his or her products;

31 (7) An owner of livestock or a bona fide farm or ranch employee from  
1 performing any act of vaccination, surgery, pregnancy testing,  
2 retrievable transplantation of embryos on bovine, including recovering,  
3 freezing, and transferring embryos on bovine, or the administration of  
4 drugs in the treatment of domestic animals under his or her custody or  
5 ownership nor the exchange of services between persons or bona fide  
6 employees who are principally farm or ranch operators or employees in the  
7 performance of these acts;

8 (8) A member of the faculty of a veterinary school or veterinary  
9 science department from performing his or her regular functions, or a  
10 person lecturing or giving instructions or demonstrations at a veterinary  
11 school or veterinary science department or in connection with a  
12 continuing competency activity;

13 (9) Any person from selling or applying any pesticide, insecticide,  
14 or herbicide;

15 (10) Any person from engaging in bona fide scientific research which  
16 reasonably requires experimentation involving animals;

17 (11) Any person from treating or in any manner caring for domestic  
18 chickens, turkeys, or waterfowl, which are specifically exempted from the  
19 Veterinary Medicine and Surgery Practice Act;

20 (12) Any person from performing dehorning or castrating livestock,  
21 not to include equidae. For purposes of the Veterinary Medicine and  
22 Surgery Practice Act, castration shall be limited to the removal or  
23 destruction of male testes;

24 (13) Any person who holds a valid credential in the State of  
25 Nebraska in a health care profession or occupation regulated under the  
26 Uniform Credentialing Act from consulting with a licensed veterinarian or  
27 performing collaborative animal health care tasks on an animal under the  
28 care of such veterinarian if all such tasks are performed under the  
29 immediate supervision of such veterinarian;

30 (14) A person from performing a retrievable transplantation of  
31 embryos on bovine, including recovering, freezing, and transferring  
1 embryos on bovine, if the procedure is being performed by a person who  
2 (a) holds a doctorate degree in animal science with an emphasis in  
3 reproductive physiology from an accredited college or university and (b)  
4 has and can show proof of valid professional liability insurance; ~~or~~

5 (15) Any person engaging solely in equine, cat, and dog massage  
6 practice; ~~or~~ -

7 (16) An emergency care provider providing emergency medical care to  
8 a law enforcement canine injured in the line of duty as described in  
9 section 2 of this act.

10 Sec. 4. This act becomes operative on July 1, 2025.

11 Sec. 5. Original sections 38-1201 and 38-3321, Revised Statutes  
12 Cumulative Supplement, 2022, are repealed.

**LEGISLATIVE BILL 913.** Placed on General File with amendment.

AM2321

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 68-911 (1) Medical assistance shall include coverage for health care  
6 and related services as required under Title XIX of the federal Social  
7 Security Act, including, but not limited to:  
8 (a) Inpatient and outpatient hospital services;  
9 (b) Laboratory and X-ray services;  
10 (c) Nursing facility services;  
11 (d) Home health services;  
12 (e) Nursing services;  
13 (f) Clinic services;  
14 (g) Physician services;  
15 (h) Medical and surgical services of a dentist;  
16 (i) Nurse practitioner services;  
17 (j) Nurse midwife services;  
18 (k) Pregnancy-related services;  
19 (l) Medical supplies;  
20 (m) Mental health and substance abuse services;  
21 (n) Early and periodic screening and diagnosis and treatment  
22 services for children which shall include both physical and behavioral  
23 health screening, diagnosis, and treatment services;  
24 (o) Rural health clinic services; and  
25 (p) Federally qualified health center services.  
26 (2) In addition to coverage otherwise required under this section,  
27 medical assistance may include coverage for health care and related  
1 services as permitted but not required under Title XIX of the federal  
2 Social Security Act, including, but not limited to:  
3 (a) Prescribed drugs;  
4 (b) Intermediate care facilities for persons with developmental  
5 disabilities;  
6 (c) Home and community-based services for aged persons and persons  
7 with disabilities;  
8 (d) Dental services;  
9 (e) Rehabilitation services;  
10 (f) Personal care services;  
11 (g) Durable medical equipment;  
12 (h) Medical transportation services;  
13 (i) Vision-related services;  
14 (j) Speech therapy services;  
15 (k) Physical therapy services;  
16 (l) Chiropractic services;  
17 (m) Occupational therapy services;  
18 (n) Optometric services;  
19 (o) Podiatric services;  
20 (p) Hospice services;  
21 (q) Mental health and substance abuse services;  
22 (r) Hearing screening services for newborn and infant children; and  
23 (s) Administrative expenses related to administrative activities,  
24 including outreach services, provided by school districts and educational  
25 service units to students who are eligible or potentially eligible for  
26 medical assistance.  
27 (3) No later than July 1, 2009, the department shall submit a state  
28 plan amendment or waiver to the federal Centers for Medicare and Medicaid

29 Services to provide coverage under the medical assistance program for  
 30 community-based secure residential and subacute behavioral health  
 31 services for all eligible recipients, without regard to whether the  
 1 recipient has been ordered by a mental health board under the Nebraska  
 2 Mental Health Commitment Act to receive such services.  
 3 (4) On or before October 1, 2014, the department, after consultation  
 4 with the State Department of Education, shall submit a state plan  
 5 amendment to the federal Centers for Medicare and Medicaid Services, as  
 6 necessary, to provide that the following are direct reimbursable services  
 7 when provided by school districts as part of an individualized education  
 8 program or an individualized family service plan: Early and periodic  
 9 screening, diagnosis, and treatment services for children; medical  
 10 transportation services; mental health services; nursing services;  
 11 occupational therapy services; personal care services; physical therapy  
 12 services; rehabilitation services; speech therapy and other services for  
 13 individuals with speech, hearing, or language disorders; and vision-  
 14 related services.  
 15 (5) No later than January 1, 2023, the department shall provide  
 16 coverage for continuous glucose monitors under the medical assistance  
 17 program for all eligible recipients who have a prescription for such  
 18 device.  
 19 (6) On or before October 1, 2023, the department shall seek federal  
 20 approval for federal matching funds from the federal Centers for Medicare  
 21 and Medicaid Services through a state plan amendment or waiver to extend  
 22 postpartum coverage for beneficiaries from sixty days to at least six  
 23 months. Nothing in this subsection shall preclude the department from  
 24 submitting a state plan amendment for twelve months.  
 25 (7)(a) On or before October 1, 2024, the department shall seek  
 26 approval for federal matching funds from the federal Centers for Medicare  
 27 and Medicaid Services through a state plan amendment to the Children's  
 28 Health Insurance Program to implement a health services initiative to  
 29 provide postpartum coverage for at least six months for a mother whose  
 30 child is covered under the unborn child option. The covered services  
 31 provided during the postpartum period shall be identical to the  
 1 comprehensive postpartum covered services provided to a pregnant woman  
 2 under medicaid. Nothing in this subsection shall preclude the department  
 3 from submitting a state plan amendment to provide twelve months of  
 4 postpartum coverage.  
 5 (b) It is the intent of the Legislature to use the Medicaid Managed  
 6 Care Excess Profit Fund, as established in section 68-996, to fund the  
 7 services described in subdivision (7)(a) of this section.  
 8 Sec. 2. Original section 68-911, Revised Statutes Supplement, 2023,  
 9 is repealed.

**LEGISLATIVE BILL 1355.** Placed on General File with amendment.  
[AM2559](#) is available in the Bill Room.

(Signed) Ben Hansen, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 1004.** Placed on General File with amendment.  
[AM2551](#)

1 1. Strike original section 1 and insert the following new section:  
 2 Section 1. Section 60-6,279, Revised Statutes Supplement, 2023, is  
 3 amended to read:  
 4 60-6,279 (1) A person shall not operate ~~or be a passenger on a~~  
 5 motorcycle or moped on any highway in this state unless such person is:



6 (a) Wearing a protective helmet of the type and design manufactured  
7 for use by operators of such vehicles and unless such helmet is secured  
8 properly on the user's head with a chin strap while the vehicle is in  
9 motion. All such protective helmets shall be designed to reduce injuries  
10 to the user resulting from head impacts and shall be designed to protect  
11 the user by remaining on the user's head, deflecting blows, resisting  
12 penetration, and spreading the force of impact. Each such helmet shall  
13 consist of lining, padding, and chin strap and shall meet or exceed the  
14 standards established in the United States Department of Transportation's  
15 Federal Motor Vehicle Safety Standard No. 218, 49 C.F.R. 571.218, for  
16 motorcycle helmets; or  
17 ~~(b) Beginning January 1, 2024:~~  
18 ~~(b)(i) (i) At least twenty-one years of age; and~~  
19 ~~(ii)(A) Has a Nebraska Class M license and received such Class M~~  
20 ~~license prior to May 1, 2024, and has completed the Motorcycle Safety~~  
21 ~~Foundation three-hour Basic eCourse and submitted proof of such~~  
22 ~~completion to the Department of Motor Vehicles. Proof of such completion~~  
23 ~~shall be in a manner approved by the department;~~  
24 ~~(B) Has a Nebraska Class M license and received such Class M license~~  
25 ~~on or after May 1, 2024, and (ii)(A) For a resident of Nebraska, has~~  
26 ~~completed the basic motorcycle safety course as provided in the~~  
27 ~~Motorcycle Safety Education Act and submitted proof of such completion to~~  
1 the Department of Motor Vehicles. Proof of such completion shall be in a  
2 manner approved by the department; or  
3 ~~(C) Has a license to operate a motorcycle issued by another state.~~  
4 ~~(B) For a nonresident of Nebraska, has completed an equivalent to the~~  
5 ~~Motorcycle Safety Foundation basic motorcycle rider course or some other~~  
6 ~~substantially similar motorcycle rider course approved by the state of~~  
7 ~~the person's residence and provides proof of such completion to a law~~  
8 ~~enforcement officer upon request.~~  
9 ~~(2) A person shall not be a passenger on a motorcycle or moped on~~  
10 ~~any highway in this state unless:~~  
11 ~~(a) Such person is wearing a protective helmet described in~~  
12 ~~subdivision (1)(a) of this section; or~~  
13 ~~(b)(i) Such person is at least twenty-one years of age; and~~  
14 ~~(ii) The person operating the motorcycle or moped is a person~~  
15 ~~described in subdivision (1)(b) of this section.~~  
16 ~~(3) (2) The Department of Motor Vehicles shall modify the existing~~  
17 ~~system of the department by January 1, 2024, to allow the date of~~  
18 ~~completion of such course to be recorded on the person's record provided~~  
19 ~~for in section 60-483.~~  
20 ~~(4) (3) A person shall not operate a motorcycle or moped on any~~  
21 ~~highway in this state unless such person employs one of the following~~  
22 ~~forms of eye protection: (a) Glasses that cover the orbital region of the~~  
23 ~~person's face, (b) a protective face shield attached to a protective~~  
24 ~~helmet, (c) goggles, or (d) a windshield on the motorcycle or moped that~~  
25 ~~protects the operator's and passenger's horizontal line of vision in all~~  
26 ~~operating positions.~~

(Signed) Mike Moser, Chairperson

Urban Affairs

**LEGISLATIVE BILL 948.** Placed on General File with amendment.

[AM2513](#)

1 1. On page 4, lines 14 and 24, after "18-2147" insert "and that  
2 involves real property located within a county with a population of sixty  
3 thousand inhabitants or more".  
4 2. On page 5, line 7, after "program" insert "via certified mail";

5 in line 8 after "denied" insert "via certified mail"; and in line 14  
6 strike "five" and insert "fifteen".

(Signed) Terrell McKinney, Chairperson

Education

**LEGISLATIVE BILL 855.** Placed on General File.  
**LEGISLATIVE BILL 878.** Placed on General File.  
**LEGISLATIVE BILL 1029.** Placed on General File.  
**LEGISLATIVE BILL 1091.** Placed on General File.  
**LEGISLATIVE BILL 1193.** Placed on General File.  
**LEGISLATIVE BILL 1270.** Placed on General File.  
**LEGISLATIVE BILL 1328.** Placed on General File.

(Signed) Dave Murman, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB253:  
AM2534

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. For purposes of sections 1 to 7 of this act:  
4 (1) Case plan means a set of goals, conditions, and programs that  
5 is:  
6 (a) Based on a professional risk and needs assessment;  
7 (b) Tailored to the specific risks and needs of the veteran; and  
8 (c) Developed in collaboration with the veteran;  
9 (2) Condition from military service means substance-use disorder,  
10 military sexual trauma, traumatic brain injury, posttraumatic stress  
11 disorder, or another mental health condition that is related to an  
12 individual's military service in some manner and includes psychological  
13 effects from a veteran's time in service as well as from the period of  
14 family separation related to deployment;  
15 (3) Veteran means an individual who:  
16 (a) Is serving in the United States Armed Forces, including any  
17 reserve component or the National Guard;  
18 (b) Has served in such armed forces and was discharged or released  
19 from such service under conditions other than dishonorable; or  
20 (c) Has served in such armed forces and received a dishonorable  
21 discharge and such individual has been diagnosed with substance-use  
22 disorder, military sexual trauma, traumatic brain injury, posttraumatic  
23 stress disorder, or another mental health condition; and  
24 (4) Veteran justice program means the program described in sections  
25 2 to 5 of this act through which a veteran may defer entry of judgment of  
26 conviction for an offense pending completion of the program, and upon  
27 successful completion, avoid entry of judgment of conviction.  
1 Sec. 2. (1) Each district or county court shall establish a veteran  
2 justice program as provided in sections 2 to 5 of this act and subject to  
3 the Supreme Court's rules.  
4 (2) A veteran justice program may be operated pursuant to a problem-  
5 solving court or by use of deferred judgments under section 29-2292.  
6 Sec. 3. (1) A veteran shall be eligible to participate in a veteran  
7 justice program if:  
8 (a) The offense is eligible for probation;

9 (b) The offense is not listed in subsection (2) of section 29-2292;  
10 and  
11 (c) There is reason to believe that a condition from military  
12 service contributed to the offense.  
13 (2)(a) There shall be a rebuttable presumption that a court shall  
14 allow a veteran eligible under subsection (1) of this section to  
15 participate in a veteran justice program.  
16 (b) This presumption applies even though a veteran may have  
17 previously absconded from or violated pretrial release, probation,  
18 parole, supervised release, or another form of court-ordered supervision,  
19 including a violation arising from commission of a new offense, even an  
20 offense committed while previously participating in a veteran justice  
21 program.  
22 (c) The presumption shall only be overcome by a judicial finding  
23 that, based upon an individualized assessment of the veteran and  
24 consideration of the supervision, treatment, and other programming  
25 available in the community, participation in the veteran justice program  
26 will not reasonably ensure public safety.  
27 Sec. 4. (1) A veteran justice program shall include the following  
28 elements:  
29 (a) Evidence-based treatment tailored to address the specific  
30 challenges facing veterans, such as posttraumatic stress disorder,  
31 traumatic brain injury, military sexual trauma, or another condition from  
1 military service; and  
2 (b) A case plan that is:  
3 (i) Developed by the court with probation and appropriate experts;  
4 (ii) Based on a professional assessment of the veteran's specific  
5 risks and needs;  
6 (iii) Created in conjunction with input from the veteran;  
7 (iv) Containing clear and individualized supervision and treatment  
8 goals, including guidelines that detail the program rules, consequences  
9 for violating the rules, and incentives for compliance; and  
10 (v) Communicated to the veteran at the start of the program.  
11 (2) In the implementation of a veteran justice program, the district  
12 or county court shall retain discretion in:  
13 (a) Determining eligibility for participation, subject to section 3  
14 of this act;  
15 (b) Establishing the conditions of the program, including the  
16 creation of the case plan;  
17 (c) Setting the terms of successful program completion and release  
18 upon that successful completion; and  
19 (d) Determining if the veteran has successfully completed the  
20 program at a final hearing.  
21 (3) A victim of the veteran shall have the opportunity to be  
22 involved in the veteran justice program, including the opportunity to be  
23 heard or submit a written statement at the final hearing where program  
24 completion is determined.  
25 (4) Upon successful completion of a veteran justice program, the  
26 veteran shall be entitled to the relief set forth in the problem-solving  
27 court program or pursuant to a deferred judgment under section 29-2292.  
28 Sec. 5. (1) When sentencing a defendant who is a veteran for any  
29 offense, a court shall recognize the defendant's veteran status as a  
30 mitigating factor in determining the sentence.  
31 (2) When arraigning any defendant, a court shall notify the  
1 defendant that veteran status will be used as a mitigating factor as  
2 provided in this section. The court shall offer the defendant the ability  
3 to communicate his or her veteran status through counsel or by other  
4 means. The court shall not require that the defendant self-identify as a  
5 veteran in open court.  
6 (3) A court shall consider a defendant's veteran status as a

7 mitigating factor in addition to any other mitigating factors provided by  
 8 law or considered by the court. The fact that a defendant may have  
 9 suffered trauma unrelated to military service or veteran status shall not  
 10 be used to deny the impact of any military trauma or condition of  
 11 military service.

12 (4) A court may take into consideration individual merit earned  
 13 during military service, overseas deployment, exposure to danger, and  
 14 service-connected disability ratings when considering sentencing  
 15 mitigation. When considering multiple factors, a court should give  
 16 additional credit for each factor.

17 (5) A sentence of imprisonment is inappropriate in all but the most  
 18 severe cases if a veteran can show:

19 (a) A clear connection between the offense and a condition from  
 20 military service; and

21 (b) That the veteran has made progress in treating such condition.

22 (6) A court shall not:

23 (a) Use veteran status as an aggravating factor; or

24 (b) Require a connection between the offense and a condition from  
 25 military service in order to consider veteran status as a mitigating  
 26 factor.

27 (7) This section applies regardless of whether a veteran is eligible  
 28 for participation in a veteran justice program.

29 Sec. 6. (1) Law enforcement, court, and correctional personnel shall  
 30 verify the veteran status of any individual being processed through the  
 31 criminal justice system in order to identify individuals who may be  
 1 eligible for participation in a veteran justice program or for sentencing  
 2 mitigation as provided in section 5 of this act.

3 (2) Law enforcement, court, and correctional personnel shall receive  
 4 training designed to increase their understanding of cases involving  
 5 veterans, including veterans' exposure to violence and trauma. Such  
 6 training shall include attention on issues that disproportionately impact  
 7 female veterans, such as military sexual trauma.

8 Sec. 7. (1) The State Court Administrator shall compile information  
 9 on the number of veterans receiving, successfully completing, declining,  
 10 and denied participation in a veteran justice program and the sentencing  
 11 mitigation described in section 5 of this act.

12 (2) The State Court Administrator shall track outcomes among  
 13 veterans who participate in a veteran justice program, including  
 14 completion status, recidivism, and housing and employment status.

15 (3) Data collected under this section shall be disaggregated by  
 16 race, ethnicity, gender, age, military discharge characterization, and  
 17 the offense involved.

18 (4) On or before July 1, 2026, and on or before each July 1  
 19 thereafter, the State Court Administrator shall electronically submit a  
 20 report to the Judiciary Committee of the Legislature. The report shall  
 21 contain de-identified data collected pursuant to this section and shall  
 22 analyze the outcomes, successes, and areas for improvement of the veteran  
 23 justice programs and the sentencing mitigation described in section 5 of  
 24 this act.

25 Sec. 8. This act becomes operative on July 1, 2025.

Senator Fredrickson filed the following amendment to [LB856](#):  
[AM2544](#)

(Amendments to Standing Committee amendments, AM2510)

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

3 Section 1. Section 68-1206, Revised Statutes Supplement, 2023, is  
 4 amended to read:

5 68-1206 (1) The Department of Health and Human Services shall  
 6 administer the program of social services in this state. The department

7 may contract with other social agencies for the purchase of social  
8 services at rates not to exceed those prevailing in the state or the cost  
9 at which the department could provide those services. The statutory  
10 maximum payments for the separate program of aid to dependent children  
11 shall apply only to public assistance grants and shall not apply to  
12 payments for social services.

13 (2)(a) As part of the provision of social services authorized by  
14 section 68-1202, the department shall participate in the federal child  
15 care assistance program under 42 U.S.C. 9857 et seq., as such sections  
16 existed on January 1, 2023, and provide child care assistance to families  
17 with incomes up to (i) one hundred eighty-five percent of the federal  
18 poverty level prior to October 1, 2026, or (ii) one hundred thirty  
19 percent of the federal poverty level on and after October 1, 2026.

20 (b)(i) (b) As part of the provision of social services authorized by  
21 this section and section 68-1202, the department shall participate in the  
22 federal Child Care Subsidy program. A child care provider seeking to  
23 participate in the federal Child Care Subsidy program shall comply with  
24 the criminal history record information check requirements of the Child  
25 Care Licensing Act. In determining ongoing eligibility for this program,  
26 ten percent of a household's gross earned income shall be disregarded  
1 after twelve continuous months on the program and at each subsequent  
2 redetermination. In determining ongoing eligibility, if a family's income  
3 exceeds one hundred eighty-five percent of the federal poverty level  
4 prior to October 1, 2026, or one hundred thirty percent of the federal  
5 poverty level on and after October 1, 2026, the family shall receive  
6 transitional child care assistance through the remainder of the family's  
7 eligibility period or until the family's income exceeds eighty-five  
8 percent of the state median income for a family of the same size as  
9 reported by the United States Bureau of the Census, whichever occurs  
10 first. When the family's eligibility period ends, the family shall  
11 continue to be eligible for transitional child care assistance if the  
12 family's income is below two hundred percent of the federal poverty level  
13 prior to October 1, 2026, or one hundred eighty-five percent of the  
14 federal poverty level on and after October 1, 2026. The family shall  
15 receive transitional child care assistance through the remainder of the  
16 transitional eligibility period or until the family's income exceeds  
17 eighty-five percent of the state median income for a family of the same  
18 size as reported by the United States Bureau of the Census, whichever  
19 occurs first. The amount of such child care assistance shall be based on  
20 a cost-shared plan between the recipient family and the state and shall  
21 be based on a sliding-scale methodology. A recipient family may be  
22 required to contribute a percentage of such family's gross income for  
23 child care that is no more than the cost-sharing rates in the  
24 transitional child care assistance program as of January 1, 2015, for  
25 those no longer eligible for cash assistance as provided in section  
26 68-1724.

27 (ii) A household shall have all earned and unearned income excluded  
28 from its eligibility determination if the applicant or adult household  
29 member is:

30 (A)(I) Self-employed at a licensed child care program as described  
31 in section 71-1911, (II) employed at a licensed child care program as  
1 described in section 71-1911, (III) employed at a federal Head Start  
2 program, as described in 42 U.S.C. 9831 et seq., or (IV) employed at an  
3 Early Head Start program, as described in 42 U.S.C. 9840a;

4 (B) Verified for a minimum of twenty hours of employment per week;  
5 and

6 (C) Listed in the Nebraska Early Childhood Professional Record  
7 System as described in section 71-1962.

8 (iii) Child care programs with an eligible household described in  
9 subdivision (2)(b)(ii)(A)(II) or (2)(b)(ii)(A)(III) of this section shall

10 make reasonable accommodations so that the eligible applicant or adult  
11 household member is not a primary caregiver to such applicant's or adult  
12 household member's child. If reasonable accommodation cannot be made, the  
13 department shall allow the applicant or adult household member to receive  
14 child care assistance for the applicant's or adult household member's  
15 child including when the applicant or adult household member is the  
16 primary caregiver for such child.  
17 (iv) An eligible household described in subdivision (2)(b)(ii)(A)(I)  
18 of this section may enroll the household member's child in a child care  
19 program other than the household member's child care program to receive  
20 child care assistance.  
21 (v) Nothing in subdivision (2)(b)(ii) of this section shall preclude  
22 a household from meeting additional eligibility requirements of the  
23 federal Child Care Subsidy program.  
24 (vi) The department shall submit a report electronically to the  
25 Legislature on December 1 of each year that includes the monthly number  
26 of enrolled children and households by county and program type for  
27 households eligible pursuant to subdivision (2)(b)(ii) of this section.  
28 (vii) No more than ten million dollars shall be spent annually for  
29 enrolled children under subdivisions (2)(b)(ii) through (vi) of this  
30 section.  
31 (viii) Subdivisions (2)(b)(ii) through (vi) of this section shall  
1 terminate effective October 1, 2026.  
2 (c) For the period beginning July 1, 2021, through September 30,  
3 2026, funds provided to the State of Nebraska pursuant to the Child Care  
4 and Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such  
5 act and sections existed on January 1, 2023, shall be used to pay the  
6 costs to the state resulting from the income eligibility changes made in  
7 subdivisions (2)(a) and (b) of this section by Laws 2021, LB485. If the  
8 available amount of such funds is insufficient to pay such costs, then  
9 funds provided to the state for the Temporary Assistance for Needy  
10 Families program established in 42 U.S.C. 601 et seq. may also be used.  
11 No General Funds shall be used to pay the costs to the state, other than  
12 administration costs, resulting from the income eligibility changes made  
13 in subdivisions (2)(a) and (b) of this section by Laws 2021, LB485, for  
14 the period beginning July 1, 2021, through September 30, 2026.  
15 (d) The Department of Health and Human Services shall collaborate  
16 with a private nonprofit organization with expertise in early childhood  
17 care and education for an independent evaluation of the income  
18 eligibility changes made in subdivisions (2)(a) and (b) of this section  
19 by Laws 2021, LB485, if private funding is made available for such  
20 purpose. The evaluation shall be completed by July 1, 2024, and shall be  
21 submitted electronically to the department and to the Health and Human  
22 Services Committee of the Legislature.  
23 (3) In determining the rate or rates to be paid by the department  
24 for child care as defined in section 43-2605, the department shall adopt  
25 a fixed-rate schedule for the state or a fixed-rate schedule for an area  
26 of the state applicable to each child care program category of provider  
27 as defined in section 71-1910 which may claim reimbursement for services  
28 provided by the federal Child Care Subsidy program, except that the  
29 department shall not pay a rate higher than that charged by an individual  
30 provider to that provider's private clients. The schedule may provide  
31 separate rates for care for infants, for children with special needs,  
1 including disabilities or technological dependence, or for other  
2 individual categories of children. The schedule may also provide tiered  
3 rates based upon a quality scale rating of step three or higher under the  
4 Step Up to Quality Child Care Act. The schedule shall be effective on  
5 October 1 of every year and shall be revised annually by the department.  
6 Sec. 2. Original section 68-1206, Revised Statutes Supplement,  
7 2023, is repealed.

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB1067](#):  
[MO1190](#)  
Bracket until February 23, 2024.

Senator M. Cavanaugh filed the following motion to [LB1067](#):  
[MO1191](#)  
Recommit to the Revenue Committee.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:30 PM

Wednesday, February 28, 2024  
LB1346

(Signed) Lou Ann Linehan, Chairperson

Education  
Room 1525 1:30 PM

Tuesday, February 27, 2024  
Jeffrey Nellhaus - Technical Advisory Committee for Statewide Assessment  
Courtney C. Wittstruck - Nebraska Educational Telecommunications  
Commission  
Linda Poole - Technical Advisory Committee for Statewide Assessment  
Patricia M. Kircher - Nebraska Educational Telecommunications  
Commission  
LB957  
LB1150  
LB1065  
LB1006  
LB1011  
LB1013

(Signed) Dave Murman, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 303.** Introduced by Murman, 38.

**PURPOSE:** The purpose of this resolution is to propose an interim study to study the viability of adopting the Classical Learning Test as an option for meeting admissions requirements at the University of Nebraska and the Nebraska state colleges. The adoption of the Classical Learning Test as an admissions test option would not replace the ACT or any other standard

college admission test used by the University of Nebraska or the Nebraska state colleges for admissions, but would allow applicants the option to submit the results of the Classical Learning Test instead of or in addition to other accepted tests. In order to carry out the purpose of this resolution, the input of interested individuals, public officials, and such entities as deemed necessary shall be considered and a copy of any findings and recommendations from the study shall be sent to the State Board of Education, the University of Nebraska, and the Nebraska state colleges.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Fredrickson name added to LB20.

Senator Conrad name added to LB198.

Senator Conrad name added to LB233.

Senator Wayne name added to LB253.

Senator Clements name added to LB441.

Senator Lippincott name added to LB441.

Senator Slama name added to LB844.

Senator Dungan name added to LB856.

Senator Dungan name added to LB928.

Senator Brewer name added to LB951.

Senator Conrad name added to LB1078.

Senator Ibach name added to LB1251.

Senator Conrad name added to LB1392.

#### **VISITOR(S)**

Visitors to the Chamber were Jennifer Jackson and Lauren Wehr of Heartland Counseling Services; Leadership Wayne, Wayne; Nebraskans for the Arts; members of the Nebraska Grocery Industry Association from across the state; teacher and students from Blair High School, Blair; physicians, residents and medical students from the Nebraska Medical Association; Michaela Tallman, Lillian, Allison, Jonathan, and Katherine, Omaha; Leadership Hastings, Hastings; members from the University of Nebraska-Kearney American Democracy Project.



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

**ADJOURNMENT**

At 11:53 a.m., on a motion by Senator Vargas, the Legislature adjourned until 9:00 a.m., Wednesday, February 21, 2024.

Brandon Metzler  
Clerk of the Legislature



**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

**THIRTY-SECOND DAY - FEBRUARY 22, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 22, 2024

**PRAYER**

The prayer was offered by Jim Haack, Beautiful Savior Lutheran, La Vista.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Brandt.

**ROLL CALL**

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

The roll was called and all members were present except Senator Walz who was excused; and Senators Bostar, J. Cavanaugh, Conrad, Day, Dungan, Hansen, Hunt, Jacobson, McDonnell, Raybould, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-first day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

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 individuals are being appointed as members of the Nebraska State Electrical Board

Don F Gerjevic, 8716 South 187th Street, Omaha, NE 68136, Inspector  
Michael M Hunsberger, 44175 Dr 796, Broken Bow, NE 68822,  
Journeyman/Electrician

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

February 15, 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 State Electrical Board:

Stephen M Farrington, 1301 N 187th Street, Elkhorn, NE 68022

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)**  
Executive Board

**LEGISLATIVE RESOLUTION 298.** Reported to the Legislature for further consideration with the following amendment:

[AM2637](#)

- 1 1. Strike the original provisions and insert the following new
- 2 provisions:
- 3 WHEREAS, the Legislature has the inherent power to secure
- 4 information in order to legislate, hold hearings, and conduct
- 5 investigations related to the operation of state government; and
- 6 WHEREAS, legislative oversight functions related to the
- 7 Legislature's inherent power are currently distributed among the various
- 8 legislative divisions within the Legislative Council, including the

9 office of Public Counsel, the office of Legislative Audit, the office of  
 10 Legislative Research, and the office of Legislative Fiscal Analyst; and  
 11 WHEREAS, the office of the Attorney General issued an opinion on  
 12 August 16, 2023, stating that the current statutory regime governing two  
 13 offices related to legislative oversight, the office of Inspector General  
 14 of Nebraska Child Welfare and the office of Inspector General of the  
 15 Nebraska Correctional System, violated the separation of powers  
 16 provisions in Article II, section 1, of the Constitution of Nebraska; and  
 17 WHEREAS, the Legislature believes that the legislative divisions and  
 18 offices, including the office of Inspector General of Nebraska Child  
 19 Welfare and the office of Inspector General of the Nebraska Correctional  
 20 System, serve important legislative oversight functions and that these  
 21 divisions and offices will benefit from a full review to strengthen the  
 22 performance of their legislative oversight functions, to address any  
 23 restructuring or reorganization necessary for continued legislative  
 24 oversight, to examine how any such restructuring or reorganization may  
 25 impact the interface between the Legislature and the Executive and  
 26 Judicial branches, and to address any remaining issues related to the  
 27 opinion of the Attorney General issued on August 16, 2023.  
 1 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED  
 2 EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:  
 3 1. That the Legislature hereby calls for the Executive Board of the  
 4 Legislative Council to appoint a committee of the Legislature to be known  
 5 as the Legislative Oversight Review Special Committee of the Legislature.  
 6 Members shall include all members of the Executive Board of the  
 7 Legislative Council, the chairperson of the Health and Human Services  
 8 Committee of the Legislature, the chairperson of the Judiciary Committee  
 9 of the Legislature, and three at-large members of the Legislature. The  
 10 Legislative Oversight Review Special Committee shall elect a chairperson  
 11 and vice-chairperson from the membership of the committee. The executive  
 12 board may provide the committee with a legal counsel, committee clerk,  
 13 and other staff as required by the committee from existing legislative  
 14 staff. The executive board may authorize the committee to hire outside  
 15 legal counsel as deemed necessary by the committee. The committee may  
 16 hold hearings. After authorization by the executive board, the committee  
 17 may issue subpoenas to compel the attendance of witnesses and the  
 18 production of any papers, books, accounts, documents, and testimony under  
 19 oath.  
 20 2. The Legislative Oversight Review Special Committee may study the  
 21 current structure and organization of legislative oversight functions  
 22 among the various legislative divisions and offices and the structure and  
 23 organization of legislative oversight functions in other state  
 24 legislatures. The committee may also study whether current oversight  
 25 conducted by any statutorily created board or commission would be more  
 26 appropriately conducted within the legislative branch.  
 27 3. The Legislative Oversight Review Special Committee shall issue a  
 28 report with its findings and recommendations to the Legislature no later  
 29 than December 15, 2024. The report shall include recommendations for  
 30 draft legislation, if necessary. The committee terminates on December 31,  
 31 2024.

(Signed) Raymond Aguilar, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Fredrickson filed the following amendment to [LB927](#):  
[AM2553](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. For purposes of providing training for individuals  
 4 involved in the child welfare system, the Department of Health and Human  
 5 Services shall develop a baseline of curriculum and training materials

6 related to suicide awareness and prevention in consultation with  
7 statewide and national organizations and professionals with expertise in  
8 behavioral and mental health and suicide prevention, including, but not  
9 limited to, the Nebraska State Suicide Prevention Coalition and the  
10 Behavioral Health Education Center of Nebraska. All such suicide  
11 awareness and prevention training shall incorporate evidence-based  
12 practices and may include, but not be limited to, (1) identification of  
13 early warning signs and symptoms of behavioral and mental health issues  
14 for youth in the child welfare system and (2) appropriate and effective  
15 responses for behavioral and mental health issues and trauma-informed  
16 care.

17 Sec. 2. All staff of the Department of Health and Human Services  
18 that are involved in the implementation of the Child Protection and  
19 Family Safety Act or involved in the implementation of the powers and  
20 duties of the department prescribed in Chapter 43, and any other  
21 appropriate personnel as determined by the Division of Children and  
22 Family Services of the Department of Health and Human Services, shall  
23 have training in suicide awareness and prevention. Such training shall  
24 include at least ninety minutes of behavioral and mental health training  
25 with a focus on suicide awareness and prevention prior to any independent  
26 contact with youth and families and annually thereafter. Such training  
27 shall be provided within the framework of existing training programs  
1 offered by the department.

2 Sec. 3. Section 71-1904, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 71-1904 (1) The department shall adopt and promulgate rules and  
5 regulations pursuant to sections 71-1901 to 71-1906.01 for (a) the proper  
6 care and protection of children by licensees under such sections, (b) the  
7 issuance, suspension, and revocation of licenses to provide foster care,  
8 (c) the issuance, suspension, and revocation of probationary licenses to  
9 provide foster care, (d) the issuance, suspension, and revocation of  
10 provisional licenses to provide foster care, (e) the provision of  
11 training in foster care, which training shall be directly related to the  
12 skills necessary to care for children in need of out-of-home care,  
13 including, but not limited to, abused, neglected, dependent, and  
14 delinquent children, and (f) the proper administration of sections  
15 71-1901 to 71-1906.01.

16 (2) The department may issue a waiver for any licensing standard not  
17 related to children's safety for a relative home that is pursuing  
18 licensure. Such waivers shall be granted on a case-by-case basis upon  
19 assessment by the department based upon the best interests of the child.  
20 A relative home that receives a waiver pursuant to this subsection shall  
21 be considered fully licensed for purposes of federal reimbursement under  
22 the federal Fostering Connections to Success and Increasing Adoptions Act  
23 of 2008, Public Law 110-351.

24 (3) The department shall adopt and promulgate rules and regulations  
25 establishing new foster home licensing requirements that ensure  
26 children's safety, health, and well-being but minimize the use of  
27 licensing mandates for nonsafety issues. Such rules and regulations shall  
28 provide alternatives to address nonsafety issues regarding housing and  
29 provide assistance to families in overcoming licensing barriers,  
30 especially in child-specific relative and kinship placements, to maximize  
31 appropriate reimbursement under Title IV-E of the federal Social Security  
1 Act, as amended, including expanding the use of kinship guardianship  
2 assistance payments under 42 U.S.C. 673(d), as such act and section  
3 existed on January 1, 2013.

4 (4) The department shall include suicide awareness and prevention  
5 training meeting the requirements of section 1 of this act for initial  
6 licensure and renewal of licensure pursuant to sections 71-1901 to  
7 71-1906.01.

8 Sec. 4. Section 71-1924, Revised Statutes Cumulative Supplement,  
 9 2022, is amended to read:  
 10 71-1924 Sections 71-1924 to 71-1951 and section 5 of this act shall  
 11 be known and may be cited as the Children's Residential Facilities and  
 12 Placing Licensure Act.  
 13 Sec. 5. The department shall establish standardized suicide  
 14 awareness and prevention training requirements for all employees of a  
 15 child-placing agency prior to any independent contact with youth and  
 16 families. Such training shall incorporate a baseline of curriculum  
 17 materials described in section 1 of this act while also allowing a child-  
 18 placing agency to incorporate training elements that meet the specific  
 19 needs of the individual agency. The department may approve the existing  
 20 curriculum of a child-placing agency if such curriculum meets the  
 21 baseline of curriculum pursuant to section 1 of this act.  
 22 Sec. 6. Original section 71-1904, Reissue Revised Statutes of  
 23 Nebraska, and section 71-1924, Revised Statutes Cumulative Supplement,  
 24 2022, are repealed.

### GENERAL FILE

**LEGISLATIVE BILL 137.** Senator M. Cavanaugh renewed [MO1192](#), found and considered on page 774, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Pending.

### AMENDMENT(S) - Print in Journal

Senator Kauth filed the following amendment to [LB1340](#):  
[AM2202](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 28-306, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 28-306 (1) A person who causes the death of another unintentionally  
 6 while engaged in the operation of a motor vehicle in violation of the law  
 7 of the State of Nebraska or in violation of any city or village ordinance  
 8 commits motor vehicle homicide.  
 9 (2) Except as provided in subsection (3) of this section, motor  
 10 vehicle homicide is a Class ~~IV felony~~ ~~I misdemeanor~~.  
 11 (3)(a) If the proximate cause of the death of another is the  
 12 operation of a motor vehicle in violation of section ~~60-6,179.01,~~  
 13 ~~60-6,179.02,~~ 60-6,213, or 60-6,214, motor vehicle homicide is a Class  
 14 IIIA felony.  
 15 (b) If the proximate cause of the death of another is the operation  
 16 of a motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
 17 vehicle homicide is a Class IIA felony. The court shall, as part of the  
 18 judgment of conviction, order the person not to drive any motor vehicle  
 19 for any purpose for a period of at least one year and not more than  
 20 fifteen years and shall order that the operator's license of such person  
 21 be revoked for the same period.  
 22 (c) If the proximate cause of the death of another is the operation  
 23 of a motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
 24 vehicle homicide is a Class II felony if the defendant has a prior  
 25 conviction for a violation of section 60-6,196 or 60-6,197.06, under a  
 26 city or village ordinance enacted in conformance with section 60-6,196,  
 27 or under a law of another state if, at the time of the conviction under

1 the law of such other state, the offense for which the defendant was  
2 convicted would have been a violation of section 60-6,196. The court  
3 shall, as part of the judgment of conviction, order the person not to  
4 drive any motor vehicle for any purpose for a period of fifteen years and  
5 shall order that the operator's license of such person be revoked for the  
6 same period.

7 (d) An order of the court described in subdivision (b) or (c) of  
8 this subsection shall be administered upon sentencing, upon final  
9 judgment of any appeal or review, or upon the date that any probation is  
10 revoked.

11 (4) The crime punishable under this section shall be treated as a  
12 separate and distinct offense from any other offense arising out of acts  
13 alleged to have been committed while the person was in violation of this  
14 section.

15 Sec. 2. Section 60-682.01, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 60-682.01 (1) ~~A Any person shall not operate who operates~~ a vehicle  
18 in violation of any maximum speed limit established for any highway or  
19 freeway. ~~A violation of this section shall be punished as is guilty of a~~  
20 ~~traffic infraction except that if the violation involved traveling over~~  
21 ~~thirty-five miles per hour over the authorized speed limit, it shall be~~  
22 ~~punished as a Class I misdemeanor.~~

23 (2) ~~Upon and upon~~ conviction for a violation of this section, a  
24 person shall be fined:

25 (a) ~~Fifty Ten~~ dollars for traveling one to five miles per hour over  
26 the authorized speed limit;

27 (b) ~~Seventy-five Twenty-five~~ dollars for traveling over five miles  
28 per hour but not over ten miles per hour over the authorized speed limit;

29 (c) ~~One hundred twenty-five Seventy-five~~ dollars for traveling over  
30 ten miles per hour but not over fifteen miles per hour over the  
31 authorized speed limit;

1 (d) ~~Two hundred One hundred twenty-five~~ dollars for traveling over  
2 fifteen miles per hour but not over twenty miles per hour over the  
3 authorized speed limit;

4 (e) ~~Three Two~~ hundred dollars for traveling over twenty miles per  
5 hour but not over thirty-five miles per hour over the authorized speed  
6 limit; and

7 (f) ~~Four Three~~ hundred dollars for traveling over thirty-five miles  
8 per hour over the authorized speed limit.

9 (3) (2) The fines prescribed in subsection (2) (1) of this section  
10 shall be doubled if the violation occurs within a maintenance, repair, or  
11 construction zone established pursuant to section 60-6,188. For purposes  
12 of this subsection, maintenance, repair, or construction zone means (a)  
13 (i) the portion of a highway identified by posted or moving signs as  
14 being under maintenance, repair, or construction or (ii) the portion of a  
15 highway identified by maintenance, repair, or construction zone speed  
16 limit signs displayed pursuant to section 60-6,188 and (b) within such  
17 portion of a highway where road construction workers are present. The  
18 maintenance, repair, or construction zone starts at the location of the  
19 first sign identifying the maintenance, repair, or construction zone and  
20 continues until a posted or moving sign indicates that the maintenance,  
21 repair, or construction zone has ended.

22 (4) (3) The fines prescribed in subsection (2) (1) of this section  
23 shall be doubled if the violation occurs within a school crossing zone as  
24 defined in section 60-658.01.

25 Sec. 3. Original sections 28-306 and 60-682.01, Reissue Revised  
26 Statutes of Nebraska, are repealed.



**GENERAL FILE**

**LEGISLATIVE BILL 137.** Senator M. Cavanaugh renewed [MO1192](#), found on page 774 and considered on page 774 and in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 12 ayes, 5 nays, and 32 not voting.

The M. Cavanaugh motion to indefinitely postpone prior to the bill being read failed with 7 ayes, 36 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Title read. Considered.

Committee [AM2154](#), found on page 727, was offered.

Senator Wayne offered [AM2643](#), found on page 775, to the committee amendment.

The Wayne amendment, to the committee amendment, was withdrawn.

Senator Wayne offered the following amendment to the committee amendment:

[FA229](#)

On page 7, strike lines 4 to 6 and insert the following new subdivision: "(ii) Such violation resulted in the use of the controlled substance and directly and proximately caused the death of, or serious bodily injury to, another person."; and in line 11, strike "IB", show as stricken, and insert "IC".

Senator Wayne moved for a call of the house. The motion prevailed with 20 ayes, 3 nays, and 26 not voting.

The Wayne amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

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

Senator Bosn withdrew [FA219](#), found on page 733.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1193](#), found on page 776, to recommit to committee.

[MO1194](#), found on page 776, to bracket.

No objections. So ordered.

Senator McKinney requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 35 ayes, 2 nays, 6 present and not voting, 1 absent and not voting, and 5 excused and not voting.

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 1215.** Placed on General File with amendment. [AM2549](#) is available in the Bill Room.

(Signed) Ben Hansen, Chairperson  
Education

**LEGISLATIVE BILL 635.** Placed on General File.

(Signed) Dave Murman, Chairperson  
Government, Military and Veterans Affairs

**LEGISLATIVE BILL 861.** Placed on General File with amendment. [AM2558](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 32-632, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 32-632 Any person may remove his or her name from a petition by  
6 signing and delivering a written letter to the Secretary of State, an  
7 affidavit signed and sworn to by such person before the election  
8 commissioner, or the county clerk, or a notary public. The letter  
9 affidavit shall be delivered presented to and received by the Secretary  
10 of State, election commissioner, or county clerk prior to or on the day  
11 the petition is filed for verification with the election commissioner or  
12 county clerk. The Secretary of State, election commissioner, or county  
13 clerk shall verify the signature in the letter with the signature  
14 appearing in the voter registration records.  
15 Sec. 2. Section 32-1305, Revised Statutes Cumulative Supplement,  
16 2022, is amended to read:  
17 32-1305 (1) The principal circulator or circulators shall file, as  
18 one instrument, all petition papers comprising a recall petition for  
19 signature verification with the filing clerk within thirty days after the  
20 filing clerk issues the initial petition papers to the principal  
21 circulator or circulators as provided in section 32-1303.  
22 (2) If the filing clerk is the subject of a recall petition, the  
23 signature verification process shall be conducted by two election  
24 commissioners or county clerks appointed by the Secretary of State.  
25 Mileage and expenses incurred by officials appointed pursuant to this  
26 subsection shall be reimbursed by the political subdivision involved in  
27 the recall.  
1 (3) Within fifteen business days after the filing of the petition,  
2 the filing clerk shall ascertain whether or not the petition is signed by

3 the requisite number of registered voters. No new signatures may be added  
 4 after the initial filing of the petition papers. Any person may remove  
 5 his or her name from a petition as provided in section 32-632. No  
 6 signatures may be removed unless the filing clerk receives an affidavit  
 7 signed by the person requesting his or her signature be removed before  
 8 the petitions are filed with the filing clerk for signature verification.  
 9 If the petition is found to be sufficient, the filing clerk shall attach  
 10 to the petition a certificate showing the result of such examination. If  
 11 the requisite number of signatures has not been gathered, the filing  
 12 clerk shall file the petition in his or her office without prejudice to  
 13 the filing of a new petition for the same purpose.  
 14 Sec. 3. Section 32-1546, Reissue Revised Statutes of Nebraska, is  
 15 amended to read:  
 16 32-1546 (1) Any person who is not, at the time of signing a  
 17 petition, a registered voter and qualified to sign the petition except as  
 18 provided for initiative and referendum petitions in section 32-1404 or  
 19 who signs any name other than his or her own to any petition shall be  
 20 guilty of a Class I misdemeanor.  
 21 (2) Any person who falsely swears to a circulator's affidavit on a  
 22 petition, who accepts money or other things of value for signing a  
 23 petition, or who offers money or other things of value in exchange for a  
 24 signature upon any petition shall be guilty of a Class IV felony.  
 25 (3) Any person who falsifies a letter submitted pursuant to section  
 26 32-632 or subsection (3) of section 32-1305 or who signs any name other  
 27 than his or her own to such letter shall be guilty of a Class I  
 28 misdemeanor.  
 29 Sec. 4. Original sections 32-632 and 32-1546, Reissue Revised  
 30 Statutes of Nebraska, and section 32-1305, Revised Statutes Cumulative  
 31 Supplement, 2022, are repealed.

(Signed) Tom Brewer, Chairperson

#### Enrollment and Review

**LEGISLATIVE BILL 16A.** Placed on Final Reading.

**LEGISLATIVE BILL 83.** Placed on Final Reading.

**LEGISLATIVE BILL 102.** Placed on Final Reading.

#### ST34

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

1. On page 1, line 4, "81-8,110.12," has been inserted after "81-8,110.08,".
2. On page 16, line 12, "30" has been struck and "31" inserted.

**LEGISLATIVE BILL 102A.** Placed on Final Reading.

**LEGISLATIVE BILL 147.** Placed on Final Reading.

**LEGISLATIVE BILL 152.** Placed on Final Reading.

**LEGISLATIVE BILL 190.** Placed on Final Reading.

**LEGISLATIVE BILL 218.** Placed on Final Reading.

**LEGISLATIVE BILL 218A.** Placed on Final Reading.

**LEGISLATIVE BILL 303.** Placed on Final Reading.

**LEGISLATIVE BILL 317.** Placed on Final Reading.

**LEGISLATIVE BILL 731.** Placed on Final Reading.

**LEGISLATIVE BILL 771.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

## General Affairs

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Bruce D. Bailey - Nebraska Liquor Control Commission

Aye: 6. Brewer, Day, Hardin, Holdcroft, Hughes, Lowe. Nay: 0. Absent: 1. Raybould. Present and not voting: 1. Cavanaugh, J..

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

John (Chris) Stinson - State Racing and Gaming Commission

Aye: 7. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe. Nay: 0. Absent: 1. Raybould. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Cameron Arch - Nebraska Commission on Problem Gambling

Kelly Lambert - Nebraska Commission on Problem Gambling

Claudia Moore - Nebraska Commission on Problem Gambling

Aye: 7. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe. Nay: 0. Absent: 1. Raybould. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brian Botsford - Nebraska Arts Council

Zachary Cheek - Nebraska Arts Council

Jana Goranson - Nebraska Arts Council

Jon Gross - Nebraska Arts Council

Clark Roush - Nebraska Arts Council

Lovell James Wright - Nebraska Arts Council

Aye: 7. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe. Nay: 0. Absent: 1. Raybould. Present and not voting: 0.

(Signed) John Lowe, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to LB1317:  
[AM2672](#) is available in the Bill Room.

Senator Wayne filed the following amendment to LB137:  
[AM2675](#)

(Amendments to Standing Committee amendments, AM2154)

- 1 1. Insert the following new amendments:
- 2 1. Insert the following new sections:
- 3 Sec. 2. (1) In order to educate students about the dangers posed by
- 4 the drug fentanyl and the risks of fentanyl poisoning, including
- 5 overdose, the Governor shall designate a week during the normal school
- 6 year to be known as Fentanyl Poisoning Awareness Week in public schools.
- 7 (2) Fentanyl Poisoning Awareness Week may include age-appropriate
- 8 instruction, including instruction on the prevention of the abuse of and
- 9 addiction to fentanyl, as determined by each school district.
- 10 Sec. 3. Beginning with school year 2025-26, each school district
- 11 shall annually provide research-based instruction related to fentanyl
- 12 abuse prevention and drug poisoning awareness to students in grades six
- 13 through twelve. The instruction required by this section must include
- 14 instruction concerning:
- 15 (1) Suicide prevention;
- 16 (2) Prevention of the abuse of and addiction to fentanyl;
- 17 (3) Awareness of local school and community resources and any
- 18 processes involved in accessing those resources;
- 19 (4) Methods of administering an opioid antagonist; and
- 20 (5) Health education that includes information about substance use
- 21 and abuse, including youth substance use and abuse.
- 22 3. Renumber the remaining section accordingly.
- 23 2. Renumber the remaining amendment accordingly.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
 Room 1524 1:30 PM

Thursday, February 29, 2024  
 LB1149  
 LB1342  
 AM2672 Amending LB1317

(Signed) Lou Ann Linehan, Chairperson

Judiciary  
 Room 1113 1:30 PM

Thursday, February 29, 2024  
 LB1185  
 LB1224  
 LB1357  
 LB974  
 LB1156

(Signed) Justin Wayne, Chairperson

**MOTION(S) - Print in Journal**

Senator McKinney filed the following motion to [LB1137](#):

[MO1202](#)

Withdraw LB1137.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 304.** Introduced by Arch, 14.

WHEREAS, on March 2, 2024, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Karen and Robert Duncan at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Karen and Robert started their journey as successful business leaders, avid art collectors, and devoted community leaders in Clarinda, Iowa, where Robert's father laid the foundation for Duncan Aviation before the company moved its headquarters to Lincoln Municipal Airport in 1963 where Robert became company president at the age of twenty-six; and

WHEREAS, under Robert's leadership, Duncan Aviation transformed into a comprehensive and innovative aviation company offering an array of services in maintenance, modifications, avionics, accessories, and instrumental repairs and has repeatedly been named to Fortune Magazine's 100 Best Companies to Work For; and

WHEREAS, in 1965, Robert married Karen, an accomplished pianist and author, and the couple have two children who followed in their father's footsteps by entering the family businesses; and

WHEREAS, Karen and Robert are passionate about contemporary art and founded the Clarinda Carnegie Art Museum, a nonprofit institution serving as an educational resource for southwest Iowa; established The Assemblage, a private exhibition in downtown Lincoln, Nebraska; and created an artist-in-residence program in Puerto Vallarta, Mexico, in addition to continuing to offer their expertise to numerous boards focused on the arts; and

WHEREAS, the Legislature recognizes the leadership of Karen and Robert Duncan and their continued dedication to the arts and sciences.

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

1. That the Legislature congratulates Karen and Robert Duncan as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be sent to Karen and Robert Duncan.

Laid over.

**LEGISLATIVE RESOLUTION 305.** Introduced by Arch, 14.

WHEREAS, on March 2, 2024, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Al Svajgr at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Al grew up on a farm near Diller, Nebraska, and attended a one-room grade school in Jefferson County before graduating from Diller Rural High School, Fairbury Junior College, the University of Nebraska-Lincoln with degrees in animal science, and the University of Kentucky with a PhD in animal science and nutrition; and

WHEREAS, Al was married to Judy Smith from Cozad, Nebraska, in 1966 until her passing in 1997, and later married JoAnn Braun in 1998 and together they have three children; and

WHEREAS, Al's career began at Continental Grain in Chicago from 1971 to 1977 where he worked in research until moving back to Cozad in 1977 to join his father-in-law's business of cattle feeding and ranching; and

WHEREAS, Al continued the tradition of cattle feeding, ranching, and farming operations as the owner of Agrow, Inc.; became an original owner and chairman of the board of Darr Feedlot, Inc., a commercial cattle feedlot that recently celebrated over forty years in business; and is the director of Waypoint Bank and chairman of Midwest Banco Corp., a bank holding company; and

WHEREAS, Al's parents taught him to participate in and support the tools and activities that helped shape future successes in life, which for him includes his home town, the University of Nebraska-Lincoln, his fraternity Alpha Gamma Rho, and the future leaders of the cattle business in Nebraska and the United States; and

WHEREAS, Al's community and volunteer service reflect his dedication to instrumental leadership roles which include: the Chairman of the National Beef Check-Off Board, the President of the Ag Builders of Nebraska, Nebraska Lead Board, the University of Nebraska Foundation Board of Trustees, and the creation of Nebraska Cattlemen, among many others.

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

1. That the Legislature congratulates Al Svajgr as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for his service to the State of Nebraska.
2. That a copy of this resolution be sent to Al Svajgr.

Laid over.

**LEGISLATIVE RESOLUTION 306.** Introduced by Arch, 14.

WHEREAS, on March 2, 2024, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Carmen Tapio at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Carmen started her career in teleservices at age eighteen and, empowered by her parents who told her and her sisters that they could do anything, rose from contact center positions to global leadership roles; and

WHEREAS, Carmen founded and leads the largest African-American-owned business in the State of Nebraska, North End Teleservices, which was created with the intention of job creation in northeast Omaha. North End Teleservices soared onto the Inc. 5000 list of fastest-growing private companies in the United States based on revenue growth rate, and has injected over two hundred fifty million dollars into Nebraska's economy; and

WHEREAS, Carmen's passion for job creation and changing lives in North Omaha and the African-American community led her to establish Nebraska Black Women United, an eight-hundred-strong organization empowering black women across the state and beyond; the North End Teleservices Work Spot, a premier coworking space nestled in the heart of the North Omaha community that exists for collaboration and the encouragement of brilliant entrepreneurial minds; and Forever North, an enterprise that is making the largest private investment in North Omaha history; and

WHEREAS, Carmen lends her expertise by serving on various for-profit and nonprofit boards, including the Greater Omaha Chamber of Commerce Board of Directors, the Omaha Zoological Society Board of Directors, Federal Reserve Bank of Kansas City's Omaha Branch Board of Directors, Werner Enterprises' Board of Directors, and the Peter Kiewit Foundation Board of Trustees, among others; and

WHEREAS, Carmen remains a coach, mentor, and sponsor to many individuals, organizations, and businesses.

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

1. That the Legislature congratulates Carmen Tapio as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Carmen Tapio.

Laid over.

#### ANNOUNCEMENT(S)

February 22, 2024

Dear Clerk,

The Health and Human Services Committee requests a briefing with Dr. Timothy Tesmer, Chief Medical Officer of the Department of Health and Human Services, dated Thursday, February 29, 2024 at 1:00 pm. The purpose of the hearing will be to review rules and regulations pertaining to LB 574.

Thank you,  
(Signed) Ben Hansen  
Senator Ben Hansen  
Chairman, Health and Human Services Committee



**MOTION(S) - Withdraw LB879**

Senator M. Cavanaugh offered the following motion to LB879:

[MO1203](#)

Withdraw LB879.

The M. Cavanaugh motion to withdraw the bill prevailed with 30 ayes, 2 nays, 11 present and not voting, and 6 excused and not voting.

**VISITOR(S)**

Visitors to the Chamber were students from Knickrehm Elementary, Grand Island; Mattias Brandt, Rebecka and Elisa Petersen, Sweden; Adam Wiblishouser, Omaha; members of Nebraska Nurses Association; Allen Fredrickson, Omaha; Judy Brown and Dianne Swertzig, Grand Island; members of Moms Demand Action – Nebraska Chapter; members of the Nebraska Petroleum Producers Association; members of Autism Action Partnership, Omaha.

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

**ADJOURNMENT**

At 12:04 p.m., on a motion by Senator Hunt, the Legislature adjourned until 9:00 a.m., Friday, February 23, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTY-THIRD DAY - FEBRUARY 23, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**THIRTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, February 23, 2024

**PRAYER**

The prayer was offered by John Nelson, Jr., Christ Lutheran Church, O'Neill.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Colonel Shane Martin, National Guard Bureau, Army, Seward.

**ROLL CALL**

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

The roll was called and all members were present except Senators Blood and Walz who were excused; and Senators Bostar, M. Cavanaugh, Day, DeBoer, Dover, Dungan, Hunt, Linehan, Sanders, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-second day was approved.

**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:

Contingent upon your approval, the following individual is being appointed as a member of the Beginning Farmer Board:

Lisa A Lunz, 86170 Hwy 9, Wakefield, NE 68784, Farmer

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 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:

Contingent upon your approval, the following individuals are being reappointed as members of the Beginning Farmer Board:

John E Walvoord, 23637 Wright Street, Waterloo, NE 68069, Farmer  
Britt D Anderson, 77675 Road 414, Gothenburg, NE 69138, Farmer  
Bradley D Lubben, PhD, 20508 Maple Circle, Eagle, NE 68347, Agriculture  
Professor  
Wade E Thornburg, 7162 E Dogwood Road, Pickrell, NE 68422, Ag Credit

The aforementioned appointees are 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)**  
General Affairs

**LEGISLATIVE BILL 926.** Placed on General File.

(Signed) John Lowe, Chairperson

## Enrollment and Review

**LEGISLATIVE BILL 130.** Placed on Final Reading.

**LEGISLATIVE BILL 358.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**REPORTS**

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

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of February 22, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Chamblee, Les  
U.S. Term Limits  
Chamblee, Shanna  
U.S. Term Limits  
Dover, David  
Omaha Public Power District (Withdrawn 02/22/2024)  
Frederick, Adrienne  
Advanced Medical Technology Association (AdvaMed)  
Kaffenberger, Holly  
American Cancer Society Cancer Action Network  
Mischo, Craig  
Bayer U.S. LLC (Withdrawn 02/16/2024)  
Peetz & Company  
Yahoo Inc. and var. subs/affiliates  
Stembridge, Kurt  
Jazz Pharmaceuticals, Inc. (Withdrawn 02/21/2024)

**GENERAL FILE**

**LEGISLATIVE BILL 771A.** Title read. Considered.

Senator Brewer offered the following amendment:

[AM2689](#)

1 1. On page 2, after line 5 insert the following new paragraph:  
2 "There is included in the appropriation to this program for  
3 FY2024-25 \$170,653 Cash Funds for state aid, which shall only be used for  
4 such purpose. There is included in the appropriation to this program for  
5 FY2025-26 \$-0- Cash Funds for state aid, which shall only be used for  
6 such purpose."; and in line 7 strike "\$27,347" and insert "\$20,416".

The Brewer amendment was adopted with 33 ayes, 0 nays, 4 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 3 present and not voting, and 12 excused and not voting.

**LEGISLATIVE BILL 1394A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 2 present and not voting, and 12 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 992A.** Advanced to Enrollment and Review for Engrossment.

#### MOTION(S) - Withdraw LB1137

Senator McKinney offered [MO1202](#), found on page 790, to withdraw LB1137.

The McKinney motion to withdraw the bill prevailed with 34 ayes, 0 nays, 4 present and not voting, and 11 excused and not voting.

#### MOTION(S) - Confirmation Report(s)

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 737:

Game and Parks Commission  
 John M. Hoggatt  
 Donna Kush

Voting in the affirmative, 25:

Aguilar	Bostelman	Hansen	Kauth	Moser
Albrecht	Brandt	Holdcroft	Linehan	Murman
Arch	Cavanaugh, J.	Hughes	Lowe	Raybould
Armendariz	DeKay	Ibach	McDonnell	Slama
Ballard	Dorn	Jacobson	Meyer	von Gillern

Voting in the negative, 5:

Clements	Erdman	Hardin	Lippincott	Wayne
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Present and not voting, 11:

Bosn	Conrad	Halloran	Vargas
Brewer	DeBoer	McKinney	Wishart
Cavanaugh, M.	Fredrickson	Riepe	

Excused and not voting, 8:

Blood	Day	Dungan	Sanders
Bostar	Dover	Hunt	Walz

The appointments were confirmed with 25 ayes, 5 nays, 11 present and not voting, and 8 excused and not voting.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 905A.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 905, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 204A.** Introduced by Riepe, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 204, One Hundred Eighth Legislature, Second Session, 2024.

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 307.** Introduced by DeKay, 40.

WHEREAS, the 2023 Nebraska School Activities Association State Play Production Championships were held from December 6 through December 8 in Norfolk, Nebraska; and

WHEREAS, the Wausa High School one-act team competed for the Class D-1 State Play Production Championship; and

WHEREAS, under the guidance of directors Brad Hoelsing and Sheila Hoelsing, the Wausa High School one-act team earned a first place finish with a score of one hundred seventy-nine points for its production of Aristophanes' The Birds; and

WHEREAS, this is the fifteenth such championship title for either the Wausa one-act team or the past Wausa-Osmond one-act team; and

WHEREAS, Braydon Hoelsing won the award for Outstanding Male Performer with his performance as Pisthetaerus; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of Nebraska.

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

1. That the Legislature congratulates the Wausa High School one-act team on winning the 2023 Nebraska School Activities Association Class D-1 State Play Production Championship.

2. That copies of this resolution be sent to the Wausa High School one-act team, Braydon Hoelsing, Brad Hoelsing, and Sheila Hoelsing.

Laid over.

**LEGISLATIVE RESOLUTION 308.** Introduced by Jacobson, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, M., 6; Clements, 2; Conrad, 46; DeBoer, 10; DeKay, 40; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McKinney, 11; Meyer, 41; Murman, 38; Raybould, 28; Riepe, 12; Slama, 1; Vargas, 7; von Gillern, 4; Wayne, 13.

WHEREAS, multiple sclerosis is an unpredictable and often disabling disease of the central nervous system that interrupts the flow of information between the brain and the body; and

WHEREAS, although there has been significant progress in multiple sclerosis research, including more than twenty disease modifying treatments to slow the progression of the disease, there is still no known cause or cure; and

WHEREAS, an estimated one million people in the United States are living with multiple sclerosis, including more than seven thousand people in Nebraska; and

WHEREAS, the National Multiple Sclerosis Society exists to help each person address the challenges of living with multiple sclerosis by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with multiple sclerosis and their families move their lives forward; and

WHEREAS, Multiple Sclerosis Awareness Week is recognized annually to unite people in Nebraska, the United States, and worldwide in the fight to end multiple sclerosis, to create connections stronger than the ones multiple sclerosis destroys, and to educate people about multiple sclerosis and what they can do to make a difference.

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

1. That the Legislature recognizes March 10 through March 16, 2024, as Multiple Sclerosis Awareness Week in Nebraska.

2. That a copy of this resolution be sent to the Mid America Chapter of the National Multiple Sclerosis Society.

Laid over.



**AMENDMENT(S) - Print in Journal**

Senator DeKay filed the following amendment to [LB1105](#):  
[AM2660](#) is available in the Bill Room.

Senator Conrad filed the following amendment to [LB1027](#):  
[AM2677](#)

(Amendments to Standing Committee amendments, AM2440)

- 1 1. On page 2, lines 7, 11, and 27, strike "or legal guardian" and
- 2 insert ", legal guardian, or educational decisionmaker".
- 3 2. On page 3, line 2, strike the first "or", show as stricken, and
- 4 insert an underscored comma and after "guardian" insert ", or educational
- 5 decisionmaker"; in lines 5, 7, 12, and 26, strike "or", show as stricken,
- 6 and insert an underscored comma and after "guardian" insert ", or
- 7 educational decisionmaker".
- 8 3. On page 4, line 2, strike "or", show as stricken, and insert an
- 9 underscored comma and after "guardian" insert ", or educational
- 10 decisionmaker".
- 11 4. On page 5, line 12, strike "or", show as stricken, and insert an
- 12 underscored comma; in line 13 after "guardian" insert ", or educational
- 13 decisionmaker"; and after line 15 insert the following new subsection:
- 14 "(7) For purposes of this section, educational decisionmaker means a
- 15 person designated or ordered by a court to make educational decisions on
- 16 behalf of a child.".

**MOTION(S) - Confirmation Report(s)**

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 788:

State Racing and Gaming Commission  
 John (Chris) Stinson

Voting in the affirmative, 30:

Aguilar	Brandt	Erdman	Jacobson	Moser
Albrecht	Brewer	Hansen	Kauth	Murman
Arch	Clements	Hardin	Linehan	Raybould
Armendariz	DeBoer	Holdcroft	Lippincott	Riepe
Ballard	DeKay	Hughes	Lowe	Slama
Bostelman	Dorn	Ibach	Meyer	von Gillern

Voting in the negative, 0.

Present and not voting, 11:

Bosn	Conrad	McDonnell	Wayne
Cavanaugh, J.	Fredrickson	McKinney	Wishart
Cavanaugh, M.	Halloran	Vargas	

Excused and not voting, 8:

Blood	Day	Dungan	Sanders
Bostar	Dover	Hunt	Walz

The appointment was confirmed with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 788:

Nebraska Arts Council

Brian Botsford  
 Zachary Cheek  
 Jana Goranson  
 Jon Gross  
 Clark Roush  
 Lovell James Wright

Voting in the affirmative, 33:

Aguilar	Brewer	Hansen	Linehan	Raybould
Albrecht	Clements	Hardin	Lippincott	Slama
Arch	DeBoer	Holdcroft	Lowe	Vargas
Ballard	DeKay	Hughes	McDonnell	von Gillern
Bosn	Dorn	Ibach	Meyer	Wayne
Bostelman	Erdman	Jacobson	Moser	
Brandt	Fredrickson	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 8:

Armendariz	Cavanaugh, M.	Halloran	Riepe
Cavanaugh, J.	Conrad	McKinney	Wishart

Excused and not voting, 8:

Blood	Day	Dungan	Sanders
Bostar	Dover	Hunt	Walz

The appointments were confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 788:

Nebraska Commission on Problem Gambling

Cameron Arch  
 Kelly Lambert  
 Claudia Moore

Voting in the affirmative, 33:

Aguilar	Brandt	Halloran	Kauth	Murman
Albrecht	Brewer	Hansen	Linehan	Raybould
Arch	Clements	Hardin	Lippincott	Slama
Armendariz	Conrad	Holdcroft	Lowe	Vargas
Ballard	DeKay	Hughes	McDonnell	von Gillern
Bosn	Dorn	Ibach	Meyer	
Bostelman	Fredrickson	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 7:

Cavanaugh, J.	DeBoer	McKinney	Wishart
Cavanaugh, M.	Erdman	Wayne	

Excused and not voting, 9:

Blood	Day	Dungan	Riepe	Walz
Bostar	Dover	Hunt	Sanders	

The appointments were confirmed with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

### COMMITTEE REPORT(S) Banking, Commerce and Insurance

**LEGISLATIVE BILL 1176.** Placed on General File with amendment.

[AM2627](#)

1 1. Strike the original sections 2 and 6 and insert the following new  
2 sections:  
3 Sec. 2. For purposes of the Public Entities Pooled Investment Act:  
4 (1) Bank means a state-chartered or federally chartered bank which  
5 has a main chartered office in this state, any branch thereof in this  
6 state, or any branch in this state of a state-chartered or federally  
7 chartered bank which maintained a main chartered office in this state  
8 prior to becoming a branch of such state-chartered or federally chartered  
9 bank;  
10 (2) Capital stock financial institution means a capital stock state  
11 building and loan association, a capital stock federal savings and loan  
12 association, a capital stock federal savings bank, or a capital stock  
13 state savings bank, which has a main chartered office in this state, any  
14 branch thereof in this state, or any branch in this state of a capital  
15 stock financial institution which maintained a main chartered office in  
16 this state prior to becoming a branch of such capital stock financial  
17 institution;  
18 (3) Eligible entity means any governmental, public, or quasi-public  
19 entity, joint public agency created pursuant to the Joint Public Agency  
20 Act, or joint entity created pursuant to the Interlocal Cooperation Act,  
21 located in the state, including, but not limited to, an entity designated  
22 as a political subdivision, vested with taxing authority, or whose  
23 membership is wholly comprised by such entities and funds created by such  
24 entities. Eligible entity does not include the State of Nebraska or any  
25 department, division, office, board, commission, or other agency of the

26 state, or any court, constitutional office, or elected or appointed  
27 officer of the state;  
1 (4) Eligible investment means:  
2 (a) Obligations, including letters of credit, of any agency or  
3 instrumentality of the United States, including bonds, debentures, or  
4 notes issued by the Federal Home Loan Bank System;  
5 (b) Direct obligations of or other obligations the principal of and  
6 interest on which are guaranteed by the United States or its agencies or  
7 instrumentalities, including collateralized mortgage obligations and  
8 obligations that are fully guaranteed or insured by the Federal Deposit  
9 Insurance Corporation or by the full faith and credit of the United  
10 States;  
11 (c) Direct obligations of the state, its agencies, and  
12 instrumentalities receiving an investment quality rating by a nationally  
13 recognized investment rating firm not less than A or its equivalent at  
14 the time of purchase;  
15 (d) Obligations of other states, agencies, counties, cities, and  
16 political subdivisions of any state receiving an investment quality  
17 rating by a nationally recognized investment rating firm not less than A  
18 or its equivalent at the time of purchase;  
19 (e) Commercial paper, if such commercial paper:  
20 (i) Is issued by a United States corporation;  
21 (ii) Has a stated maturity of two hundred seventy days or fewer from  
22 its date of issuance;  
23 (iii) Is rated in the highest short-term rating quality category by  
24 at least two nationally recognized statistical rating organizations at  
25 the time of purchase;  
26 (iv) Is limited to no more than fifty percent of the total funds  
27 available for investment by a local government investment pool at the  
28 time of purchase; and  
29 (v) Is limited to no more than five percent of the total funds  
30 available for investment by a local government investment pool being  
31 invested in the commercial paper of a single issuer;  
1 (f) Money market mutual funds whose shares are sold without  
2 commissions or other sales charges unrelated to fund expenses, that have  
3 a fixed net asset value of one dollar, and are comprised of obligations  
4 of the United States, its agencies, or instrumentalities;  
5 (g) Fully collateralized repurchase agreements, if such agreements:  
6 (i) Have a defined termination date;  
7 (ii) Are secured by a combination of cash and obligations of the  
8 United States, its agencies, or its instrumentalities;  
9 (iii) Require securities purchased by the trust or cash held by the  
10 trust to be pledged to the trust, held in the trust's name, and deposited  
11 at the time the investment is made with the trust or with a third party  
12 selected and approved by the trust; and  
13 (iv) Are invested through a primary government securities dealer, as  
14 defined by the Board of Governors of the Federal Reserve System, or a  
15 financial institution; and  
16 (h) Certificates of deposit and time deposit open accounts in banks,  
17 capital stock financial institutions, or qualifying mutual financial  
18 institutions;  
19 (5) Local government investment pool means an investment pool or  
20 trust created pursuant to the laws of this state, including, but not  
21 limited to, the Interlocal Cooperation Act, for the purpose of pooling  
22 and investing the funds of two or more eligible entities; and  
23 (6) Qualifying mutual financial institution has the same meaning as  
24 in section 77-2365.01.  
25 Sec. 6. Any agent, employee, or representative of an investment  
26 advisor acting on behalf of a local government investment pool who  
27 solicits, purchases, or sells securities or eligible investments on

28 behalf of the local government investment pool shall hold and maintain  
 29 any license or registration required by federal or state law to solicit,  
 30 purchase, or sell securities or eligible investments on behalf of a local  
 31 government investment pool.

**LEGISLATIVE BILL 1416.** Placed on General File with amendment.

[AM2659](#)

1 1. Strike original section 12 and insert the following new section:  
 2 Sec. 12. (1) The Child Care Capacity Building and Workforce Cash  
 3 Fund is created. The department shall administer the fund for purposes of  
 4 the Child Care Capacity Building and Workforce Act. The fund may consist  
 5 of transfers authorized by the Legislature and any gifts, grants,  
 6 bequests, or donations to the fund.  
 7 (2) Any money in the fund available for investment shall be invested  
 8 by the state investment officer pursuant to the Nebraska Capital  
 9 Expansion Act and the Nebraska State Funds Investment Act.  
 10 (3) The State Treasurer shall transfer five million dollars from the  
 11 General Fund to the Child Care Capacity Building and Workforce Cash Fund  
 12 as soon as administratively possible after the effective date of this  
 13 act, on such dates and in such amounts as directed by the budget  
 14 administrator of the budget division of the Department of Administrative  
 15 Services.  
 16 2. On page 3, strike lines 13 through 19 and insert the following  
 17 new subsection:  
 18 "(2) The department shall contract with a statewide organization  
 19 that supports children and families to administer the program, which may  
 20 include providing technical assistance to any grant recipient. Up to five  
 21 percent of the money appropriated to the department each fiscal year for  
 22 purposes of the Child Care Capacity Building and Workforce Act may be  
 23 reserved for such contract with a statewide organization."

(Signed) Julie Slama, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 309.** Introduced by Riepe, 12; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; 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, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; Moser, 22; Murman, 38; Raybould, 28; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

WHEREAS, the American Legion was founded in Paris, France, on March 15, 1919, and March 15, 2024, marks the one-hundred-fifth anniversary of the founding of the American Legion; and

WHEREAS, as one of the largest nonprofit United States veteran organizations in the world, the American Legion provides support to the United States military and veterans and their families and communities; and

WHEREAS, the American Legion's motto is "Veterans Strengthening America" and the American Legion has been a stalwart advocate for the well-being of Nebraskan veterans for one hundred five years; and

WHEREAS, the American Legion posts in Nebraska help promote the four pillars of the American Legion: children and youth, Americanism, national security, and veterans affairs and rehabilitation; and

WHEREAS, the Nebraska American Legion has over twenty-seven thousand Legionnaires and three hundred posts statewide; and

WHEREAS, the Legislature recognizes the American Legion for one hundred five years of service and appreciates its continued support for the military and veterans across Nebraska and all of the United States.

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

1. That the Legislature congratulates the American Legion on one hundred five years of service to the military and veterans.

2. That the Legislature expresses appreciation to all Nebraska Legionnaires for their contributions to the state and to the nation.

3. That a copy of this resolution be sent to the American Legion Department of Nebraska.

Laid over.

#### **AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to LB43:

[AM2649](#)

(Amendments to Standing Committee amendments, AM2076)

- 1 1. On page 8, strike the new matters in lines 12 to 14.
- 2 2. On page 17, line 17, after "subdivisions" insert "or any other
- 3 public entity subject to sections 84-712 to 84-712.09".
- 4 3. On page 18, strike beginning with "In" in line 1 through the
- 5 period in line 3; and strike beginning with "limits" in line 10 through
- 6 "liberty" in line 11 and insert "is consistent with an individual's
- 7 fundamental constitutional rights".

#### **MOTION(S) - Confirmation Report(s)**

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 788:

Nebraska Liquor Control Commission  
Bruce D. Bailey

Voting in the affirmative, 27:

Aguilar	Brandt	Hardin	Lippincott	Slama
Arch	Brewer	Holdcroft	Lowe	Vargas
Armendariz	Clements	Hughes	McDonnell	von Gillern
Ballard	Conrad	Jacobson	Meyer	
Bosn	DeKay	Kauth	Murman	
Bostelman	Dorn	Linehan	Raybould	

Voting in the negative, 0.

Present and not voting, 12:

Albrecht	DeBoer	Hansen	Moser
Cavanaugh, J.	Erdman	Ibach	Wayne
Cavanaugh, M.	Fredrickson	McKinney	Wishart

Excused and not voting, 10:

Blood	Day	Dungan	Hunt	Sanders
Bostar	Dover	Halloran	Riepe	Walz

The appointment was confirmed with 27 ayes, 0 nays, 12 present and not voting, and 10 excused and not voting.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 298.** Read. Considered.

**SENATOR DEBOER PRESIDING**

**SENATOR DORN PRESIDING**

Committee [AM2637](#), found on page 780, was adopted with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

LR298, as amended, was adopted with 38 ayes, 1 nay, 5 present and not voting, and 5 excused and not voting.

### GENERAL FILE

**LEGISLATIVE BILL 1067.** Committee [AM2492](#), found on page 714 and considered on page 742, was renewed.

Senator Conrad renewed [AM2580](#), to the committee amendment, found and considered on page 742.

The Conrad request to divide the question, found on page 742, was withdrawn.

Pending.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 998.** Placed on General File.**LEGISLATIVE BILL 1191.** Placed on General File.**LEGISLATIVE BILL 887.** Placed on General File with amendment.AM2554

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 to 6 of this act shall be known and may be  
4 cited as the Nebraska Nonprofit Security Grant Program Act.  
5 Sec. 2. For purposes of the Nebraska Nonprofit Security Grant  
6 Program Act:  
7 (1) Agency means the Nebraska Emergency Management Agency;  
8 (2) Equipment means security equipment installed on real property,  
9 including any building or improvement, that is owned or leased by the  
10 nonprofit organization, including reinforced doors and gates, perimeter  
11 lighting, exterior and interior door locking systems, alarm systems,  
12 camera-based security systems, access-control systems, blast-resistant  
13 film for windows or shatter-resistant glass, lock-down systems, public-  
14 address systems, high-intensity lighting and alarms, and inspection and  
15 screening systems;  
16 (3) Planning means those activities that are related to protecting a  
17 facility, the people within the facility, and the people with access to  
18 the facility and providing for their functional needs. The term includes  
19 developing and enhancing a nonprofit organization's security plans and  
20 protocols, emergency contingency plans, and evacuation or shelter-in-  
21 place plans and the materials that are required to conduct planning  
22 activities;  
23 (4) Program means the Nebraska Nonprofit Security Grant Program  
24 created in section 3 of this act;  
25 (5)(a) Qualified nonprofit organization means an organization that:  
26 (i) Is exempt from federal income taxes under section 501(c)(3) of  
27 the Internal Revenue Code of 1986, including any nonprofit organization  
1 created exclusively for religious purposes;  
2 (ii) Is at high risk of a terrorist attack or at risk for hate  
3 crimes or attacks because of the nonprofit organization's ideology,  
4 beliefs, or mission; and  
5 (iii)(A) Has applied for a federal nonprofit security grant and has  
6 not received funding for the same year the applicant is applying for a  
7 state grant under the program;  
8 (B) Has been unable to apply for a federal nonprofit security grant;  
9 or  
10 (C) Has a documented barrier or hardship related to the application  
11 for a federal nonprofit security grant; and  
12 (b) Qualified nonprofit organization does not include:  
13 (i) A hospital as defined in section 71-419;  
14 (ii) A rural emergency hospital as defined in section 71-428.01; or  
15 (iii) An institution of postsecondary education;  
16 (6) Security personnel includes personnel who are contracted with or  
17 employed by the nonprofit organization; and  
18 (7) Training means training that addresses a specific security  
19 threat or vulnerability. The term includes:  
20 (a) Attendance and travel fees for training the nonprofit  
21 organization's staff or members;  
22 (b) Security training and exercises or drills, including active  
23 shooter and shelter-in-place training, for the nonprofit organization's  
24 staff, members, and visitors; and  
25 (c) Training-related expenses, including supplies, materials, and



26 training equipment.  
 27 Sec. 3. (1) The Nebraska Nonprofit Security Grant Program is  
 28 created. The program shall be administered by the Nebraska Emergency  
 29 Management Agency.  
 30 (2) In order to receive a grant under the program, a qualified  
 31 nonprofit organization shall submit an application to the agency on a  
 1 form prescribed by the agency. The agency may accept an application  
 2 submitted to the federal government for a federal nonprofit security  
 3 grant instead of the state application prescribed by the agency.  
 4 (3) Grants may be issued to qualified nonprofit organizations to  
 5 reimburse such organizations for the costs of target hardening and other  
 6 safety and security projects intended to mitigate vulnerabilities  
 7 identified in a vulnerability assessment completed by the qualified  
 8 nonprofit organization or by a vendor with whom the qualified nonprofit  
 9 organization has contracted, including projects involving:  
 10 (a) Planning;  
 11 (b) Equipment;  
 12 (c) Training; or  
 13 (d) Security personnel.  
 14 (4) The agency may prescribe requirements for vulnerability  
 15 assessments and may allow other target hardening and safety and security  
 16 projects to qualify for grant funding in addition to those activities  
 17 described in subsection (3) of this section.  
 18 (5) The agency may begin issuing grants under the program on January  
 19 1, 2025.  
 20 (6) The agency shall establish a working group of stakeholders to  
 21 review and evaluate applications. The working group shall make  
 22 recommendations on funding decisions and shall provide such  
 23 recommendations to the agency.  
 24 (7) The agency may award up to five hundred thousand dollars in  
 25 grants per year. A qualified nonprofit organization shall not receive  
 26 more than fifty thousand dollars in grants in any one year.  
 27 (8) A qualified nonprofit organization shall not be eligible for a  
 28 grant under the program if:  
 29 (a) The qualified nonprofit organization applied for a grant under  
 30 the program and received the full amount of its funding request in the  
 31 previous year; or  
 1 (b) The qualified nonprofit organization received a federal  
 2 nonprofit security grant within the previous five years.  
 3 Sec. 4. A qualified nonprofit organization shall not use grant  
 4 funds to purchase equipment for security personnel.  
 5 Sec. 5. It is the intent of the Legislature to appropriate five  
 6 hundred thousand dollars from the General Fund for each of fiscal years  
 7 2024-25 through 2028-29 to carry out the Nebraska Nonprofit Security  
 8 Grant Program Act.  
 9 Sec. 6. The agency may adopt and promulgate rules and regulations  
 10 to carry out the Nebraska Nonprofit Security Grant Program Act.

**LEGISLATIVE BILL 925.** Placed on General File with amendment.

**AM2548**

1 1. On page 2, line 16, after "services" insert ", the purchase or  
 2 issuance of bonds or securities, or the deposit of public funds"; and in  
 3 lines 20, 25, and 30 after "based" insert "solely".  
 4 2. On page 4, line 29, strike "guidance document."  
 5 3. On page 5, line 5, strike "or"; in line 7 strike the period and  
 6 insert "; or"; and after line 7 insert the following new subdivision:  
 7 "(3) Is able to provide documentation showing that a company which  
 8 is unable or unwilling to supply the written verification required in  
 9 section 3 of this act must be selected because:  
 10 (a) No reasonably competitive alternative exists; and  
 11 (b) The duties of the governmental entity cannot reasonably be met  
 12 through other means."

**LEGISLATIVE BILL 1243.** Placed on General File with amendment.

[AM2620](#)

1 1. Insert the following new sections:

2 Sec. 8. Section 81-503, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-503 (1) The State Fire Marshal may appoint a first assistant fire  
5 marshal and such deputies, inspectors, and other persons as in his or her  
6 discretion may be necessary to carry into effect sections 81-501.01 to  
7 81-531 and 81-5,151 to 81-5,157, the Nebraska Natural Gas Pipeline Safety  
8 Act of 1969, the Petroleum Products and Hazardous Substances Storage and  
9 Handling Act, the Wildland Fire Response Act, and any other statutory  
10 duties imposed upon the State Fire Marshal. He or she may also, at his or  
11 her pleasure, remove such first assistant and any of such deputies as he  
12 or she may deem advisable. The deputies and inspectors shall perform such  
13 duties and have and enjoy all the rights, privileges, and immunities  
14 granted by law. The State Fire Marshal may also employ such clerical  
15 assistants, office employees, and other persons as he or she may deem  
16 advisable and necessary to carry such duties into effect.

17 (2) The State Fire Marshal, the first assistant fire marshal, each  
18 deputy, and each inspector shall wear full uniform when performing  
19 statutory duties. The State Fire Marshal shall determine the type of  
20 clothing, in relation to the duty being performed, necessary to meet the  
21 full uniform requirement.

22 Sec. 9. Original section 81-503, Reissue Revised Statutes of  
23 Nebraska, is repealed.

(Signed) Tom Brewer, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 1200.** Placed on General File with amendment.

[AM2508](#) is available in the Bill Room.

**LEGISLATIVE BILL 166.** Placed on General File.

(Signed) Mike Moser, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 1073.** Placed on General File with amendment.

[AM2568](#) is available in the Bill Room.

(Signed) Julie Slama, Chairperson

Nebraska Retirement Systems

**LEGISLATIVE BILL 1365.** Placed on General File.

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Ellen Hung, State Investment Officer - Nebraska Investment Council

Aye: 6. Clements, Conrad, Hardin, Ibach, McDonnell, Vargas. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Mike McDonnell, Chairperson

Enrollment and Review

**LEGISLATIVE BILL 644.** Placed on Select File with amendment.  
[ER68](#) is available in the Bill Room.

**LEGISLATIVE BILL 895.** Placed on Select File.

**LEGISLATIVE BILL 1087.** Placed on Select File with amendment.  
[ER69](#)

1 1. In the Jacobsen amendment, AM2512, on page 1, line 10, strike the  
2 first occurrence of "Services".

**LEGISLATIVE BILL 905.** Placed on Select File.

**LEGISLATIVE BILL 771A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Appropriations

**LEGISLATIVE BILL 1402.** Placed on General File with amendment.  
[AM2679](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. (1) For purposes of this section:  
4 (a) Education scholarship means a financial grant-in-aid to be used  
5 to pay the cost to educate an eligible student attending a qualified  
6 school;  
7 (b) Eligible student means a resident of Nebraska who:  
8 (i) Is receiving an education scholarship for the first time and is  
9 (A) entering kindergarten, sixth grade, or ninth grade in a qualified  
10 school or (B) transferring from a public school at which the student was  
11 enrolled for at least one semester immediately preceding the first  
12 semester for which the student receives an education scholarship to a  
13 qualified school and is entering any of grades kindergarten through  
14 twelve;  
15 (ii) Has previously received an education scholarship and is  
16 continuing education at a qualified school until such student graduates  
17 from high school or reaches twenty-one years of age, whichever comes  
18 first; or  
19 (iii) Is the sibling of a student who is receiving an education  
20 scholarship and resides in the same household as such student;  
21 (c) Qualified school means any nongovernmental, privately operated  
22 elementary or secondary school located in this state that (i) is operated  
23 not for profit, (ii) complies with the antidiscrimination provisions of  
24 42 U.S.C. 1981, as such section existed on January 1, 2024, (iii)  
25 complies with all health and life safety laws or codes that apply to  
26 privately operated schools, and (iv) fulfills the applicable  
27 accreditation or approval requirements established by the State Board of  
1 Education pursuant to section 79-318; and  
2 (d) Scholarship-granting organization means a charitable

3 organization in this state that (i) is exempt from federal income  
4 taxation pursuant to section 501(c)(3) of the Internal Revenue Code of  
5 1986, as amended, (ii) provides education scholarships to eligible  
6 students to assist them in attending qualified schools, and (iii) is not  
7 directly affiliated with a single qualified school.  
8 (2) A scholarship-granting organization may apply to the State  
9 Treasurer for a grant under this section. Grants shall be used to provide  
10 education scholarships to eligible students to pay the costs associated  
11 with attending a qualified school. In order to receive a grant under this  
12 section, the applicant shall provide the State Treasurer with sufficient  
13 information to show:  
14 (a) That the applicant is exempt from federal income taxation under  
15 section 501(c)(3) of the Internal Revenue Code of 1986, as amended;  
16 (b) That the applicant will offer one or more education scholarship  
17 programs for eligible students;  
18 (c) That the applicant will provide education scholarships for  
19 eligible students without limiting education scholarship availability to  
20 only one qualified school;  
21 (d) That the applicant will:  
22 (i) Give first priority to:  
23 (A) Eligible students who received an education scholarship from a  
24 scholarship-granting organization during the previous school year; and  
25 (B) The sibling of a student who is receiving an education  
26 scholarship, so long as the sibling resides in the same household as such  
27 student;  
28 (ii) Give second priority to:  
29 (A) Eligible students whose household income levels do not exceed  
30 one hundred percent of the federal poverty level;  
31 (B) Eligible students whose application for the enrollment option  
1 program established in section 79-234 has been denied;  
2 (C) Eligible students who have an individualized education program;  
3 (D) Eligible students who are experiencing bullying, harassment,  
4 hazing, assault, battery, kidnapping, robbery, sexual offenses, threat or  
5 intimidation, or fighting at school;  
6 (E) Eligible students who are in foster care; and  
7 (F) Eligible students who are in a family with a parent or guardian  
8 actively serving in a branch of the armed forces of the United States or  
9 in the National Guard, or whose parent or guardian was killed serving in  
10 the line of duty;  
11 (iii) Give third priority to eligible students whose household  
12 income levels exceed one hundred percent of the federal poverty level but  
13 do not exceed one hundred eighty-five percent of the federal poverty  
14 level;  
15 (iv) Give fourth priority to eligible students whose household  
16 income levels exceed one hundred eighty-five percent of the federal  
17 poverty level but do not exceed two hundred thirteen percent of the  
18 federal poverty level; and  
19 (v) Give fifth priority to eligible students whose household income  
20 levels exceed two hundred thirteen percent of the federal poverty level  
21 but do not exceed three hundred percent of the income indicated in the  
22 income eligibility guidelines for reduced price meals under the National  
23 School Lunch Program in 7 C.F.R. part 210;  
24 (e) That the applicant will limit the maximum scholarship amount  
25 awarded to any student to the cost necessary to educate the eligible  
26 student at the qualified school such student attends; and  
27 (f) That the applicant will limit scholarship amounts awarded to  
28 students in a manner that assures that the average of the scholarship  
29 amounts awarded per student does not exceed seventy-five percent of the  
30 statewide average general fund operating expenditures per formula student  
31 for the most recently available complete data year as such terms are  
1 defined in section 79-1003.  
2 (3) If the applicant meets the requirements of subsection (2) of  
3 this section, the State Treasurer shall approve the grant in an amount  
4 determined by the State Treasurer.

5 (4) The annual limit on the total amount of grants awarded under  
6 this section for fiscal year 2024-25 shall be twenty-five million  
7 dollars. The annual limit on the total amount of grants awarded under  
8 this section for fiscal year 2025-26 and each fiscal year thereafter  
9 shall be calculated by taking the annual limit from the prior fiscal year  
10 and then multiplying such amount by (a) one hundred twenty-five percent  
11 if the total amount of grants awarded in the prior fiscal year exceeded  
12 ninety percent of the annual limit applicable to that fiscal year or (b)  
13 one hundred percent if the total amount of grants awarded in the prior  
14 fiscal year did not exceed ninety percent of the annual limit applicable  
15 to that fiscal year. The annual limit may be increased as provided in  
16 this subsection until it reaches one hundred million dollars. Thereafter,  
17 no further increases shall be allowed.  
18 (5)(a) A scholarship-granting organization receiving grant funds  
19 under this section shall carry forward no more than twenty-five percent  
20 of its grant funds from one state fiscal year to the following state  
21 fiscal year. Any amount carried forward shall be expended for annual or  
22 partial-year education scholarships in the following state fiscal year.  
23 (b) Any amount of grant funds remaining on June 30 of any state  
24 fiscal year that is in excess of the amount that may be carried forward  
25 under subdivision (a) of this subsection shall be used to provide  
26 education scholarships to eligible students or transferred to one or more  
27 other scholarship-granting organizations to provide education  
28 scholarships to eligible students by no later than the following  
29 September 30. Any amount of such grant funds that is not used or  
30 transferred by the following September 30 shall be remitted to the State  
31 Treasurer for credit to the General Fund. Any scholarship-granting  
1 organization receiving a transfer pursuant to this subdivision shall  
2 place the transferred funds into its scholarship account and shall  
3 separately disclose the transfer in its annual financial audit.  
4 (6)(a) Each scholarship-granting organization receiving a grant  
5 under this section shall submit to the State Treasurer, by no later than  
6 December 1, an audited financial information report for its most recent  
7 fiscal year certified by an independent public accountant.  
8 (b) Each scholarship-granting organization receiving a grant under  
9 this section shall include with the report submitted under subdivision  
10 (6)(a) of this section a summary description of (i) its policies and  
11 procedures for awarding education scholarships, (ii) the number of  
12 eligible students receiving education scholarships in the most recent  
13 fiscal year, and (iii) the total amount of education scholarships awarded  
14 in the most recent fiscal year.  
15 (c) The State Treasurer shall electronically forward the reports and  
16 summary descriptions described in subdivisions (6)(a) and (b) of this  
17 section to the Governor and the Legislature by no later than December 31.  
18 (7)(a) It is the intent of the Legislature to appropriate twenty-  
19 five million dollars from the General Fund for fiscal year 2024-25 to the  
20 State Treasurer for the purpose of providing grants to scholarship-  
21 granting organizations as provided in this section.  
22 (b) It is the intent of the Legislature to appropriate the maximum  
23 amount of grants allowed under subsection (4) of this section for fiscal  
24 year 2025-26 and each fiscal year thereafter from the General Fund to the  
25 State Treasurer for the purpose of providing grants to scholarship-  
26 granting organizations as provided in this section.  
27 Sec. 2. Since an emergency exists, this act takes effect when  
28 passed and approved according to law.

(Signed) Robert Clements, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to LB1102:  
[AM2685](#)

(Amendments to Final Reading copy)

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

3 Section 1. October 17 of each year shall be recognized as Nebraska  
4 Missing Persons Day. Nebraska Missing Persons Day is observed not only  
5 for the missing people, but also for their families and friends who deal  
6 with the trauma of having their loved one go missing without a trace.  
7 This day respects and honors their grief.

8 Sec. 2. (1) May 19 of each year shall be El-Hajj Malik El-Shabazz,  
9 Malcolm X Day, and shall be set apart for holding suitable exercises in  
10 the schools of the state in recognition of the sacrifices of the late  
11 Nebraska Hall of Fame inductee El-Hajj Malik El-Shabazz, Malcolm X and  
12 his contributions to the betterment of society.

13 (2) The Governor shall, prior to May 19 of each year, issue a  
14 proclamation inviting and urging the people of the State of Nebraska to  
15 observe El-Hajj Malik El-Shabazz, Malcolm X Day in schools and other  
16 suitable places with appropriate ceremony and fellowship.

17 (3) The State Department of Education is directed to make, within  
18 the limits of funds available for such purpose, information available to  
19 the schools and all people of this state regarding El-Hajj Malik El-  
20 Shabazz, Malcolm X Day and the observance thereof.

21 Sec. 3. Section 25-2221, Revised Statutes Cumulative Supplement,  
22 2022, is amended to read:

23 25-2221 Except as may be otherwise more specifically provided, the  
24 period of time within which an act is to be done in any action or  
25 proceeding shall be computed by excluding the day of the act, event, or  
26 default after which the designated period of time begins to run. The last  
1 day of the period so computed shall be included unless it is a Saturday,  
2 a Sunday, or a day during which the offices of courts of record may be  
3 legally closed as provided in this section, in which event the period  
4 shall run until the end of the next day on which the office will be open.  
5 All courts and their offices may be closed on Saturdays, Sundays,  
6 days on which a specifically designated court is closed by order of the  
7 Chief Justice of the Supreme Court, and these holidays: New Year's Day,  
8 January 1; Birthday of Martin Luther King, Jr., the third Monday in  
9 January; President's Day, the third Monday in February; Arbor Day, the  
10 last Friday in April; Birthday of El-Hajj Malik El-Shabazz, Malcolm X,  
11 May 19; Memorial Day, the last Monday in May; Juneteenth National  
12 Independence Day, June 19; Independence Day, July 4; Labor Day, the first  
13 Monday in September; Indigenous Peoples' Day and Columbus Day, the second  
14 Monday in October; Veterans Day, November 11; Thanksgiving Day, the  
15 fourth Thursday in November; the day after Thanksgiving; Christmas Day,  
16 December 25; and all days declared by law or proclamation of the Governor  
17 to be holidays. Such days shall be designated as nonjudicial days. If any  
18 such holiday falls on Sunday, the following Monday shall be a holiday. If  
19 any such holiday falls on Saturday, the preceding Friday shall be a  
20 holiday. Court services shall be available on all other days. If the date  
21 designated by the state for observance of any legal holiday pursuant to  
22 this section, except Veterans Day, is different from the date of  
23 observance of such holiday pursuant to a federal holiday schedule, the  
24 federal holiday schedule shall be observed.

25 Sec. 4. Section 62-301, Revised Statutes Cumulative Supplement,  
26 2022, is amended to read:

27 62-301 (1) For the purposes of the Uniform Commercial Code and  
28 section 62-301.01, the following days shall be holidays: New Year's Day,  
29 January 1; Birthday of Martin Luther King, Jr., the third Monday in  
30 January; President's Day, the third Monday in February; Arbor Day, the  
31 last Friday in April; Birthday of El-Hajj Malik El-Shabazz, Malcolm X,  
1 May 19; Memorial Day, the last Monday in May; Juneteenth National  
2 Independence Day, June 19; Independence Day, July 4; Labor Day, the first

3 Monday in September; Indigenous Peoples' Day and Columbus Day, the second  
 4 Monday in October; Veterans Day, November 11, and the federally  
 5 recognized holiday therefor, or either of them; Thanksgiving Day, the  
 6 fourth Thursday in November; the day after Thanksgiving; and Christmas  
 7 Day, December 25. If any such holiday falls on Sunday, the following  
 8 Monday shall be a holiday. If the date designated by the state for  
 9 observance of any legal holiday enumerated in this section, except  
 10 Veterans Day, is different from the date of observance of such holiday  
 11 pursuant to a federal holiday schedule, the federal holiday schedule  
 12 shall be observed.

13 (2) Any bank doing business in this state may, by a brief written  
 14 notice at, on, or near its front door, fully dispense with or restrict,  
 15 to such extent as it may determine, the hours within which it will be  
 16 open for business.

17 (3) Any bank may close on Saturday if it states such fact by a brief  
 18 written notice at, on, or near its front door. When such bank will, in  
 19 observance of such a notice, not be open for general business, such day  
 20 shall, with respect to the particular bank, be the equivalent of a  
 21 holiday as fully as if such day were listed in subsection (1) of this  
 22 section, and any act authorized, required, or permitted to be performed  
 23 at, by, or with respect to such bank which will, in observance of such  
 24 notice, not be open for general business, acting in its own behalf or in  
 25 any capacity whatever, may be performed on the next succeeding business  
 26 day and no liability or loss of rights on the part of any person shall  
 27 result from such delay.

28 (4) Any bank which, by the notice provided for by subsection (3) of  
 29 this section, has created the holiday for such bank may, without  
 30 destroying the legal effect of the holiday for it and solely for the  
 31 convenience of its customers, remain open all or part of such day in a  
 1 limited fashion by treating every transaction with its customers on such  
 2 day as though the transaction had taken place immediately upon the  
 3 opening of such bank on the first following business day.

4 (5) Whenever the word bank is used in this section it includes  
 5 building and loan association, savings and loan association, credit  
 6 union, savings bank, trust company, investment company, and any other  
 7 type of financial institution.

8 Sec. 5. Original sections 25-2221 and 62-301, Revised Statutes  
 9 Cumulative Supplement, 2022, are repealed.

10 2. On page 1, strike beginning with "missing" in line 1 through line  
 11 2 and insert "days of observance and state holidays; to amend sections  
 12 25-2221 and 62-301, Revised Statutes Cumulative Supplement, 2022; to  
 13 declare October 17 as Nebraska Missing Persons Day; to establish El-Hajj  
 14 Malik El-Shabazz, Malcolm X Day; to change provisions relating to state  
 15 holidays; and to repeal the original sections."

Senator McDonnell filed the following amendment to [LB198](#):  
[AM2694](#)

(Amendments to E and R amendments, ER64)

1 1. Insert the following new section:

2 Sec. 3. Section 4-112, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:

4 4-112 For any applicant ~~who is not a United States citizen but who~~  
 5 ~~has attested that such applicant is lawfully present in the United States~~  
 6 ~~as provided in who has executed a document described in subdivision (1)~~

7 (b) of section 4-111, eligibility for public benefits shall be verified  
 8 through the Systematic Alien Verification for Entitlements Program  
 9 operated by the United States Department of Homeland Security or an  
 10 equivalent program designated by the United States Department of Homeland  
 11 Security. Until such verification of eligibility is made, such  
 12 attestation may be presumed to be proof of lawful presence for purposes

13 of sections 4-108 to 4-113 unless such verification is required before  
14 providing the public benefit under another provision of state or federal  
15 law.

16 2. On page 2, line 30, after "requires" insert ", in addition to any  
17 requirements imposed by section 4-108,".

18 3. On page 3, strike the new matter in lines 4 and 5.

19 4. On page 11, line 13; page 22, line 11; page 30, line 16; and page  
20 31, line 11, strike "8" and insert "9".

21 5. On page 25, line 20; and page 46, line 15, strike "of" and insert  
22 "after".

23 6. On page 31, line 22, after "except" insert "for intermittent work  
24 as a volunteer or substitute employee"; and in line 23 strike "(45)(b)(i)  
25 of section 79-902", show as stricken, and insert "(2)(a) of section 9 of  
26 this act".

1 7. Renumber the remaining sections and correct the repealer  
2 accordingly.

Senator McDonnell filed the following amendment to [LB198](#):  
[AM2624](#) is available in the Bill Room.

Senator Raybould filed the following amendment to [LB1067](#):  
[FA230](#)

On page 3, line 11, strike "three million nine hundred ten thousand" and insert "seventy five million".

Senator Wayne filed the following amendment to [LB1067](#):  
[AM2617](#)

(Amendments to Standing Committee amendments, AM2492)

1 1. Strike amendment 1 and insert the following new amendments:

2 1. On page 2, strike beginning with "at" in line 12 through the  
3 first occurrence of "day" in line 13 and insert "one hundred percent of  
4 the costs incurred by the county".

5 2. On page 4, line 4, after the comma insert "the amount of  
6 reimbursement claimed,".

7 2. Renumber the remaining amendment accordingly.

Senator Raybould filed the following amendment to [LB1288](#):  
[AM2695](#)

1 1. Strike original section 30.

2 2. On page 6, strike beginning with "This" in line 20 through the  
3 period in line 23 and insert "This recognition applies only for purposes  
4 of treatment of the subject's mental illness or substance dependence,  
5 including, but not limited to, commitment to and acceptance for treatment  
6 at a regional center or any other treatment facility."; and in line 26  
7 strike "the treatment at a" and insert "a treatment".

8 3. On page 7, after line 5 insert the following new subsection:

9 "(4) In the case of a subject domiciled within Indian country in  
10 Nebraska who is committed for treatment under tribal law as provided in  
11 this section, the tribe shall make arrangements for payment of the cost  
12 of such treatment services."; and in line 6 strike "(4)" and insert  
13 "(5)".

14 4. On page 9, line 17; and page 21, line 2, strike "or tribunal".

15 5. On page 11, line 19; and page 23, line 6, after "court" insert  
16 "from which such patient was committed".

17 6. On page 16, strike beginning with "This" in line 1 through the  
18 period in line 4 and insert "This recognition applies only for purposes  
19 of treatment of the subject's mental illness, including, but not limited  
20 to, commitment to and acceptance for treatment at a regional center or



- 21 any other treatment facility."; and in line 22 strike "and consultation  
22 with".
- 23 7. On page 17, after line 4 insert the following new subsection:  
24 "(5) In the case of a subject domiciled within Indian country in  
25 Nebraska who is committed for treatment under tribal law as provided in  
26 this section, the tribe shall make arrangements for payment of the cost  
27 of such treatment services."; and in line 5 strike "(5)" and insert  
1 "(6)".
- 2 8. On page 21, strike beginning with "the" in line 6 through "jail"  
3 in line 7 and insert "an appropriate and available medical facility,  
4 jail, or Department of Correctional Services facility".
- 5 9. On page 24, line 9, strike "or substance dependence".
- 6 10. Correct the repealer and renumber the remaining section  
7 accordingly.

### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Conrad name added to LB1037.  
Senator Aguilar name added to LB1037.  
Senator Riepe name added to LB1067.

### **VISITOR(S)**

Visitors to the Chamber were John Nelson Sr.; Nebraska Dental Hygienist's Association and Central Community College dental hygiene students, Hastings; students from Dudley Elementary, Gothenburg; students from Creighton University; homeschool students from Elkhorn and Blair.

The Doctor of the Day was Dr. Patrick Hotovy of York.

### **ADJOURNMENT**

At 11:59 a.m., on a motion by Senator Meyer, the Legislature adjourned until 10:00 a.m., Tuesday, February 27, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTY-FOURTH DAY - FEBRUARY 27, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, February 27, 2024

**PRAYER**

The prayer was offered by Reverend Coral Parmenter, Purdum UCC, Thedford.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator DeBoer.

**ROLL CALL**

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

The roll was called and all members were present except Senators Halloran and Hughes who were excused; and Senators Blood, Bostar, Bostelman, Day, Hunt, Vargas, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-third day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR298.

(Signed) Beau Ballard, Chairperson

**ENROLLED RESOLUTION**

**LEGISLATIVE RESOLUTION 298.** Introduced by Arch, 14; Aguilar, 35; Ballard, 21; Clements, 2; Jacobson, 42; Lowe, 37; Riepe, 12; Slama, 1; Vargas, 7.

WHEREAS, the Legislature has the inherent power to secure information in order to legislate, hold hearings, and conduct investigations related to the operation of state government; and

WHEREAS, legislative oversight functions related to the Legislature's inherent power are currently distributed among the various legislative divisions within the Legislative Council, including the office of Public Counsel, the office of Legislative Audit, the office of Legislative Research, and the office of Legislative Fiscal Analyst; and

WHEREAS, the office of the Attorney General issued an opinion on August 16, 2023, stating that the current statutory regime governing two offices related to legislative oversight, the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System, violated the separation of powers provisions in Article II, section 1, of the Constitution of Nebraska; and

WHEREAS, the Legislature believes that the legislative divisions and offices, including the office of Inspector General of Nebraska Child Welfare and the office of Inspector General of the Nebraska Correctional System, serve important legislative oversight functions and that these divisions and offices will benefit from a full review to strengthen the performance of their legislative oversight functions, to address any restructuring or reorganization necessary for continued legislative oversight, to examine how any such restructuring or reorganization may impact the interface between the Legislature and the Executive and Judicial branches, and to address any remaining issues related to the opinion of the Attorney General issued on August 16, 2023.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to appoint a committee of the Legislature to be known as the Legislative Oversight Review Special Committee of the Legislature. Members shall include all members of the Executive Board of the Legislative Council, the chairperson of the Health and Human Services Committee of the Legislature, the chairperson of the Judiciary Committee of the Legislature, and three atlarge members of the Legislature. The Legislative Oversight Review Special Committee shall elect a chairperson and vice-chairperson from the membership of the committee. The executive board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board may authorize the committee to hire outside legal counsel as deemed necessary by the committee. The committee may hold hearings. After authorization by the executive board, the committee may issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony under oath.

2. The Legislative Oversight Review Special Committee may study the current structure and organization of legislative oversight functions among the various legislative divisions and offices and the structure and organization of legislative oversight functions in other state legislatures. The

committee may also study whether current oversight conducted by any statutorily created board or commission would be more appropriately conducted within the legislative branch.

3. The Legislative Oversight Review Special Committee shall issue a report with its findings and recommendations to the Legislature no later than December 15, 2024. The report shall include recommendations for draft legislation, if necessary. The committee terminates on December 31, 2024.

#### Natural Resources

**LEGISLATIVE BILL 880.** Placed on General File.

**LEGISLATIVE BILL 1199.** Placed on General File.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Roger Helgoth - Nebraska Environmental Trust Board

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

John Arley Rundel - Nebraska Oil and Gas Conservation Commission

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

#### Business and Labor

**LEGISLATIVE BILL 1393.** Placed on General File.

**LEGISLATIVE BILL 1017.** Placed on General File with amendment.

[AM2683](#)

1 1. On page 5, strike lines 13 and 14.

**LEGISLATIVE BILL 1069.** Placed on General File with amendment.

[AM2583](#)

1 1. Strike original section 4 and insert the following new sections:

2 Sec. 4. Section 81-546, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-546 (1) Whenever the State Fire Marshal, after conducting an

5 inspection or investigation, has determined with a reasonable degree of

6 certainty that reason to believe any person has violated or is violating

7 any provision of subsection (1) of section 81-545 or any regulation under

8 the Nebraska Natural Gas Pipeline Safety Act of 1969, the State Fire  
 9 Marshal shall give notice of the determination of a probable violation to  
 10 such person and provide such person with the basis for the determination,  
 11 including all documentation or other evidence related to the inspection  
 12 or investigation.

13 (2) Such person shall have sixty business days to respond to the  
 14 notice of a probable violation by either (a) agreeing with the  
 15 determination and providing any details on what has been or will be done  
 16 to achieve compliance or (b) disputing the determination and providing  
 17 documentation or evidence to support that such person should not be found  
 18 in violation of such section or regulations.

19 (3) In response to an answer made pursuant to subsection (2) of this  
 20 section, the State Fire Marshal shall review the information provided.  
 21 The State Fire Marshal may request any additional information from such  
 22 person as the State Fire Marshal may require in order to reach a  
 23 conclusion pursuant to subdivisions (a) and (b) of this subsection. Such  
 24 person shall have thirty business days to respond to each such request  
 25 for additional information. After such review:

26 (a) If the State Fire Marshal concludes that such person was not or  
 27 is not in violation or that such person has achieved or will achieve  
 1 compliance to no longer be in violation of any provision of subsection  
 2 (1) of section 81-545 or any regulation under the Nebraska Natural Gas  
 3 Pipeline Safety Act of 1969, the State Fire Marshal shall issue a letter  
 4 indicating settlement based on such compliance and close the matter; or  
 5 (b) If the State Fire Marshal concludes that such person has not or  
 6 will not achieve compliance to no longer be in violation of any provision  
 7 of subsection (1) of section 81-545 or any regulation under the Nebraska  
 8 Natural Gas Pipeline Safety Act of 1969 and permit such person reasonable  
 9 opportunity to achieve compliance. If compliance has not been achieved in  
 10 a reasonable time, the State Fire Marshal shall issue an order finding  
 11 such person in violation and providing notice of the right to a hearing  
 12 pursuant to subdivision (4)(a) of this section.

13 (4)(a) If the State Fire Marshal issues an order pursuant to  
 14 subdivision (3)(b) of this section, such person may request a hearing. If  
 15 such person:

16 (i) Fails to request a hearing within thirty business days after the  
 17 date of the order, the State Fire Marshal shall issue a final order  
 18 finding such person in violation; or  
 19 (ii) Requests a hearing, the hearing officer shall conduct the  
 20 proceeding in accordance with the Administrative Procedure Act. After the  
 21 hearing, the hearing officer shall prepare findings of fact and  
 22 conclusions of law. The State Fire Marshal shall issue a final order  
 23 based on such findings of fact and conclusions of law.

24 (b) A final order issued pursuant to subdivision (4)(a)(i) or (ii)  
 25 of this section may be appealed. The appeal shall be in accordance with  
 26 the Administrative Procedure Act.

27 (5) After issuance of a final order under subdivision (4)(a)(i) or  
 28 (ii) of this section and if no appeal is timely filed, the State Fire  
 29 Marshal may request the Attorney General to bring an action under section  
 30 81-547 in the district court for the county in which the defendant's  
 31 principal place of business is located, and the

1 (6)(a) Except as provided in subdivision (b) of this subsection, the  
 2 district court may impose a civil penalty of not to exceed ten thousand  
 3 dollars for each violation for each day that such violation persists,  
 4 except that the maximum civil penalty shall not exceed five hundred  
 5 thousand dollars for any related series of violations.

6 (b) For a violation of the federal safety standards established by  
 7 the United States Secretary of Transportation pursuant to the federal  
 8 Natural Gas Pipeline Safety Act of 1968 that have been incorporated in  
 9 safety standards established by the State Fire Marshal under section  
 10 81-543, the district court may impose a civil penalty of up to two  
 11 hundred thousand dollars for each violation for each day that such  
 12 violation persists, except that the maximum civil penalty shall not  
 13 exceed two million dollars for any related series of violations.

14 (7) No person shall be subject to civil penalties under both section  
 15 81-547 and the One-Call Notification System Act for conduct which may  
 16 give rise to a violation under both the Nebraska Natural Gas Pipeline  
 17 Safety Act of 1969 and the One-Call Notification System Act, unless that  
 18 conduct is reckless or is done with willful disregard for the safety of  
 19 others or their property. In the absence of recklessness or willful  
 20 disregard for the safety of others or their property, such conduct shall  
 21 be enforced primarily in accordance with section 76-2325.  
 22 (8) (2) In determining the amount of a such penalty imposed under  
 23 subsection (6) of this section, the court shall consider the  
 24 appropriateness of such penalty to the size of the business of the person  
 25 charged, the gravity of the violation, the amount of harm or damage  
 26 resulting from the violation, prior offenses and compliance history of  
 27 the person charged, and the good faith of the person charged in  
 28 attempting to achieve compliance, remedial actions taken by the person  
 29 charged, and other such matters as justice may require. The amount of  
 30 such penalty, when finally determined, may be deducted from any sums  
 31 owing by the State of Nebraska to the person charged.  
 1 Sec. 5. Section 81-547, Reissue Revised Statutes of Nebraska, is  
 2 amended to read:  
 3 81-547 (1) The district courts shall have jurisdiction to restrain  
 4 violations of sections 81-503, 81-505, 81-525, and 81-542 to 81-552,  
 5 including the restraint of transportation of gas or the operation of a  
 6 pipeline facility, or to enforce standards established under the Nebraska  
 7 Natural Gas Pipeline Safety Act of 1969 hereunder upon petition by the  
 8 Attorney General on behalf of the State of Nebraska. ~~Whenever~~  
 9 ~~practicable, the State Fire Marshal shall give notice to any person~~  
 10 ~~against whom an action for injunctive relief is contemplated and afford~~  
 11 ~~him an opportunity to present his views, and, except in the case of a~~  
 12 ~~knowing and willful violation, shall afford him reasonable opportunity to~~  
 13 ~~achieve compliance. The failure to give such notice and afford such~~  
 14 ~~opportunity shall not preclude the granting of appropriate relief.~~  
 15 (2) Actions under subsection (1) of this section and section 81-546  
 16 shall be brought in the county in the State of Nebraska in which the  
 17 defendant's principal place of business is located, and process in such  
 18 cases may be served in any other county in the State of Nebraska where  
 19 the defendant may be found or in which the defendant is an inhabitant or  
 20 transacts business.  
 21 Sec. 11. Since an emergency exists, this act takes effect when  
 22 passed and approved according to law.  
 23 2. Renumber the remaining sections and correct the repealer  
 24 accordingly.

(Signed) Merv Riepe, Chairperson

### 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:

Contingent upon your approval, the following individual is being appointed  
 as the Property Tax Administrator:

Sarah Scott, 200 S Silber, North Platte, NE 69101

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

**NOTICE OF COMMITTEE HEARING(S)**  
Transportation and Telecommunications  
Room 1113 1:00 PM

Monday, March 18, 2024

Jeremy S. Borrell - Aeronautics Division

(Signed) Mike Moser, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Fredrickson filed the following amendment to LB1255:  
AM2708

- 1 1. Strike original sections 7 and 8 and insert the following new
- 2 section:
- 3 Sec. 7. (1) For purposes of this section, originating service
- 4 provider means the telecommunications service provider, whether by
- 5 wireline or wireless service, or the voice over Internet protocol service
- 6 provider providing the capability for customers to originate 911 calls.
- 7 (2)(a) No later than January 1, 2026, unless otherwise required by
- 8 the Federal Communications Commission, an originating service provider
- 9 and the next-generation 911 service contractor shall ensure that:
- 10 (i) All 911 calls are transmitted to next-generation 911 or other
- 11 points designated by the state 911 director that allow 911 calls to be
- 12 answered; and
- 13 (ii) All translation and routing is completed to deliver all 911
- 14 calls, including associated location information in the requested
- 15 Internet protocol-enabled service format, to next-generation 911 or other
- 16 points designated by the state 911 director that allow 911 calls to be
- 17 answered.
- 18 (b) An originating service provider may enter into an agreement with
- 19 the state 911 director to establish an alternative timeframe for meeting
- 20 the requirements of subdivision (2)(a)(i) of this section. The
- 21 originating service provider shall notify the state 911 director of the
- 22 dates and terms of the alternative timeframe within thirty days after
- 23 entering into such agreement.
- 24 (3)(a) No later than January 1, 2026, unless otherwise required by
- 25 the Federal Communications Commission, a provider of telecommunications
- 26 relay services and the next-generation 911 service contractor shall
- 27 ensure that:
- 1 (i) All 911 calls are transmitted to next-generation 911 or other
- 2 points designated by the state 911 director that allow 911 calls to be
- 3 answered; and
- 4 (ii) All translation and routing is completed to deliver all 911



5 calls, including associated location information in the requested  
6 Internet protocol-enabled service format, to next-generation 911 or other  
7 points designated by the state 911 director that allow 911 calls to be  
8 answered.  
9 (b) A provider of telecommunications relay services may enter into  
10 an agreement with the state 911 director to establish an alternative  
11 timeframe for meeting the requirements of subdivision (3)(a)(ii) of this  
12 section. The provider shall notify the state 911 director of the dates  
13 and terms of the alternative timeframe within thirty days after entering  
14 into such agreement.  
15 (4) No later than November 15, 2024, and no later than November 15  
16 of each year thereafter, the next-generation 911 service contractor shall  
17 submit an annual report electronically to the Transportation and  
18 Telecommunications Committee of the Legislature and to the state 911  
19 director on the capabilities and redundancies of the next-generation 911  
20 service network.  
21 2. On page 4, line 14; page 5, line 13; and page 7, line 17, strike  
22 "8" and insert "7".  
23 3. On page 4, line 17, strike "to 8" and insert "and 7".  
24 4. Renumber the remaining sections accordingly.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 310.** Introduced by Aguilar, 35; Lippincott, 34; Meyer, 41.

WHEREAS, Grand Island Senior High football coach Jeff Tomlin is retiring in December 2024 after twenty-one legendary years and over two hundred career coaching victories; and

WHEREAS, under Coach Tomlin's leadership, the Grand Island Senior High football Islanders earned eighteen playoff wins, four district championships, six Heartland Athletic Conference championships, and a six-year streak of making it to the state playoffs; and

WHEREAS, Coach Tomlin serves as the physical education teacher, social studies teacher, weight training coach, and the boys assistant track coach; and

WHEREAS, Coach Tomlin earned multiple awards, including the Grand Island Independent Boys Coach of the Year in 2014, the Coach Mike Behrens Award Winner from Huskerland Prep in 2013 and 2018, the Semper Fi Coach of the Year from the U.S. Marine Corps in 2016, the Nebraska Coaches Association Football Coach of the Year in 2018, and the National Federation of State High School Associations State Football Coach of the Year in 2019; and

WHEREAS, Coach Tomlin led his teams to their maximum potential and will be missed by the players and students he helped along the way.

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

1. That the Legislature congratulates Coach Jeff Tomlin for his many years of service to high school football and his many achievements as a coach.

2. That a copy of this resolution be sent to Coach Jeff Tomlin.

Laid over.

**LEGISLATIVE RESOLUTION 311.** Introduced by Aguilar, 35; Lippincott, 34; Meyer, 41.

WHEREAS, Grand Island Central Catholic volleyball coach Sharon Zavala is retiring after forty-nine illustrious years; and

WHEREAS, under Coach Zavala's leadership, the Grand Island Central Catholic volleyball Crusaders earned one thousand one hundred seventy-seven wins, thirty-five appearances in the state championship, and eleven state titles; and

WHEREAS, Coach Zavala is retiring as the winningest coach in Nebraska high school sports history; and

WHEREAS, Coach Zavala has been inducted into the University of Nebraska Kearney's Athletic Hall of Fame and the Nebraska High School Sports Hall of Fame; and

WHEREAS, Coach Zavala earned multiple awards, including the Nebraska Coaches Association Volleyball Coach of the Year four times, the Grand Island KRGI Sportscasters Club Coach of the year four times, the National High School Athletics Coaches Association National High School Volleyball Coach of the Year, the Lincoln Journal Star Girls Coach of the Year, and the Grand Island Independent Girls Coach of the Year three times; and

WHEREAS, Coach Zavala coached her teams like a puzzle with the pieces fitting together to balance weaknesses and strengths. She will be missed by the players and students she led through the years.

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

1. That the Legislature congratulates Coach Sharon Zavala for her service to girls volleyball and for her numerous achievements as a coach.
2. That a copy of this resolution be sent to Coach Sharon Zavala.

Laid over.

### **RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR302 was adopted.

### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR302.

### **GENERAL FILE**

**LEGISLATIVE BILL 1067.** Committee [AM2492](#), found on page 714 and considered on pages 742 and 807, was renewed.

Senator Conrad renewed [AM2580](#), found on page 742 and considered on pages 742 and 807, to the committee amendment.

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 61.** Placed on Select File with amendment.

[ER70](#)

1 1. On page 1, strike beginning with "75-132.01" in line 2 through  
2 line 10 and insert "86-416, and 86-575, Reissue Revised Statutes of  
3 Nebraska, and sections 70-625 and 86-577, Revised Statutes Cumulative  
4 Supplement, 2022; to authorize the licensing of dark fiber by any agency  
5 or political subdivision of the state as prescribed; to change and  
6 eliminate provisions relating to leasing and licensing of dark fiber; to  
7 define terms; to harmonize provisions; and to repeal the original  
8 sections."

**LEGISLATIVE BILL 1104.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

General Affairs

**LEGISLATIVE BILL 1204.** Placed on General File with amendment.  
[AM2640](#) is available in the Bill Room.

(Signed) John Lowe, Chairperson

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 358A.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 358, One Hundred Eighth Legislature, Second Session, 2024.

**GENERAL FILE**

**LEGISLATIVE BILL 1067.** Committee [AM2492](#), found on page 714 and considered on pages 742, 807, and in this day's Journal, was renewed.

Senator Conrad renewed [AM2580](#), found on page 742 and considered on pages 742, 807, and in this day's Journal, to the committee amendment.

Pending.

**COMMITTEE REPORT(S)**  
General Affairs

**LEGISLATIVE BILL 875.** Placed on General File with amendment.

[AM2476](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 53-101, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 53-101 Sections 53-101 to 53-1,122 and section 2 of this act shall  
6 be known and may be cited as the Nebraska Liquor Control Act.  
7 Sec. 2. (1) Except as provided in subdivisions (2)(a) and (b) of  
8 this section, no person holding a retail license which authorizes the  
9 sale of alcoholic liquor or beer, for consumption off the licensed  
10 premises, sales in original packages only, under the Nebraska Liquor  
11 Control Act shall sell alcoholic liquor or beer for consumption off the  
12 licensed premises at less than the cost to the licensee to purchase the  
13 alcoholic liquor or beer.  
14 (2)(a) The licensee may sell alcoholic liquor for consumption off  
15 the licensed premises at less than the cost to the licensee to purchase  
16 the alcoholic liquor beginning six months after the invoice date for such  
17 alcoholic liquor.  
18 (b) The licensee may sell beer for consumption off the licensed  
19 premises at less than the cost to the licensee to purchase the beer  
20 beginning thirty days prior to the expiration date for such beer.  
21 Sec. 3. Original section 53-101, Revised Statutes Supplement, 2023,  
22 is repealed.

(Signed) John Lowe, Chairperson

Judiciary

**LEGISLATIVE BILL 175.** Placed on General File with amendment.

[AM2504](#)

1 1. On page 2, lines 25 and 26, strike "issue an order immediately"  
2 and insert "immediately issue an order under section 5 of this act".  
3 2. On page 3, strike lines 3 through 17 and insert the following new  
4 subsection:  
5 "(2) The trial court shall grant the petition without further  
6 hearing if the requirements of this section have been met."; in line 18  
7 strike "(4)" and insert "(3)"; in line 20 strike "(5)" and insert "(4)";  
8 and in line 22 strike "(6)" and insert "(5)".  
9 3. On page 4, line 22, strike "2024" and insert "2025".

**LEGISLATIVE BILL 870.** Placed on General File with amendment.

[AM2533](#)

1 1. On page 2, line 14, strike "(b) No" and insert "(b)(i) Except as  
2 provided in subdivision (3)(b)(ii) of this section, no"; and after line  
3 19 insert the following new subdivisions:  
4 "(ii) Subdivision (3)(b)(i) of this section does not apply to sexual  
5 assault forensic evidence which has been provided anonymously.  
6 (c) Each law enforcement agency which stores sexual assault forensic  
7 evidence shall have a written policy that details retention periods for  
8 sexual assault forensic evidence and methods for carrying out the  
9 notifications required by subdivision (3)(b) of this section."  
10 2. On page 3, line 5, after "informed" insert ", upon the victim's  
11 request."

**LEGISLATIVE BILL 1115.** Placed on General File with amendment.  
[AM2678](#)

1 1. Strike original section 5 and insert the following new section:  
 2 Sec. 5. Section 76-1446, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 76-1446 (1) The proceedings shall be in all respects as in other  
 5 cases, except that:  
 6 (a) If the action for possession will be tried by the court without  
 7 a jury, the trial shall be held not less than ten nor more than fourteen  
 8 days after the issuance of the summons; or  
 9 (b) If the action for possession will be tried by a jury, the trial  
 10 shall be scheduled by the court as soon as is practicable for the proper  
 11 administration of justice. If, at the request of the tenant, the jury  
 12 trial is continued beyond the initial trial date as determined by the  
 13 court, the court may require the tenant to deposit with the clerk of the  
 14 court such rental payments as accrue during the pendency of the suit.  
 15 Trial of the action for possession shall be held not less than ten nor  
 16 more than fourteen days after the issuance of the summons. The action  
 17 shall be tried by the court without a jury.  
 18 (2) If the plaintiff serves the summons in the manner provided in  
 19 section 76-1442.01, the action shall proceed as other actions for  
 20 possession except that a money judgment shall not be granted for the  
 21 plaintiff.  
 22 (3) If judgment is rendered against the defendant for the  
 23 restitution of the premises, the court (a) shall declare the forfeiture  
 24 of the rental agreement; and (b) shall, at the request of the plaintiff  
 25 or his or her attorney, issue a writ of restitution, directing the  
 26 constable or sheriff to restore possession of the premises to the  
 27 plaintiff on a specified date not more than ten days after issuance of  
 1 the writ of restitution. The plaintiff shall comply with the Disposition  
 2 of Personal Property Landlord and Tenant Act and subsection (5) of  
 3 section 76-1414 in the removal of personal property remaining on the  
 4 premises at the time possession of the premises is restored.

**LEGISLATIVE BILL 1312.** Placed on General File with amendment.  
[AM2435](#) is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McDonnell filed the following amendment to [LB1067](#):  
[AM2644](#)

(Amendments to Standing Committee amendments, AM2492)

1 1. Strike amendment 1 and insert the following new amendments:  
 2 1. Strike original sections 1 to 5 and insert the following new  
 3 sections:  
 4 Section 1. Sections 1 to 5 of this act shall be known and may be  
 5 cited as the State Prisoner Reimbursement Act.  
 6 Sec. 2. For purposes of the State Prisoner Reimbursement Act:  
 7 (1) Criminal detention facility has the same meaning as in section  
 8 83-4,125; and  
 9 (2) State prisoner means a person who:  
 10 (a) Has been convicted and sentenced as an adult to a Department of  
 11 Correctional Services facility;  
 12 (b) Has been placed on probation for such offense;

13 (c) Has been placed in a county jail for probation sanctions or  
14 probation violations;  
15 (d) Is serving consecutive misdemeanor sentences and the combined  
16 sentences total a term of one year or more; or  
17 (e) Is a parolee held on behalf of the department.  
18 Sec. 3. (1) The State Prisoner Reimbursement Act shall apply on and  
19 after July 1, 2024.  
20 (2)(a) After sentencing, if a prisoner is a state prisoner as  
21 defined in subdivision (2)(a), (b), (c), or (e) of section 2 of this act,  
22 the state shall reimburse the county where the state prisoner was or is  
23 maintained in a criminal detention facility at the rate of one hundred  
24 dollars per day for each day the state prisoner was maintained in the  
25 criminal detention facility from the state prisoner's initial date of  
26 detention until the day the state prisoner is transferred to a Department  
1 of Correctional Services facility, placed on probation for such offense,  
2 or released from custody at the request of the department.  
3 (b) After sentencing, if a prisoner is a state prisoner as defined  
4 in subdivision (2)(d) of section 2 of this act, the state shall reimburse  
5 the county where the state prisoner was or is maintained in a criminal  
6 detention facility at the rate of one hundred dollars per day for each  
7 day the state prisoner was maintained in the criminal detention facility  
8 from the state prisoner's initial date of detention until the completion  
9 of all consecutive sentences.  
10 (3) If state appropriations are not sufficient to satisfy all of the  
11 eligible county jail reimbursement claims filed during any quarterly  
12 fiscal period, then the state shall prorate each county's total  
13 reimbursement for that quarterly fiscal period in proportion to the  
14 remaining appropriation.  
15 (4) Any county jail reimbursement claims paid by the state on a  
16 prorated basis shall not be refiled.  
17 (5) Subject to available appropriations, the Department of  
18 Correctional Services shall reimburse all counties on a quarterly basis  
19 for all eligible county jail reimbursement claims as soon as practicable  
20 after the end of each quarterly filing period.  
21 (6) The county board or county board of corrections serving pursuant  
22 to Chapter 23, article 28, shall request reimbursement as provided in  
23 section 4 of this act. If the Department of Correctional Services has  
24 been notified under section 83-4,133 that the criminal detention facility  
25 which is requesting reimbursement does not qualify for reimbursement  
26 under this section, the department shall deny the reimbursement request  
27 for the days the facility was not qualified.  
28 (7) If a conviction on which reimbursement for prisoner costs was  
29 based is reversed and the case dismissed, the amount of such  
30 reimbursement shall be refunded as provided in section 4 of this act. The  
31 county attorney shall notify the sheriff or county board of corrections  
1 of the dismissal of any such case.  
2 (8) For fiscal year 2024-25 and each fiscal year thereafter, the  
3 total annual appropriations approved by the Legislature for the  
4 Department of Correctional Services for county jail reimbursement  
5 assistance shall not exceed fifty million dollars. County jail  
6 reimbursement claims filed for any fiscal year shall only be paid out of  
7 the same fiscal year's appropriation, including any amounts  
8 reappropriated or certified as encumbrances for county jail reimbursement  
9 assistance, but no previous fiscal year claims shall be paid or filed by  
10 counties to be paid from a subsequent fiscal year's new appropriation  
11 established for county jail reimbursement assistance. County jail  
12 reimbursement claims, as certified by each county, shall be received in  
13 the office of the accounting section of the department within forty-five  
14 days after the end of any quarterly fiscal period ending on March 31,  
15 June 30, September 30, and December 31. Any claims not meeting these

16 deadlines shall be determined ineligible for future filing and shall not  
17 be reimbursed by the state.

18 Sec. 4. (1) The county board of each county and the county board of  
19 corrections serving pursuant to Chapter 23, article 28, confining state  
20 prisoners within its jails shall receive reimbursement from the state  
21 pursuant to section 3 of this act for boarding such prisoners. Such  
22 boards are hereby authorized to provide such meals, fuel, lights,  
23 washing, and clothing as may be necessary for the comfort of such  
24 prisoners while in custody in the county. The sheriff or county board of  
25 corrections shall, on a regular basis not less than quarterly nor more  
26 than monthly, make a report in writing to the Director of Correctional  
27 Services of the number of state prisoners in custody in such county for  
28 whom reimbursement is claimed, the number of days for which reimbursement  
29 is claimed, and the amount of any reimbursement to be refunded pursuant  
30 to subsection (7) of section 3 of this act. Such report shall be  
31 consistent with any rules and regulations adopted and promulgated by the  
1 Department of Correctional Services under section 5 of this act. All  
2 claims for reimbursement shall be sworn to by the sheriff or a designated  
3 representative of the county board of corrections before the clerk of the  
4 county and certified to under his or her seal. Thereupon the director  
5 shall request that a warrant be drawn upon the State Treasurer for the  
6 amount due to the county treasurer of the county, and the amount drawn  
7 shall be credited to the general fund of the county.

8 (2) For purposes of substantiating a claim, the Department of  
9 Correctional Services may audit the records and reports of a county  
10 relating to the county's claim for reimbursement. The department shall  
11 audit such records and reports once every two years or as otherwise  
12 deemed necessary by the department. The county board or county board of  
13 corrections shall keep the records pertaining to a claim for two years  
14 after the date the claim is submitted to the department.

15 Sec. 5. The Department of Correctional Services may adopt and  
16 promulgate rules and regulations to carry out the State Prisoner  
17 Reimbursement Act.

18 Sec. 6. (1) The Court Security and Service Reimbursement Program is  
19 created. The program shall be administered by the Nebraska Commission on  
20 Law Enforcement and Criminal Justice. The commission shall make  
21 reimbursement payments to counties for the following security and service  
22 expenses:

23 (a) Actual wage costs of deputies assigned to court security and  
24 service for up to one and four-tenths deputies assigned per judge; and  
25 (b) Actual wage costs of supervisors of deputies for up to one  
26 supervisor for every ten deputies employed by the county and assigned to  
27 county security and service.

28 (2) For purposes of this section:

29 (a) Actual wage costs include any expense paid by the county for  
30 salary and benefits for any eligible deputy or supervisor; and  
31 (b) Judge includes any judge of the district court, county court,  
1 separate juvenile court, or workers' compensation court or any child  
2 support referee.

3 (3) Each county shall report to the commission the total actual wage  
4 costs eligible for reimbursement under the program for the previously  
5 completed fiscal year ending June 30 by October 1 of each year.

6 (4) The commission shall certify the total amount of actual wage  
7 costs reported by the counties and the amount of reimbursement payments  
8 to be paid to each county receiving reimbursement payments and to the  
9 budget administrator of the budget division of the Department of  
10 Administrative Services by November 1 of each year. If funds appropriated  
11 by the Legislature are insufficient to provide reimbursement payment for  
12 the total actual wage costs by counties as described in this section, the  
13 amount of reimbursement payments to each county shall be paid pro rata.

14 (5) The commission shall annually make reimbursement payments in  
15 eight equal monthly payments, beginning in November of each fiscal year.  
16 No reimbursement payments shall be made in the months of July, August,  
17 September, or October.  
18 (6) It is the intent of the Legislature to appropriate twelve  
19 million dollars per year from the General Fund for the Court Security and  
20 Service Reimbursement Program.  
21 3. Renumber the remaining sections accordingly.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator DeBoer name added to LB175.  
Senator Conrad name added to LB946.

#### **VISITOR(S)**

Visitors to the Chamber were members of AARP Nebraska; Matt Hunt, Omaha; Les Parmenter, Thedford; Dan McGill, Omaha; Jennifer, Jadon, and Jud Skavdahl, Harrison; students from Wildewood Elementary, Ralston.

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

#### **ADJOURNMENT**

At 11:55 a.m., on a motion by Senator Lippincott, the Legislature adjourned until 9:00 a.m., Wednesday, February 28, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTY-FIFTH DAY - FEBRUARY 28, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 28, 2024

**PRAYER**

The prayer was offered by Les Parmenter, Thomas County Parish, Thedford.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator DeKay.

**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 Senator Halloran who was excused; and Senators Bostar, Conrad, Day, Dungan, Hunt, Jacobson, Vargas, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-fourth day was approved.

**AMENDMENT(S) - Print in Journal**

Senator von Gillern filed the following amendment to [LB1197](#):  
[AM2715](#) is available in the Bill Room.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 312.** Introduced by Conrad, 46.

WHEREAS, Turner syndrome is a noninheritable chromosomal disorder that affects one in two thousand female births; and

WHEREAS, a complete cardiac screening is an important diagnostic tool to ensure early diagnosis of Turner syndrome in girls and women; and

WHEREAS, risk for acute aortic dissection is increased by more than a hundredfold in young and middle-aged women with Turner syndrome; and

WHEREAS, early diagnosis facilitates prevention or remediation of growth failure, hearing problems, and learning difficulties; and

WHEREAS, individuals with Turner syndrome have an increased risk of a nonverbal learning disorder that can cause problems in mathematics, visual-spatial skills, executive function skills, and job retention; and

WHEREAS, with the help of medical specialists and a good social support system, women with Turner syndrome can live long and healthy lives; and

WHEREAS, the observation of Turner Syndrome Awareness Month in February 2024 provides the opportunity to share experiences and information and raise public awareness about Turner syndrome.

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

1. That the Legislature recognizes the month of February 2024 as Turner Syndrome Awareness Month in Nebraska.

2. That the Legislature expresses its support for all girls and women diagnosed with Turner syndrome and recognizes the families and support systems of those diagnosed for the irreplaceable care they give.

Laid over.

#### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR298.

#### GENERAL FILE

**LEGISLATIVE BILL 1067.** Committee [AM2492](#), found on page 714 and considered on pages 742, 807, 826, and 827, was renewed.

Senator Conrad renewed [AM2580](#), found on page 742 and considered on pages 742, 807, and 827, to the committee amendment.

Senator Albrecht moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 28 ayes, 4 nays, and 17 not voting.

The Conrad amendment, to the committee amendment, was withdrawn.

Senator Clements offered [AM2562](#), found on page 775, to the committee amendment.

Pending.

**COMMITTEE REPORT(S)**

## Revenue

**LEGISLATIVE BILL 1019.** Placed on General File.

**LEGISLATIVE BILL 1095.** Placed on General File.

**LEGISLATIVE BILL 1151.** Placed on General File.

**LEGISLATIVE BILL 1113.** Placed on General File with amendment.

[AM2122](#)

1 1. On page 12, line 26, after "carbon" insert "dioxide".

(Signed) Lou Ann Linehan, Chairperson

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1061A.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1061, One Hundred Eighth Legislature, Second Session, 2024.

**GENERAL FILE**

**LEGISLATIVE BILL 1067.** Committee [AM2492](#), found on page 714 and considered on pages 742, 807, 826, 827, and in this day's Journal, was renewed.

Senator Clements renewed [AM2562](#), found on page 775 and considered in this day's Journal, to the committee amendment.

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

Senator Clements moved for a call of the house. The motion prevailed with 19 ayes, 2 nays, and 28 not voting.

The motion to cease debate prevailed with 33 ayes, 1 nay, and 15 not voting.

The Clements amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Wayne asked unanimous consent to withdraw [AM2617](#), found on page 816, to the committee amendment, and replace it with substitute amendment, [AM2763](#), to the committee amendment. No objections. So ordered.

[AM2763](#)

(Amendments to Standing Committee amendments, AM2492)

- 1 1. Strike amendment 1 and insert the following new amendments:
- 2 1. On page 2, strike beginning with "(1)" in line 10 through line 21
- 3 and insert the following new subsection:
- 4 "(1)(a) Beginning July 1, 2024, if, after sentencing, a prisoner is
- 5 a state prisoner, the state shall reimburse the county where the state
- 6 prisoner was or is maintained in a criminal detention facility at the
- 7 applicable rate prescribed in subdivision (1)(b) of this section for each
- 8 day the state prisoner was maintained in the criminal detention facility
- 9 until the day the state prisoner is transferred to a Department of
- 10 Correctional Services facility, placed on probation for such offense, or
- 11 released from custody at the request of the department, except that if
- 12 state appropriations are not sufficient to satisfy all of the eligible
- 13 county jail reimbursement claims filed during any quarterly fiscal
- 14 period, then the state shall prorate each county's total reimbursement
- 15 for that quarterly fiscal period in proportion to the remaining
- 16 appropriation.
- 17 (b) The reimbursement rate shall be:
- 18 (i) For fiscal year 2024-25, twenty-five percent of the actual costs
- 19 incurred by the county;
- 20 (ii) For fiscal year 2025-26, fifty percent of the actual costs
- 21 incurred by the county; and
- 22 (iii) For fiscal year 2026-27 and each fiscal year thereafter, one
- 23 hundred percent of the actual costs incurred by the county."
- 24 2. On page 4, line 4, after the comma insert "the amount of
- 25 reimbursement claimed."
- 26 2. Renumber the remaining amendment accordingly.

Pending.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 139.** Placed on Final Reading.  
**LEGISLATIVE BILL 144.** Placed on Final Reading.

**LEGISLATIVE BILL 257.** Placed on Final Reading.  
[ST37](#)

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

1. On page 7, line 15, "(3)" has been struck, shown as stricken, and "(3)(a)" inserted.

**LEGISLATIVE BILL 569.** Placed on Final Reading.  
[ST39](#)

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

1. In the Bostelman amendment, AM2496, on page 1, line 3, an underscored comma has been inserted after "facility"; and in line 6 "conflicts-of-interest" has been struck and "conflict-of-interest" inserted.

**LEGISLATIVE BILL 605.** Placed on Final Reading.  
[ST38](#)

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

1. On page 8, line 16, "independent" has been inserted after "licensed".

**LEGISLATIVE BILL 624.** Placed on Final Reading.

**LEGISLATIVE BILL 716.** Placed on Final Reading.  
[ST36](#)

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

1. Due to the adoption of the Bostar amendment, FA227, in the Bostar amendment, AM2582, on page 1, line 22, the first "of" has been struck.
2. On page 1, line 2, "section" has been struck and "sections 81-2104 and" inserted; and in line 3 "to change provisions relating to rules and regulations;" has been inserted after the semicolon.
3. On page 4, line 29, "section" has been struck and "sections 81-2104 and" inserted.

**LEGISLATIVE BILL 847.** Placed on Final Reading.  
**LEGISLATIVE BILL 848.** Placed on Final Reading.  
**LEGISLATIVE BILL 854.** Placed on Final Reading.  
**LEGISLATIVE BILL 908.** Placed on Final Reading.  
**LEGISLATIVE BILL 909.** Placed on Final Reading.  
**LEGISLATIVE BILL 936.** Placed on Final Reading.  
**LEGISLATIVE BILL 940.** Placed on Final Reading.  
**LEGISLATIVE BILL 989.** Placed on Final Reading.  
**LEGISLATIVE BILL 992.** Placed on Final Reading.  
**LEGISLATIVE BILL 1102.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

Health and Human Services

**LEGISLATIVE BILL 1144.** Placed on General File.

**LEGISLATIVE BILL 822.** Placed on General File with amendment.  
[AM2725](#) is available in the Bill Room.

**LEGISLATIVE BILL 823.** Placed on General File with amendment.  
[AM2723](#) is available in the Bill Room.

**LEGISLATIVE BILL 824.** Placed on General File with amendment.  
[AM2726](#) is available in the Bill Room.

**LEGISLATIVE BILL 904.** Placed on General File with amendment.  
[AM2734](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. (1) The Intergenerational Care Facility Incentive Grant
- 4 Program is created. It is the intent of the Legislature to appropriate
- 5 three hundred thousand dollars from the General Fund for fiscal year
- 6 2024-25 to the Department of Health and Human Services to provide grants
- 7 pursuant to this section.
- 8 (2) The Department of Health and Human Services shall develop
- 9 requirements for eligibility, application, and audits for grants in
- 10 collaboration with statewide associations representing nursing homes as
- 11 defined in section 38-2414 and other stakeholders. The department shall
- 12 meet with such associations prior to October 1, 2024, to identify any
- 13 statutes, rules, regulations, or other regulatory barriers that impede
- 14 the development of an intergenerational care facility in which nursing
- 15 services and child care are provided and develop recommendations to
- 16 remediate such barriers that do not impact the safety of the staff or
- 17 recipients of the nursing services and child care or the quality of
- 18 nursing services and child care.
- 19 (3) The grants shall be awarded to facilities that are nursing homes

20 as defined in section 38-2414 or assisted-living facilities as defined in  
 21 section 71-5903 and that have been certified for participation in  
 22 medicare or medicaid. The grants shall be used for one-time startup costs  
 23 to provide for child care in such facilities. A facility may be awarded  
 24 one grant under this section of up to one hundred thousand dollars. The  
 25 grants shall be awarded for modification of structures, modification of  
 26 outside campus space of the nursing facilities, purchase of child care  
 27 equipment and supplies, or any combination of such purposes. A facility  
 1 that is applying for or awarded a grant is not required to own or operate  
 2 the child care services for which the grant is awarded.  
 3 (4) The department shall award the grants on the basis of date of  
 4 application with priority given to rural communities as defined in  
 5 section 81-1228 for applications filed on the same date. A facility that  
 6 was cited for substandard quality of care during its most recent survey  
 7 is not eligible for a grant under this section. Each grant recipient  
 8 shall establish a plan to participate in the quality rating and  
 9 improvement system described in section 71-1956 within three years after  
 10 the date the grant is awarded.  
 11 Sec. 2. Section 43-536, Revised Statutes Cumulative Supplement,  
 12 2022, is amended to read:  
 13 43-536 In determining the rate of reimbursement for child care, the  
 14 Department of Health and Human Services shall assess the ~~conduct a~~ market  
 15 rates and costs for provision of services ~~rate survey~~ of the child care  
 16 providers in the state, utilizing an approved methodology in accordance  
 17 with 45 C.F.R. 98.45, as such section existed on January 1, 2024. The  
 18 department shall adjust the reimbursement rate for child care every odd-  
 19 numbered year at a rate not less than the ~~sixtieth percentile and not to~~  
 20 ~~exceed~~ the seventy-fifth percentile of the current market rate ~~survey~~,  
 21 except that (1) nationally accredited child care providers may be  
 22 reimbursed at higher rates ~~and~~ (2) an applicable child care or early  
 23 childhood education program, as defined in section 71-1954, that is  
 24 participating in the quality rating and improvement system and has  
 25 received a rating of step three or higher under the Step Up to Quality  
 26 Child Care Act may be reimbursed at higher rates based upon the program's  
 27 quality scale rating under the quality rating and improvement system, ~~and~~  
 28 (3) ~~for the fiscal year beginning on July 1, 2017, such rate may not be~~  
 29 ~~less than the fiftieth percentile or the rate for the immediately~~  
 30 ~~preceding fiscal year and for the fiscal year beginning on July 1, 2018,~~  
 31 ~~such rate may not be less than the sixtieth percentile for the last three~~  
 1 ~~quarters of the fiscal year or the rate for the fiscal year beginning on~~  
 2 ~~July 1, 2016.~~  
 3 Sec. 3. Original section 43-536, Revised Statutes Cumulative  
 4 Supplement, 2022, is repealed.

### LEGISLATIVE BILL 933. Placed on General File with amendment.

#### AM2550

1 I. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-911 (1) Medical assistance shall include coverage for health care  
 6 and related services as required under Title XIX of the federal Social  
 7 Security Act, including, but not limited to:  
 8 (a) Inpatient and outpatient hospital services;  
 9 (b) Laboratory and X-ray services;  
 10 (c) Nursing facility services;  
 11 (d) Home health services;  
 12 (e) Nursing services;  
 13 (f) Clinic services;  
 14 (g) Physician services;

15 (h) Medical and surgical services of a dentist;  
 16 (i) Nurse practitioner services;  
 17 (j) Nurse midwife services;  
 18 (k) Pregnancy-related services;  
 19 (l) Medical supplies;  
 20 (m) Mental health and substance abuse services;  
 21 (n) Early and periodic screening and diagnosis and treatment  
 22 services for children which shall include both physical and behavioral  
 23 health screening, diagnosis, and treatment services;  
 24 (o) Rural health clinic services; and  
 25 (p) Federally qualified health center services.  
 26 (2) In addition to coverage otherwise required under this section,  
 27 medical assistance may include coverage for health care and related  
 1 services as permitted but not required under Title XIX of the federal  
 2 Social Security Act, including, but not limited to:  
 3 (a) Prescribed drugs;  
 4 (b) Intermediate care facilities for persons with developmental  
 5 disabilities;  
 6 (c) Home and community-based services for aged persons and persons  
 7 with disabilities;  
 8 (d) Dental services;  
 9 (e) Rehabilitation services;  
 10 (f) Personal care services;  
 11 (g) Durable medical equipment;  
 12 (h) Medical transportation services;  
 13 (i) Vision-related services;  
 14 (j) Speech therapy services;  
 15 (k) Physical therapy services;  
 16 (l) Chiropractic services;  
 17 (m) Occupational therapy services;  
 18 (n) Optometric services;  
 19 (o) Podiatric services;  
 20 (p) Hospice services;  
 21 (q) Mental health and substance abuse services;  
 22 (r) Hearing screening services for newborn and infant children; and  
 23 (s) Administrative expenses related to administrative activities,  
 24 including outreach services, provided by school districts and educational  
 25 service units to students who are eligible or potentially eligible for  
 26 medical assistance.  
 27 (3) No later than July 1, 2009, the department shall submit a state  
 28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
 29 Services to provide coverage under the medical assistance program for  
 30 community-based secure residential and subacute behavioral health  
 31 services for all eligible recipients, without regard to whether the  
 1 recipient has been ordered by a mental health board under the Nebraska  
 2 Mental Health Commitment Act to receive such services.  
 3 (4) On or before October 1, 2014, the department, after consultation  
 4 with the State Department of Education, shall submit a state plan  
 5 amendment to the federal Centers for Medicare and Medicaid Services, as  
 6 necessary, to provide that the following are direct reimbursable services  
 7 when provided by school districts as part of an individualized education  
 8 program or an individualized family service plan: Early and periodic  
 9 screening, diagnosis, and treatment services for children; medical  
 10 transportation services; mental health services; nursing services;  
 11 occupational therapy services; personal care services; physical therapy  
 12 services; rehabilitation services; speech therapy and other services for  
 13 individuals with speech, hearing, or language disorders; and vision-  
 14 related services.  
 15 ~~(5)(a)~~ (5) No later than January 1, 2023, the department shall  
 16 provide coverage for continuous glucose monitors under the medical

17 assistance program for all eligible recipients who have a prescription  
 18 for such device. Eligible recipients shall include all individuals who  
 19 meet local coverage determinations, as defined in section 1869(f)(2)(B)  
 20 of the federal Social Security Act, as amended, as such act existed on  
 21 January 1, 2024, and shall include individuals with gestational diabetes.  
 22 (b) It is the intent of the Legislature that no more than six  
 23 hundred thousand dollars in General Funds be appropriated annually for  
 24 the purpose of implementing the provisions of subdivision (5)(a) of this  
 25 section.

26 (6) On or before October 1, 2023, the department shall seek federal  
 27 approval for federal matching funds from the federal Centers for Medicare  
 28 and Medicaid Services through a state plan amendment or waiver to extend  
 29 postpartum coverage for beneficiaries from sixty days to at least six  
 30 months. Nothing in this subsection shall preclude the department from  
 31 submitting a state plan amendment for twelve months.

1 Sec. 2. Original section 68-911, Revised Statutes Supplement, 2023,  
 2 is repealed.

**LEGISLATIVE BILL 1106.** Placed on General File with amendment.

**AM2700**

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-911 (1) Medical assistance shall include coverage for health care  
 6 and related services as required under Title XIX of the federal Social  
 7 Security Act, including, but not limited to:  
 8 (a) Inpatient and outpatient hospital services;  
 9 (b) Laboratory and X-ray services;  
 10 (c) Nursing facility services;  
 11 (d) Home health services;  
 12 (e) Nursing services;  
 13 (f) Clinic services;  
 14 (g) Physician services;  
 15 (h) Medical and surgical services of a dentist;  
 16 (i) Nurse practitioner services;  
 17 (j) Nurse midwife services;  
 18 (k) Pregnancy-related services;  
 19 (l) Medical supplies;  
 20 (m) Mental health and substance abuse services;  
 21 (n) Early and periodic screening and diagnosis and treatment  
 22 services for children which shall include both physical and behavioral  
 23 health screening, diagnosis, and treatment services;  
 24 (o) Rural health clinic services; and  
 25 (p) Federally qualified health center services.  
 26 (2) In addition to coverage otherwise required under this section,  
 27 medical assistance may include coverage for health care and related  
 1 services as permitted but not required under Title XIX of the federal  
 2 Social Security Act, including, but not limited to:  
 3 (a) Prescribed drugs;  
 4 (b) Intermediate care facilities for persons with developmental  
 5 disabilities;  
 6 (c) Home and community-based services for aged persons and persons  
 7 with disabilities;  
 8 (d) Dental services;  
 9 (e) Rehabilitation services;  
 10 (f) Personal care services;  
 11 (g) Durable medical equipment;  
 12 (h) Medical transportation services;  
 13 (i) Vision-related services;



14 (j) Speech therapy services;  
15 (k) Physical therapy services;  
16 (l) Chiropractic services;  
17 (m) Occupational therapy services;  
18 (n) Optometric services;  
19 (o) Podiatric services;  
20 (p) Hospice services;  
21 (q) Mental health and substance abuse services;  
22 (r) Hearing screening services for newborn and infant children; and  
23 (s) Administrative expenses related to administrative activities,  
24 including outreach services, provided by school districts and educational  
25 service units to students who are eligible or potentially eligible for  
26 medical assistance.

27 (3) No later than July 1, 2009, the department shall submit a state  
28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
29 Services to provide coverage under the medical assistance program for  
30 community-based secure residential and subacute behavioral health  
31 services for all eligible recipients, without regard to whether the  
1 recipient has been ordered by a mental health board under the Nebraska  
2 Mental Health Commitment Act to receive such services.

3 (4) On or before October 1, 2014, the department, after consultation  
4 with the State Department of Education, shall submit a state plan  
5 amendment to the federal Centers for Medicare and Medicaid Services, as  
6 necessary, to provide that the following are direct reimbursable services  
7 when provided by school districts as part of an individualized education  
8 program or an individualized family service plan: Early and periodic  
9 screening, diagnosis, and treatment services for children; medical  
10 transportation services; mental health services; nursing services;  
11 occupational therapy services; personal care services; physical therapy  
12 services; rehabilitation services; speech therapy and other services for  
13 individuals with speech, hearing, or language disorders; and vision-  
14 related services.

15 (5) No later than January 1, 2023, the department shall provide  
16 coverage for continuous glucose monitors under the medical assistance  
17 program for all eligible recipients who have a prescription for such  
18 device.

19 (6) On or before October 1, 2023, the department shall seek federal  
20 approval for federal matching funds from the federal Centers for Medicare  
21 and Medicaid Services through a state plan amendment or waiver to extend  
22 postpartum coverage for beneficiaries from sixty days to at least six  
23 months. Nothing in this subsection shall preclude the department from  
24 submitting a state plan amendment for twelve months.

25 (7)(a) No later than January 1, 2025, the department shall provide  
26 coverage for an electric personal-use breast pump for every pregnant  
27 woman covered under the medical assistance program, or child covered  
28 under the medical assistance program if the pregnant woman is not  
29 covered, beginning at thirty-six weeks gestation or the child's date of  
30 birth, whichever is earlier. The electric personal-use breast pump shall  
31 be capable of (i) sufficiently supporting milk supply, (ii) double and  
1 single side pumping, and (iii) suction power ranging from zero mmHg to  
2 two hundred fifty mmHg. No later than January 1, 2025, the department  
3 shall provide coverage for a minimum of ten lactation consultation visits  
4 for every mother covered under the medical assistance program or child  
5 covered under the medical assistance program, if the mother is not  
6 covered under such program.

7 (b) It is the intent of the Legislature to appropriate XXX from the  
8 General Fund for fiscal year 2024-25 to the department for the purpose of  
9 implementing this subsection. The appropriation for lactation  
10 consultation visits shall be equal to an amount that is a one hundred  
11 forty-five percent rate increase over the current lactation consultation

12 rate paid by the department.

13 Sec. 2. Original section 68-911, Revised Statutes Supplement, 2023,

14 is repealed.

**LEGISLATIVE BILL 1373.** Placed on General File with amendment.

[AM2724](#) is available in the Bill Room.

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Alyssa L. Bish Director - Division of Children and Family Services-  
Department of Health and Human Services

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

Judiciary

**LEGISLATIVE BILL 23.** Placed on General File.

(Signed) Justin Wayne, Chairperson

Revenue

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

Jacqueline Russell - Tax Equalization and Review Commission

Aye: 8. Albrecht, Bostar, Dungan, Kauth, Linehan, Meyer, Murman, von  
Gillern. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to [LB43](#):

[AM2740](#)

(Amendments to AM2649)

1 1. Insert the following new amendment:

2 4. On page 22, line 1, strike "or"; in line 16 strike the period and

3 insert "; or"; and after line 16 insert the following new subdivision:

4 "(I) Subject to compliance with section 8-112, any request for, or

5 release of, information, a record, or a report, obtained by the

6 Department of Banking and Finance from a nonprofit organization."

Senator McDonnell filed the following amendment to [LB644](#):

[AM2738](#)

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

3 Section 1. Section 81-12,146, Revised Statutes Cumulative

4 Supplement, 2022, is amended to read:

5 81-12,146 (1) The Site and Building Development Fund is created. The  
6 fund shall receive money pursuant to section 76-903 and may include  
7 revenue from transfers by the Legislature, grants, private contributions,  
8 repayment of loans, and all other sources. The Department of Economic  
9 Development, as part of its comprehensive business development strategy,  
10 shall administer the fund. Any money in the fund available for investment  
11 shall be invested by the state investment officer pursuant to the  
12 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
13 Act.

14 (2) It is the intent of the Legislature to transfer five million  
15 dollars from the General Fund to the Site and Building Development Fund  
16 for fiscal year 2022-23 and five million dollars from the General Fund to  
17 the Site and Building Development Fund for fiscal year 2023-24. Such  
18 money shall be placed in a subaccount of the Site and Building  
19 Development Fund and earmarked for use to fund large shovel-ready  
20 commercial and industrial sites developed under the Municipal Inland Port  
21 Authority Act.

22 (3)(a) It is the intent of the Legislature to appropriate five  
23 hundred thousand dollars from the Site and Building Development Fund for  
24 fiscal year 2024-25 to the department to enter into one or more contracts  
25 to conduct a comprehensive study or studies to identify and evaluate  
26 large commercial and industrial sites in Nebraska that have the potential  
27 to attract major investment and employment opportunities. The study shall  
28 include consideration of super sites that encompass between five hundred  
29 and one thousand acres and mega sites that encompass more than one  
30 thousand acres. At least one proposed site shall be located west of the  
31 one hundredth meridian in Nebraska. The contracts shall be awarded based  
32 on a competitive selection process as determined by the department. The  
33 studies shall be completed no later than December 15, 2024.

34 (b) The study shall assess the potential geographic locations; the  
35 infrastructure assets that would be required for each site, including  
36 highway, rail, and air transportation, and utilities such as water,  
37 wastewater treatment, electrical power, and natural gas; the population  
38 within fifty miles of each site and whether such population would be  
39 sufficient to provide an adequate workforce for such site; and the  
40 appropriate level of state investment necessary to position Nebraska as a  
41 nationally or globally competitive location for site selection targeting  
42 various sectors, including, but not limited to, advanced manufacturing,  
43 trade, bioscience, agribusiness, warehousing and supply chain logistics,  
44 technology, aerospace, automotive, clean energy, military support, and  
45 life sciences. Such identified state investment levels may include, but  
46 are not limited to, land acquisition costs and infrastructure  
47 investments. The purpose of the study is to provide strategic insights  
48 that will enable the state to attract major investment and employment  
49 opportunities in order to support the growth of transformational  
50 industries within Nebraska.

51 (c) The Director of Economic Development shall appoint an advisory  
52 committee comprised of representatives of Nebraska economic development  
53 organizations, equally representing each of Nebraska's three  
54 congressional districts, to assist the department in identifying the  
55 location of potential and preferred super sites and mega sites.

56 Sec. 2. Original section 81-12,146, Revised Statutes Cumulative

57 Supplement, 2022, is repealed.

58 Sec. 3. Since an emergency exists, this act takes effect when passed  
59 and approved according to law.

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 313.** Introduced by Ballard, 21.

WHEREAS, the 2024 Nebraska School Activities Association State Wrestling Tournament was held from February 15 through February 17 at the CHI Health Center Omaha; and

WHEREAS, the Waverly High School boys wrestling team, coached by Eric Dolezal, secured the Class B Wrestling State Championship title; and

WHEREAS, Waverly's victory was secured by having six finalists: Grey Klucas at 106 pounds, Hunter Jacobsen at 120 pounds, Garrison Brehm at 132 pounds, Brayden Canoyer at 138 pounds, Garrett Rine at 150 pounds, and Drew Moser at 175 pounds; and

WHEREAS, this is Waverly's third state team championship in boys sports; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Waverly High School boys wrestling team on winning the 2024 Class B State Wrestling Championship.
2. That a copy of this resolution be sent to Waverly High School.

Laid over.

**LEGISLATIVE RESOLUTION 314.** Introduced by Clements, 2.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine potential adjustments to county revenue sources and elimination of unnecessary county expenses to compensate for a phaseout of the Nebraska inheritance tax by 2029. A review of the effect of a five-year phaseout of the Nebraska inheritance tax is appropriate as Nebraska seeks to reform its tax structure to encourage economic growth, simplicity, and fairness for its residents and as Nebraska seeks to compete with other states in the region while providing adequate funds for necessary government duties and services.

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

- (1) The potential elimination of unnecessary and costly statutory requirements for counties;
- (2) Current county revenue sources outside of property taxes; and
- (3) Potential adjustments to current county revenue sources to provide adequate funds for necessary county government duties and services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Kauth name added to LB984.  
Senator Conrad name added to LB1394.  
Senator Hardin name added to LB1408.

**VISITOR(S)**

Visitors to the Chamber were Paul Contreras, Toni Marsh, Alyssa Marsh-Contreras, and Ava Marsh-Contreras, Bellevue; the Nebraska Health Care Association's LEAD Class; Lawson Martinez, Lincoln; Coral Parmenter, Thedford; students and teachers from Heartland Community Schools, Henderson; member Colleges of Nebraska Community College Association.

The Doctor of the Day was Dr. John Jacobsen of Kearney.

**ADJOURNMENT**

At 11:52 a.m., on a motion by Senator DeKay, the Legislature adjourned until 9:00 a.m., Thursday, February 29, 2024.

Brandon Metzler  
Clerk of the Legislature



**THIRTY-SIXTH DAY - FEBRUARY 29, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**THIRTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, February 29, 2024

**PRAYER**

The prayer was offered by Pastor Jay W. West, Elkhorn.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Dorn.

**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 Halloran and Raybould who were excused; and Senators Conrad, Vargas, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-fifth day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Riepe filed the following amendment to LB905:

[AM2766](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 68-911 (1) Medical assistance shall include coverage for health care
- 6 and related services as required under Title XIX of the federal Social
- 7 Security Act, including, but not limited to:
- 8 (a) Inpatient and outpatient hospital services;
- 9 (b) Laboratory and X-ray services;
- 10 (c) Nursing facility services;
- 11 (d) Home health services;
- 12 (e) Nursing services;

13 (f) Clinic services;  
14 (g) Physician services;  
15 (h) Medical and surgical services of a dentist;  
16 (i) Nurse practitioner services;  
17 (j) Nurse midwife services;  
18 (k) Pregnancy-related services;  
19 (l) Medical supplies;  
20 (m) Mental health and substance abuse services;  
21 (n) Early and periodic screening and diagnosis and treatment  
22 services for children which shall include both physical and behavioral  
23 health screening, diagnosis, and treatment services;  
24 (o) Rural health clinic services; and  
25 (p) Federally qualified health center services.  
26 (2) In addition to coverage otherwise required under this section,  
27 medical assistance may include coverage for health care and related  
1 services as permitted but not required under Title XIX of the federal  
2 Social Security Act, including, but not limited to:  
3 (a) Prescribed drugs;  
4 (b) Intermediate care facilities for persons with developmental  
5 disabilities;  
6 (c) Home and community-based services for aged persons and persons  
7 with disabilities;  
8 (d) Dental services;  
9 (e) Rehabilitation services;  
10 (f) Personal care services;  
11 (g) Durable medical equipment;  
12 (h) Medical transportation services;  
13 (i) Vision-related services;  
14 (j) Speech therapy services;  
15 (k) Physical therapy services;  
16 (l) Chiropractic services;  
17 (m) Occupational therapy services;  
18 (n) Optometric services;  
19 (o) Podiatric services;  
20 (p) Hospice services;  
21 (q) Mental health and substance abuse services;  
22 (r) Hearing screening services for newborn and infant children; and  
23 (s) Administrative expenses related to administrative activities,  
24 including outreach services, provided by school districts and educational  
25 service units to students who are eligible or potentially eligible for  
26 medical assistance.  
27 (3) No later than July 1, 2009, the department shall submit a state  
28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
29 Services to provide coverage under the medical assistance program for  
30 community-based secure residential and subacute behavioral health  
31 services for all eligible recipients, without regard to whether the  
1 recipient has been ordered by a mental health board under the Nebraska  
2 Mental Health Commitment Act to receive such services.  
3 (4) On or before October 1, 2014, the department, after consultation  
4 with the State Department of Education, shall submit a state plan  
5 amendment to the federal Centers for Medicare and Medicaid Services, as  
6 necessary, to provide that the following are direct reimbursable services  
7 when provided by school districts as part of an individualized education  
8 program or an individualized family service plan: Early and periodic  
9 screening, diagnosis, and treatment services for children; medical  
10 transportation services; mental health services; nursing services;  
11 occupational therapy services; personal care services; physical therapy  
12 services; rehabilitation services; speech therapy and other services for  
13 individuals with speech, hearing, or language disorders; and vision-  
14 related services.



15 (5) No later than January 1, 2023, the department shall provide  
16 coverage for continuous glucose monitors under the medical assistance  
17 program for all eligible recipients who have a prescription for such  
18 device.

19 (6) On or before October 1, 2023, the department shall seek federal  
20 approval for federal matching funds from the federal Centers for Medicare  
21 and Medicaid Services through a state plan amendment or waiver to extend  
22 postpartum coverage for beneficiaries from sixty days to at least six  
23 months. Nothing in this subsection shall preclude the department from  
24 submitting a state plan amendment for twelve months.

25 (7)(a) No later than October 1, 2025, the department shall submit a  
26 medicaid waiver or state plan amendment to the federal Centers for  
27 Medicare and Medicaid Services to designate two medical respite  
28 facilities to reimburse for services provided to an individual who is:  
29 (i) Homeless; and  
30 (ii) An adult in the expansion population.

31 (b) For purposes of this subsection:  
1 (i) Adult in the expansion population means an adult (A) described  
2 in 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as such section existed on January  
3 1, 2024, and (B) not otherwise eligible for medicaid as a mandatory  
4 categorically needy individual;  
5 (ii) Homeless has the same meaning as provided in 42 U.S.C. 11302 as  
6 such section existed on January 1, 2024;  
7 (iii) Medical respite care means short-term housing with supportive  
8 medical services; and  
9 (iv) Medical respite facility means a residential facility that  
10 provides medical respite care to homeless individuals.

11 (c) The department shall choose two medical respite facilities, one  
12 in a city of the metropolitan class and one in a city of the primary  
13 class, best able to serve homeless individuals who are adults in the  
14 expansion population.

15 (d) Once such waiver or state plan amendment is approved, the  
16 department shall submit a report to the Health and Human Services  
17 Committee of the Legislature on or before November 30 each year, which  
18 provides the (i) number of homeless individuals served at each facility,  
19 (ii) cost of the program, and (iii) amount of reduction in health care  
20 costs due to the program's implementation.

21 (e) The department may adopt and promulgate rules and regulations to  
22 carry out this subsection.

23 (f) The services described in subdivision (7)(a) of this section  
24 shall be funded by the Medicaid Managed Care Excess Profit Fund as  
25 described in section 68-996.

26 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
27 2022, is amended to read:  
28 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
29 fund shall contain money returned to the State Treasurer pursuant to  
30 subdivision (3) of section 68-995. The fund shall first be used to offset  
31 any losses under subdivision (2) of section 68-995 and then to provide  
1 for services addressing the health needs of adults and children under the  
2 Medical Assistance Act, including filling service gaps, providing system  
3 improvements, providing medical respite services, and sustaining access  
4 to care as determined by the Legislature. The fund shall only be used for  
5 the purposes described in this section. Any money in the fund available  
6 for investment shall be invested by the state investment officer pursuant  
7 to the Nebraska Capital Expansion Act and the Nebraska State Funds  
8 Investment Act.

9 Sec. 3. Section 71-428, Reissue Revised Statutes of Nebraska, is  
10 amended to read:  
11 71-428 (1) Respite care service means (a) a person or any legal  
12 entity that provides short-term temporary care on an intermittent basis

13 to persons with special needs when the person's primary caregiver is  
 14 unavailable to provide such care or (b) a residential facility that  
 15 provides short-term housing with supportive medical services to homeless  
 16 individuals as described in section 68-911.  
 17 (2) Respite care service does not include:  
 18 (a) A person or any legal entity which is licensed under the Health  
 19 Care Facility Licensure Act and which provides respite care services at  
 20 the licensed location;  
 21 (b) A person or legal entity which is licensed to provide child care  
 22 to thirteen or more children under the Child Care Licensing Act or which  
 23 is licensed as a residential child-caring agency under the Children's  
 24 Residential Facilities and Placing Licensure Act;  
 25 (c) An agency that recruits, screens, or trains a person to provide  
 26 respite care;  
 27 (d) An agency that matches a respite care service or other providers  
 28 of respite care with a person with special needs, or refers a respite  
 29 care service or other providers of respite care to a person with special  
 30 needs, unless the agency receives compensation for such matching or  
 31 referral from the service or provider or from or on behalf of the person  
 1 with special needs;  
 2 (e) A person who provides respite care to fewer than eight unrelated  
 3 persons in any seven-day period in his or her home or in the home of the  
 4 recipient of the respite care; or  
 5 (f) A nonprofit agency that provides group respite care for no more  
 6 than eight hours in any seven-day period.  
 7 Sec. 4. Original section 71-428, Reissue Revised Statutes of  
 8 Nebraska, section 68-996, Revised Statutes Cumulative Supplement, 2022,  
 9 and section 68-911, Revised Statutes Supplement, 2023, are repealed.

Senator Jacobson filed the following amendment to [LB852](#):  
[AM2732](#)

(Amendments to Standing Committee amendments, AM2355)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 44-3601, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 44-3601 Sections 44-3601 to 44-3610 and sections 3 to 5 of this act  
 6 shall be known and may be cited as the Medicare Supplement Insurance  
 7 Minimum Standards Act.  
 8 Sec. 2. Section 44-3602, Reissue Revised Statutes of Nebraska, is  
 9 amended to read:  
 10 44-3602 For purposes of the Medicare Supplement Insurance Minimum  
 11 Standards Act:  
 12 (1) Applicant ~~means shall mean~~:  
 13 (a) In the case of an individual medicare supplement policy, the  
 14 person who seeks to contract for insurance benefits; and  
 15 (b) In the case of a group medicare supplement policy, the proposed  
 16 certificate holder;  
 17 (2) Balance bill means charging or collecting an amount in excess of  
 18 the medicare-approved amount from a medicare beneficiary;  
 19 ~~(3) (2) Certificate means shall mean~~ any certificate delivered or  
 20 issued for delivery in this state under a group medicare supplement  
 21 policy;  
 22 ~~(4) (3) Certificate form means shall mean~~ the form on which the  
 23 certificate is delivered or issued for delivery by the issuer;  
 24 ~~(5) (4) Director means shall mean~~ the Director of Insurance;  
 25 ~~(6) (5) Issuer means shall include~~ insurance companies, fraternal  
 26 benefit societies, health care service plans, health maintenance  
 1 organizations, and any other entities delivering or issuing for delivery  
 2 in this state medicare supplement policies or certificates;

3 (7) (6) Medicare ~~means shall mean~~ the Health Insurance for the Aged  
4 Act, Title XVIII of the Social Security Amendments of 1965, as then  
5 constituted or later amended;

6 (8) Medicare-approved amount means the current payment rate listed  
7 in the applicable fee schedule established by the federal Centers for  
8 Medicare and Medicaid Services;

9 (9) (7) Medicare supplement policy ~~means shall mean~~ a group or  
10 individual policy of sickness and accident insurance or a subscriber  
11 contract of health maintenance organizations, other than a policy issued  
12 pursuant to a contract under section 1876 of the federal Social Security  
13 Act, 42 U.S.C. 1395 et seq., or an issued policy under a demonstration  
14 project specified in 42 U.S.C. 1395ss(g)(1), which is advertised,  
15 marketed, or designed primarily as a supplement to reimbursements under  
16 medicare for the hospital, medical, or surgical expenses of persons  
17 eligible for medicare; ~~and~~

18 (10) (8) Policy form ~~means shall mean~~ the form on which the policy  
19 is delivered or issued for delivery by the issuer; ~~and -~~

20 (11) Supplier has the same meaning as defined in 42 C.F.R. 400.202,  
21 as such regulation existed on January 1, 2024, including an entity or  
22 individual that sells or rents Medicare Part B covered durable medical  
23 equipment, prosthetics, orthotics, and supplies to medicare  
24 beneficiaries.

25 Sec. 3. A supplier that is a nonparticipating provider in the  
26 medicare program shall not balance bill a Nebraska medicare beneficiary  
27 for any durable medical equipment, prosthetic, orthotic, or supply for  
28 which the supplier has not accepted assignment, unless the beneficiary  
29 (1) agrees in writing prior to such billing to pay the additional amount  
30 and (2) pays the full amount prior to receipt of the durable medical  
31 equipment, prosthetic, orthotic, or supply. Such agreement shall provide  
1 notification to the beneficiary that medicare reimburses eighty percent  
2 of the medicare-approved amount and that an issuer of a medicare  
3 supplement policy or certificate shall not be required to reimburse the  
4 supplier or the beneficiary in an amount greater than one hundred fifteen  
5 percent of the medicare-approved amount for durable medical equipment,  
6 prosthetics, orthotics, or supplies as provided in section 4 of this act.

7 Sec. 4. An issuer of a medicare supplement policy or certificate  
8 shall not be required to reimburse a supplier or beneficiary in an amount  
9 greater than one hundred fifteen percent of the medicare-approved amount  
10 for durable medical equipment, prosthetics, orthotics, or supplies.

11 Nothing in this section shall be construed to prevent an issuer from  
12 negotiating the level and type of reimbursement with a supplier for  
13 covered durable medical equipment, prosthetics, orthotics, or supplies.

14 Sec. 5. (1) An issuer that makes a medicare supplement policy or  
15 certificate available to an individual who is sixty-five years of age and  
16 eligible for medicare benefits as described in 42 U.S.C. 1395c(1), as  
17 such section existed on January 1, 2024, shall make at least one medicare  
18 supplement policy or certificate that meets the requirements of the  
19 Medicare Supplement Insurance Minimum Standards Act, available to an  
20 individual who is under sixty-five years of age and eligible for and  
21 enrolled in medicare by reason of disability as described in 42 U.S.C.  
22 1395c(2), as such section existed on January 1, 2024.

23 (2) Premium rates for medicare supplement insurance policies or  
24 certificates may differ between an individual who qualifies for medicare  
25 who is sixty-five years of age or older and an individual who qualifies  
26 for medicare by reason of disability and who is under sixty-five years of  
27 age. Such differences in premiums shall not be excessive, inadequate, or  
28 unfairly discriminatory and shall be based on sound actuarial principles  
29 and be reasonable in relation to the benefits provided. The premium for  
30 an individual who is under sixty-five years of age shall not exceed one  
31 hundred fifty percent of the premium for a similarly situated individual

1 who is sixty-five years of age.  
 2 (3) An individual who is under sixty-five years of age and is  
 3 eligible for a medicare supplement policy or certificate by reason of  
 4 disability as described in subsection (1) of this section shall be  
 5 subject to the same open enrollment rules applicable to an individual who  
 6 is sixty-five years of age and eligible for a medicare supplement policy  
 7 or certificate as described in subsection (1) of this section beginning  
 8 on the first day of the first month that the individual turns sixty-five  
 9 years of age.  
 10 Sec. 6. Section 5 of this act becomes operative on January 1, 2025.  
 11 The other sections of this act become operative on their effective date.  
 12 Sec. 7. Original sections 44-3601 and 44-3602, Reissue Revised  
 13 Statutes of Nebraska, are repealed.

### REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of February 28, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
 Clerk of the Legislature

Baird Holm LLP  
 Network Branded Prepaid Card Association  
 Messersmith, Kymberly  
 KPMG LLP  
 Thornton, Melanie  
 Children's Nebraska

### REPORTS

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

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR 304, 305, and 306 were adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR 304, 305, and 306.

### ANNOUNCEMENT

Speaker Arch requested LB130 be passed over on Final Reading.

### GENERAL FILE

**LEGISLATIVE BILL 204A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 358A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 905A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 829A.** Advanced to Enrollment and Review for Engrossment.

#### MOTION(S) - Confirmation Report(s)

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 810:

Nebraska Investment Council  
Ellen Hung, State Investment Officer

Voting in the affirmative, 34:

Aguilar	Bostar	DeKay	Hunt	Moser
Albrecht	Bostelman	Dorn	Ibach	Murman
Arch	Brandt	Erdman	Jacobson	Riepe
Armendariz	Brewer	Fredrickson	Kauth	Slama
Ballard	Cavanaugh, J.	Hansen	Linehan	von Gillern
Blood	Clements	Holdcroft	Lippincott	Walz
Bosn	Day	Hughes	McDonnell	

Voting in the negative, 0.

Present and not voting, 10:

Cavanaugh, M.	DeBoer	Hardin	McKinney	Sanders
Conrad	Dungan	Low	Meyer	Wayne

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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The appointment was confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 821:

Nebraska Environmental Trust Board  
Roger Helgoth

Voting in the affirmative, 36:

Aguilar	Brandt	Fredrickson	Linehan	Slama
Albrecht	Brewer	Hansen	Lippincott	von Gillern
Armendariz	Cavanaugh, J.	Holdcroft	Lowe	Walz
Ballard	Clements	Hughes	McDonnell	Wayne
Blood	Day	Hunt	Meyer	
Bosn	DeKay	Ibach	Moser	
Bostar	Dorn	Jacobson	Murman	
Bostelman	Erdman	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 8:

Arch	Conrad	Dungan	McKinney
Cavanaugh, M.	DeBoer	Hardin	Sanders

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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The appointment was confirmed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 821:

Nebraska Oil and Gas Conservation Commission  
John Arley Rundel

Voting in the affirmative, 33:

Aguilar	Bostar	Dorn	Jacobson	Moser
Albrecht	Bostelman	Fredrickson	Kauth	Murman
Arch	Brandt	Hansen	Linehan	Riepe
Armendariz	Brewer	Holdcroft	Lippincott	Slama
Ballard	Cavanaugh, J.	Hughes	Lowe	von Gillern
Blood	Clements	Hunt	McDonnell	
Bosn	Day	Ibach	Meyer	

Voting in the negative, 0.

Present and not voting, 10:

Cavanaugh, M.	DeBoer	Erdman	McKinney	Walz
Conrad	Dungan	Hardin	Sanders	Wayne

Excused and not voting, 6:

DeKay	Halloran	Vargas
Dover	Raybould	Wishart

The appointment was confirmed with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 842:

Tax Equalization and Review Commission  
Jacqueline Russell

Voting in the affirmative, 32:

Albrecht	Cavanaugh, J.	Fredrickson	Kauth	Murman
Armendariz	Clements	Hansen	Linehan	Riepe
Bosn	Day	Holdcroft	Lippincott	Slama
Bostar	DeBoer	Hughes	Lowe	von Gillern
Bostelman	Dorn	Hunt	McDonnell	
Brandt	Dungan	Ibach	Meyer	
Brewer	Erdman	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 11:

Aguilar	Blood	Hardin	Walz
Arch	Cavanaugh, M.	McKinney	Wayne
Ballard	Conrad	Sanders	

Excused and not voting, 6:

DeKay	Halloran	Vargas
Dover	Raybould	Wishart

The appointment was confirmed with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 842:

Division of Children and Family Services-Department of Health and Human Services  
Alyssa L. Bish, Director

Voting in the affirmative, 35:

Aguilar	Brandt	DeBoer	Hunt	McDonnell
Albrecht	Brewer	DeKay	Ibach	Meyer
Arch	Cavanaugh, J.	Dorn	Jacobson	Moser
Armendariz	Cavanaugh, M.	Erdman	Kauth	Murman
Ballard	Clements	Hansen	Linehan	Riepe
Bosn	Conrad	Holdcroft	Lippincott	Slama
Bostelman	Day	Hughes	Low	von Gillern

Voting in the negative, 0.

Present and not voting, 9:

Blood	Dungan	Hardin	Sanders	Wayne
Bostar	Fredrickson	McKinney	Walz	

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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The appointment was confirmed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 992A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

Natural Resources

**LEGISLATIVE BILL 399.** Placed on General File with amendment.  
[AM2702](#) is available in the Bill Room.

**LEGISLATIVE BILL 867.** Placed on General File with amendment.  
[AM2767](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 1074.** Placed on General File with amendment.  
[AM2560](#) is available in the Bill Room.

(Signed) Julie Slama, Chairperson



## Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Patrick Haggerty, Director - Nebraska Broadband Office

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Moser, Chairperson

**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 LB16 with 36 ayes, 4 nays, 4 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 16.**

A BILL FOR AN ACT relating to occupational regulation; to amend sections 81-2103, 81-2120, and 84-617, Reissue Revised Statutes of Nebraska, and sections 84-933, 84-934, 84-940, and 84-947, Revised Statutes Cumulative Supplement, 2022; to change requirements for membership of the State Electrical Board; to provide powers and duties for the State Electrical Board; to provide for an additional use of the State Treasurer Administrative Fund; to define and redefine terms; to provide for federal preemption; to provide for applicability of provisions; to require occupational boards to make a determination regarding an applicant with a criminal conviction; to require occupational boards to issue an occupational license or government certification based on a credential, private certification, or work experience in another state or in the United States Military; to provide for jurisprudential examinations and appeals; to change provisions relating to preliminary applications by individuals with a criminal conviction; to adopt the Interior Design Voluntary Registration Act; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 42:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Slama
Ballard	Clements	Hansen	Lippincott	von Gillern
Blood	Conrad	Hardin	McDonnell	Walz
Bosn	Day	Holdcroft	McKinney	Wayne
Bostar	DeBoer	Hughes	Meyer	
Bostelman	DeKay	Hunt	Moser	
Brandt	Dorn	Ibach	Murman	

Voting in the negative, 1:

Albrecht

Present and not voting, 1:

Lowe

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 16A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 16, One Hundred Eighth Legislature, Second Session, 2024.

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

Voting in the affirmative, 42:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Slama
Ballard	Clements	Hansen	Lippincott	von Gillern
Blood	Conrad	Hardin	McDonnell	Walz
Bosn	Day	Holdercroft	McKinney	Wayne
Bostar	DeBoer	Hughes	Meyer	
Bostelman	DeKay	Hunt	Moser	
Brandt	Dorn	Ibach	Murman	

Voting in the negative, 1:

Albrecht

Present and not voting, 1:

Lowe

Excused and not voting, 5:

Dover          Halloran          Raybould          Vargas          Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 51.**

A BILL FOR AN ACT relating to state government; to amend section 81-1120.27, Reissue Revised Statutes of Nebraska; to change provisions relating to the use of the state's telecommunications system and certain long-distance calls; and to repeal the original section.

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

Voting in the affirmative, 44:

Aguilar	Brandt	Dorn	Ibach	Moser
Albrecht	Brewer	Dungan	Jacobson	Murman
Arch	Cavanaugh, J.	Erdman	Kauth	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Hansen	Lippincott	Slama
Blood	Conrad	Hardin	Lowe	von Gillern
Bosn	Day	Holdcroft	McDonnell	Walz
Bostar	DeBoer	Hughes	McKinney	Wayne
Bostelman	DeKay	Hunt	Meyer	

Voting in the negative, 0.

Excused and not voting, 5:

Dover          Halloran          Raybould          Vargas          Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB83 with 33 ayes, 5 nays, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 83.**

A BILL FOR AN ACT relating to community property; to amend section 24-517, Revised Statutes Cumulative Supplement, 2022; to adopt the Uniform Community Property Disposition at Death Act; to change provisions relating to court jurisdiction; to provide severability; and to repeal the original section.

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

Voting in the affirmative, 44:

Aguilar	Brandt	Dorn	Ibach	Moser
Albrecht	Brewer	Dungan	Jacobson	Murman
Arch	Cavanaugh, J.	Erdman	Kauth	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Hansen	Lippincott	Slama
Blood	Conrad	Hardin	Lowe	von Gillern
Bosn	Day	Holdcroft	McDonnell	Walz
Bostar	DeBoer	Hughes	McKinney	Wayne
Bostelman	DeKay	Hunt	Meyer	

Voting in the negative, 0.

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB102 with 38 ayes, 3 nays, 3 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 102.**

A BILL FOR AN ACT relating to land surveying; to amend sections 15-106, 23-1901, 23-1901.01, 23-1901.02, 23-1908, 23-1911, 39-1311.02, 39-1410, 76-846, 76-1902, 76-2502, 76-2503, 76-2504, 76-2505, 76-2506, 81-8,110, 81-8,110.02, 81-8,110.04, 81-8,110.08, 81-8,110.12, 81-8,110.13, 81-8,110.14, 81-8,113, 81-8,114, 81-8,115, 81-8,117, 81-8,121, 81-8,122, 81-8,122.02, 81-8,124, 81-8,125, 81-1704, 81-1716, 81-1717, 81-1718, 84-407, and 84-413, Reissue Revised Statutes of Nebraska, and sections 81-8,108, 81-8,108.01, 81-8,109, 81-8,110.01, 81-8,111, 81-8,118, 81-8,119.01, 81-8,120, 81-8,122.01, 81-8,123, 81-8,126, 81-8,127, and 81-8,184, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Nebraska Plane Coordinate System Act and the Land Surveyors Regulation Act; to define and redefine terms; to authorize certain land surveying activities; to provide for requirements, liability, licensure, duties, organizational practice, and disciplinary action as prescribed; to change requirements for the content and filing of land surveys; to change and provide penalties; to change and provide fees; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Brandt	Dorn	Ibach	Moser
Albrecht	Brewer	Dungan	Jacobson	Murman
Arch	Cavanaugh, J.	Erdman	Kauth	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Hansen	Lippincott	Slama
Blood	Conrad	Hardin	Lowe	von Gillern
Bosn	Day	Holdcroft	McDonnell	Walz
Bostar	DeBoer	Hughes	McKinney	Wayne
Bostelman	DeKay	Hunt	Meyer	

Voting in the negative, 0.

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 102A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 102, One Hundred Eighth Legislature, Second Session, 2024.

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

Voting in the affirmative, 44:

Aguilar	Brandt	Dorn	Ibach	Moser
Albrecht	Brewer	Dungan	Jacobson	Murman
Arch	Cavanaugh, J.	Erdman	Kauth	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Hansen	Lippincott	Slama
Blood	Conrad	Hardin	Lowe	von Gillern
Bosn	Day	Holdcroft	McDonnell	Walz
Bostar	DeBoer	Hughes	McKinney	Wayne
Bostelman	DeKay	Hunt	Meyer	

Voting in the negative, 0.

Excused and not voting, 5:

Dover	Halloran	Raybould	Vargas	Wishart
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 147.**

A BILL FOR AN ACT relating to property tax refunds; to amend section 77-1736.06, Revised Statutes Supplement, 2023; to change provisions relating to the notification of political subdivisions; and to repeal the original section.

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

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Linehan	Sanders
Albrecht	Brewer	Fredrickson	Lippincott	Slama
Arch	Cavanaugh, J.	Hansen	Lowe	von Gillern
Armendariz	Clements	Hardin	McDonnell	Walz
Ballard	Conrad	Holdcroft	McKinney	Wayne
Blood	Day	Hughes	Meyer	
Bosn	DeBoer	Ibach	Moser	
Bostar	DeKay	Jacobson	Murman	
Bostelman	Dorn	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB152 with 34 ayes, 4 nays, 5 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 152.**

A BILL FOR AN ACT relating to the Membership Campground Act; to amend sections 76-2102, 76-2104, 76-2106, 76-2110, and 76-2117, Reissue Revised Statutes of Nebraska; to eliminate registration requirements and a penalty under the Membership Campground Act; to harmonize provisions; to repeal the original sections; and to outright repeal sections 76-2103, 76-2105, 76-2107, 76-2108, 76-2109, 76-2114, 76-2115, and 76-2116, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 43:

Aguilar	Brandt	Dorn	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	von Gillern
Blood	Conrad	Holdcroft	McDonnell	Walz
Bosn	Day	Hughes	McKinney	Wayne
Bostar	DeBoer	Hunt	Meyer	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB184 with 34 ayes, 4 nays, 5 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 184.**

A BILL FOR AN ACT relating to juveniles; to amend sections 29-1816 and 43-274, Revised Statutes Cumulative Supplement, 2022; to provide for inadmissibility of statements made by juveniles during proceedings to transfer cases to or from juvenile court; to eliminate obsolete provisions; and to repeal the original sections.

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

Voting in the affirmative, 42:

Aguilar	Brandt	Dorn	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	von Gillern
Blood	Conrad	Holdcroft	McDonnell	Walz
Bosn	Day	Hughes	McKinney	
Bostar	DeBoer	Hunt	Meyer	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.



The following bills were read and put upon final passage:

**LEGISLATIVE BILL 190.**

A BILL FOR AN ACT relating to county bridges; to authorize bridge project payment over a scheduled period of time extending beyond the completion date.

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

Voting in the affirmative, 43:

Aguilar	Brandt	Dorn	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	von Gillern
Blood	Conrad	Holdcroft	McDonnell	Walz
Bosn	Day	Hughes	McKinney	Wayne
Bostar	DeBoer	Hunt	Meyer	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 303.**

A BILL FOR AN ACT relating to school funding; to amend section 79-1031, Reissue Revised Statutes of Nebraska; to change provisions relating to an annual estimate for necessary funding under the Tax Equity and Educational Opportunities Support Act; and to repeal the original section.

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

Voting in the affirmative, 43:

Aguilar	Brandt	Dorn	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	von Gillern
Blood	Conrad	Holdcroft	McDonnell	Walz
Bosn	Day	Hughes	McKinney	Wayne
Bostar	DeBoer	Hunt	Meyer	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### LEGISLATIVE BILL 307.

A BILL FOR AN ACT relating to 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.

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

Voting in the affirmative, 30:

Aguilar	Brandt	DeBoer	Hunt	Moser
Arch	Brewer	Dorn	Jacobson	Riepe
Armendariz	Cavanaugh, J.	Dungan	Linehan	Sanders
Blood	Cavanaugh, M.	Fredrickson	McDonnell	von Gillern
Bosn	Conrad	Holdcroft	McKinney	Walz
Bostar	Day	Hughes	Meyer	Wayne

Voting in the negative, 7:

Albrecht	Hardin	Kauth	Slama
Clements	Ibach	Lippincott	

Present and not voting, 6:

Ballard	DeKay	Lowe
Bostelman	Hansen	Murman

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 317.**

A BILL FOR AN ACT relating to county assessors; to amend section 77-1311.03, Reissue Revised Statutes of Nebraska; to change provisions relating to the inspection of real property; and to repeal the original section.

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

Voting in the affirmative, 43:

Aguilar	Brandt	Dorn	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	von Gillern
Blood	Conrad	Holdcroft	McDonnell	Walz
Bosn	Day	Hughes	McKinney	Wayne
Bostar	DeBoer	Hunt	Meyer	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 731.**

A BILL FOR AN ACT relating to state government; to amend section 81-108, Reissue Revised Statutes of Nebraska; to provide for service by state agency department heads in the reserve components of the armed forces of the United States; and to repeal the original section.

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

Voting in the affirmative, 42:

Aguilar	Brewer	Dungan	Kauth	Riepe
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Sanders
Arch	Cavanaugh, M.	Hansen	Lippincott	Slama
Armendariz	Clements	Hardin	Low	von Gillern
Ballard	Conrad	Holdcroft	McDonnell	Walz
Blood	Day	Hughes	McKinney	Wayne
Bosn	DeBoer	Hunt	Meyer	
Bostar	DeKay	Ibach	Moser	
Brandt	Dorn	Jacobson	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Bostelman

Excused and not voting, 6:

Dover	Halloran	Vargas
Erdman	Raybould	Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 16, 16A, 51, 83, 102, 102A, 147, 152, 184, 190, 303, 307, 317, and 731.

#### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 20A.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 20, One Hundred Eighth Legislature, Second Session, 2024.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1288.** Title read. Considered.

Senator Day offered Senator Raybould's [AM2695](#), found on page 816.

Senator Day moved for a call of the house. The motion prevailed with 26 ayes, 2 nays, and 21 not voting.

The Raybould amendment was adopted with 29 ayes, 6 nays, 6 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Wayne moved for a call of the house. The motion prevailed with 30 ayes, 3 nays, and 16 not voting.

Senator Day requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar	Brandt	Day	Hunt	Riepe
Armendariz	Brewer	DeBoer	Jacobson	von Gillern
Blood	Cavanaugh, J.	DeKay	McDonnell	Walz
Bosn	Cavanaugh, M.	Dungan	McKinney	Wayne
Bostar	Conrad	Fredrickson	Moser	Wishart

Voting in the negative, 10:

Albrecht	Bostelman	Kauth	Lowe	Murman
Ballard	Hardin	Lippincott	Meyer	Slama

Present and not voting, 6:

Arch	Holdcroft	Ibach
Hansen	Hughes	Sanders

Excused and not voting, 8:

Clements	Dover	Halloran	Raybould
Dorn	Erdman	Linehan	Vargas

Advanced to Enrollment and Review Initial with 25 ayes, 10 nays, 6 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 894.** Title read. Considered.

Committee [AM2370](#), found on page 730, was offered.

Senator McKinney offered the following amendment to the committee amendment:

[FA232](#)

Amend AM2370 on page 3, line 5, add "(3) Each sheriff in Douglas, Lancaster, and Sarpy counties must possess a college degree from a four-year college in criminal justice or law enforcement." Renumber the remaining sections accordingly.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 844.** Placed on Select File.  
**LEGISLATIVE BILL 1394.** Placed on Select File.  
**LEGISLATIVE BILL 1394A.** Placed on Select File.  
**LEGISLATIVE BILL 856.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Judiciary

**LEGISLATIVE BILL 914.** Placed on General File.  
**LEGISLATIVE BILL 945.** Placed on General File.  
**LEGISLATIVE BILL 1202.** Placed on General File.  
**LEGISLATIVE BILL 1268.** Placed on General File.

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

Ann E. Ames - Crime Victim's Reparations Committee  
 John Brazda - Crime Victim's Reparations Committee  
 Michael D. Jones - Crime Victim's Reparations Committee

Aye: 6. Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach. Nay: 2. McKinney, Wayne. Absent: 0. Present and not voting: 0.

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

Bryan Tuma, Executive Director - Nebraska Crime Commission

Aye: 5. Bosn, DeBoer, DeKay, Holdcroft, Ibach. Nay: 3. Blood, McKinney, Wayne. Absent: 0. Present and not voting: 0.

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

Layne Gissler - Board of Parole

Aye: 6. Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach. Nay: 2. McKinney, Wayne. Absent: 0. Present and not voting: 0.

(Signed) Justin Wayne, Chairperson

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on February 29, 2024, at 10:40 a.m. were the following: LBs 16, 16A, 51, 83, 102, 102A, 147, 152, 184, 190, 303, 307, 317, and 731.

(Signed) Sarah Skirry  
Clerk of the Legislature's Office

**AMENDMENT(S) - Print in Journal**

Senator Hardin filed the following amendment to [LB1120](#):  
[AM2773](#)

(Amendments to Standing Committee amendments, AM2519)

1 1. On page 1, strike line 4 and insert "means real estate described  
2 in 31 C.F.R. 802.211(b)(3)."; after line 16 insert the following new  
3 subsection:  
4 "(5) The responsibility for determining whether an affidavit is  
5 required under this section rests solely with the purchaser, and no  
6 individual or entity other than the purchaser shall bear any civil or  
7 criminal liability under this section."; and in line 17 strike "(5)" and  
8 insert "(6)".

Senator Bosn filed the following amendment to [LB137](#):

[FA231](#)

Strike the comma after (7) on page 4, line 15.

Senator Bostelman filed the following amendment to [LB61](#):

[FA233](#)

Amend AM2531 to strike the words ", or terrestrial fixed wireless technology and" on lines 11 and 12 of page 11.

Senator J. Cavanaugh filed the following amendment to [LB541](#):

[FA234](#)

Strike the enacting clause.

Senator Jacobson filed the following amendment to [LB1087](#):

[AM2760](#)

(Amendments to Standing Committee amendments, AM2512)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Sections 1 to 10 of this act shall be known and may be  
4 cited as the Hospital Quality Assurance and Access Assessment Act.  
5 Sec. 2. For purposes of the Hospital Quality Assurance and Access  
6 Assessment Act:

7 (1) Assessment means a quality assurance and access assessment  
8 imposed on hospitals pursuant to section 3 of this act;  
9 (2) Department means the Division of Medicaid and Long-Term Care of  
10 the Department of Health and Human Services;  
11 (3) Hospital means a hospital as defined in section 71-419 or a  
12 rural emergency hospital as described in section 71-477;  
13 (4) Medical assistance program means the medical assistance program  
14 established pursuant to the Medical Assistance Act; and  
15 (5) Net patient revenue means the revenue paid to a hospital for  
16 patient care, room, board, and services less contractual adjustments, bad  
17 debt, and revenue from sources other than operations, including, but not  
18 limited to, interest, guest meals, gifts, and grants.  
19 Sec. 3. (1) The department shall amend the medicaid state plan or  
20 file other federal authorizing documents to establish assessments and  
21 directed-payment programs for hospital inpatient and outpatient services.  
22 (2) Upon approval by the federal Centers for Medicare and Medicaid  
23 Services of a hospital assessment and a directed-payment program, the  
24 department shall impose an assessment on hospitals to assure quality and  
25 access in the medical assistance program.  
26 (3) The department may establish different assessment rates based on  
1 categories of hospital or hospital services as allowed by federal law.  
2 (4) The department shall consult with a statewide association  
3 representing a majority of hospitals and health systems in Nebraska  
4 regarding the development, implementation, and annual renewal of the  
5 assessments and the directed-payment programs.  
6 (5) The department shall partner with a statewide association  
7 representing a majority of hospitals and health systems in Nebraska to:  
8 (a) Aggregate inpatient, outpatient, and clinic claims data in order  
9 to establish quality improvement metrics and track progress on identified  
10 metrics; and  
11 (b) Design and implement quality initiatives to improve children's  
12 mental health, adult mental health, maternity care, and senior care.  
13 (6) The department shall adopt and promulgate rules and regulations  
14 that are necessary to implement the Hospital Quality Assurance and Access  
15 Assessment Act.  
16 Sec. 4. (1) Except as provided in section 6 of this act, the  
17 department shall collect assessments from hospitals and remit the  
18 assessments to the State Treasurer for credit to the Hospital Quality  
19 Assurance and Access Assessment Fund. It is the intent of the Legislature  
20 that no proceeds from the fund, including the federal match, shall be  
21 credited directly to the General Fund except as provided in subdivision  
22 (3)(a) of section 6 of this act.  
23 (2) The first quarterly payment of each fiscal year made by the  
24 department shall be transferred from the General Fund. All remaining  
25 quarterly payments shall be paid as provided in section 6 of this act.  
26 Sec. 5. (1) Each hospital shall pay an assessment based on net  
27 patient revenue for the purpose of improving the quality of, and access  
28 to, hospital care in the state. The statewide aggregate assessment shall  
29 equal (a) the state share of the payments authorized by the federal  
30 Centers for Medicare and Medicaid Services and (b) funds for expenditures  
31 as provided in subsection (3) of section 6 of this act. The statewide  
1 aggregate assessment total shall not exceed six percent of the net  
2 patient revenue of all assessed hospitals.  
3 (2)(a) A hospital shall pay its quarterly assessment within thirty  
4 days after receipt of its quarterly directed payments. Failure of a  
5 hospital to remit the assessments may result in penalties, interest, or  
6 legal action.  
7 (b) A new hospital shall begin paying an assessment and receiving  
8 directed payments at the start of the first full fiscal year after the  
9 hospital is eligible for medicaid reimbursement for inpatient or



10 outpatient services. A hospital that has merged with another hospital  
11 shall have its assessment and directed payments revised at the start of  
12 the first full fiscal year after the merger is recognized by the  
13 department. A closed hospital shall be retroactively responsible for  
14 assessments owed and shall receive directed payments for services  
15 provided.

16 (3) If the department determines that a hospital has underpaid or  
17 overpaid assessments, the department shall notify the hospital of the  
18 unpaid assessments or of any refund due. Such payment or refund shall be  
19 due or refunded within thirty days after the date of the notice.

20 Sec. 6. (1) The Hospital Quality Assurance and Access Assessment  
21 Fund is created. Interest earned on the fund shall be credited to the  
22 fund. Any money in the fund available for investment shall be invested by  
23 the state investment officer pursuant to the Nebraska Capital Expansion  
24 Act and the Nebraska State Funds Investment Act.

25 (2) The department shall use the Hospital Quality Assurance and  
26 Access Assessment Fund, including the matching federal financial  
27 participation, for the purpose of enhancing rates paid to hospitals under  
28 the medical assistance program except as allowed by subsection (3) of  
29 this section. Money in the fund shall not be used to replace or offset  
30 existing state funds paid to hospitals for providing services under the  
31 medical assistance program.

1 (3) The Hospital Quality Assurance and Access Assessment Fund shall  
2 also be used to:

3 (a) Reimburse the General Fund the amount of the first quarterly  
4 payment on or before June 30 of each fiscal year;

5 (b) Reimburse the department an administrative fee of three percent  
6 of the assessment, not to exceed fifteen million dollars per year, to  
7 collect assessments and administer directed-payment programs established  
8 by the Hospital Quality Assurance and Access Assessment Act;

9 (c) Provide the Nebraska Center for Nursing Board one-half of one  
10 percent of the assessment, not to exceed two million five hundred  
11 thousand dollars per year, for the expansion of clinical nursing training  
12 sites as authorized in subsection (3) of section 71-1798; and

13 (d) Provide funding of three and one-half percent of the assessment,  
14 not to exceed seventeen million five hundred thousand dollars per year,  
15 for rates for nonhospital providers in the medical assistance program,  
16 continuous eligibility for children, or the designated health information  
17 exchange authorized in section 81-6,125.

18 (4) In calculating rates, the proceeds from assessments and federal  
19 match not utilized under subsection (3) of this section shall be used to  
20 enhance rates for hospital inpatient and outpatient services in addition  
21 to any funds appropriated by the Legislature.

22 (5) The department shall collect data for revenue, discharge, and  
23 inpatient days from a hospital that does not file an annual medicare cost  
24 report. At the request of the department, a hospital that does not file  
25 an annual medicare cost report shall submit such requested data to the  
26 department.

27 (6) The department shall prohibit a medicaid managed care  
28 organization from (a) setting, establishing, or negotiating reimbursement  
29 rates with a hospital in a manner that takes into account, directly or  
30 indirectly, a directed payment that a hospital receives under the  
31 Hospital Quality Assurance and Access Assessment Act, (b) unnecessarily  
1 delaying a directed payment to a hospital, or (c) recouping or offsetting  
2 a directed payment for any reason.

3 (7)(a) A hospital shall not:

4 (i) Set, establish, or negotiate reimbursement rates with a managed  
5 care organization in a manner that directly or indirectly takes into  
6 account a directed payment that a hospital receives under the Hospital  
7 Quality Assurance and Access Assessment Act; or

8 (ii) Directly pass on the cost of an assessment to patients or  
9 nonmedicaid payors, including as a fee or rate increase.  
10 (b) A hospital that violates this subsection shall not receive a  
11 directed payment for the remainder of the rate year. This subsection  
12 shall not be construed to prohibit a hospital from negotiating with a  
13 payor for a rate increase.  
14 Sec. 7. It is the intent of the Legislature that medicaid rates  
15 paid for hospital inpatient and outpatient services and the General Fund  
16 appropriations for hospital inpatient and outpatient services in the  
17 medical assistance program shall not be reduced to an amount below the  
18 rates paid and General Fund appropriations for these services in fiscal  
19 year 2023-24.  
20 Sec. 8. Assessments and directed-payment programs shall be treated  
21 as a separate component in developing rates paid to hospitals and shall  
22 not be included with existing rate components. The assessments and  
23 directed-payment programs shall be retroactive to July 1, 2024, or the  
24 effective date approved by the federal Centers for Medicare and Medicaid  
25 Services.  
26 Sec. 9. (1) The department shall discontinue the collection of  
27 assessments when federal matching funds are unavailable. In such case,  
28 the department shall terminate the collection of the assessments  
29 beginning on the date such federal matching funds become unavailable.  
30 (2) If collection of assessments is discontinued as provided in this  
31 section, the money in the Hospital Quality Assurance and Access  
1 Assessment Fund shall be returned to the hospitals from which the  
2 assessments were collected on the same proportional basis as the  
3 assessments were assessed for the quarter in which the assessment was  
4 terminated.  
5 Sec. 10. The Hospital Quality Assurance and Access Assessment Act  
6 shall terminate effective January 1, 2027.  
7 Sec. 11. Section 71-1798, Revised Statutes Supplement, 2023, is  
8 amended to read:  
9 71-1798 (1) The Nebraska Center for Nursing is established. The  
10 center shall address issues of supply and demand for nurses, including  
11 issues of recruitment, retention, and utilization of nurses. The  
12 Legislature finds that the center will repay the state's investment by  
13 providing an ongoing strategy for the allocation of the state's resources  
14 directed towards nursing.  
15 (2) The primary goals for the center are:  
16 (a) To develop a strategic statewide plan to alleviate the nursing  
17 shortage in Nebraska by:  
18 (i) Establishing and maintaining a database on nursing supply and  
19 demand in Nebraska, including current supply and demand and future  
20 projections; and  
21 (ii) Selecting priorities from the plan to be addressed;  
22 (b) To convene various groups representative of nurses, other health  
23 care providers, business and industry, consumers, legislators, and  
24 educators to:  
25 (i) Review and comment on data analysis prepared for the center;  
26 (ii) Recommend systemic changes, including strategies for  
27 implementation of recommended changes; and  
28 (iii) Evaluate and report the results of these efforts to the  
29 Legislature and the public; and  
30 (c) To enhance and promote recognition, reward, and renewal  
31 activities for nurses by:  
1 (i) Proposing and creating recognition, reward, and renewal  
2 activities; and  
3 (ii) Promoting media and positive image-building efforts for  
4 nursing.  
5 (3) After consultation with a statewide association representing

6 hospitals and health systems that provide clinical nursing opportunities,  
 7 the Nebraska Center for Nursing Board shall provide for the expansion of  
 8 clinical training sites for nurses throughout the state, giving  
 9 preference to areas that have lower numbers of registered nurses per  
 10 capita compared to the state average, and shall provide for the  
 11 development of programs that:  
 12 (a) Incentivize clinical nurses to become clinical nurse faculty;  
 13 (b) Incentivize nurse faculty to partner with staff nurses in the  
 14 development of clinical nurse faculty;  
 15 (c) Expand simulation training for nurse clinical education; and  
 16 (d) Incentivize hospital facilities to support the center in  
 17 carrying out this subsection.  
 18 (4) The Nebraska Center for Nursing shall partner with a statewide  
 19 association representing a majority of hospitals and health systems in  
 20 Nebraska to increase the workforce development of nurses and other health  
 21 professionals by providing at least fifty million dollars per year in  
 22 private investments for statewide health care workforce development.  
 23 Sec. 12. Original section 71-1798, Revised Statutes Supplement,  
 24 2023, is repealed.  
 25 Sec. 13. Since an emergency exists, this act takes effect when  
 26 passed and approved according to law.

Senator McDonnell filed the following amendment to [LB1017](#):  
[AM2769](#)

(Amendments to Standing Committee amendments, AM2683)

1 1. Strike amendment 1 and insert the following new amendment:  
 2 1. On page 5, strike the new matter in lines 8 through 14 and insert  
 3 "Loss or loss of use of multiple parts of the same arm, including the  
 4 hand and fingers, or loss or loss of use of multiple parts of the same  
 5 leg, including the foot and toes, resulting from the same accident or  
 6 illness shall entitle the employee, upon request, to an evaluation to  
 7 determine the employee's loss of earning capacity consistent with the  
 8 process for such determination under subdivision (1) or (2) of this  
 9 section, and in such cases when the employee's loss of use results in at  
 10 least a fifty percent loss of earning capacity, the compensation court  
 11 shall determine the employee's loss of earning accordingly."

Senator Wayne filed the following amendment to [LB894](#):  
[AM2764](#) is available in the Bill Room.

#### EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 16,  
 16A, 51, 83, 102, 102A, 147, 152, 184, 190, 303, 307, 317, and 731.

(Signed) Anna Wishart

#### UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hunt name added to LB2.  
 Senator Wayne name added to LB16.  
 Senator Wayne name added to LB51.

Senator Wayne name added to LB52.  
Senator Wayne name added to LB83.  
Senator Wayne name added to LB102.  
Senator Wayne name added to LB130.  
Senator Wayne name added to LB147.  
Senator Wayne name added to LB152.  
Senator Wayne name added to LB184.  
Senator Dungan name added to LB184.  
Senator Bosn name added to LB184.  
Senator Wayne name added to LB190.  
Senator Wayne name added to LB218.  
Senator Wayne name added to LB303.  
Senator Wayne name added to LB307.  
Senator Wayne name added to LB317.  
Senator Wayne name added to LB358.  
Senator Wayne name added to LB600.  
Senator Wayne name added to LB829.  
Senator Conrad name added to LB1166.

### **VISITOR(S)**

Visitors to the Chamber were students from George Stone School, Lincoln; students from Sunset Hills and Rockbrook Elementaries, Omaha; members of the Jewish Community Relations Council, Omaha; students from Pershing Elementary, Lexington.

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

### **ADJOURNMENT**

At 11:56 a.m., on a motion by Senator Armendariz, the Legislature adjourned until 10:00 a.m., Monday, March 4, 2024.

Brandon Metzler  
Clerk of the Legislature

**THIRTY-SEVENTH DAY - MARCH 4, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, March 4, 2024

**PRAYER**

The prayer was offered by Reverend Nathaniel Norval, Mount Zion Missionary Baptist Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Colonel Gerald D. "Jerry" Meyer, 101st Airborne (Afghanistan), Army, Seward.

**ROLL CALL**

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

The roll was called and all members were present except Senator Ballard who was excused; and Senators Bostar, Day, Hunt, Raybould, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-sixth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

March 4, 2024

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

Dear Mr. President and Members of the Legislature:

With this letter, I am returning LB 307 without my approval and without my signature. I am vetoing LB 307 for the following reasons:

- Syringe Service Programs (SSPs) have been shown to increase drug deaths where they have been implemented.
- SSPs are not effective at decreasing drug usage and disease transmission when compared to other means.
- The bill as written, would allow for children of any age to participate in these programs. I do not think it is prudent to encourage minors to abuse dangerous drugs instead of seeking out the substance abuse treatment they need to overcome drug addiction.
- SSPs have the potential to expose citizens to unintended, yet equally concerning health and safety risks as a result of improperly disposed needles.

The studies the proponents of this bill have cited to demonstrate the effectiveness of SSPs in reducing the spread of HIV focus on programs that were stood up to combat the AIDS crisis in the 1980s and 1990s. Those programs differ substantially from the ongoing opioid crisis in terms of its geographic reach and lethality. Those studies also relied on small sample sizes and self-reported data regarding individuals' drug use, and typically did not consider the unintended consequences to individuals who are not receiving direct treatment.

In fact, recent studies on the effectiveness of SSPs have found these programs only contribute to a negligible reduction in HIV infections, and at the expense of greater opioid-related deaths. For example, a study published in the *Journal of Public Economics* in June 2022 found that although SSPs may decrease HIV diagnoses rates by up to 1.1%, research also indicates these programs increase opioid-related mortality rates by 2 to 3.5%, or about three more cases per county per year, due to an increase in the use of heroin and illicit fentanyl.<sup>1</sup>

Another study published by the National Bureau of Economic Research comparing the health outcomes of 79 counties from 2009 to 2016, found SSPs resulted in nearly two fewer cases of HIV per county per year, while resulting in four more drug-related deaths per county each year.<sup>2</sup> Additionally, research published in the *European Journal of Public Health* analyzing HIV prevention strategies and incidence rates in Denmark, Norway and Sweden suggest that a high level of HIV testing and counseling would be more effective in preventing HIV transmission than legal access to needles and syringes.<sup>3</sup>

Evidence has also shown that the costs and number of needles have ballooned in cities with established SSPs. In San Francisco, for example, health department records show the city handed out 3.3 million needles at a cost of \$400,397 in fiscal year 2013-14. Just two years later, the number of needles distributed increased to 4.45 million at a cost of \$523,363.<sup>4</sup>

San Francisco has also struggled with inadequate disposal of dirty needles, leaving vulnerable populations like children at risk of contracting deadly diseases. Of the 400,000 needles distributed monthly, the health department estimates that about 246,000 are returned through the city's syringe access and disposal sites, leaving more than 154,000 needles a month still unaccounted for. This has led to the city paying \$750,000 a year to hire people known as the "Syringe Pick Up Crew" to collect dirty needles on the streets and at area parks. All these costs add up and will lead to increased property taxes for residents of any municipality that chooses to institute a syringe service program.

In Santa Ana, California, city officials have pushed back on state implementation of a SSP, based on prior experience with a county program several years earlier.<sup>5</sup> At the time, county employees reported the removal of 14,000 needles potentially contaminated with infectious diseases, while clearing a four-mile stretch of public land. The police chief and city manager sent letters of opposition to the state last year, citing safety and health concerns associated with the program. The mayor also spoke out in opposition to the state adopted SSP.

Simply put, adoption of LB307 has the potential to expose our communities to the same issues that others have experienced, as described above. Those are but a few examples.

Additionally, Nebraskans do not think it is prudent to encourage minors to abuse dangerous drugs instead of seeking out the substance abuse treatment they need to overcome drug addiction. We should support less deadly ways of combating drug usage and the spreading of diseases. It is for these reasons that I urge you to sustain my veto of LB 307.

Sincerely,  
(Signed) Jim Pillen  
Governor

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<sup>1</sup> Packham, Analisa (2022). Syringe Exchange Programs and Harm Reduction: New Evidence in the Wake of the Opioid Epidemic. *Journal of Public Economics*.

<sup>2</sup> Packham, Analisa (2019). Are Syringe Exchange Programs Helpful or Harmful? New Evidence in the Wake of the Opioid Epidemic. *National Bureau of Economic Research*. <https://www.nber.org/papers/w26111>

<sup>3</sup> Amundsen, Ellen J.; Eskild, Anne; Stigum, Hein; Smith, Else; and Aalen, Odd O. (2003). *European Journal of Public Health*.

<sup>4</sup> Matier & Ross (2018, May 9). Those needles littering the streets? The city gave them out. *San Francisco Chronicle*.

<https://www.sfchronicle.com/bayarea/matier-ross/article/Those-needles-littering-the-streets-The-city-12898656.php>

<sup>5</sup> Chow, Vivian 2023, Aug. 15) State approves needle exchange program in Santa Ana despite city's objections. KTLA5. <https://ktla.com/news/local-news/state-approves-needle-exchange-program-in-santa-ana-despite-citys-objections/>

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 307, 308, and 309 were adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 307, 308, and 309.

### SELECT FILE

**LEGISLATIVE BILL 771A.** Advanced to Enrollment and Review for Engrossment.

### GENERAL FILE

**LEGISLATIVE BILL 1118.** Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1143.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 1 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 877.** Title read. Considered.

Committee [AM2420](#), found on page 704, was offered.

The committee amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 998.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1162.** Title read. Considered.



Committee [AM2500](#), found on page 737, was offered.

The committee amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 851.** Title read. Considered.

Committee [AM2207](#), found on page 680, was offered.

The committee amendment was adopted with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 43.** [ER44](#), found on page 541, was offered.

ER44 was adopted.

Senator Brewer asked unanimous consent to withdraw [AM2649](#), found on page 806, and replace it with substitute amendment, [AM2812](#). No objections. So ordered.

[AM2812](#)

(Amendments to Standing Committee amendments, AM2076)

1 1. Insert the following new section:

2 Sec. 21. Section 84-1412, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 84-1412 (1) Subject to the Open Meetings Act, the public has the

5 right to attend and the right to speak at meetings of public bodies, and

6 all or any part of a meeting of a public body, except for closed sessions

7 called pursuant to section 84-1410, may be videotaped, televised,

8 photographed, broadcast, or recorded by any person in attendance by means

9 of a tape recorder, a camera, video equipment, or any other means of

10 pictorial or sonic reproduction or in writing. Except for closed sessions

11 called pursuant to section 84-1410, a public body shall allow members of

12 the public an opportunity to speak at each meeting.

13 (2) It shall not be a violation of subsection (1) of this section

14 for any public body to make and enforce reasonable rules and regulations

15 regarding the conduct of persons attending, speaking at, videotaping,

16 televising, photographing, broadcasting, or recording its meetings,

17 including meetings held by virtual conferencing. ~~A body may not be~~

18 ~~required to allow citizens to speak at each meeting, but it may not~~

19 ~~forbid public participation at all meetings.~~

20 (3) No public body shall require members of the public to identify

21 themselves as a condition for admission to the meeting nor shall such

22 body require that the name of any member of the public be placed on the

23 agenda prior to such meeting in order to speak about items on the agenda.

24 The body shall require any member of the public desiring to address the

25 body to identify himself or herself, including an address and the name of  
 26 any organization represented by such person unless the address  
 1 requirement is waived to protect the security of the individual.  
 2 (4) No public body shall, for the purpose of circumventing the Open  
 3 Meetings Act, hold a meeting in a place known by the body to be too small  
 4 to accommodate the anticipated audience.  
 5 (5) No public body shall be deemed in violation of this section if  
 6 it holds its meeting in its traditional meeting place which is located in  
 7 this state.  
 8 (6) No public body shall be deemed in violation of this section if  
 9 it holds a meeting outside of this state if, but only if:  
 10 (a) A member entity of the public body is located outside of this  
 11 state and the meeting is in that member's jurisdiction;  
 12 (b) All out-of-state locations identified in the notice are located  
 13 within public buildings used by members of the entity or at a place which  
 14 will accommodate the anticipated audience;  
 15 (c) Reasonable arrangements are made to accommodate the public's  
 16 right to attend, hear, and speak at the meeting, including making virtual  
 17 conferencing available at an in-state location to members, the public, or  
 18 the press, if requested twenty-four hours in advance;  
 19 (d) No more than twenty-five percent of the public body's meetings  
 20 in a calendar year are held out-of-state;  
 21 (e) Out-of-state meetings are not used to circumvent any of the  
 22 public government purposes established in the Open Meetings Act; and  
 23 (f) The public body publishes notice of the out-of-state meeting at  
 24 least twenty-one days before the date of the meeting in a legal newspaper  
 25 of statewide circulation.  
 26 (7) Each public body shall, upon request, make a reasonable effort  
 27 to accommodate the public's right to hear the discussion and testimony  
 28 presented at a meeting.  
 29 (8) Public bodies shall make available at the meeting or the in-state  
 30 location for virtual conferencing as required by subdivision (6)(c) of  
 31 this section, for examination and copying by members of the public, at  
 1 least one copy of all reproducible written material to be discussed at an  
 2 open meeting, either in paper or electronic form. Public bodies shall  
 3 make available at least one current copy of the Open Meetings Act posted  
 4 in the meeting room at a location accessible to members of the public. At  
 5 the beginning of the meeting, the public shall be informed about the  
 6 location of the posted information.  
 7 2. On page 8, strike the new matters in lines 12 to 14.  
 8 3. On page 17, line 17, after "subdivisions" insert "or any other  
 9 public entity subject to sections 84-712 to 84-712.09".  
 10 4. On page 18, strike beginning with "In" in line 1 through the  
 11 period in line 3; and strike beginning with "limits" in line 10 through  
 12 "liberty" in line 11 and insert "is consistent with an individual's  
 13 fundamental constitutional rights".  
 14 5. On page 22, line 1, strike "or"; in line 16 strike the period and  
 15 insert "; or"; and after line 16 insert the following new subdivision:  
 16 "(l) Subject to compliance with section 8-112, any request for, or  
 17 release of, information, a record, or a report, obtained by the  
 18 Department of Banking and Finance from a nonprofit organization.".  
 19 6. On page 23, line 3, strike "and 84-920" and insert "84-920, and  
 20 84-1412".  
 21 7. Renumber the remaining sections and correct the operative date  
 22 section so that the section added by this amendment becomes operative  
 23 three calendar months after the adjournment of this legislative session.

The Brewer amendment was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Senator J. Cavanaugh offered the following amendment:

[AM2701](#)

(Amendments to Standing Committee amendments, AM2076)

- 1 1. Strike section 5.
- 2 2. On page 1, line 3, strike "5" and insert "4".
- 3 3. Renumber the remaining sections, correct internal references, and
- 4 correct the operative date section accordingly.

The J. Cavanaugh amendment lost with 12 ayes, 30 nays, 5 present and not voting, and 2 excused and not voting.

The Brewer amendment [AM2740](#), found on page 842, was not considered.

Pending.

## COMMITTEE REPORT(S)

Health and Human Services

**LEGISLATIVE BILL 871.** Placed on General File.

**LEGISLATIVE BILL 1172.** Placed on General File.

**LEGISLATIVE BILL 1237.** Placed on General File.

**LEGISLATIVE BILL 927.** Placed on General File with amendment.

[AM2713](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. For purposes of providing training for individuals
- 4 involved in the child welfare system, the Department of Health and Human
- 5 Services shall develop a baseline of curriculum and training materials
- 6 related to suicide awareness and prevention in consultation with
- 7 statewide and national organizations and professionals with expertise in
- 8 behavioral and mental health and suicide prevention, including, but not
- 9 limited to, the Nebraska State Suicide Prevention Coalition and the
- 10 Behavioral Health Education Center of Nebraska. All such suicide
- 11 awareness and prevention training shall incorporate evidence-based
- 12 practices and may include, but not be limited to, (1) identification of
- 13 early warning signs and symptoms of behavioral and mental health issues
- 14 for youth in the child welfare system and (2) appropriate and effective
- 15 responses for behavioral and mental health issues and trauma-informed
- 16 care.
- 17 Sec. 2. All staff involved in the child welfare system of the
- 18 Department of Health and Human Services that provide direct services to
- 19 children or families or interact directly with children or families, and
- 20 any other appropriate personnel as determined by the Division of Children
- 21 and Family Services of the Department of Health and Human Services, shall
- 22 have training in suicide awareness and prevention. Such training shall
- 23 include at least ninety minutes of behavioral and mental health training
- 24 with a focus on suicide awareness and prevention prior to any independent
- 25 contact with youth and families and annually thereafter. Such training
- 26 shall be provided within the framework of existing training programs
- 27 offered by the department.
- 1 Sec. 3. Section 71-1904, Reissue Revised Statutes of Nebraska, is
- 2 amended to read:
- 3 71-1904 (1) The department shall adopt and promulgate rules and
- 4 regulations pursuant to sections 71-1901 to 71-1906.01 for (a) the proper

5 care and protection of children by licensees under such sections, (b) the  
6 issuance, suspension, and revocation of licenses to provide foster care,  
7 (c) the issuance, suspension, and revocation of probationary licenses to  
8 provide foster care, (d) the issuance, suspension, and revocation of  
9 provisional licenses to provide foster care, (e) the provision of  
10 training in foster care, which training shall be directly related to the  
11 skills necessary to care for children in need of out-of-home care,  
12 including, but not limited to, abused, neglected, dependent, and  
13 delinquent children, and (f) the proper administration of sections  
14 71-1901 to 71-1906.01.

15 (2) The department may issue a waiver for any licensing standard not  
16 related to children's safety for a relative home that is pursuing  
17 licensure. Such waivers shall be granted on a case-by-case basis upon  
18 assessment by the department based upon the best interests of the child.  
19 A relative home that receives a waiver pursuant to this subsection shall  
20 be considered fully licensed for purposes of federal reimbursement under  
21 the federal Fostering Connections to Success and Increasing Adoptions Act  
22 of 2008, Public Law 110-351.

23 (3) The department shall adopt and promulgate rules and regulations  
24 establishing new foster home licensing requirements that ensure  
25 children's safety, health, and well-being but minimize the use of  
26 licensing mandates for nonsafety issues. Such rules and regulations shall  
27 provide alternatives to address nonsafety issues regarding housing and  
28 provide assistance to families in overcoming licensing barriers,  
29 especially in child-specific relative and kinship placements, to maximize  
30 appropriate reimbursement under Title IV-E of the federal Social Security  
31 Act, as amended, including expanding the use of kinship guardianship  
32 assistance payments under 42 U.S.C. 673(d), as such act and section  
33 existed on January 1, 2013.

34 (4) The department shall include suicide awareness and prevention  
training meeting the requirements of section 1 of this act for initial  
licensure and renewal of licensure pursuant to sections 71-1901 to  
71-1906.01.

35 Sec. 4. Section 71-1924, Revised Statutes Cumulative Supplement,  
36 2022, is amended to read:  
37 71-1924 Sections 71-1924 to 71-1951 and section 5 of this act shall  
38 be known and may be cited as the Children's Residential Facilities and  
39 Placing Licensure Act.

40 Sec. 5. The department shall establish standardized suicide  
awareness and prevention training requirements for all employees of a  
child-placing agency prior to any independent contact with youth and  
families. Such training shall incorporate a baseline of curriculum  
materials described in section 1 of this act while also allowing a child-  
placing agency to incorporate training elements that meet the specific  
needs of the individual agency. The department may approve the existing  
curriculum of a child-placing agency if such curriculum meets the  
baseline of curriculum pursuant to section 1 of this act.

41 Sec. 6. This act shall become operative on October 1, 2024.

42 Sec. 7. Original section 71-1904, Reissue Revised Statutes of  
43 Nebraska, and section 71-1924, Revised Statutes Cumulative Supplement,  
44 2022, are repealed.

**LEGISLATIVE BILL 1054.** Placed on General File with amendment.

[AM2748](#)

1 1. On page 4, strike beginning with "State" in line 13 through  
2 "Department" in line 14 and insert "Commissioner"; and in line 26 strike  
3 "department" and insert "State Department of Education".

(Signed) Ben Hansen, Chairperson

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to LB1329:  
[MO1204](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to LB1329:  
[MO1205](#)  
Recommit to the Education Committee.

Senator M. Cavanaugh filed the following motion to LB1329:  
[MO1206](#)  
Bracket until April 11, 2024.

Senator M. Cavanaugh filed the following motion to LB1329:  
[MO1207](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to LB1329:  
[MO1208](#)  
Recommit to the Education Committee.

Senator Murman filed the following motion to LB1329:  
[MO1209](#)  
Bracket until April 18, 2024.

Senator Murman filed the following motion to LB1329:  
[MO1210](#)  
Indefinitely postpone.

Senator Murman filed the following motion to LB1329:  
[MO1211](#)  
Recommit to the Education Committee.

Senator M. Cavanaugh filed the following motion to LB1331:  
[MO1213](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to LB1331:  
[MO1214](#)  
Recommit to the Education Committee.

Senator M. Cavanaugh filed the following motion to LB1331:  
[MO1215](#)  
Bracket until April 11, 2024.

Senator M. Cavanaugh filed the following motion to LB1331:  
[MO1216](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to [LB1331](#):  
[MO1217](#)  
Recommit to the Education Committee.

Senator Hunt filed the following motion to [LB307](#):  
[MO1212](#)  
That LB307 becomes law notwithstanding the objections of the Governor.

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to [LB1329](#):  
[FA236](#)  
Strike Section 1.

Senator M. Cavanaugh filed the following amendment to [LB1329](#):  
[FA237](#)  
Strike Section 2.

Senator Murman filed the following amendment to [LB1329](#):  
[FA238](#)  
Strike Section 1.

Senator Murman filed the following amendment to [LB1329](#):  
[FA239](#)  
Strike Section 2.

Senator Murman filed the following amendment to [LB1329](#):  
[FA240](#)  
Strike Section 3.

Senator Murman filed the following amendment to [LB1329](#):  
[FA241](#)  
Strike Section 2.

Senator Murman filed the following amendment to [LB1329](#):  
[FA242](#)  
Strike Section 3.

Senator Bosn filed the following amendment to [LB857](#):  
[AM2761](#)

(Amendments to Standing Committee amendments, AM2409)

- 1 1. Insert the following new sections:
- 2 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is
- 3 amended to read:
- 4 68-901 Sections 68-901 to 68-9,104 and sections 2 to 7 of this act
- 5 shall be known and may be cited as the Medical Assistance Act.
- 6 Sec. 8. Section 68-911, Revised Statutes Supplement, 2023, is
- 7 amended to read:
- 8 68-911 (1) Medical assistance shall include coverage for health care
- 9 and related services as required under Title XIX of the federal Social
- 10 Security Act, including, but not limited to:

11 (a) Inpatient and outpatient hospital services;  
12 (b) Laboratory and X-ray services;  
13 (c) Nursing facility services;  
14 (d) Home health services;  
15 (e) Nursing services;  
16 (f) Clinic services;  
17 (g) Physician services;  
18 (h) Medical and surgical services of a dentist;  
19 (i) Nurse practitioner services;  
20 (j) Nurse midwife services;  
21 (k) Pregnancy-related services;  
22 (l) Medical supplies;  
23 (m) Mental health and substance abuse services;  
24 (n) Early and periodic screening and diagnosis and treatment  
25 services for children which shall include both physical and behavioral  
26 health screening, diagnosis, and treatment services;  
1 (o) Rural health clinic services; and  
2 (p) Federally qualified health center services.  
3 (2) In addition to coverage otherwise required under this section,  
4 medical assistance may include coverage for health care and related  
5 services as permitted but not required under Title XIX of the federal  
6 Social Security Act, including, but not limited to:  
7 (a) Prescribed drugs;  
8 (b) Intermediate care facilities for persons with developmental  
9 disabilities;  
10 (c) Home and community-based services for aged persons and persons  
11 with disabilities;  
12 (d) Dental services;  
13 (e) Rehabilitation services;  
14 (f) Personal care services;  
15 (g) Durable medical equipment;  
16 (h) Medical transportation services;  
17 (i) Vision-related services;  
18 (j) Speech therapy services;  
19 (k) Physical therapy services;  
20 (l) Chiropractic services;  
21 (m) Occupational therapy services;  
22 (n) Optometric services;  
23 (o) Podiatric services;  
24 (p) Hospice services;  
25 (q) Mental health and substance abuse services;  
26 (r) Hearing screening services for newborn and infant children; and  
27 (s) Administrative expenses related to administrative activities,  
28 including outreach services, provided by school districts and educational  
29 service units to students who are eligible or potentially eligible for  
30 medical assistance.  
31 (3) No later than July 1, 2009, the department shall submit a state  
1 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
2 Services to provide coverage under the medical assistance program for  
3 community-based secure residential and subacute behavioral health  
4 services for all eligible recipients, without regard to whether the  
5 recipient has been ordered by a mental health board under the Nebraska  
6 Mental Health Commitment Act to receive such services.  
7 (4) On or before October 1, 2014, the department, after consultation  
8 with the State Department of Education, shall submit a state plan  
9 amendment to the federal Centers for Medicare and Medicaid Services, as  
10 necessary, to provide that the following are direct reimbursable services  
11 when provided by school districts as part of an individualized education  
12 program or an individualized family service plan: Early and periodic  
13 screening, diagnosis, and treatment services for children; medical

14 transportation services; mental health services; nursing services;  
 15 occupational therapy services; personal care services; physical therapy  
 16 services; rehabilitation services; speech therapy and other services for  
 17 individuals with speech, hearing, or language disorders; and vision-  
 18 related services.  
 19 (5)(a) (5) No later than January 1, 2023, the department shall  
 20 provide coverage for continuous glucose monitors under the medical  
 21 assistance program for all eligible recipients who have a prescription  
 22 for such device.  
 23 (b) Effective August 1, 2024, eligible recipients shall include all  
 24 individuals who meet local coverage determinations, as defined in section  
 25 1869(f)(2)(B) of the federal Social Security Act, as amended, as such act  
 26 existed on January 1, 2024, and shall include individuals with  
 27 gestational diabetes.  
 28 (c) It is the intent of the Legislature that no more than six  
 29 hundred thousand dollars be appropriated annually from the Medicaid  
 30 Managed Care Excess Profit Fund, as described in section 68-996, for the  
 31 purpose of implementing subdivision (5)(b) of this section. Any amount in  
 1 excess of six hundred thousand dollars shall be funded by the Medicaid  
 2 Managed Care Excess Profit Fund.  
 3 (6) On or before October 1, 2023, the department shall seek federal  
 4 approval for federal matching funds from the federal Centers for Medicare  
 5 and Medicaid Services through a state plan amendment or waiver to extend  
 6 postpartum coverage for beneficiaries from sixty days to at least six  
 7 months. Nothing in this subsection shall preclude the department from  
 8 submitting a state plan amendment for twelve months.  
 9 Sec. 9. Section 68-996, Revised Statutes Cumulative Supplement,  
 10 2022, is amended to read:  
 11 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
 12 fund shall contain money returned to the State Treasurer pursuant to  
 13 subdivision (3) of section 68-995. The fund shall first be used to offset  
 14 any losses under subdivision (2) of section 68-995 and then to provide  
 15 for services addressing the health needs of adults and children under the  
 16 Medical Assistance Act, including filling service gaps, providing system  
 17 improvements, providing coverage for continuous glucose monitors as  
 18 described in section 68-911, and sustaining access to care as determined  
 19 by the Legislature. The fund shall only be used for the purposes  
 20 described in this section. Any money in the fund available for investment  
 21 shall be invested by the state investment officer pursuant to the  
 22 Nebraska Capital Expansion Act and the Nebraska State Funds Investment  
 23 Act.  
 24 2. Renumber the remaining sections and correct the repealer  
 25 accordingly.

Senator Riepe filed the following amendment to LB204A:  
AM2844

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$75,000 from the General  
 4 Fund for FY2024-25 and (2) \$-0- from the General Fund for FY2025-26 to  
 5 the Department of Health and Human Services, for Program 33, to aid in  
 6 carrying out the provisions of Legislative Bill 204, One Hundred Eighth  
 7 Legislature, Second Session, 2024.  
 8 No expenditures for permanent and temporary salaries and per diems  
 9 for state employees shall be made from funds appropriated in this  
 10 section.  
 11 Sec. 2. There is hereby appropriated (1) \$2,510,597 from the General  
 12 Fund and \$4,466,385 from federal funds for FY2024-25 and (2) \$2,510,597  
 13 from the General Fund and \$4,466,385 from federal funds for FY2025-26 to  
 14 the Department of Health and Human Services, for Program 348, to aid in



15 carrying out the provisions of Legislative Bill 204, One Hundred Eighth  
16 Legislature, Second Session, 2024.  
17 There is included in the appropriation to this program for FY2024-25  
18 \$2,510,597 General Funds and \$4,466,385 federal funds for state aid,  
19 which shall only be used for such purpose. There is included in the  
20 appropriation to this program for FY2025-26 \$2,510,597 General Funds and  
21 \$4,466,385 federal funds for state aid, which shall only be used for such  
22 purpose.  
23 No expenditures for permanent and temporary salaries and per diems  
24 for state employees shall be made from funds appropriated in this  
25 section.

Senator Lowe filed the following amendment to [LB685](#):  
[AM2753](#) is available in the Bill Room.

### **MOTION(S) - Recess**

Senator Aguilar moved to recess until 1:30 p.m.

The motion failed.

### **SELECT FILE**

**LEGISLATIVE BILL 43.** Advanced to Enrollment and Review for Engrossment.

### **VISITOR(S)**

Visitors to the Chamber were Eric and Alexis Norval; Mark Wickard, Bridgeport; Bobby Navarro, Atlanta, Georgia; members of Cause Collective; teachers and students from Norris Elementary, Millard; Nebraska School Counselors from across the state; Cami Oelsligle, Humphrey; Katie Meredith, Nebraska City; Kevin Field, Seward.

### **RECESS**

At 11:58 a.m., on a motion by Senator Aguilar, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

### **ROLL CALL**

The roll was called and all members were present except Senator Ballard who was excused; and Senators Bostar, Day, Hansen, McKinney, Raybould, and Wayne who were excused until they arrive.

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB1170: MO1218](#)  
Bracket until April 11, 2024.

Senator M. Cavanaugh filed the following motion to [LB1170: MO1219](#)  
Recommit to the Business and Labor Committee.

Senator M. Cavanaugh filed the following motion to [LB1170: MO1220](#)  
Recommit to the Business and Labor Committee.

Senator M. Cavanaugh filed the following motion to [LB1170: MO1221](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to [LB1170: MO1222](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to [LB1017: MO1223](#)  
Bracket until April 11, 2024.

Senator M. Cavanaugh filed the following motion to [LB1017: MO1224](#)  
Recommit to the Business and Labor Committee.

Senator M. Cavanaugh filed the following motion to [LB1017: MO1225](#)  
Recommit to the Business and Labor Committee.

Senator M. Cavanaugh filed the following motion to [LB1017: MO1226](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to [LB1017: MO1227](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

**SELECT FILE**

**LEGISLATIVE BILL 1087.** [ER69](#), found on page 811, was offered.

ER69 was adopted.

Senator Jacobson offered [AM2760](#), found on page 871.

Senator Jacobson offered the following amendment to his amendment:

[FA243](#)

Strike Section 10.

The Jacobson amendment, to his amendment, was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

The Jacobson amendment, as amended, was adopted with 40 ayes, 0 nays, 2 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 905.** Senator Riepe offered [AM2766](#), found on page 847.

The Riepe amendment was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 61.** [ER70](#), found on page 827, was offered.

ER70 was adopted.

Senator Brandt withdrew [FA30](#), found on page 774, First Session, 2023.

Senator Bostelman offered [FA233](#), found on page 871.

The Bostelman amendment was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1104.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 204.** [ER56](#), found on page 668, was offered.

ER56 was adopted.

Senator Riepe offered the following amendment:

[FA235](#)

Insert "and all other pharmacies participating in the Medical Assistance Program" after "pharmacies" on page 2, line 6, of ER56.

The Riepe amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Senator Riepe offered the following amendment:

[FA244](#)

Add the emergency clause.

The Riepe amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 198.** [ER64](#), found on page 703, was offered.

ER64 was adopted.

Senator McDonnell offered [AM2624](#), found on page 816.

The McDonnell amendment was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Senator McDonnell offered [AM2694](#), found on page 815.

The McDonnell amendment was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 304.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 938.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 644.** [ER68](#), found on page 811, was offered.

ER68 was adopted.

Senator McDonnell offered [AM2738](#), found on page 842.

The McDonnell amendment was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 895.** Advanced to Enrollment and Review for Engrossment.

#### GENERAL FILE

**LEGISLATIVE BILL 894.** Committee [AM2370](#), found on page 730 and considered on page 869, was renewed.

Senator McKinney renewed [FA232](#), found and considered on page 870, to the committee amendment.

The McKinney amendment, to the committee amendment, lost with 10 ayes, 19 nays, 17 present and not voting, and 3 excused and not voting.

Senator Wayne offered [AM2764](#), found on page 875, to the committee amendment.

The Wayne amendment, to the committee amendment, was adopted with 36 ayes, 8 nays, 2 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 2 nays, 2 present and not voting, and 3 excused and not voting.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 829A.** Placed on Final Reading.

**LEGISLATIVE BILL 1355.** Placed on Select File with amendment. [ER74](#) is available in the Bill Room.

**LEGISLATIVE BILL 137.** Placed on Select File with amendment. [ER72](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 28-416, Revised Statutes Supplement, 2023, is

4 amended to read:

5 28-416 (1) Except as authorized by the Uniform Controlled Substances

6 Act, it shall be unlawful for any person knowingly or intentionally: (a)

7 To manufacture, distribute, deliver, dispense, or possess with intent to

8 manufacture, distribute, deliver, or dispense a controlled substance; or

9 (b) to create, distribute, or possess with intent to distribute a

10 counterfeit controlled substance.

11 (2) Except as provided in subsections (4), (5), (7), (8), (9), and

12 (10), and (16) of this section, any person who violates subsection (1) of

13 this section with respect to: (a) A controlled substance classified in

14 Schedule I, II, or III of section 28-405 which is an exceptionally

15 hazardous drug shall be guilty of a Class II felony; (b) any other

16 controlled substance classified in Schedule I, II, or III of section

17 28-405 shall be guilty of a Class IIA felony; or (c) a controlled

18 substance classified in Schedule IV or V of section 28-405 shall be

19 guilty of a Class IIIA felony.

20 (3) A person knowingly or intentionally possessing a controlled

21 substance, except marijuana or any substance containing a quantifiable

22 amount of the substances, chemicals, or compounds described, defined, or

23 delineated in subdivision (c)(27) of Schedule I of section 28-405, unless

24 such substance was obtained directly or pursuant to a medical order

25 issued by a practitioner authorized to prescribe while acting in the  
26 course of his or her professional practice, or except as otherwise  
27 authorized by the act, shall be guilty of a Class IV felony. A person  
1 shall not be in violation of this subsection if section 28-472 or 28-1701  
2 applies.

3 (4)(a) Except as authorized by the Uniform Controlled Substances  
4 Act, any person eighteen years of age or older who knowingly or  
5 intentionally manufactures, distributes, delivers, dispenses, or  
6 possesses with intent to manufacture, distribute, deliver, or dispense a  
7 controlled substance or a counterfeit controlled substance (i) to a  
8 person under the age of eighteen years, (ii) in, on, or within one  
9 thousand feet of the real property comprising a public or private  
10 elementary, vocational, or secondary school, a community college, a  
11 public or private college, junior college, or university, or a  
12 playground, or (iii) within one hundred feet of a public or private youth  
13 center, public swimming pool, or video arcade facility shall be punished  
14 by the next higher penalty classification than the penalty prescribed in  
15 subsection (2), (7), (8), (9), or (10) of this section, depending upon  
16 the controlled substance involved, for the first violation and for a  
17 second or subsequent violation shall be punished by the next higher  
18 penalty classification than that prescribed for a first violation of this  
19 subsection, but in no event shall such person be punished by a penalty  
20 greater than a Class IB felony.

21 (b) For purposes of this subsection:

22 (i) Playground means any outdoor facility, including any parking lot  
23 appurtenant to the facility, intended for recreation, open to the public,  
24 and with any portion containing three or more apparatus intended for the  
25 recreation of children, including sliding boards, swingsets, and  
26 teeterboards;

27 (ii) Video arcade facility means any facility legally accessible to  
28 persons under eighteen years of age, intended primarily for the use of  
29 pinball and video machines for amusement, and containing a minimum of ten  
30 pinball or video machines; and

31 (iii) Youth center means any recreational facility or gymnasium,  
1 including any parking lot appurtenant to the facility or gymnasium,  
2 intended primarily for use by persons under eighteen years of age which  
3 regularly provides athletic, civic, or cultural activities.

4 (5)(a) Except as authorized by the Uniform Controlled Substances  
5 Act, it shall be unlawful for any person eighteen years of age or older  
6 to knowingly and intentionally employ, hire, use, cause, persuade, coax,  
7 induce, entice, seduce, or coerce any person under the age of eighteen  
8 years to manufacture, transport, distribute, carry, deliver, dispense,  
9 prepare for delivery, offer for delivery, or possess with intent to do  
10 the same a controlled substance or a counterfeit controlled substance.

11 (b) Except as authorized by the Uniform Controlled Substances Act,  
12 it shall be unlawful for any person eighteen years of age or older to  
13 knowingly and intentionally employ, hire, use, cause, persuade, coax,  
14 induce, entice, seduce, or coerce any person under the age of eighteen  
15 years to aid and abet any person in the manufacture, transportation,  
16 distribution, carrying, delivery, dispensing, preparation for delivery,  
17 offering for delivery, or possession with intent to do the same of a  
18 controlled substance or a counterfeit controlled substance.

19 (c) Any person who violates subdivision (a) or (b) of this  
20 subsection shall be punished by the next higher penalty classification  
21 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of  
22 this section, depending upon the controlled substance involved, for the  
23 first violation and for a second or subsequent violation shall be  
24 punished by the next higher penalty classification than that prescribed  
25 for a first violation of this subsection, but in no event shall such  
26 person be punished by a penalty greater than a Class IB felony.

27 (6) It shall not be a defense to prosecution for violation of  
28 subsection (4) or (5) of this section that the defendant did not know the  
29 age of the person through whom the defendant violated such subsection.  
30 (7) Any person who violates subsection (1) of this section with  
31 respect to cocaine or any mixture or substance containing a detectable  
1 amount of cocaine in a quantity of:  
2 (a) One hundred forty grams or more shall be guilty of a Class IB  
3 felony;  
4 (b) At least twenty-eight grams but less than one hundred forty  
5 grams shall be guilty of a Class IC felony; or  
6 (c) At least ten grams but less than twenty-eight grams shall be  
7 guilty of a Class ID felony.  
8 (8) Any person who violates subsection (1) of this section with  
9 respect to base cocaine (crack) or any mixture or substance containing a  
10 detectable amount of base cocaine in a quantity of:  
11 (a) One hundred forty grams or more shall be guilty of a Class IB  
12 felony;  
13 (b) At least twenty-eight grams but less than one hundred forty  
14 grams shall be guilty of a Class IC felony; or  
15 (c) At least ten grams but less than twenty-eight grams shall be  
16 guilty of a Class ID felony.  
17 (9) Any person who violates subsection (1) of this section with  
18 respect to heroin or any mixture or substance containing a detectable  
19 amount of heroin in a quantity of:  
20 (a) One hundred forty grams or more shall be guilty of a Class IB  
21 felony;  
22 (b) At least twenty-eight grams but less than one hundred forty  
23 grams shall be guilty of a Class IC felony; or  
24 (c) At least ten grams but less than twenty-eight grams shall be  
25 guilty of a Class ID felony.  
26 (10) Any person who violates subsection (1) of this section with  
27 respect to amphetamine, its salts, optical isomers, and salts of its  
28 isomers, or with respect to methamphetamine, its salts, optical isomers,  
29 and salts of its isomers, in a quantity of:  
30 (a) One hundred forty grams or more shall be guilty of a Class IB  
31 felony;  
1 (b) At least twenty-eight grams but less than one hundred forty  
2 grams shall be guilty of a Class IC felony; or  
3 (c) At least ten grams but less than twenty-eight grams shall be  
4 guilty of a Class ID felony.  
5 (11) Any person knowingly or intentionally possessing marijuana  
6 weighing more than one ounce but not more than one pound shall be guilty  
7 of a Class III misdemeanor.  
8 (12) Any person knowingly or intentionally possessing marijuana  
9 weighing more than one pound shall be guilty of a Class IV felony.  
10 (13) Except as provided in section 28-1701, any person knowingly or  
11 intentionally possessing marijuana weighing one ounce or less or any  
12 substance containing a quantifiable amount of the substances, chemicals,  
13 or compounds described, defined, or delineated in subdivision (c)(27) of  
14 Schedule I of section 28-405 shall:  
15 (a) For the first offense, be guilty of an infraction, receive a  
16 citation, be fined three hundred dollars, and be assigned to attend a  
17 course as prescribed in section 29-433 if the judge determines that  
18 attending such course is in the best interest of the individual  
19 defendant;  
20 (b) For the second offense, be guilty of a Class IV misdemeanor,  
21 receive a citation, and be fined four hundred dollars and may be  
22 imprisoned not to exceed five days; and  
23 (c) For the third and all subsequent offenses, be guilty of a Class  
24 IIIA misdemeanor, receive a citation, be fined five hundred dollars, and

25 be imprisoned not to exceed seven days.

26 (14) Any person convicted of violating this section, if placed on  
27 probation, shall, as a condition of probation, satisfactorily attend and  
28 complete appropriate treatment and counseling on drug abuse provided by a  
29 program authorized under the Nebraska Behavioral Health Services Act or  
30 other licensed drug treatment facility.

31 (15) Any person convicted of violating this section, if sentenced to  
1 the Department of Correctional Services, shall attend appropriate  
2 treatment and counseling on drug abuse.

3 (16)(a) Any person convicted of a violation of subsection (1) of  
4 this section shall be punished by the next higher penalty classification  
5 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of  
6 this section if:

7 (i) ~~The (16)~~ Any person knowingly or intentionally possessed  
8 possessing a firearm while in violation of subsection (1) of this  
9 section; or

10 (ii) Such violation resulted in the use of the controlled substance  
11 and directly and proximately caused the death of, or serious bodily  
12 injury to, another person.

13 (b) A penalty enhanced under this subsection shall in no event  
14 result in shall be punished by the next higher penalty classification  
15 than the penalty prescribed in subsection (2), (7), (8), (9), or (10) of  
16 this section, but in no event shall such person be punished by a penalty  
17 greater than a Class ~~IC~~ IB felony.

18 (17) A person knowingly or intentionally in possession of money used  
19 or intended to be used to facilitate a violation of subsection (1) of  
20 this section shall be guilty of a Class IV felony.

21 (18) In addition to the existing penalties available for a violation  
22 of subsection (1) of this section, including any criminal attempt or  
23 conspiracy to violate subsection (1) of this section, a sentencing court  
24 may order that any money, securities, negotiable instruments, firearms,  
25 conveyances, or electronic communication devices as defined in section  
26 28-833 or any equipment, components, peripherals, software, hardware, or  
27 accessories related to electronic communication devices be forfeited as a  
28 part of the sentence imposed if it finds by clear and convincing evidence  
29 adduced at a separate hearing in the same prosecution, following  
30 conviction for a violation of subsection (1) of this section, and  
31 conducted pursuant to section 28-1601, that any or all such property was  
1 derived from, used, or intended to be used to facilitate a violation of  
2 subsection (1) of this section.

3 (19) In addition to the penalties provided in this section:

4 (a) If the person convicted or adjudicated of violating this section  
5 is eighteen years of age or younger and has one or more licenses or  
6 permits issued under the Motor Vehicle Operator's License Act:

7 (i) For the first offense, the court may, as a part of the judgment  
8 of conviction or adjudication, (A) impound any such licenses or permits  
9 for thirty days and (B) require such person to attend a drug education  
10 class;

11 (ii) For a second offense, the court may, as a part of the judgment  
12 of conviction or adjudication, (A) impound any such licenses or permits  
13 for ninety days and (B) require such person to complete no fewer than  
14 twenty and no more than forty hours of community service and to attend a  
15 drug education class; and

16 (iii) For a third or subsequent offense, the court may, as a part of  
17 the judgment of conviction or adjudication, (A) impound any such licenses  
18 or permits for twelve months and (B) require such person to complete no  
19 fewer than sixty hours of community service, to attend a drug education  
20 class, and to submit to a drug assessment by a licensed alcohol and drug  
21 counselor; and

22 (b) If the person convicted or adjudicated of violating this section



23 is eighteen years of age or younger and does not have a permit or license  
 24 issued under the Motor Vehicle Operator's License Act:  
 25 (i) For the first offense, the court may, as part of the judgment of  
 26 conviction or adjudication, (A) prohibit such person from obtaining any  
 27 permit or any license pursuant to the act for which such person would  
 28 otherwise be eligible until thirty days after the date of such order and  
 29 (B) require such person to attend a drug education class;  
 30 (ii) For a second offense, the court may, as part of the judgment of  
 31 conviction or adjudication, (A) prohibit such person from obtaining any  
 1 permit or any license pursuant to the act for which such person would  
 2 otherwise be eligible until ninety days after the date of such order and  
 3 (B) require such person to complete no fewer than twenty hours and no  
 4 more than forty hours of community service and to attend a drug education  
 5 class; and  
 6 (iii) For a third or subsequent offense, the court may, as part of  
 7 the judgment of conviction or adjudication, (A) prohibit such person from  
 8 obtaining any permit or any license pursuant to the act for which such  
 9 person would otherwise be eligible until twelve months after the date of  
 10 such order and (B) require such person to complete no fewer than sixty  
 11 hours of community service, to attend a drug education class, and to  
 12 submit to a drug assessment by a licensed alcohol and drug counselor.  
 13 A copy of an abstract of the court's conviction or adjudication  
 14 shall be transmitted to the Director of Motor Vehicles pursuant to  
 15 sections 60-497.01 to 60-497.04 if a license or permit is impounded or a  
 16 juvenile is prohibited from obtaining a license or permit under this  
 17 subsection.  
 18 Sec. 2. Original section 28-416, Revised Statutes Supplement, 2023,  
 19 is repealed.  
 20 2. On page 1, line 2, strike "Cumulative Supplement, 2022" and  
 21 insert "Supplement, 2023"; and in line 4 after the semicolon insert "to  
 22 change provisions relating to penalty enhancement for certain  
 23 violations;".

**LEGISLATIVE BILL 204A.** Placed on Select File.

**LEGISLATIVE BILL 358A.** Placed on Select File.

**LEGISLATIVE BILL 905A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Education

**LEGISLATIVE BILL 962.** Placed on General File.

**LEGISLATIVE BILL 1014.** Placed on General File.

**LEGISLATIVE BILL 1273.** Placed on General File.

(Signed) Dave Murman, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 315.** Introduced by Wishart, 27.

WHEREAS, during the week of March 4 through March 8, Beyond School Bells, the Nebraska Department of Education, and Nebraska 4-H Extension are hosting two hundred fifty attendees from across the state and nation at Nebraska's ELO Innovation Invitational, at the University of

Nebraska-Lincoln's Innovation Campus Conference Center in Lincoln, Nebraska, to help design new and expand existing high-quality expanded learning opportunity programs; and

WHEREAS, expanded learning opportunity programs, which are high-quality afterschool and summer programs for school-age youth powered by collaboration between schools and communities, create vital learning opportunities for youth to gain the skills necessary for careers and citizenship; and

WHEREAS, the people of Nebraska stand firmly committed to developing and supporting partnerships between schools and community-based organizations to provide high-quality, sustainable expanded learning opportunities beyond the traditional school day and academic year; and

WHEREAS, expanded learning opportunity programs provide school-age youth with safe, challenging, and enriching learning experiences and opportunities to develop their social, emotional, cultural, physical, and academic skills; and

WHEREAS, expanded learning opportunity programs engage school-age youth in hands-on science, technology, engineering, and math learning opportunities that inspire habits of mind, which, as has been demonstrated by research, motivate young people to prepare for the science, technology, engineering, and math careers that will power the future prosperity of Nebraska; and

WHEREAS, expanded learning opportunity programs support working families by ensuring that children are in safe, stimulating, nurturing environments both before and after the regular school day and traditional academic year; and

WHEREAS, expanded learning opportunity programs allow parents and families to become involved in year-round learning activities that encourage their children's educational, social, and emotional development; and

WHEREAS, expanded learning opportunity programs encourage families, schools, and diverse community organizations to work together to expand learning opportunities that create rich learning environments that benefit all children.

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

1. That the Legislature recognizes the week of March 4 through March 8, 2024, as Expanded Learning Opportunities Week in Nebraska.

2. That the Legislature encourages all people to take time this week to consider how school and community partnerships can be formed and existing partnerships can be strengthened to help expand learning opportunities for all youth.

Laid over.

#### **GENERAL FILE**

**LEGISLATIVE BILL 906.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 607.** Title read. Considered.

Senator McDonnell offered [AM2264](#), found on page 705.

The McDonnell amendment was adopted with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 2 nays, 12 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 839.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 834.** Title read. Considered.

Committee [AM2428](#), found on page 674, was offered.

The committee amendment was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senator Blood withdrew [AM2141](#), found on page 499.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1313.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1215.** Title read. Considered.

Committee [AM2549](#), found on page 786, was offered.

The committee amendment was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1200.** Title read. Considered.

Committee [AM2508](#), found on page 810, was offered.

The committee amendment was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 904.** Title read. Considered.

Committee [AM2734](#), found on page 837, was offered.

Senator Wishart offered the following amendment to the committee amendment:

[AM2775](#)

(Amendments to Standing Committee amendments, AM2734)

1 1. Strike section 1 and insert the following new sections:

2 Sec. 2. (1) The Intergenerational Care Facility Incentive Grant

3 Program is created. It is the intent of the Legislature to appropriate

4 three hundred thousand dollars from the Medicaid Managed Care Excess

5 Profit Fund for fiscal year 2024-25 to the Department of Health and Human

6 Services to provide grants pursuant to this section.

7 (2) The Department of Health and Human Services shall develop

8 requirements for eligibility, application, and audits for grants in

9 collaboration with statewide associations representing nursing homes as

10 defined in section 38-2414 and other stakeholders. The department shall

11 meet with such associations prior to October 1, 2024, to identify any

12 statutes, rules, regulations, or other regulatory barriers that impede

13 the development of an intergenerational care facility in which nursing

14 services and child care are provided and develop recommendations to

15 remediate such barriers that do not impact the safety of the staff or

16 recipients of the nursing services and child care or the quality of

17 nursing services and child care.

18 (3) The grants shall be awarded to facilities that are nursing homes

19 as defined in section 38-2414 or assisted-living facilities as defined in

20 section 71-5903 and that have been certified for participation in

21 medicare or medicaid. The grants shall be used for one-time startup costs

22 to provide for child care in such facilities. A facility may be awarded

23 one grant under this section of up to one hundred thousand dollars. The

24 grants shall be awarded for modification of structures, modification of

25 outside campus space of the nursing facilities, purchase of child care

26 equipment and supplies, or any combination of such purposes. A facility

1 that is applying for or awarded a grant is not required to own or operate

2 the child care services for which the grant is awarded.

3 (4) The department shall award the grants on the basis of date of

4 application with priority given to rural communities, as defined in

5 section 81-1228, for applications filed on the same date. A facility that

6 was cited for substandard quality of care during its most recent survey

7 is not eligible for a grant under this section. Each grant recipient

8 shall establish a plan to participate in the quality rating and

9 improvement system described in section 71-1956 within three years after

10 the date the grant is awarded.

11 Sec. 3. Section 68-996, Revised Statutes Cumulative Supplement,

12 2022, is amended to read:

13 68-996 The Medicaid Managed Care Excess Profit Fund is created. The

14 fund shall contain money returned to the State Treasurer pursuant to

15 subdivision (3) of section 68-995. The fund shall first be used to offset

16 any losses under subdivision (2) of section 68-995 and then to provide

17 for services addressing the health needs of adults and children under the

18 Medical Assistance Act, including filling service gaps, providing system  
 19 improvements, and sustaining access to care, and providing grants  
 20 pursuant to the Intergenerational Care Facility Incentive Grant Program  
 21 as determined by the Legislature. The fund shall only be used for the  
 22 purposes described in this section. Any money in the fund available for  
 23 investment shall be invested by the state investment officer pursuant to  
 24 the Nebraska Capital Expansion Act and the Nebraska State Funds  
 25 Investment Act.  
 26 2. Renumber the remaining sections and correct the repealer  
 27 accordingly.

The Wishart amendment, to the committee amendment, was adopted with  
 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

Senator Bostar offered the following amendment to the committee  
 amendment:

AM2858

(Amendments to Standing Committee amendments, AM2734)

1 1. Insert the following new sections:  
 2 Section 1. Sections 1 to 13 of this act shall be known and may be  
 3 cited as the Child Care Capacity Building and Workforce Act.  
 4 Sec. 2. The Legislature finds that:  
 5 (1) There is a lack of licensed child care programs in Nebraska;  
 6 (2) Providing incentives and support to the child care workforce  
 7 will help maintain and increase the child care capacity in Nebraska;  
 8 (3) An increased child care capacity will bolster Nebraska's economy  
 9 by providing parents and guardians the ability to enter, re-enter, and  
 10 remain in the workforce; and  
 11 (4) The benefits of quality child care and early childhood education  
 12 are indisputable and a connection exists between a child's learning  
 13 experiences before entering kindergarten and success in school.  
 14 Sec. 3. For purposes of the Child Care Capacity Building and  
 15 Workforce Act:  
 16 (1) Capacity means the number of children receiving care or services  
 17 through an approved program;  
 18 (2) Community foundation means a tax-exempt, nonprofit, autonomous,  
 19 nonsectarian, philanthropic institution supported by the public with the  
 20 long-term goals of:  
 21 (a) Building permanent, component funds established by many separate  
 22 donors to carry out charitable interests; and  
 23 (b) Supporting the broad-based charitable interests and benefiting  
 24 the residents of a defined geographic area;  
 25 (3) Department means the Department of Economic Development;  
 26 (4) Eligible recipient means:  
 1 (a) Any city of the metropolitan class, city of the primary class,  
 2 city of the first class, city of the second class, village, or county;  
 3 (b) Any nonprofit organization, including any community foundation;  
 4 or  
 5 (c) Any other entity determined appropriate in rules and regulations  
 6 adopted and promulgated by the department;  
 7 (5) License-exempt provider means any approved license-exempt  
 8 provider enrolled in the child care subsidy program pursuant to sections  
 9 68-1202 and 68-1206;  
 10 (6) Licensed child care program means a program described in section  
 11 71-1911; and  
 12 (7) Regional facilitator hub means any entity that provides  
 13 administrative and technical support to any licensed child care program,  
 14 including any:  
 15 (a) Nonprofit organization; or

16 (b) Community foundation.

17 Sec. 4. (1) The Child Care Capacity Building and Workforce Grant  
 18 Program is created.

19 (2) The department shall contract with a statewide organization that  
 20 supports children and families to administer the program, which may  
 21 include providing technical assistance to any grant recipient. Up to five  
 22 percent of the money appropriated to the department each fiscal year for  
 23 purposes of the Child Care Capacity Building and Workforce Act may be  
 24 reserved for such contract with a statewide organization.

25 (3) Under the guidance of the department, the statewide organization  
 26 shall be responsible for the following under the program:

27 (a) Prescribing the form on which an eligible recipient may apply to  
 28 receive a grant under the program;

29 (b) Reviewing applications and identifying potential grant  
 30 recipients;

31 (c) Providing technical assistance to grant recipients; and

1 (d) Coordinating with the Department of Health and Human Services  
 2 and the State Department of Education to determine if the grant request  
 3 will help meet the child care needs of the eligible recipient.

4 (4) The Department of Economic Development shall:

5 (a) Award grants to eligible recipients across the state and in  
 6 urban and rural areas to the fullest extent possible;

7 (b) Award a grant to an eligible recipient based upon a list of the  
 8 potential grant recipients that are identified by the statewide  
 9 organization; and

10 (c) Prioritize applicants that are requesting a grant to:

11 (i) Increase child care capacity for children three years of age or  
 12 younger by creating a new licensed child care program or license-exempt  
 13 child care program serving children enrolled in child care subsidy or  
 14 expanding an existing licensed-child care or license-exempt child care  
 15 program serving children enrolled in child care subsidy;

16 (ii) Support the child care workforce; or

17 (iii) Create a child care program in a county that is not served by  
 18 any licensed or license-exempt child care program that offers full-day  
 19 full-year care.

20 Sec. 5. To be eligible to receive a grant under the Child Care  
 21 Capacity Building and Workforce Grant Program, an eligible recipient  
 22 shall complete the application form prescribed by the statewide  
 23 organization and provide for a one-to-one match for the amount of the  
 24 grant. The eligible recipient shall include the following required  
 25 information in its grant application:

26 (1) A needs assessment showing the child care capacity and the needs  
 27 of the eligible recipient at the time of application;

28 (2) How the eligible recipient plans to use the grant;

29 (3) How the eligible recipient plans to provide a one-to-one match  
 30 for the amount of any grant received. Such match shall be in the form of:

31 (a) Money or other collateral;

1 (b) An in-kind donation, including a donation of facilities,  
 2 maintenance, or equipment; or

3 (c) Any combination of money, collateral, or in-kind donation that  
 4 is approved by the department; and

5 (4) Any other information required by the department.

6 Sec. 6. A grant recipient under the Child Care Capacity Building  
 7 and Workforce Grant Program may use the grant to provide financial or  
 8 other support to:

9 (1) The operation of a licensed child care program;

10 (2) The operation of a license-exempt provider serving children  
 11 enrolled in child care subsidy;

12 (3) The child care workforce;

13 (4) Parents or guardians with children in child care programs;

14 (5) A federal Head Start program or Early Head Start program;  
 15 (6) Start or expand any existing licensed child care program or  
 16 license-exempt program serving any child on a child care subsidy;  
 17 (7) An entity other than the statewide organization contracted to  
 18 administer the Child Care Capacity Building and Workforce Program that  
 19 provides administrative or technical support to a child care program;  
 20 (8) Build or remodel an existing building for child care purposes;  
 21 (9) Any purpose specified in rules and regulations adopted and  
 22 promulgated by the department; or  
 23 (10) Any combination of such purposes.  
 24 Sec. 7. (1) Each grant recipient under the Child Care Capacity  
 25 Building and Workforce Grant Program shall provide the one-to-one match  
 26 prior to receiving any disbursement of grant proceeds under the program.  
 27 (2) The department shall specify how a grant recipient may provide  
 28 proof of a one-to-one match for a grant.  
 29 (3) The department shall disburse the grant proceeds to any grant  
 30 recipient that provides satisfactory proof of a one-to-one match. The  
 31 grant may be disbursed in increments as determined by the department.  
 1 Sec. 8. (1)(a) If the department determines that a grant recipient  
 2 used the grant other than as provided in section 6 of this act, the  
 3 department may request the grant recipient to repay such grant and any  
 4 remaining portion of the grant in the possession of the grant recipient  
 5 to the department.  
 6 (b) If the department determines that a grant recipient falsified  
 7 any information provided in the application process, the department may  
 8 request the grant recipient to repay any or all of the grant disbursed to  
 9 the grant recipient.  
 10 (2) A grant recipient that receives a request to repay a grant  
 11 pursuant to subsection (1) of this section may appeal the decision, and  
 12 the appeal shall be in accordance with the Administrative Procedure Act.  
 13 (3) Any money received under this section shall be remitted to the  
 14 State Treasurer for credit to the Child Care Capacity Building and  
 15 Workforce Cash Fund.  
 16 Sec. 9. The department shall submit a report to the Legislature  
 17 electronically on July 1, 2025, and each July 1 thereafter. Each report  
 18 shall include the following:  
 19 (1) For each grant awarded under the Child Care Capacity Building  
 20 and Workforce Grant Program since the effective date of this act for the  
 21 first such report and since the most recent report under this section for  
 22 each subsequent report:  
 23 (a) The name of the grant recipient;  
 24 (b) The amount of the grant;  
 25 (c) The reason the grant was requested; and  
 26 (d) The number, age, and county location of any children served  
 27 through a valid use of a grant described under section 6 of this act;  
 28 (2) The total amount of money awarded as grants and the total number  
 29 of children served under subdivision (1) of this section;  
 30 (3) A compilation of ages and county locations of all children  
 31 served through a valid use of a grant described under section 6 of this  
 1 act;  
 2 (4) Administrative costs of the department to administer the Child  
 3 Care Capacity Building and Workforce Grant Program; and  
 4 (5) Any other information the department deems relevant to the Child  
 5 Care Capacity Building and Workforce Grant Program.  
 6 Sec. 10. (1) The Family Child Care Home Grant Program is created  
 7 and shall be administered by the department.  
 8 (2) The department shall provide grants for new and existing  
 9 licensed family child care home programs in residential and  
 10 nonresidential facilities and to create regional facilitator hubs in  
 11 order to provide administrative and technical support to new and existing  
 12 licensed family child care home programs in residential and

13 nonresidential facilities.  
 14 (3) Any licensed child care provider, nonprofit organization, for-  
 15 profit organization, community foundation, school, or regional  
 16 facilitator hub or any other entity specified in rules and regulations  
 17 adopted and promulgated by the department may apply for a grant under the  
 18 Family Child Care Home Grant Program.  
 19 (4) A grant recipient under the Family Child Care Home Grant Program  
 20 shall only use the grant to provide financial or other support to:  
 21 (a) An existing licensed family child care program in a residential  
 22 or nonresidential building that is licensed to serve up to twelve  
 23 children of mixed ages;  
 24 (b) Create a new licensed family child care home program in a  
 25 residential or nonresidential building that is licensed to serve up to  
 26 twelve children of mixed ages; or  
 27 (c) Regional facilitator hubs that will provide administrative and  
 28 technical support to family child care home programs.  
 29 Sec. 11. The department shall submit a report to the Legislature  
 30 electronically on July 1, 2025, and each July 1 thereafter. Each report  
 31 shall include the following:  
 1 (1) For each grant awarded under the Family Child Care Home Grant  
 2 Program since the effective date of this act for the first such report  
 3 and since the most recent report under this section for each subsequent  
 4 report:  
 5 (a) The name of the grant recipient;  
 6 (b) The amount of the grant;  
 7 (c) The reason the grant was requested and how the money was used by  
 8 the grant recipient; and  
 9 (d) The number, age, and county location of any children served  
 10 through a valid use of a grant described under section 10 of this act;  
 11 (2) The total amount of money awarded as grants and the total number  
 12 of children served under subdivision (1) of this section;  
 13 (3) A compilation of ages and county locations of all children  
 14 served through a valid use of a grant described under section 10 of this  
 15 act;  
 16 (4) Administrative costs of the department to administer the Family  
 17 Child Care Home Grant Program; and  
 18 (5) Any other information the department deems relevant to the  
 19 Family Child Care Home Grant Program.  
 20 Sec. 12. (1) The Child Care Capacity Building and Workforce Cash  
 21 Fund is created. The department shall administer the fund for purposes of  
 22 the Child Care Capacity Building and Workforce Act. The fund may consist  
 23 of transfers authorized by the Legislature and any gifts, grants,  
 24 bequests, or donations to the fund.  
 25 (2) Any money in the fund available for investment shall be invested  
 26 by the state investment officer pursuant to the Nebraska Capital  
 27 Expansion Act and the Nebraska State Funds Investment Act.  
 28 (3) The State Treasurer shall transfer five million dollars from the  
 29 General Fund to the Child Care Capacity Building and Workforce Cash Fund  
 30 as soon as administratively possible after the effective date of this  
 31 act, on such dates and in such amounts as directed by the budget  
 1 administrator of the budget division of the Department of Administrative  
 2 Services.  
 3 Sec. 13. The department may adopt and promulgate rules and  
 4 regulations to administer the Child Care Capacity Building and Workforce  
 5 Act.  
 6 2. Renumber the remaining sections accordingly.

Speaker Arch requested to pass over LB904.

Pending.



**LEGISLATIVE BILL 1204.** Title read. Considered.

Committee [AM2640](#), found on page 827, was offered.

The committee amendment was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

#### **MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB137](#):  
[MO1228](#)  
Recommit to the Judiciary Committee.

Senator M. Cavanaugh filed the following motion to [LB137](#):  
[MO1229](#)  
Recommit to the Judiciary Committee.

Senator M. Cavanaugh filed the following motion to [LB137](#):  
[MO1230](#)  
Bracket until April 11, 2024.

Senator J. Cavanaugh filed the following motion to [LB399](#):  
[MO1231](#)  
Recommit to the Natural Resources Committee.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1035A.** Introduced by Hughes, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1035, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 856A.** Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 856, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 857A.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 857, One Hundred Eighth Legislature, Second Session, 2024.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Hunt name added to LB145.  
Senator Conrad name added to LB145.  
Senator Vargas name added to LB196.  
Senator Conrad name added to LB196.  
Senator Conrad name added to LB318.  
Senator Hunt name added to LB318.  
Senator Conrad name added to LB319.  
Senator Hunt name added to LB319.  
Senator Hunt name added to LB382.  
Senator Conrad name added to LB383.  
Senator Conrad name added to LB447.  
Senator Jacobson name added to LB606.  
Senator Conrad name added to LB627.  
Senator Hunt name added to LB627.  
Senator Conrad name added to LB776.  
Senator Hunt name added to LB776.  
Senator Hunt name added to LB779.  
Senator Conrad name added to LB779.  
Senator Aguilar name added to LB869.  
Senator Lippincott name added to LB869.  
Senator Conrad name added to LB882.  
Senator Sanders name added to LB937.  
Senator Day name added to LB937.  
Senator Blood name added to LB991.  
Senator Conrad name added to LB1025.  
Senator Blood name added to LB1025.  
Senator Dover name added to LB1114.  
Senator Conrad name added to LB1182.  
Senator Blood name added to LB1184.

**VISITOR(S)**

The Doctor of the Day was Dr. Dale Michels of Walton.

**ADJOURNMENT**

At 4:38 p.m., on a motion by Senator Wishart, the Legislature adjourned until 9:00 a.m., Tuesday, March 5, 2024.

Brandon Metzler  
Clerk of the Legislature

**THIRTY-EIGHTH DAY - MARCH 5, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**THIRTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 5, 2024

**PRAYER**

The prayer was offered by Deb Badeer, Lincoln Lancaster Chaplaincy Corps, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Erdman.

**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 Senator Sanders who was excused; and Senators Day, Hunt, Linehan, Raybould, Slama, Vargas, von Gillern, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-seventh day was approved.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 869.** Placed on General File with amendment.  
[AM2398](#)

1 1. Insert the following new section:

2 Sec. 3. Section 80-316, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 80-316 (1) The department shall provide domiciliary and nursing home  
5 care and subsistence to:

6 (a) All persons who either served on active duty in the armed forces  
7 of the United States other than active duty for training or served on  
8 active duty for training in the Nebraska National Guard and who were  
9 discharged or otherwise separated with a characterization of honorable or  
10 general (under honorable conditions) if, at the time of making an  
11 application for admission to one of the Nebraska veterans homes:

12 (i) The applicant has been a bona fide resident of the State of  
 13 Nebraska for at least two years;  
 14 (ii) The applicant has become disabled due to service, old age, or  
 15 otherwise to an extent that it would prevent such applicant from earning  
 16 a livelihood; and  
 17 (iii) The applicant's income from all sources is such that the  
 18 applicant would be dependent wholly or partially upon public charities  
 19 for support or the type of care needed is available only at a state  
 20 institution;  
 21 (b) The spouse of any such person admitted to one of the homes who  
 22 has attained the age of fifty years and has been married to such member  
 23 for at least two years before his or her entrance into the home;  
 24 (c) Subject to subsection (2) of this section, the surviving spouses  
 25 and parents of eligible servicemen and servicewomen as defined in  
 26 subdivision (a) of this subsection who died while in the service of the  
 27 United States or who have since died of a service-connected disability as  
 1 determined by the United States Department of Veterans Affairs; and  
 2 (d) Subject to subsection (2) of this section, the surviving spouses  
 3 of eligible servicemen or servicewomen as defined in subdivision (a) of  
 4 this subsection who have since died.  
 5 (2) The surviving spouses and parents referred to in subdivision (1)  
 6 (c) or (d) of this section shall be eligible for such care and  
 7 subsistence if, at the time of applying, they:  
 8 (a) Have been bona fide residents of the State of Nebraska for at  
 9 least two years;  
 10 (b) Have attained the age of fifty years;  
 11 (c) Are unable to earn a livelihood; and  
 12 (d) Are dependent wholly or partially upon public charities or the  
 13 type of care needed is available only at a state institution.  
 14 (3) No one admitted to one of the Nebraska veterans homes under  
 15 conditions enumerated in this section shall have a vested right to  
 16 continued residence in such home if such person ceases to meet any of the  
 17 eligibility requirements of this section, except that no person who has  
 18 been regularly admitted shall be denied continued residence solely  
 19 because of his or her marriage to a member of one of the homes.  
 20 2. Renumber the remaining section and correct the repealer  
 21 accordingly.

**LEGISLATIVE BILL 1048.** Placed on General File with amendment.

[AM2709](#)

1 1. On page 3, strike lines 1 through 6 and insert "shall utilize the  
 2 federal agency's program if such chemical facility was required on or  
 3 before July 27, 2023, to have a chemical facility security program  
 4 pursuant to 6 C.F.R. 27.200 et seq., as such sections existed on such  
 5 date."; and after line 9 insert the following new subsection:  
 6 "(5) This section is preempted when the federal standards are in  
 7 effect if Congress reauthorizes such federal standards."

(Signed) Tom Brewer, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 310 and 311 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business,  
 the President signed the following: LRs 310 and 311.

**GENERAL FILE**

**LEGISLATIVE BILL 904.** Committee [AM2734](#), found on page 837 and considered on page 900, was renewed.

Senator Bostar renewed [AM2858](#), found and considered on page 901, to the committee amendment.

Senator Wayne requested a ruling of the Chair on whether the Bostar amendment is germane.

The Chair ruled the Bostar amendment is germane.

Senator Wayne challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Wayne withdrew his motion to overrule the Chair.

The Bostar amendment, to the committee amendment, was withdrawn.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

**ANNOUNCEMENT**

Speaker Arch requested LB175 be passed over on General File.

**GENERAL FILE**

**LEGISLATIVE BILL 1120.** Title read. Considered.

Committee [AM2519](#), found on page 767, was offered.

Senator Hardin offered [AM2773](#), found on page 871, to the committee amendment.

The Hardin amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1004.** Title read. Considered.

Committee [AM2551](#), found on page 752, was offered.

Senator Hansen offered the following amendment to the committee amendment:

[AM2840](#)

(Amendments to Standing Committee amendments, AM2551)

1 1. Insert the following new section:

2 Sec. 4. Since an emergency exists, this act takes effect when passed

3 and approved according to law.

The Hansen amendment, to the committee amendment, was adopted with 32 ayes, 2 nays, 12 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

Senator Hansen withdrew [AM2128](#), found on page 482.

Advanced to Enrollment and Review Initial with 34 ayes, 3 nays, 9 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 262.** Title read. Considered.

Committee [AM719](#), found on page 741, First Session, 2023, was offered.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO420](#), found on page 943, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO421](#), found on page 943, First Session, 2023, to recommit to committee.

[MO422](#), found on page 943, First Session, 2023, to bracket.

[MO423](#), found on page 943, First Session, 2023, to indefinitely postpone.

[MO424](#), found on page 943, First Session, 2023, to recommit to committee.

[MO425](#), found on page 943, First Session, 2023, to bracket.

[MO426](#), found on page 943, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator Halloran offered [AM2020](#), found on page 234, to the committee amendment.

The Halloran amendment, to the committee amendment, was adopted with 35 ayes, 1 nay, 9 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1170.** Senator M. Cavanaugh offered [MO1222](#), found on page 890, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Riepe opened on his bill, LB1170.

Senator M. Cavanaugh opened on her motion, MO1222.

Pending.

### COMMITTEE REPORT(S) Education

**LEGISLATIVE BILL 1377.** Placed on General File with amendment.

[AM2861](#)

- 1 1. Strike original section 5.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 3 accordingly.

(Signed) Dave Murman, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 990.** Placed on General File with amendment.

[AM2841](#)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 44-4603, Revised Statutes Cumulative Supplement,
- 4 2022, is amended to read:
- 5 44-4603 For purposes of the Pharmacy Benefit Manager Licensure and
- 6 Regulation Act:
- 7 (1) Auditing entity means a pharmacy benefit manager or any person
- 8 that represents a pharmacy benefit manager in conducting an audit for
- 9 compliance with a contract between the pharmacy benefit manager and a
- 10 pharmacy;
- 11 (2) Claims processing service means an administrative service
- 12 performed in connection with the processing and adjudicating of a claim
- 13 relating to a pharmacist service that includes:
- 14 (a) Receiving a payment for a pharmacist service; or
- 15 (b) Making a payment to a pharmacist or pharmacy for a pharmacist
- 16 service;
- 17 (3) Covered person means a member, policyholder, subscriber,
- 18 enrollee, beneficiary, dependent, or other individual participating in a
- 19 health benefit plan;
- 20 (4) Director means the Director of Insurance;
- 21 (5) Health benefit plan means a policy, contract, certificate, plan,
- 22 or agreement entered into, offered, or issued by a health carrier or
- 23 self-funded employee benefit plan to the extent not preempted by federal
- 24 law to provide, deliver, arrange for, pay for, or reimburse any of the

25 costs of a physical, mental, or behavioral health care service;  
 26 (6) Health carrier has the same meaning as in section 44-1303;  
 27 (7) Other prescription drug or device service means a service other  
 1 than a claims processing service, provided directly or indirectly,  
 2 whether in connection with or separate from a claims processing service,  
 3 including, but not limited to:  
 4 (a) Negotiating a rebate, discount, or other financial incentive or  
 5 arrangement with a drug company;  
 6 (b) Disbursing or distributing a rebate;  
 7 (c) Managing or participating in an incentive program or arrangement  
 8 for a pharmacist service;  
 9 (d) Negotiating or entering into a contractual arrangement with a  
 10 pharmacist or pharmacy;  
 11 (e) Developing and maintaining a formulary;  
 12 (f) Designing a prescription benefit program; or  
 13 (g) Advertising or promoting a service;  
 14 (8) Pharmacist has the same meaning as in section 38-2832;  
 15 (9) Pharmacist service means a product, good, or service or any  
 16 combination thereof provided as a part of the practice of pharmacy;  
 17 (10) Pharmacy has the same meaning as in section 71-425;  
 18 (11)(a) Pharmacy benefit manager means a person, business, or  
 19 entity, including a wholly or partially owned or controlled subsidiary of  
 20 a pharmacy benefit manager, that provides a claims processing service or  
 21 other prescription drug or device service for a health benefit plan to a  
 22 covered person who is a resident of this state; and  
 23 (b) Pharmacy benefit manager does not include:  
 24 (i) A health care facility licensed in this state;  
 25 (ii) A health care professional licensed in this state;  
 26 (iii) A consultant who only provides advice as to the selection or  
 27 performance of a pharmacy benefit manager; or  
 28 (iv) A health carrier to the extent that it performs any claims  
 29 processing service or other prescription drug or device service  
 30 exclusively for its enrollees; and  
 31 (12) Plan sponsor has the same meaning as in section 44-2702.  
 1 Sec. 2. Section 68-956, Reissue Revised Statutes of Nebraska, is  
 2 amended to read:  
 3 68-956 ~~(1)~~ The department shall ~~(a) enter~~ ~~(1)~~ Enter into a  
 4 multistate purchasing pool, ~~(b)~~ ~~(2)~~ negotiate directly with  
 5 manufacturers or labelers, ~~;~~ or ~~(c)~~ ~~(3)~~ contract with a pharmacy benefit  
 6 manager for negotiated discounts or rebates for all prescription drugs  
 7 under the medical assistance program in order to achieve the lowest  
 8 available price for such drugs under such program.  
 9 ~~(2) Any contract under the Medicaid Prescription Drug Act with a~~  
 10 ~~pharmacy benefit manager or a managed care organization using a pharmacy~~  
 11 ~~benefit manager shall require any pharmacy benefit manager that is a~~  
 12 ~~party or otherwise subject to the contract to comply with the Pharmacy~~  
 13 ~~Benefit Manager Licensure and Regulation Act.~~  
 14 Sec. 3. Original section 68-956, Reissue Revised Statutes of  
 15 Nebraska, and section 44-4603, Revised Statutes Cumulative Supplement,  
 16 2022, are repealed.

**LEGISLATIVE BILL 1290.** Placed on General File with amendment.

[AM2728](#)

1 1. On page 2, line 11, strike "1 to 5" and insert "2 to 6".

(Signed) Julie Slama, Chairperson

Urban Affairs

**LEGISLATIVE BILL 842.** Placed on General File with amendment.

[AM2778](#) is available in the Bill Room.



**LEGISLATIVE BILL 1190.** Placed on General File with amendment.  
[AM2686](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 to 5 of this act shall be known and may be  
4 cited as the Service Contract Reporting Act.  
5 Sec. 2. For purposes of the Service Contract Reporting Act:  
6 (1) City means a city of the metropolitan class;  
7 (2) County means a county in this state with a population of more  
8 than five hundred thousand inhabitants as determined by the most recent  
9 federal decennial census;  
10 (3) Division means the materiel division of the Department of  
11 Administrative Services;  
12 (4) Economic redevelopment area means an area in the State of  
13 Nebraska in which:  
14 (a) The average rate of unemployment in the area during the period  
15 covered by the most recent federal decennial census or American Community  
16 Survey 5-Year Estimate by the United States Bureau of the Census is at  
17 least one hundred fifty percent of the average rate of unemployment in  
18 the state during the same period; and  
19 (b) The average poverty rate in the area is twenty percent or more  
20 for the federal census tract in the area;  
21 (5) Fiscal year means the twelve-month period used by the city,  
22 county, or state agency for budgeting purposes;  
23 (6) Qualified census tract means a qualified census tract as defined  
24 in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1,  
25 2024;  
26 (7) Service contract means a contract awarded by a city, county, or  
27 state agency for the provision of legal services, accounting services,  
1 financial consulting services, management consulting services, health  
2 care services, engineering services, architectural services, information  
3 technology services, marketing and advertising services, human resources  
4 consulting services, environmental consulting services, educational and  
5 training services, snow removal and hauling services, janitorial  
6 services, custodial and cleaning services, yard maintenance services, or  
7 tree removal services;  
8 (8) State agency means any agency, board, or commission of this  
9 state other than the University of Nebraska, the Nebraska state colleges,  
10 the courts, the Legislature, or any officer or state agency established  
11 by the Constitution of Nebraska; and  
12 (9) State aid means:  
13 (a) For both cities and counties, state aid paid pursuant to  
14 sections 60-3,202 and 77-3523;  
15 (b) For cities, state aid to cities paid pursuant to sections  
16 39-2501 to 39-2520, 60-3,190, and 77-27,139.04 and insurance premium tax  
17 paid to cities; and  
18 (c) For counties, state aid to counties paid pursuant to sections  
19 60-3,184 to 60-3,190, insurance premium tax paid to counties, and  
20 reimbursements to counties from funds appropriated pursuant to section  
21 29-3933.  
22 Sec. 3. On or before August 1, 2024, and on or before August 1 of  
23 each year thereafter, each city, county, and state agency shall submit a  
24 report to the division containing the following information:  
25 (1) The name and address of each individual or entity that was  
26 awarded a service contract during the most recently completed fiscal year  
27 and the type of service involved in each such contract;  
28 (2) The total dollar value of service contracts awarded during the  
29 most recently completed fiscal year;  
30 (3) The total dollar value of service contracts awarded during the

31 most recently completed fiscal year to an individual or entity located  
 1 within an economic redevelopment area or a qualified census tract; and  
 2 (4) A description of any efforts made by the city, county, or state  
 3 agency to increase the number of service contracts awarded to individuals  
 4 and entities located within economic redevelopment areas and qualified  
 5 census tracts.  
 6 Sec. 4. On or before September 1, 2024, and on or before September  
 7 1 of each year thereafter, the division shall compile the information  
 8 reported under section 3 of this act and shall electronically submit a  
 9 comprehensive report regarding such information to the Governor, the  
 10 Clerk of the Legislature, and the Urban Affairs Committee of the  
 11 Legislature. The division shall also make the comprehensive report  
 12 available on the website of the Department of Administrative Services.  
 13 Sec. 5. If any city or county fails to submit an annual report to  
 14 the division as required under section 3 of this act, the division shall  
 15 send notification of the noncompliance to the governing body of the  
 16 relevant city or county and to the State Treasurer. The State Treasurer  
 17 shall then suspend all distributions of state aid allocated to the city  
 18 or county until the annual report is submitted. Once the annual report  
 19 has been submitted, the city or county shall again become entitled to all  
 20 distributions of state aid, including any suspended distributions.

(Signed) Terrell McKinney, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 316.** Introduced by Aguilar, 35; Bostelman, 23; Brandt, 32; Cavanaugh, J., 9; Erdman, 47; Fredrickson, 20; Halloran, 33; Hughes, 24; Jacobson, 42; Lippincott, 34; Lowe, 37; Moser, 22; Sanders, 45; Slama, 1; von Gillern, 4.

WHEREAS, Greg Wagner has served Nebraska's outdoor resources and its people for more than forty-five years; and

WHEREAS, Greg has worked in Fisheries, Parks, and Communications divisions of the Game and Parks Commission in various capacities since May 1979; and

WHEREAS, Greg is a lifelong Nebraskan currently working as a marketing and communications specialist for Game and Parks based in Omaha, hosts an award-winning weekly Great Outdoor Radio Show that has been on air nearly thirty years, and is a contributing outdoor writer for the Nebraskaland Magazine; and

WHEREAS, Greg is a charismatic, recognized, and respected spokesperson, agency representative, media liaison, outreach coordinator, and broadcast personality and is frequently asked to be the master of ceremonies at conservation fundraisers; and

WHEREAS, Greg has supported many programs of the Game and Parks Commission and its partners that recruit more people to hunting and fishing. He has even helped proclaim a designated day in late September as National Hunting and Fishing Day with the Governor; and

WHEREAS, Greg has earned awards in the past for his dedication to the outdoors including Trout Unlimited's prestigious Certificate of Merit in 2003, the Manager of the Year Award at the Game and Parks Commission in

2000, the Long Spur Society Award from Pheasants Forever in 2010, and many other awards; and

WHEREAS, Greg is an outdoors ambassador who enjoys Nebraska's people, history, and natural and cultural resources and the Legislature recognizes Greg for the effort and guidance he has given to Nebraska's outdoor resources for forty-five years.

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

1. That the Legislature congratulates Greg Wagner on forty-five years of service to the Game and Parks Commission.
2. That a copy of this resolution be sent to Greg Wagner.

Laid over.

### **VISITOR(S)**

Visitors to the Chamber were students, teachers, and sponsors from the Nebraska Thespians; students from Trinity Lutheran School, Lincoln; students from Watson Elementary, Hastings; members from the Nebraska Chapter of the American Foundation for Suicide Prevention; Madalynn and Stacy Kellum, O'Neill; students from Holy Name School, Omaha.

### **RECESS**

At 11:58 a.m., on a motion by Senator Hughes, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

### **ROLL CALL**

The roll was called and all members were present except Senator Sanders who was excused; and Senators Arch, Bostar, Conrad, Day, Hunt, Ibach, Linehan, Raybould, Walz, and Wayne who were excused until they arrive.

### **MESSAGE(S) FROM THE GOVERNOR**

March 5, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. Metzler:

Engrossed Legislative Bill 16, 16A, 51, 83, 102, 102A, 147, 152, 184, 190, 303, 317, 731 were received in my office on February 29, 2024, and signed on March 5, 2024.

These bills were signed and delivered to the Secretary of State on March 5, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

**COMMITTEE REPORT(S)**  
Natural Resources

**LEGISLATIVE BILL 1369.** Placed on General File with amendment.

[AM2707](#)

1 1. On page 2, strike lines 8 through 10 and insert the following new  
2 subdivisions:  
3 "(ii) Is controlled by the owner-generator and located entirely on  
4 the same premises as the owner-generator's electric account with the  
5 local distribution utility;  
6 (iii) Is owned, leased, or otherwise controlled by the owner-  
7 generator and used for agricultural or horticultural purposes;"; in line  
8 11 strike "(iii)" and insert "(iv)"; in line 12 strike "(iv)" and insert  
9 "(v)"; in line 14 strike "(v)" and insert "(vi)"; strike lines 15 through  
10 17; in line 18 strike "(d)" and insert "(c)"; in line 21 strike "(e)" and  
11 insert "(d)"; in line 25 strike "(f)" and insert "(e)"; in line 26 strike  
12 "(g)" and insert "(f)"; in line 29 strike "interconnection between its  
13 local distribution system and" and insert "electric service to a customer  
14 that owns"; and in line 31 after the first comma insert "safety  
15 standards".  
16 2. On page 3, strike beginning with "provide" in line 4 through  
17 "generator" in line 5 and insert "serve a customer that is an owner-  
18 generator".

(Signed) Bruce Bostelman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to [LB175](#):

[AM2754](#)

(Amendments to Standing Committee amendments, AM2504)

1 1. Strike amendments 1, 2, and 3 and insert the following new  
2 amendment:  
3 1. Strike the original sections and insert the following new  
4 sections:  
5 Section 1. Sections 1 to 6 of this act shall be known and may be  
6 cited as the Residential Tenant Clean Slate Act.  
7 Sec. 2. For purposes of the Residential Tenant Clean Slate Act:  
8 (1) Clean slate relief means the sealing of records under section 5  
9 of this act;  
10 (2) Eviction proceeding means an action for:  
11 (a) Forcible entry and detainer involving a residential tenancy  
12 under sections 25-21.219 to 25-21.235; or  
13 (b) Possession of any premises subject to the Uniform Residential  
14 Landlord and Tenant Act or the Mobile Home Landlord and Tenant Act;

15 (3) Landlord includes a landlord as defined in section 76-1410 and a  
16 landlord as defined in section 76-1462;  
17 (4) Residential tenancy means a tenancy, however created, between a  
18 landlord and a tenant for a dwelling unit;  
19 (5) Tenant means a current or former occupant of a dwelling unit  
20 pursuant to a residential tenancy;  
21 (6) Trial court means the trial court that presided over an eviction  
22 proceeding; and  
23 (7) When reference in this section is made to a definition found in  
24 both the Uniform Residential Landlord and Tenant Act and the Mobile Home  
25 Landlord and Tenant Act, the definition relevant to the type of tenant at  
26 issue applies for purposes of the Residential Tenant Clean Slate Act.  
1 Sec. 3. If a trial court issues an order dismissing an eviction  
2 proceeding against a tenant, the trial court shall immediately issue an  
3 order under section 5 of this act granting clean slate relief to such  
4 tenant.  
5 Sec. 4. (1) A tenant may petition the trial court for clean slate  
6 relief for an eviction proceeding at any time if:  
7 (a) The proceeding meets the requirements for clean slate relief  
8 under section 3 of this act, but the record remains public;  
9 (b) Following the eviction proceeding, a judgment granting the writ  
10 of restitution against the tenant is reversed or vacated; or  
11 (c) Following the eviction proceeding, a writ of restitution is  
12 never executed.  
13 (2) The trial court shall grant the petition without further hearing  
14 if the requirements of this section have been met.  
15 (3) Upon granting a petition under this section, the court shall  
16 issue an order for clean slate relief under section 5 of this act.  
17 (4) An order granting or denying a petition under this section is a  
18 final, appealable order for purposes of section 25-1902.  
19 (5) This section applies to all eviction proceedings, without regard  
20 to the date of filing or conclusion of the eviction proceeding, including  
21 those occurring prior to the operative date of this act.  
22 Sec. 5. (1) In issuing an order for clean slate relief, the court  
23 shall:  
24 (a) Order that all records relating to the eviction proceeding are  
25 not part of the public record and shall not be disseminated; and  
26 (b) If the case was transferred from one court to another, send  
27 notice of the order to seal the record to the transferring court.  
28 (2) Following entry of a court order granting clean slate relief, a  
29 court shall:  
30 (a) Respond to a public inquiry in the manner as if there had not  
31 been an eviction proceeding involving the tenant; and  
1 (b) Not disseminate any information regarding such eviction  
2 proceeding.  
3 (3)(a) A tenant shall not be questioned with respect to any eviction  
4 proceeding for which the record is sealed under this section:  
5 (i) In any application for housing, a lease, employment, bonding,  
6 licensure, or education;  
7 (ii) With respect to an application or request for any other right  
8 or privilege;  
9 (iii) In any appearance as a witness; or  
10 (iv) In any other public inquiry.  
11 (b) If an inquiry is made in violation of this subsection, the  
12 tenant may respond as if the eviction proceeding never occurred.  
13 (4) In any application for housing, a landlord shall not consider a  
14 tenant's prior eviction if clean slate relief has been granted for such  
15 eviction.  
16 Sec. 6. The State Court Administrator may adopt and promulgate  
17 rules and regulations as necessary to carry out the Residential Tenant

18 Clean Slate Act.

19 Sec. 7. Section 76-1415, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 76-1415 (1) No rental agreement may provide that the tenant:

22 (a) Agrees to waive or to forego rights or remedies under the

23 Uniform Residential Landlord and Tenant Act or other federal or state

24 law;

25 (b) Authorizes any person to confess judgment on a claim arising out

26 of the rental agreement;

27 (c) Agrees to pay the landlord's or tenant's attorney's fees; or

28 (d) Agrees to the exculpation or limitation of any liability of the

29 landlord arising due to active and actionable negligence of the landlord

30 or to indemnify the landlord for that liability arising due to active and

31 actionable negligence or the costs connected therewith.

1 (2) A provision prohibited by subsection (1) of this section

2 included in a rental agreement is unenforceable. If a landlord

3 deliberately uses a rental agreement containing provisions known by him

4 or her to be prohibited, the tenant may recover actual damages sustained

5 by him or her and reasonable attorney's fees.

6 Sec. 8. Section 76-1441, Revised Statutes Cumulative Supplement,

7 2022, is amended to read:

8 76-1441 (1) The person seeking possession shall file a complaint for

9 restitution with the clerk of the district or county court. The complaint

10 shall contain (a) the specific statutory authority under which possession

11 is sought; (b) the facts, with particularity, on which he or she seeks to

12 recover; (c) a reasonably accurate description of the premises; and (d)

13 the requisite compliance with the notice provisions of the Uniform

14 Residential Landlord and Tenant Act. The complaint may notify the tenant

15 that personal property remains on the premises and that it may be

16 disposed of pursuant to section 69-2308 or subsection (5) of section

17 76-1414. The complaint may contain a demand for a trial by jury. The

18 complaint may also contain other causes of action relating to the

19 tenancy, but such causes of action shall be answered and tried

20 separately, if requested by either party in writing.

21 (2) The person seeking possession pursuant to subsection (4) of

22 section 76-1431 shall include in the complaint the incident or incidents

23 giving rise to the suit for recovery of possession.

24 Sec. 9. Section 76-1442, Reissue Revised Statutes of Nebraska, is

25 amended to read:

26 76-1442 The summons shall be issued and directed, with a copy of the

27 complaint attached thereto, and shall state the cause of the complaint,

28 the time and place of trial of the action for possession, answer day for

29 other causes of action, ~~and~~ notice that if the defendant fails to appear

30 judgment shall be entered against him or her, ~~and notice that the~~

31 ~~defendant has a right to a trial by jury and that the defendant may~~

1 ~~demand a trial by jury if he or she so chooses.~~ The summons may be served

2 and returned as in other cases or by any person, except that the summons

3 shall be served within three days, excluding nonjudicial days, from the

4 date of issuance and shall be returnable within five days, excluding

5 nonjudicial days, from the date of issuance. The person making the

6 service shall file with the court an affidavit stating with particularity

7 the manner in which he or she made the service. If diligent efforts have

8 been made to serve the summons in the manner provided in sections

9 25-505.01 to 25-516.01 but such efforts were unsuccessful, the summons

10 may be served in the manner provided in section 76-1442.01.

11 Sec. 10. Section 76-1445, Reissue Revised Statutes of Nebraska, is

12 amended to read:

13 76-1445 On or before the day fixed for his or her appearance, the

14 defendant may appear and answer and assert any legal or equitable

15 defense, setoff, or counterclaim and may demand a trial by jury. If the

16 ~~defendant has not demanded a trial by jury by the time of his or her~~  
 17 ~~first appearance, the court shall inform the defendant of the right to a~~  
 18 ~~trial by jury and, if the action is filed in county court, shall inquire~~  
 19 ~~whether the defendant demands a trial by jury or elects to have the~~  
 20 ~~action tried by the court without a jury.~~

21 Sec. 11. Section 76-1446, Reissue Revised Statutes of Nebraska, is  
 22 amended to read:

23 76-1446 (1) ~~The proceedings shall be in all respects as in other~~  
 24 ~~cases, except that:~~

25 (a) ~~If the action for possession will be tried by the court without~~  
 26 ~~a jury, the trial shall be held not less than ten nor more than fourteen~~  
 27 ~~days after the issuance of the summons; or~~

28 (b) ~~If the action for possession will be tried by a jury, the trial~~  
 29 ~~shall be scheduled by the court as soon as is practicable for the proper~~  
 30 ~~administration of justice. If, at the request of the tenant, the jury~~

31 ~~trial is continued beyond the initial trial date as determined by the~~  
 1 ~~court, the court may require the tenant to deposit with the clerk of the~~  
 2 ~~court such rental payments as accrue during the pendency of the suit.~~

3 ~~Trial of the action for possession shall be held not less than ten nor~~  
 4 ~~more than fourteen days after the issuance of the summons. The action~~  
 5 ~~shall be tried by the court without a jury.~~

6 (2) If the plaintiff serves the summons in the manner provided in  
 7 section 76-1442.01, the action shall proceed as other actions for  
 8 possession except that a money judgment shall not be granted for the  
 9 plaintiff.

10 (3) If judgment is rendered against the defendant for the  
 11 restitution of the premises, the court (a) shall declare the forfeiture  
 12 of the rental agreement; and (b) shall, at the request of the plaintiff  
 13 or his or her attorney, issue a writ of restitution, directing the  
 14 constable or sheriff to restore possession of the premises to the  
 15 plaintiff on a specified date not more than ten days after issuance of  
 16 the writ of restitution. The plaintiff shall comply with the Disposition  
 17 of Personal Property Landlord and Tenant Act and subsection (5) of  
 18 section 76-1414 in the removal of personal property remaining on the  
 19 premises at the time possession of the premises is restored.

20 Sec. 12. Sections 1, 2, 3, 4, 5, and 6 of this act become operative  
 21 on January 1, 2025. The other sections of this act become operative on  
 22 their effective date.

23 Sec. 13. Original sections 76-1415, 76-1442, 76-1445, and 76-1446,  
 24 Reissue Revised Statutes of Nebraska, and section 76-1441, Revised  
 25 Statutes Cumulative Supplement, 2022, are repealed.

## GENERAL FILE

**LEGISLATIVE BILL 1170.** Senator M. Cavanaugh renewed [MO1222](#), found on page 890 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

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

Senator Slama moved for a call of the house. The motion prevailed with 28 ayes, 4 nays, and 17 not voting.

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

Voting in the affirmative, 29:

Aguilar	Brandt	Erdman	Jacobson	Moser
Albrecht	Brewer	Halloran	Kauth	Murman
Arch	Clements	Hansen	Linehan	Riepe
Ballard	DeKay	Hardin	Lippincott	Slama
Bosn	Dorn	Holdcroft	Lowe	von Gillern
Bostelman	Dover	Hughes	Meyer	

Voting in the negative, 10:

Blood	Conrad	Dungan	McDonnell	Vargas
Cavanaugh, J.	DeBoer	Fredrickson	McKinney	Wayne

Present and not voting, 2:

Cavanaugh, M. Walz

Excused and not voting, 8:

Armendariz	Day	Ibach	Sanders
Bostar	Hunt	Raybould	Wishart

The motion to cease debate prevailed with 29 ayes, 10 nays, 2 present and not voting, and 8 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her motion to indefinitely postpone prior to the bill being read.

Voting in the affirmative, 9:

Blood	Conrad	Fredrickson	McKinney	Wayne
Cavanaugh, J.	Dungan	McDonnell	Vargas	

Voting in the negative, 30:

Aguilar	Brandt	Dover	Hughes	Meyer
Albrecht	Brewer	Erdman	Jacobson	Moser
Arch	Clements	Halloran	Kauth	Murman
Ballard	DeBoer	Hansen	Linehan	Riepe
Bosn	DeKay	Hardin	Lippincott	Slama
Bostelman	Dorn	Holdcroft	Lowe	von Gillern

Present and not voting, 2:

Cavanaugh, M. Walz

Excused and not voting, 8:



Armendariz	Day	Ibach	Sanders
Bostar	Hunt	Raybould	Wishart

The M. Cavanaugh motion to indefinitely postpone prior to the bill being read failed with 9 ayes, 30 nays, 2 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1232](#)

Reconsider the vote on MO1222.

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

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 11 ayes, 9 nays, and 29 not voting.

The motion to cease debate prevailed with 27 ayes, 12 nays, and 10 not voting.

The M. Cavanaugh motion to reconsider failed with 10 ayes, 30 nays, 2 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Title Read. Considered.

Senator M. Cavanaugh offered [MO1218](#), found on page 890, to bracket until April 11, 2024.

#### **SENATOR VON GILLERN PRESIDING**

#### **PRESIDENT KELLY PRESIDING**

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 9 ayes, 4 nays, and 36 not voting.

The M. Cavanaugh motion to bracket failed with 9 ayes, 30 nays, 3 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1233](#)

Reconsider the vote on MO1218.

Pending.

**COMMITTEE REPORT(S)**  
Revenue

**LEGISLATIVE BILL 1026.** Placed on General File.  
**LEGISLATIVE BILL 1059.** Placed on General File.  
**LEGISLATIVE BILL 1326.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to LB62:  
[AM2762](#)

(Amendments to Standing Committee amendments, AM644)

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-911 (1) Medical assistance shall include coverage for health care  
 6 and related services as required under Title XIX of the federal Social  
 7 Security Act, including, but not limited to:  
 8 (a) Inpatient and outpatient hospital services;  
 9 (b) Laboratory and X-ray services;  
 10 (c) Nursing facility services;  
 11 (d) Home health services;  
 12 (e) Nursing services;  
 13 (f) Clinic services;  
 14 (g) Physician services;  
 15 (h) Medical and surgical services of a dentist;  
 16 (i) Nurse practitioner services;  
 17 (j) Nurse midwife services;  
 18 (k) Pregnancy-related services;  
 19 (l) Medical supplies;  
 20 (m) Mental health and substance abuse services;  
 21 (n) Early and periodic screening and diagnosis and treatment  
 22 services for children which shall include both physical and behavioral  
 23 health screening, diagnosis, and treatment services;  
 24 (o) Rural health clinic services; and  
 25 (p) Federally qualified health center services.  
 26 (2) In addition to coverage otherwise required under this section,  
 1 medical assistance may include coverage for health care and related  
 2 services as permitted but not required under Title XIX of the federal  
 3 Social Security Act, including, but not limited to:  
 4 (a) Prescribed drugs;  
 5 (b) Intermediate care facilities for persons with developmental  
 6 disabilities;  
 7 (c) Home and community-based services for aged persons and persons  
 8 with disabilities;  
 9 (d) Dental services;  
 10 (e) Rehabilitation services;  
 11 (f) Personal care services;  
 12 (g) Durable medical equipment;  
 13 (h) Medical transportation services;  
 14 (i) Vision-related services;  
 15 (j) Speech therapy services;  
 16 (k) Physical therapy services;

17 (l) Chiropractic services;  
18 (m) Occupational therapy services;  
19 (n) Optometric services;  
20 (o) Podiatric services;  
21 (p) Hospice services;  
22 (q) Mental health and substance abuse services;  
23 (r) Hearing screening services for newborn and infant children; and  
24 (s) Administrative expenses related to administrative activities,  
25 including outreach services, provided by school districts and educational  
26 service units to students who are eligible or potentially eligible for  
27 medical assistance.

28 (3) No later than July 1, 2009, the department shall submit a state  
29 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
30 Services to provide coverage under the medical assistance program for  
31 community-based secure residential and subacute behavioral health  
1 services for all eligible recipients, without regard to whether the  
2 recipient has been ordered by a mental health board under the Nebraska  
3 Mental Health Commitment Act to receive such services.

4 (4) On or before October 1, 2014, the department, after consultation  
5 with the State Department of Education, shall submit a state plan  
6 amendment to the federal Centers for Medicare and Medicaid Services, as  
7 necessary, to provide that the following are direct reimbursable services  
8 when provided by school districts as part of an individualized education  
9 program or an individualized family service plan: Early and periodic  
10 screening, diagnosis, and treatment services for children; medical  
11 transportation services; mental health services; nursing services;  
12 occupational therapy services; personal care services; physical therapy  
13 services; rehabilitation services; speech therapy and other services for  
14 individuals with speech, hearing, or language disorders; and vision-  
15 related services.

16 (5) No later than January 1, 2023, the department shall provide  
17 coverage for continuous glucose monitors under the medical assistance  
18 program for all eligible recipients who have a prescription for such  
19 device.

20 (6) On or before October 1, 2023, the department shall seek federal  
21 approval for federal matching funds from the federal Centers for Medicare  
22 and Medicaid Services through a state plan amendment or waiver to extend  
23 postpartum coverage for beneficiaries from sixty days to at least six  
24 months. Nothing in this subsection shall preclude the department from  
25 submitting a state plan amendment for twelve months.

26 (7)(a) No later than January 1, 2024, the department shall provide  
27 coverage, and reimbursement to providers, for all necessary translation  
28 and interpretation services for eligible recipients utilizing a medical  
29 assistance program service. The department shall take all actions  
30 necessary to maximize federal funding to carry out this subsection.  
31 (b) The services described in subdivision (7)(a) of this section  
1 shall be funded by the Medicaid Managed Care Excess Profit Fund as  
2 described in section 68-996.

3 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
6 fund shall contain money returned to the State Treasurer pursuant to  
7 subdivision (3) of section 68-995. The fund shall first be used to offset  
8 any losses under subdivision (2) of section 68-995 and then to provide  
9 for services addressing the health needs of adults and children under the  
10 Medical Assistance Act, including filling service gaps, providing system  
11 improvements, translation and interpretation services, and sustaining  
12 access to care as determined by the Legislature. The fund shall only be  
13 used for the purposes described in this section. Any money in the fund  
14 available for investment shall be invested by the state investment

15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
 16 State Funds Investment Act.  
 17 Sec. 3. Original section 68-996, Revised Statutes Cumulative  
 18 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,  
 19 are repealed.

Senator M. Cavanaugh filed the following amendment to LB62:  
AM2878

1 1. Insert the following new sections:

2 Section 1. Section 68-908, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:

4 68-908 (1) The department shall administer the medical assistance  
 5 program.

6 (2) The department may (a) enter into contracts and interagency  
 7 agreements, (b) adopt and promulgate rules and regulations, (c) adopt fee  
 8 schedules, (d) apply for and implement waivers and managed care plans for  
 9 services for eligible recipients, including services under the Nebraska  
 10 Behavioral Health Services Act, and (e) perform such other activities as  
 11 necessary and appropriate to carry out its duties under the Medical  
 12 Assistance Act. A covered item or service as described in section 68-911  
 13 that is furnished through a school-based health center, furnished by a  
 14 provider, and furnished under a managed care plan pursuant to a waiver  
 15 does not require prior consultation or referral by a patient's primary  
 16 care physician to be covered. Any federally qualified health center  
 17 providing services as a sponsoring facility of a school-based health  
 18 center shall be reimbursed for such services provided at a school-based  
 19 health center at the federally qualified health center reimbursement  
 20 rate.

21 (3) The department shall maintain the confidentiality of information  
 22 regarding applicants for or recipients of medical assistance and such  
 23 information shall only be used for purposes related to administration of  
 24 the medical assistance program and the provision of such assistance or as  
 25 otherwise permitted by federal law.

26 (4) The department shall prepare an annual summary and analysis of  
 27 the medical assistance program for legislative and public review. The  
 1 department shall submit a report of such summary and analysis to the  
 2 Governor and the Legislature electronically no later than December 1 of  
 3 each year. The annual summary shall include, but not be limited to:

4 (a) The number and percentage of applications approved and denied;

5 (b) The number of eligibility determinations, including the number  
 6 and percentage of those individuals remaining enrolled, terminations, and  
 7 other determinations;

8 (c) The number of case closures in the medical assistance program  
 9 and the Children's Health Insurance Program and the specific reason for  
 10 the closure broken down by (i) eligibility category, including program  
 11 type, (ii) local public health district or other geographic area, and  
 12 (iii) race or ethnicity if available;

13 (d) The number of medical assistance program and Children's Health  
 14 Insurance Program enrollees broken down by (i) eligibility category,  
 15 including program type, (ii) local public health district or other  
 16 geographic area, and (iii) race or ethnicity, if available;

17 (e) The number and percentage of redeterminations or renewals  
 18 processed ex parte, broken down by (i) eligibility category, including  
 19 program type and (ii) race or ethnicity, if available;

20 (f) The average number of days required to process applications for  
 21 the medical assistance program and Children's Health Insurance Program,  
 22 separating the data by applicants with modified adjusted gross income and  
 23 nonmodified adjusted gross income eligibility;

24 (g) The rate of re-enrollment within ninety days of termination and  
 25 within twelve months of termination, broken down by (i) eligibility

26 category, including program type, (ii) local public health district or  
 27 other geographic area, and (iii) race or ethnicity, if available;  
 28 (h) The average client call duration;  
 29 (i) The client call abandonment rate;  
 30 (j) The number of requests for a fair hearing separated by (i)  
 31 eligibility category and program type, (ii) outcome, and (iii) amount of  
 1 time until final disposition; and  
 2 (k) A link to the medical assistance program fair hearing decisions  
 3 that have been redacted to protect private and health information which  
 4 shall be posted on the department's website.  
 5 Sec. 3. The Department of Health and Human Services shall  
 6 electronically submit a report to the Health and Human Services Committee  
 7 of the Legislature by November 1 of each year on the current and  
 8 anticipated expenditures for the Temporary Assistance for Needy Families  
 9 program funds allocated pursuant to the federal Personal Responsibility  
 10 and Work Opportunity Reconciliation Act of 1996, Public Law 104-193. Such  
 11 report shall provide the committee with all necessary and appropriate  
 12 information to enable the committee to conduct a meaningful evaluation of  
 13 such expenditures. Such information shall include, but not be limited to:  
 14 (1) A clear description of programs and services currently funded by  
 15 the Temporary Assistance for Needy Families program;  
 16 (2) A clear explanation of each purpose met by such program or  
 17 service;  
 18 (3) For programs and services provided by entities other than the  
 19 state, a clear description of the recipient of Temporary Assistance to  
 20 Needy Families funds;  
 21 (4) For programs other than the aid to dependent children program, a  
 22 clear statement explaining how an expenditure for that program or service  
 23 is more likely to help families achieve economic mobility and self-  
 24 sufficiency than an increase in expenditures for the aid to dependent  
 25 children program;  
 26 (5) The number of persons served under each program or service; and  
 27 (6) All costs and expenditures associated with each program or  
 28 service.  
 29 2. Renumber the remaining section and correct the repealer  
 30 accordingly.

Senator Conrad filed the following amendment to LB1268:

[AM2541](#)

1 1. Insert the following new sections:  
 2 Sec. 2. Section 40-103, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 40-103 The homestead is subject to execution or forced sale in  
 5 satisfaction of judgments obtained (1) on debts secured by mechanics',  
 6 laborers', or vendors' liens upon the premises and (2) on debts secured  
 7 by mortgages or trust deeds upon the premises executed and acknowledged  
 8 by a ~~both husband and wife, or an unmarried~~ claimant.  
 9 Sec. 4. The following section is outright repealed: Section 40-102,  
 10 Reissue Revised Statutes of Nebraska.  
 11 2. Renumber the remaining sections and correct the repealer  
 12 accordingly.

Senator M. Cavanaugh filed the following amendment to LB1108:

[AM2877](#)

(Amendments to Standing Committee amendments, AM2482)

1 1. Strike section 1 and insert the following new section:  
 2 Section 1. Section 39-1390, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 39-1390 The State Recreation Road Fund is created. The money in the

5 fund shall be transferred by the State Treasurer, on the first day of  
6 each month, to the department and shall be expended by the Director-State  
7 Engineer with the approval of the Governor for construction and  
8 maintenance of dustless-surface roads to be designated as state  
9 recreation roads as provided in this section, except that (1) transfers  
10 may be made from the fund to the State Park Cash Revolving Fund at the  
11 direction of the Legislature through July 31, 2016, and (2) if the  
12 balance in the State Recreation Road Fund exceeds fourteen million  
13 dollars on the first day of each month, the State Treasurer shall  
14 transfer the amount greater than fourteen million dollars to the Game and  
15 Parks State Park Improvement and Maintenance Fund, and (3) transfers may  
16 be made from the State Recreation Road Fund to the Nebraska Emergency  
17 Medical System Operations Fund at the direction of the Legislature.  
18 Except as to roads under contract as of March 15, 1972, those roads,  
19 excluding state highways, giving direct and immediate access to or  
20 located within state parks, state recreation areas, or other recreational  
21 or historical areas, shall be eligible for designation as state  
22 recreation roads. Such eligibility shall be determined by the Game and  
23 Parks Commission and certified to the Director-State Engineer, who shall,  
24 after receiving such certification, be authorized to commence  
25 construction on such recreation roads as funds are available. In  
26 addition, those roads, excluding state highways, giving direct and  
1 immediate access to a state veteran cemetery are state recreation roads.  
2 After construction of such roads they shall be shown on the map provided  
3 by section 39-1311. Preference in construction shall be based on existing  
4 or potential traffic use by other than local residents. Unless the State  
5 Highway Commission otherwise recommends, such roads upon completion of  
6 construction shall be incorporated into the state highway system. If such  
7 a road is not incorporated into the state highway system, the department  
8 and the county within which such road is located shall enter into a  
9 maintenance agreement establishing the responsibility for maintenance of  
10 the road, the maintenance standards to be met, and the responsibility for  
11 maintenance costs. The State Treasurer shall transfer one million two  
12 hundred seventy thousand dollars from the State Recreation Road Fund to  
13 the Nebraska Emergency Medical System Operations Fund on or before June  
14 30, 2025, on such dates and in such amounts as determined by the budget  
15 administrator of the budget division of the Department of Administrative  
16 Services. The State Treasurer shall transfer one million two hundred  
17 seventy thousand dollars from the State Recreation Road Fund to the  
18 Nebraska Emergency Medical System Operations Fund on or before June 30,  
19 2026, on such dates and in such amounts as determined by the budget  
20 administrator of the budget division of the Department of Administrative  
21 Services. Any money in the State Recreation Road Fund available for  
22 investment shall be invested by the state investment officer pursuant to  
23 the Nebraska Capital Expansion Act and the Nebraska State Funds  
24 Investment Act.  
25 2. Correct the repealer accordingly.

Senator Fredrickson filed the following amendment to LB399:  
AM2848

(Amendments to Standing Committee amendments, AM2702)

- 1 1. On page 1, lines 16 through 18, strike the new matter; and in
- 2 line 20 strike the new matter and after "generates" insert "or stores".

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB198.  
Senator Sanders name added to LB253.

Senator Wayne name added to LB731.  
Senator Vargas name added to LB1324.

**VISITOR(S)**

Visitors to the Chamber were students from Centennial Elementary, Columbus; athletic training students from University of Nebraska-Omaha and University of Nebraska-Kearney and members of the Nebraska Athletic Trainers' Association.

The Doctor of the Day was Dr. Patrick Hotovy of York.

**ADJOURNMENT**

At 4:22 p.m., on a motion by Senator Ibach, the Legislature adjourned until 9:00 a.m., Wednesday, March 6, 2024.

Brandon Metzler  
Clerk of the Legislature





**THIRTY-NINTH DAY - MARCH 6, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**THIRTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 6, 2024

**PRAYER**

The prayer was offered by Mike Whitney, Sower Church, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Halloran.

**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 Raybould and Sanders who were excused; and Senators Bosn, Bostar, Conrad, Day, Dover, Hansen, Hunt, Slama, Vargas, Walz, Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-eighth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

February 28, 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 Board of Public Roads Classifications & Standards:

Brandon B. Varilek, 15800 N 1st, Raymond, NE 68428, DOT representative

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

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 312 and 313 were adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 312 and 313.

### GENERAL FILE

**LEGISLATIVE BILL 856A.** Title read. Considered.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

Senator Fredrickson requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 30:

Aguilar	Bostelman	DeBoer	Holdcroft	McKinney
Arch	Brandt	DeKay	Hughes	Meyer
Armendariz	Brewer	Dorn	Hunt	Riepe
Ballard	Cavanaugh, J.	Dungan	Ibach	Vargas
Blood	Cavanaugh, M.	Fredrickson	Jacobson	Walz
Bosn	Conrad	Halloran	McDonnell	Wayne

Voting in the negative, 11:

Albrecht	Hardin	Lippincott	Slama
Clements	Kauth	Lowe	von Gillern
Erdman	Linehan	Murman	

Present and not voting, 1:

Moser

Excused and not voting, 7:

Bostar	Dover	Raybould	Wishart
Day	Hansen	Sanders	

Advanced to Enrollment and Review Initial with 30 ayes, 11 nays, 1 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 857A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1035A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 175.** Title read. Considered.

Committee [AM2504](#), found on page 828, was offered.

Senator Wayne offered [AM2754](#), found on page 916, to the committee amendment.

Pending.

**COMMITTEE REPORT(S)**  
Transportation and Telecommunications

**LEGISLATIVE BILL 1031.** Placed on General File with amendment. [AM2780](#) is available in the Bill Room.

(Signed) Mike Moser, Chairperson

Judiciary

**LEGISLATIVE BILL 441.** Placed on General File with amendment. [AM2789](#)

1 1. Insert the following new section:

2 Section 1. Section 28-810, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 28-810 It shall be a defense to a prosecution under sections 28-808

5 and 28-809 that:

6 (1) Either:

7 (a) Such person had reasonable cause to believe that the minor  
 8 involved was eighteen years of age or more, and that such reasonable  
 9 cause is based on but not limited to the presentation by the minor  
 10 exhibited to such person of a draft card, driver's license, birth  
 11 certificate, or other official or apparently official document purporting  
 12 to establish that such minor was eighteen years of age or more; or  
 13 (b) (2) The minor was accompanied by his parent or guardian and such  
 14 person had reasonable cause to believe that the person accompanying the  
 15 minor was the parent or guardian of that minor; and  
 16 ~~(3) Such person had reasonable cause to believe that the person was~~  
 17 ~~the parent or guardian of the minor; and~~  
 18 (2) (4) Such person's activity falls within the defenses to a  
 19 prosecution contained in section 28-815.  
 20 2. Renumber the remaining sections and correct the repealer  
 21 accordingly.

**LEGISLATIVE BILL 876.** Placed on General File with amendment.  
[AM2458](#) is available in the Bill Room.

**LEGISLATIVE BILL 892.** Placed on General File with amendment.  
[AM2765](#)

1 1. On page 26, strike line 18 and insert the following new  
 2 subdivisions:  
 3 "(27)(A) Xylazine or any of the substances listed below, including  
 4 their salts, isomers, and salts of isomers whenever the existence of such  
 5 salts, isomers, and salts of isomers is possible within the specific  
 6 chemical designation:  
 7 (i) Xylazine-M (2,6-Mich dimethylaniline);  
 8 (ii) Xylazine-M (N-thiourea-2,6-dimethylaniline);  
 9 (iii) Xylazine-M (sulfone-HO-) isomer 2;  
 10 (iv) Xylazine-M (HO-2,6-dimethylaniline isomer 1);  
 11 (v) Xylazine-M (HO-2,6-dimethylaniline isomer 2);  
 12 (vi) Xylazine M (oxo-);  
 13 (vii) Xylazine-M (HO-) isomer 1;  
 14 (viii) Xylazine-M (HO-) isomer 1 glucuronide;  
 15 (ix) Xylazine-M (HO-) isomer 2;  
 16 (x) Xylazine-M (HO-) isomer 2 glucuronide;  
 17 (xi) Xylazine-M (HO-oxo-) isomer 1;  
 18 (xii) Xylazine-M (HO-oxo-) isomer 1 glucuronide;  
 19 (xiii) Xylazine-M (HO-oxo-) isomer 2;  
 20 (xiv) Xylazine-M (HO-oxo-) isomer 2 glucuronide;  
 21 (xv) Xylazine-M (sulfone); and  
 22 (xvi) Xylazine-M (sulfone-HO-) isomer 1.  
 23 (B) This subdivision (27) shall not include xylazine when it is used  
 24 in any of the following manners:  
 25 (i) Dispensing or prescribing for, or administering to, a nonhuman  
 26 species a drug containing xylazine that has been approved by the United  
 27 States Secretary of Health and Human Services under section 512 of the  
 1 Federal Food, Drug, and Cosmetic Act, 21 U.S.C. 360b, as such act existed  
 2 on January 1, 2024;  
 3 (ii) Dispensing or prescribing for, or administering to, a nonhuman  
 4 species that is permissible under section 512(a)(4) of the Federal Food,  
 5 Drug, and Cosmetic Act, 21 U.S.C. 360b(a)(4), as such act existed on  
 6 January 1, 2024;  
 7 (iii) The manufacturing, distribution, or use of xylazine as an  
 8 active pharmaceutical ingredient for manufacturing an animal drug that  
 9 has been approved under section 512 of the Federal Food, Drug, and  
 10 Cosmetic Act, 21 U.S.C. 360b, or that has been issued an investigational  
 11 use exemption under section 512(j) of the act, 21 U.S.C. 360b(j), as such

12 act existed on January 1, 2024;

13 (iv) The manufacturing, distribution, or use of a xylazine bulk

14 chemical for pharmaceutical compounding by licensed pharmacists or

15 veterinarians for a nonhuman species in accordance with subdivision (B)

16 (i) or (ii) of this subdivision (27); or

17 (v) Any other use approved or permissible under the Federal Food,

18 Drug, and Cosmetic Act, when dispensed or prescribed for, or administered

19 to, a nonhuman species in accordance with subdivision (B)(i) or (ii) of

20 this subdivision (27)."

**LEGISLATIVE BILL 1085.** Placed on General File with amendment.

[AM2369](#)

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

2 sections:

3 Section 1. Section 43-2,119, Revised Statutes Cumulative Supplement,

4 2022, is amended to read:

5 43-2,119 (1) The number of judges of the separate juvenile court in

6 counties which have established a separate juvenile court shall be:

7 (a) Two judges in counties having seventy-five thousand inhabitants

8 but less than ~~three~~ two hundred thousand inhabitants;

9 (b) Four judges in counties having at least ~~three~~ two hundred

10 thousand inhabitants but less than ~~five~~ four hundred thousand

11 inhabitants; and

12 (c) Six judges in counties having ~~five~~ four hundred thousand

13 inhabitants or more.

14 (2) The senior judge in point of service as a juvenile court judge

15 shall be the presiding judge. The judges shall rotate the office of

16 presiding judge every three years unless the judges agree to another

17 system.

18 Sec. 2. Original section 43-2,119, Revised Statutes Cumulative

19 Supplement, 2022, is repealed.

(Signed) Justin Wayne, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Dorn filed the following amendment to [LB942](#):

[AM2895](#)

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

2 sections:

3 Section 1. Section 68-1917, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 68-1917 Except for facilities which are exempt under section 68-1918

6 and facilities referred to in section 68-1919, each nursing facility or

7 skilled nursing facility licensed under the Health Care Facility

8 Licensure Act shall pay a quality assurance assessment based on total

9 resident days, including bed-hold days, less medicare days, for the

10 purpose of improving the quality of nursing facility or skilled nursing

11 facility care in this state. The assessment shall be ~~nine~~ three dollars

12 ~~and fifty cents~~ for each resident day for the preceding calendar quarter.

13 The assessment in the aggregate shall not exceed the amount stated in

14 section 68-1920.

15 Sec. 2. Original section 68-1917, Reissue Revised Statutes of

16 Nebraska, is repealed.

**NOTICE OF COMMITTEE HEARING(S)**

Appropriations  
Room 1003 12:00 PM

Wednesday, March 13, 2024  
AM2895 Amending LB942

(Signed) Robert Clements, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 175.** Committee [AM2504](#), found on page 828 and considered in this day's Journal, was renewed.

Senator Wayne renewed [AM2754](#), found on page 916 and considered in this day's Journal, to the committee amendment.

Pending.

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 934.** Placed on General File with amendment.

[AM2706](#)

- 1 1. On page 2, strike beginning with "may" in line 11 through the
- 2 period in line 12 and insert "or defendant may demand that any claim
- 3 under the Consumer Protection Act be tried by a jury."
- 4 2. On page 5, line 23, after "has" insert "reasonable."
- 5 3. On page 6, strike lines 9 through 13 and insert the following new
- 6 subdivisions:
- 7 "(e) Obtain an order freezing or impounding connected accounts or
- 8 assets as provided in subsection (10) of this section.
- 9 (10)(a) For purposes of this subsection, connected accounts or
- 10 assets means any bank account, other financial account, money, asset, or
- 11 property connected with any alleged violation of sections 59-1602 to
- 12 59-1606.
- 13 (b) In order to ensure the availability of resources needed to
- 14 provide restitution or any other remedy available to a consumer by law,
- 15 the Attorney General may request an ex parte order from the district
- 16 court temporarily freezing or impounding connected accounts or assets. If
- 17 granted, such order shall be effective for a period of fourteen days, and
- 18 the court shall set the matter for a hearing. The Attorney General shall
- 19 provide notice of the order and hearing to the owner of the connected
- 20 account or asset. Such notice may be made by publication.
- 21 (c) Following such hearing, the court may extend the temporary order
- 22 for any period up to the completion of all proceedings undertaken under
- 23 the Consumer Protection Act unless earlier canceled or modified at the
- 24 request of the Attorney General.": in line 20 after "87-303.02" insert
- 25 "(a)" and after "has" insert "reasonable"; in line 24 strike "(a)", show
- 26 as stricken, and insert "(1)"; and in line 31 strike "(b)", show as
- 27 stricken, and insert "(2)".
- 1 4. On page 7, line 3, strike "(c)", show as stricken, and insert
- 2 "(3)"; in line 5 strike "(d)", show as stricken, and insert "(4)"; and
- 3 strike lines 10 through 15 and insert the following new subdivisions:
- 4 "(5) Obtain an order freezing or impounding connected accounts or
- 5 assets as provided in subsection (b) of this section.
- 6 (b)(1) For purposes of this subsection, connected accounts or assets

7 means any bank account, other financial account, money, asset, or  
 8 property connected with any alleged deceptive trade practice or  
 9 unconscionable act listed in section 87-302 or 87-303.01.  
 10 (2) In order to ensure the availability of resources needed to  
 11 provide restitution or any other remedy available to a consumer by law,  
 12 the Attorney General may request an ex parte order from the district  
 13 court temporarily freezing or impounding connected accounts or assets. If  
 14 granted, such order shall be effective for a period of fourteen days, and  
 15 the court shall set the matter for a hearing. The Attorney General shall  
 16 provide notice of the order and hearing to the owner of the connected  
 17 account or asset. Such notice may be made by publication.  
 18 (3) Following such hearing, the court may extend the temporary order  
 19 for any period up to the completion of all proceedings undertaken under  
 20 the Uniform Deceptive Trade Practices Act unless earlier canceled or  
 21 modified at the request of the Attorney General."; and strike beginning  
 22 with "may" in line 16 through the period in line 17 and insert "or  
 23 defendant may demand that any claim under the Uniform Deceptive Trade  
 24 Practices Act be tried by a jury."

(Signed) Justin Wayne, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Bosn filed the following amendment to [LB137](#):  
[AM2828](#) is available in the Bill Room.

#### **VISITOR(S)**

Visitors to the Chamber were members from North Central States Regional Council of Carpenters; students from David City Elementary, David City; members from Youth Leadership Kearney; members of the Alpha Kappa Alpha Sorority-Lincoln and Omaha Chapters; students from Pershing Elementary, Lexington.

#### **RECESS**

At 11:53 a.m., on a motion by Senator M. Cavanaugh the Legislature recessed until 1:30 p.m.

#### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

#### **ROLL CALL**

The roll was called and all members were present except Senators Armendariz, Raybould, and Sanders who were excused; and Senators Fredrickson, Ibach, Jacobson, McKinney, Vargas, and Wayne who were excused until they arrive.

#### **COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 1047.** Placed on General File.

**LEGISLATIVE BILL 1134.** Placed on General File with amendment.**AM2881**

1 1. Insert the following new sections:

2 Section 1. Section 77-5005, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 77-5005 (1) Within ten days after appointment, the commissioners  
5 shall meet at their office in Lincoln, Nebraska, and enter upon the  
6 duties of their office.

7 (2) A majority of the commission shall ~~at all times~~ constitute a  
8 quorum to transact business, and one vacancy shall not impair the right  
9 of the remaining commissioners to exercise all the powers of the  
10 commission, except that two commissioners shall constitute a quorum to  
11 hear and determine any appeals or petitions.

12 (3) Any investigation, inquiry, or hearing held or undertaken by the  
13 commission may be held or undertaken by a single commissioner in those  
14 appeals designated for hearing pursuant to section 77-5015.02.

15 (4) All investigations, inquiries, hearings, and decisions of a  
16 single commissioner and every order made by a single commissioner shall  
17 be deemed to be the order of the commission, except as provided in  
18 subsection (6) of section 77-5015.02. The full commission, on an  
19 application made within thirty days after the date of an order, may grant  
20 a rehearing and determine de novo any decisions of or orders made by the  
21 commission. The commission, on an application made within thirty days  
22 after the date of an order issued after a hearing by a single  
23 commissioner, except for an order dismissing an appeal or petition for  
24 failure of the appellant or petitioner to appear at a hearing on the  
25 merits, shall grant a rehearing on the merits before the commission. The  
26 thirty-day filing period for appeals under subsection (2) of section  
27 77-5019 shall be tolled while a motion for rehearing is pending.

1 (5) All hearings or proceedings of the commission shall be open to  
2 the public.

3 (6) The Open Meetings Act applies only to hearings or proceedings of  
4 the commission held pursuant to the rulemaking authority of the  
5 commission.

6 Sec. 4. If any section in this act or any part of any section is  
7 declared invalid or unconstitutional, the declaration shall not affect  
8 the validity or constitutionality of the remaining portions.

9 Sec. 6. Since an emergency exists, this act takes effect when passed  
10 and approved according to law.

11 2. Renumber the remaining sections and correct the repealer  
12 accordingly.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Conrad filed the following amendment to LB287:

**AM2792**

(Amendments to Standing Committee amendments, AM2060)

1 1. Insert the following new sections:

2 Sec. 51. Section 84-217, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 84-217 ~~Section 84-216 is Sections 84-215 to 84-217 shall be~~  
5 cumulative to any existing remedies which may exist.

6 Sec. 56. The following section is outright repealed: Section 84-215,  
7 Reissue Revised Statutes of Nebraska.

8 2. On page 69, line 5, strike "and 49-1499.03" and insert  
9 "49-1499.03, and 84-217".



10 3. Renumber the remaining sections, correct internal references, and  
11 correct the operative date section so that the sections added by this  
12 amendment become operative three calendar months after the adjournment of  
13 this legislative session.

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Anderson, Britt D. - Beginning Farmer Board - Agriculture  
Bley, Steven - Boiler Safety Code Advisory Board - Business and Labor  
Farrington, Stephen M. - State Electrical Board - General Affairs  
Gerjevic, Don F. - State Electrical Board - General Affairs  
Hunsberger, Michael M. - State Electrical Board - General Affairs  
Lubben, Bradley D. - Beginning Farmer Board - Agriculture  
Lunz, Lisa A. - Beginning Farmer Board - Agriculture  
Salerno, Jeanne - Nebraska Arts Council - General Affairs  
Scott, Sarah - Property Tax Administrator, Department of Revenue -  
Revenue  
Thornburg, Wade E. - Beginning Farmer Board - Agriculture  
Varilek, Brandon B. - Board of Public Roads Classifications and Standards -  
Transportation and Telecommunications  
Walvoord, John E. - Beginning Farmer Board - Agriculture

(Signed) Raymond Aguilar, Chairperson  
Executive Board

### GENERAL FILE

**LEGISLATIVE BILL 175.** Committee [AM2504](#), found on page 828 and considered in this day's Journal, was renewed.

Senator Wayne renewed [AM2754](#), found on page 916 and considered in this day's Journal, to the committee amendment.

The Wayne amendment, to the committee amendment, was withdrawn.

Pending.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1087A.** Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1087, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 685A.** Introduced by Lowe, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 685, One Hundred Eighth Legislature, Second Session, 2024.

**AMENDMENT(S) - Print in Journal**

Senator Riepe filed the following amendment to LB204A:

AM2871

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$75,000 from the General  
 4 Fund for FY2024-25 and (2) \$-0- from the General Fund for FY2025-26 to  
 5 the Department of Health and Human Services, for Program 33, to aid in  
 6 carrying out the provisions of Legislative Bill 204, One Hundred Eighth  
 7 Legislature, Second Session, 2024.  
 8 No expenditures for permanent and temporary salaries and per diems  
 9 for state employees shall be made from funds appropriated in this  
 10 section.  
 11 Sec. 2. There is hereby appropriated (1) \$2,510,597 from the General  
 12 Fund and \$4,466,385 from federal funds for FY2024-25 and (2) \$2,510,597  
 13 from the General Fund and \$4,466,385 from federal funds for FY2025-26 to  
 14 the Department of Health and Human Services, for Program 348, to aid in  
 15 carrying out the provisions of Legislative Bill 204, One Hundred Eighth  
 16 Legislature, Second Session, 2024.  
 17 There is included in the appropriation to this program for FY2024-25  
 18 \$2,510,597 General Funds and \$4,466,385 federal funds for state aid,  
 19 which shall only be used for such purpose. There is included in the  
 20 appropriation to this program for FY2025-26 \$2,510,597 General Funds and  
 21 \$4,466,385 federal funds for state aid, which shall only be used for such  
 22 purpose.  
 23 No expenditures for permanent and temporary salaries and per diems  
 24 for state employees shall be made from funds appropriated in this  
 25 section.  
 26 Sec. 3. Since an emergency exists, this act takes effect when passed  
 27 and approved according to law.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 317.** Introduced by Walz, 15.

WHEREAS, post-traumatic stress is a significant public health issue that can result from a variety of stressors including combat, interpersonal violence, high-impact collisions, natural disasters, and exposure to the suffering of others; and

WHEREAS, the diagnosis known as post-traumatic stress disorder was initially formulated in 1980 by the American Psychiatric Association to describe and categorize the symptoms and behavioral complications of severe traumatic stress; and

WHEREAS, post-traumatic stress has historically been unjustly portrayed as a mental illness caused by a preexisting flaw of character or ability, and the word "disorder" carries a stigma that perpetuates this misconception and creates a barrier that interferes with the ability of individuals to seek and receive timely care; and

WHEREAS, electro-magnetic imaging has shown that severe traumatic stress causes physical changes within the brain, which are more accurately described as an injury than a disorder; and

WHEREAS, any injury consistent with criteria A through H of section 309.81 of the Diagnostic Statistical Manual of Mental Disorders deserves consideration and compensation strictly matching legal entitlements provided for disabilities that have been or are currently classified as post-traumatic stress disorder; and

WHEREAS, all individuals deserve the investment of every possible resource to ensure their lasting physical, mental, and emotional well-being as well as timely access to appropriate treatment of traumatic stress injuries averting complications and preventing suicide; and

WHEREAS, all individuals suffering from post-traumatic stress injuries and the brave men and women who received these wounds while risking their lives to protect the freedom, safety, and welfare of others deserve special recognition for their gallantry, commitment, and sacrifice.

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

1. That the Legislature recognizes June 27, 2024, as Post-Traumatic Stress Injury Awareness Day and June 2024 as Post-Traumatic Stress Injury Awareness Month in Nebraska.

2. That the Legislature urges all individuals to observe Post-Traumatic Stress Injury Awareness Day and Post-Traumatic Stress Injury Awareness Month with appropriate ceremonies and activities that promote public understanding of the challenges faced by individuals with traumatic stress injuries and their families.

Laid over.

#### **GENERAL FILE**

**LEGISLATIVE BILL 175.** Committee [AM2504](#), found on page 828 and considered in this day's Journal, was renewed.

Senator Dungan offered the following amendment to the committee amendment:

[AM2908](#) is available in the Bill Room.

#### **SPEAKER ARCH PRESIDING**

Senator Dungan moved for a call of the house. The motion prevailed with 9 ayes, 5 nays, and 35 not voting.

#### **PRESIDENT KELLY PRESIDING**

The Dungan amendment, to the committee amendment, was adopted with 32 ayes, 11 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Slama offered the following motion:

[MO1234](#)

Reconsider the vote on AM2908.

Senator Slama asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Senator Slama offered the following amendment to the committee amendment:

[FA248](#)

Strike line 1 on page 1.

Pending.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 1288.** Placed on Select File with amendment.

[ER75](#)

- 1 1. On page 1, line 5, strike "sections 83-338 and 83-364" and insert "section 83-338".
- 2 2. On page 15, line 16, strike "(a)", show as stricken, and insert "(i)"; in line 17 strike "(b)", show as stricken, and insert "(ii)"; and in line 19 strike "(c)", show as stricken, and insert "(iii)".
- 3 3. On page 26, line 31, strike "sections" and insert "section".
- 4 4. On page 27, line 1, strike "and 83-364".

**LEGISLATIVE BILL 1118.** Placed on Select File.

**LEGISLATIVE BILL 1143.** Placed on Select File.

**LEGISLATIVE BILL 877.** Placed on Select File with amendment.

[ER76](#)

- 1 1. On page 1, line 4, strike "to provide for retroactive applicability;"

**LEGISLATIVE BILL 998.** Placed on Select File.

**LEGISLATIVE BILL 771A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

Revenue

**LEGISLATIVE BILL 1032.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Dorn filed the following amendment to LB1108:  
AM2569

(Amendments to Standing Committee amendments, AM2482)

1 1. Strike sections 1 to 4 and insert the following new sections:  
 2 Section 1. Section 37-327.02, Revised Statutes Cumulative  
 3 Supplement, 2022, is amended to read:  
 4 37-327.02 (1) The Game and Parks Commission Capital Maintenance Fund  
 5 is created. The fund shall consist of money credited to the fund pursuant  
 6 to section 77-27,132, transfers authorized by the Legislature, and any  
 7 gifts, grants, bequests, or donations to the fund. The fund shall be  
 8 administered by the commission and shall be used to build, repair,  
 9 renovate, rehabilitate, restore, modify, or improve any infrastructure  
 10 within the statutory authority and administration of the commission. Any  
 11 money in the fund available for investment shall be invested by the state  
 12 investment officer pursuant to the Nebraska Capital Expansion Act and the  
 13 Nebraska State Funds Investment Act.  
 14 (2) On or before December 1, 2021, and on or before December 1 of  
 15 each year thereafter through 2027, the commission shall electronically  
 16 submit a report to the Clerk of the Legislature and the Revenue Committee  
 17 of the Legislature. The report shall include (a) a list of each project  
 18 that received funding from the Game and Parks Commission Capital  
 19 Maintenance Fund under subsection (1) of this section during the most  
 20 recently completed fiscal year and (b) a list of projects that will  
 21 receive such funding during the current fiscal year.  
 22 (3) Transfers may be made from the Game and Parks Commission Capital  
 23 Maintenance Fund to the Nebraska Emergency Medical System Operations  
 24 General Fund at the direction of the Legislature ~~through June 30, 2019.~~  
 25 The State Treasurer shall transfer ~~one four million two five hundred~~  
 26 ~~seventy thousand~~ dollars from the Game and Parks Commission Capital  
 1 Maintenance Fund to the Nebraska Emergency Medical System Operations  
 2 General Fund in June of each fiscal year beginning in June 2025, from the  
 3 proceeds of the sales and use taxes imposed pursuant to section 77-2703  
 4 on the sale or lease of all-terrain vehicles and utility-type vehicles as  
 5 provided in section 77-27,132 between June 1, 2018, and June 30, 2018, on  
 6 such date as directed by the budget administrator of the budget division  
 7 of the Department of Administrative Services. ~~The State Treasurer shall~~  
 8 ~~transfer eight million five hundred thousand dollars from the Game and~~  
 9 ~~Parks Commission Capital Maintenance Fund to the General Fund between~~  
 10 ~~June 1, 2019, and June 30, 2019, on such date as directed by the budget~~  
 11 ~~administrator of the budget division of the Department of Administrative~~  
 12 ~~Services.~~  
 13 Sec. 2. Section 71-51,103, Reissue Revised Statutes of Nebraska, is  
 14 amended to read:  
 15 71-51,103 (1) There is hereby created the Nebraska Emergency  
 16 Medical System Operations Fund. The fund may receive gifts, bequests,  
 17 grants, fees, or other contributions or donations from public or private  
 18 entities.  
 19 (2) The fund shall be used to carry out the purposes of the  
 20 Statewide Trauma System Act and the Emergency Medical Services Practice  
 21 Act, including:  
 22 (a) ~~Activities~~ activities related to the design, maintenance, or  
 23 enhancement of the statewide trauma system; ;  
 24 (b) Support for support of emergency medical services programs; ;  
 25 and  
 26 (c) Support support for the emergency medical services programs for  
 27 children; ;  
 28 (d) Financial support for the statewide patient care reporting

29 system and trauma registry described in section 71-8248; and

30 (e) Financial support for recruitment, retention, and training

31 emergency medical responders.

1 (3) The Department of Health and Human Services shall electronically

2 deliver a report to the Clerk of the Legislature by December 31 of each

3 year that includes the following information from the most recent

4 previous fiscal year:

5 (a) The amount of money appropriated to the Department of Health and

6 Human Services from the Nebraska Emergency Medical System Operations Fund

7 that was not spent and an explanation for why such money was not spent;

8 and

9 (b) The amount of money appropriated to the Department of Health and

10 Human Services from the Nebraska Emergency Medical System Operations Fund

11 that was spent and an explanation for how such money was spent.

12 (4) Any money in the fund available for investment shall be invested

13 by the state investment officer pursuant to the Nebraska Capital

14 Expansion Act and the Nebraska State Funds Investment Act.

15 Sec. 3. Section 77-27,132, Revised Statutes Supplement, 2023, is

16 amended to read:

17 77-27,132 (1) There is hereby created a fund to be designated the

18 Revenue Distribution Fund which shall be set apart and maintained by the

19 Tax Commissioner. Revenue not required to be credited to the General Fund

20 or any other specified fund may be credited to the Revenue Distribution

21 Fund. Credits and refunds of such revenue shall be paid from the Revenue

22 Distribution Fund. The balance of the amount credited, after credits and

23 refunds, shall be allocated as provided by the statutes creating such

24 revenue.

25 (2) The Tax Commissioner shall pay to a depository bank designated

26 by the State Treasurer all amounts collected under the Nebraska Revenue

27 Act of 1967. The Tax Commissioner shall present to the State Treasurer

28 bank receipts showing amounts so deposited in the bank, and of the

29 amounts so deposited the State Treasurer shall:

30 (a)(i) ~~(a)~~ For transactions occurring on or after October 1, 2014,

31 and before July 1, 2024 ~~October 1, 2027~~, credit to the Game and Parks

1 Commission Capital Maintenance Fund all of the proceeds of the sales and

2 use taxes imposed pursuant to section 77-2703 on the sale or lease of

3 motorboats as defined in section 37-1204, personal watercraft as defined

4 in section 37-1204.01, all-terrain vehicles as defined in section 60-103,

5 and utility-type vehicles as defined in section 60-135.01; and

6 (ii) For transactions occurring on or after July 1, 2024, credit to

7 the Game and Parks Commission Capital Maintenance Fund all of the

8 proceeds of the sales and use taxes imposed pursuant to section 77-2703

9 on the sale or lease of motorboats as defined in section 37-1204,

10 personal watercraft as defined in section 37-1204.01, all-terrain

11 vehicles as defined in section 60-103, and utility-type vehicles as

12 defined in section 60-135.01, and from such proceeds, transfers shall be

13 made to the Nebraska Emergency Medical System Operations Fund as provided

14 in section 37-327.02;

15 (b) Credit to the Highway Trust Fund all of the proceeds of the

16 sales and use taxes derived from the sale or lease for periods of more

17 than thirty-one days of motor vehicles, trailers, and semitrailers,

18 except that the proceeds equal to any sales tax rate provided for in

19 section 77-2701.02 that is in excess of five percent derived from the

20 sale or lease for periods of more than thirty-one days of motor vehicles,

21 trailers, and semitrailers shall be credited to the Highway Allocation

22 Fund;

23 (c) For transactions occurring on or after July 1, 2013, and before

24 July 1, 2042, of the proceeds of the sales and use taxes derived from

25 transactions other than those listed in subdivisions (2)(a), (b), and (e)

26 of this section from a sales tax rate of one-quarter of one percent,

27 credit monthly eighty-five percent to the Highway Trust Fund and fifteen  
 28 percent to the Highway Allocation Fund;  
 29 (d) Of the proceeds of the sales and use taxes derived from  
 30 transactions other than those listed in subdivisions (2)(a), (b), and (e)  
 31 of this section, credit to the Property Tax Credit Cash Fund the amount  
 1 certified under section 77-27,237, if any such certification is made; and  
 2 (e) For transactions occurring on or after July 1, 2023, credit to  
 3 the Department of Transportation Aeronautics Capital Improvement Fund all  
 4 of the proceeds of the sales and use taxes imposed pursuant to section  
 5 77-2703 on the sale or lease of aircraft as defined in section 3-101.  
 6 The balance of all amounts collected under the Nebraska Revenue Act  
 7 of 1967 shall be credited to the General Fund.  
 8 Sec. 4. Original section 71-51,103, Reissue Revised Statutes of  
 9 Nebraska, section 37-327.02, Revised Statutes Cumulative Supplement,  
 10 2022, and section 77-27,132, Revised Statutes Supplement, 2023, are  
 11 repealed.  
 12 Sec. 5. Since an emergency exists, this act takes effect when passed  
 13 and approved according to law.

Senator Hunt filed the following amendment to [LB62](#):  
[AM2824](#)

1 1. Insert the following new sections:  
 2 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is  
 3 amended to read:  
 4 68-911 (1) Medical assistance shall include coverage for health care  
 5 and related services as required under Title XIX of the federal Social  
 6 Security Act, including, but not limited to:  
 7 (a) Inpatient and outpatient hospital services;  
 8 (b) Laboratory and X-ray services;  
 9 (c) Nursing facility services;  
 10 (d) Home health services;  
 11 (e) Nursing services;  
 12 (f) Clinic services;  
 13 (g) Physician services;  
 14 (h) Medical and surgical services of a dentist;  
 15 (i) Nurse practitioner services;  
 16 (j) Nurse midwife services;  
 17 (k) Pregnancy-related services;  
 18 (l) Medical supplies;  
 19 (m) Mental health and substance abuse services;  
 20 (n) Early and periodic screening and diagnosis and treatment  
 21 services for children which shall include both physical and behavioral  
 22 health screening, diagnosis, and treatment services;  
 23 (o) Rural health clinic services; and  
 24 (p) Federally qualified health center services.  
 25 (2) In addition to coverage otherwise required under this section,  
 26 medical assistance may include coverage for health care and related  
 27 services as permitted but not required under Title XIX of the federal  
 1 Social Security Act, including, but not limited to:  
 2 (a) Prescribed drugs;  
 3 (b) Intermediate care facilities for persons with developmental  
 4 disabilities;  
 5 (c) Home and community-based services for aged persons and persons  
 6 with disabilities;  
 7 (d) Dental services;  
 8 (e) Rehabilitation services;  
 9 (f) Personal care services;  
 10 (g) Durable medical equipment;  
 11 (h) Medical transportation services;  
 12 (i) Vision-related services;  
 13 (j) Speech therapy services;  
 14 (k) Physical therapy services;

15 (l) Chiropractic services;  
 16 (m) Occupational therapy services;  
 17 (n) Optometric services;  
 18 (o) Podiatric services;  
 19 (p) Hospice services;  
 20 (q) Mental health and substance abuse services;  
 21 (r) Hearing screening services for newborn and infant children; and  
 22 (s) Administrative expenses related to administrative activities,  
 23 including outreach services, provided by school districts and educational  
 24 service units to students who are eligible or potentially eligible for  
 25 medical assistance.

26 (3) No later than July 1, 2009, the department shall submit a state  
 27 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
 28 Services to provide coverage under the medical assistance program for  
 29 community-based secure residential and subacute behavioral health  
 30 services for all eligible recipients, without regard to whether the  
 31 recipient has been ordered by a mental health board under the Nebraska  
 1 Mental Health Commitment Act to receive such services.

2 (4) On or before October 1, 2014, the department, after consultation  
 3 with the State Department of Education, shall submit a state plan  
 4 amendment to the federal Centers for Medicare and Medicaid Services, as  
 5 necessary, to provide that the following are direct reimbursable services  
 6 when provided by school districts as part of an individualized education  
 7 program or an individualized family service plan: Early and periodic  
 8 screening, diagnosis, and treatment services for children; medical  
 9 transportation services; mental health services; nursing services;  
 10 occupational therapy services; personal care services; physical therapy  
 11 services; rehabilitation services; speech therapy and other services for  
 12 individuals with speech, hearing, or language disorders; and vision-  
 13 related services.

14 (5) No later than January 1, 2023, the department shall provide  
 15 coverage for continuous glucose monitors under the medical assistance  
 16 program for all eligible recipients who have a prescription for such  
 17 device.

18 (6) On or before October 1, 2023, the department shall seek federal  
 19 approval for federal matching funds from the federal Centers for Medicare  
 20 and Medicaid Services through a state plan amendment or waiver to extend  
 21 postpartum coverage for beneficiaries from sixty days to at least six  
 22 months. Nothing in this subsection shall preclude the department from  
 23 submitting a state plan amendment for twelve months.

24 (7)(a) On or before October 1, 2024, the department shall seek  
 25 approval for federal matching funds from the federal Centers for Medicare  
 26 and Medicaid Services through a state plan amendment to the Children's  
 27 Health Insurance Program to implement a health services initiative to  
 28 provide postpartum coverage for at least six months for a mother whose  
 29 child is covered under the unborn child option. The covered services  
 30 provided during the postpartum period shall be identical to the  
 31 comprehensive postpartum covered services provided to a pregnant woman  
 1 under Medicaid. Nothing in this subsection shall preclude the department  
 2 from submitting a state plan amendment to provide twelve months of  
 3 postpartum coverage.

4 (b) It is the intent of the Legislature to use the Medicaid Managed  
 5 Care Excess Profit Fund, as established in section 68-996, to fund the  
 6 services described in subdivision (7)(a) of this section.

7 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
 8 2022, is amended to read:  
 9 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
 10 fund shall contain money returned to the State Treasurer pursuant to  
 11 subdivision (3) of section 68-995. The fund shall first be used to offset  
 12 any losses under subdivision (2) of section 68-995 and then to provide  
 13 for services addressing the health needs of adults and children under the  
 14 Medical Assistance Act, including filling service gaps, providing system  
 15 improvements, providing postpartum coverage as described in section  
 16 68-911, and sustaining access to care as determined by the Legislature.



17 The fund shall only be used for the purposes described in this section.  
18 Any money in the fund available for investment shall be invested by the  
19 state investment officer pursuant to the Nebraska Capital Expansion Act  
20 and the Nebraska State Funds Investment Act.  
21 Sec. 3. Original section 68-996, Revised Statutes Cumulative  
22 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,  
23 are repealed.

Senator Slama filed the following amendment to LB175:

[FA245](#)

Strike the enacting clause.

Senator Slama filed the following amendment to LB175:

[FA249](#)

Strike line 2 on page 1 of AM2504.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 318.** Introduced by Dover, 19.

WHEREAS, Bertha Medina-Garcia was born in Cuba on July 4, 1968; and  
WHEREAS, Bertha has lived in Norfolk, Nebraska, for the past eight  
years and has worked at Tyson Foods in Madison, Nebraska, for most of  
those years; and

WHEREAS, Bertha loves Norfolk, Nebraska, and has a healing and  
sentimental connection with Skyview Lake inside of Norfolk's Skyview  
Park; and

WHEREAS, Bertha was diagnosed with cancer four years ago and was  
told she had five years left to live; and

WHEREAS, Bertha's final heartfelt desire is to become a United States  
citizen and considering her shared birthday with the nation and her deep  
connection with Norfolk, Nebraska, Bertha feels it is just meant to be; and

WHEREAS, given Bertha's final wish, an honorary Nebraska citizenship  
dedicated to her years of love for Nebraska is well deserved.

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

1. That the Legislature recognizes Bertha Medina-Garcia as an honorary  
citizen of Nebraska.
2. That a copy of this resolution be sent to Bertha Medina-Garcia.

Laid over.

## EXECUTIVE BOARD REPORT

Senator Aguilar, Chairperson of the Executive Board, reported the  
appointments of the following members of the Legislature to the following  
special committee:

LR298 Legislative Oversight Review Special Committee

Senator Aguilar

Senator Arch  
Senator Ballard  
Senator Bostar  
Senator M. Cavanaugh  
Senator Clements  
Senator Hansen  
Senator Holdcroft  
Senator Jacobson  
Senator Lowe  
Senator McDonnell  
Senator Riepe  
Senator Slama  
Senator Vargas  
Senator Wayne

(Signed) Raymond Aguilar, Chairperson  
Legislative Council, Executive Board

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator DeKay name added to LB896.  
Senator McDonnell name added to LB903.  
Senator McDonnell name added to LB1221.

**WITHDRAW - Cointroducer(s)**

Senator Erdman name withdrawn from LB1061.  
Senator Wayne name withdrawn from LB1370.

**VISITOR(S)**

Visitors to the Chamber were students, alumni, and supporters of the University of Nebraska; students from Pershing Elementary, Lexington; Dillon Metz, Bridgeport; Kaitlyn Miller, Maxwell; Jeff Metz, Angora.

The Doctor of the Day was Dr. Henry Dethlefs of La Vista.

**ADJOURNMENT**

At 4:58 p.m., on a motion by Senator Bosn, the Legislature adjourned until 9:00 a.m., Thursday, March 7, 2024.

Brandon Metzler  
Clerk of the Legislature

**FORTIETH DAY - MARCH 7, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 7, 2024

**PRAYER**

The prayer was offered by Eric Moser, Riverview Community Church, Ashland.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**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 Armendariz and Sanders who were excused; and Senators Albrecht, Blood, Bostar, Conrad, Hughes, Hunt, Raybould, Slama, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-ninth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Transportation and Telecommunications  
Room 1113 1:00 PM

Monday, March 18, 2024

Jeremy S. Borrell - Aeronautics Division

Brandon B. Varilek - Board of Public Roads Classifications and Standards

(Signed) Mike Moser, Chairperson

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 6, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Carroll-Shern, Linda  
Pharmaceutical Research and Manufacturers of America (Withdrawn  
03/01/2024)  
Catalyst Public Affairs  
Nebraska Seed Producers  
Hunt, Robert  
Molson Coors Beverage Company USA LLC  
Nebraska Strategies  
Philip Morris International  
Tut, Buey  
Spark

**REPORTS**

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

**GENERAL FILE**

**LEGISLATIVE BILL 685A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1087A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

**COMMITTEE REPORT(S)**

Natural Resources

**LEGISLATIVE BILL 1370.** Placed on General File with amendment. [AM2863](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

**BILLS ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 139.** With Emergency Clause.

A BILL FOR AN ACT relating to Small Claims Court; to amend section 25-2802, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to the jurisdictional amount; to provide an operative date; 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, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Armendariz	Hughes	Raybould
Blood	Hunt	Sanders

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB144 with 40 ayes, 1 nay, 3 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 144.**

A BILL FOR AN ACT relating to the State Electrical Act; to amend sections 81-2112, 81-2114, 81-2117.02, 81-2119, 81-2126, 81-2132, and 81-2141, Reissue Revised Statutes of Nebraska, and sections 81-2102, 81-2106, 81-2107, 81-2108, 81-2113, 81-2117.01, 81-2118, and 81-2144, Revised Statutes Cumulative Supplement, 2022; to change and eliminate

certain classes of licenses under the State Electrical Act; to change provisions related to eligibility for licensure, continuing education, and training; to change fees; to provide restrictions for installation authority as prescribed; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal section 81-2110, Revised Statutes Cumulative Supplement, 2022.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB257 with 36 ayes, 4 nays, 4 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 257.**

A BILL FOR AN ACT relating to cemeteries; to amend sections 12-701, 12-702, and 17-938, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to abandonment and reversion of cemetery lots; to authorize investment of funds from the sale of cemetery lots as prescribed; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 569.** With Emergency Clause.

A BILL FOR AN ACT relating to county government; to define terms; to require a county board to publish notice and conduct public meetings relating to certain financial interests prior to construction of any new electric generation facility as prescribed; to provide an exception; 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	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

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

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB605 with 36 ayes, 6 nays, 2 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 605.**

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend sections 38-2102, 38-2103, and 38-2120, Reissue Revised Statutes of Nebraska, sections 38-2101, 38-2104, 38-2116, 38-2117, 38-2121, 38-2122, 38-2124, 38-2130, and 38-2139, Revised Statutes Cumulative Supplement, 2022, and section 38-121, Revised Statutes Supplement, 2023; to change provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists; to define terms; to change the membership of the Board of Mental Health Practice; to provide powers and duties to the Board of Mental Health Practice; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:



Armendariz Blood Hughes Raybould Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 624.**

A BILL FOR AN ACT relating to the Nebraska Visitors Development Act; to amend section 81-3710, Revised Statutes Cumulative Supplement, 2022; to change membership provisions for the Nebraska Tourism Commission; to eliminate obsolete provisions; and to repeal the original section.

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

Voting in the affirmative, 41:

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

Voting in the negative, 1:

Wayne

Present and not voting, 2:

Cavanaugh, M. McKinney

Excused and not voting, 5:

Armendariz Blood Hughes Raybould Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 716.**

A BILL FOR AN ACT relating to the State Electrical Act; to amend section 81-2135, Reissue Revised Statutes of Nebraska, and sections 81-2104 and

81-2118, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to rules and regulations; to change provisions relating to license and registration fees and state inspection fees; and to repeal the original sections.

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

Voting in the affirmative, 41:

Aguilar	Cavanaugh, J.	Dungan	Kauth	Vargas
Albrecht	Cavanaugh, M.	Erdman	Linehan	von Gillern
Arch	Clements	Fredrickson	Lippincott	Walz
Ballard	Conrad	Hansen	Lowe	Wayne
Bosn	Day	Hardin	McDonnell	Wishart
Bostar	DeBoer	Holdcroft	McKinney	
Bostelman	DeKay	Hunt	Moser	
Brandt	Dorn	Ibach	Murman	
Brewer	Dover	Jacobson	Riepe	

Voting in the negative, 1:

Slama

Present and not voting, 2:

Halloran Meyer

Excused and not voting, 5:

Armendariz Blood Hughes Raybould Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 847.**

A BILL FOR AN ACT relating to the Interstate Civil Defense and Disaster Compact; to amend sections 81-829.47, 81-829.52, and 81-829.56, Reissue Revised Statutes of Nebraska; to change provisions relating to emergency response agreements with other states; to withdraw from the Interstate Civil Defense and Disaster Compact; to harmonize provisions; to repeal the original sections; and to outright repeal section 1-109, Appendix, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 848.**

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend sections 55-134 and 55-136, Reissue Revised Statutes of Nebraska; to change the maximum age for the Adjutant General; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 854.**

A BILL FOR AN ACT relating to certified public accountants; to amend sections 1-116, 1-124, 1-136, and 1-136.02, Reissue Revised Statutes of Nebraska; to change the examination eligibility, certification, and permitting requirements relating to certified public accountants; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz	Blood	Hughes	Raybould	Sanders
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 908.**

A BILL FOR AN ACT relating to the Legislature; to eliminate provisions relating to a legislative policy on telephones and telefax machines; and to outright repeal section 50-401.05, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood                    Hughes                    Raybould                    Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 909.** With Emergency Clause.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-910, Revised Statutes Cumulative Supplement, 2022; to change a requirement relating to agency notice to the Executive Board of the Legislative Council; 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	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz Blood Hughes Raybould Sanders

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

**LEGISLATIVE BILL 936.**

A BILL FOR AN ACT relating to county government; to eliminate provisions relating to the regulation of certain recreation, entertainment, and amusements; and to outright repeal sections 23-808, 23-809, 23-810, 23-811, 23-812, 23-813, 23-814, 23-815, 23-816, 23-817, and 23-818, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz Blood Hughes Raybould Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 940.**

A BILL FOR AN ACT relating to county government; to amend sections 23-103, 23-104, 23-104.01, and 23-104.03, Reissue Revised Statutes of Nebraska; to change the powers of a county relating to agreements as prescribed; to change and provide authority for a county to provide certain protective services; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB989 with 35 ayes, 4 nays, 5 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 989.**

A BILL FOR AN ACT relating to real property; to amend sections 76-3201, 76-3203.02, 76-3206, and 76-3220, Reissue Revised Statutes of Nebraska, and sections 76-2233, 76-2233.01, 76-3202, 76-3203, 76-3207, and 76-3216, Revised Statutes Cumulative Supplement, 2022; to change and eliminate provisions of the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; to provide civil and criminal immunity for the Real Property Appraiser Board; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal sections 76-3209 and 76-3211, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood            Hughes            Raybould            Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

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

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB992 with 36 ayes, 5 nays, 3 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 992.** With Emergency Clause.

A BILL FOR AN ACT relating to the Real Property Appraiser Act; to amend sections 76-2241 and 76-2249, Reissue Revised Statutes of Nebraska, and sections 76-2201, 76-2203, 76-2207.30, 76-2218.02, 76-2219.02, 76-2221, 76-2228.01, 76-2228.02, 76-2230, 76-2231.01, 76-2232, 76-2233, 76-2233.01, 76-2233.02, and 76-2236, Revised Statutes Cumulative Supplement, 2022; to define and redefine terms; to adopt updates to federal law and uniform standards; to change provisions relating to exemptions, qualifications, credentials, scope of real property appraisal practice, terminology, continuing education, fees, and the directory of appraisers; to eliminate a random fingerprint audit program; to harmonize provisions; to repeal the original sections; 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	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz    Blood                    Hughes                    Raybould                    Sanders

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 992A.**

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 203; to decrease appropriations to aid in carrying out the provisions of Legislative Bill 992, One Hundred Eighth Legislature, Second Session, 2024; and to repeal the original section.

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

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, M.	Erdman	Kauth	Riepe
Arch	Clements	Fredrickson	Linehan	Slama
Ballard	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hansen	Lowe	von Gillern
Bostar	DeBoer	Hardin	McDonnell	Walz
Bostelman	DeKay	Holdcroft	McKinney	Wayne
Brandt	Dorn	Hunt	Meyer	Wishart
Brewer	Dover	Ibach	Moser	

Voting in the negative, 0.

Excused and not voting, 5:

Armendariz Blood Hughes Raybould Sanders

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 139e, 144, 257, 569e, 605, 624, 716, 847, 848, 854, 908, 909e, 936, 940, 989, 992e, and 992A.

#### GENERAL FILE

**LEGISLATIVE BILL 175.** Committee [AM2504](#), found on page 828 and considered on pages 931, 934, 937, and 939, was renewed.

Senator Slama renewed [FA248](#), found and considered on page 940, to the committee amendment.

The Slama amendment, to the committee amendment, was withdrawn.

Pending.

#### COMMITTEE REPORT(S)

Appropriations

**LEGISLATIVE BILL 1412.** Placed on General File with amendment. [AM2566](#) is available in the Bill Room.

**LEGISLATIVE BILL 1413.** Placed on General File with amendment. [AM2698](#) is available in the Bill Room.

(Signed) Robert Clements, Chairperson

Executive Board

**LEGISLATIVE BILL 1285.** Placed on General File with amendment. [AM2850](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. The Task Force on Supported Employment is created. The  
4 task force shall study (1) the barriers to supporting individuals with  
5 intellectual and developmental disabilities in attaining and maintaining  
6 competitive integrated employment and (2) the employment opportunities  
7 available to such individuals. The task force shall provide  
8 recommendations to the Legislature, the Governor, and state agencies.  
9 Sec. 2. (1) The Task Force on Supported Employment shall consist of  
10 the following voting members who shall be appointed no later than  
11 September 1, 2024:  
12 (a) A representative of the Governor's office appointed by the

13 Governor;  
 14 (b) The chief executive officer of the Department of Health and  
 15 Human Services or designee;  
 16 (c) The executive director of the Nebraska Council on Developmental  
 17 Disabilities or designee;  
 18 (d) Two service providers with eight or more years of experience and  
 19 a high success rate in delivering supported employment to individuals  
 20 with a broad range of disabilities appointed by the Governor;  
 21 (e) A representative of a chamber of commerce appointed by the  
 22 Governor;  
 23 (f) Two self-advocates with at least five years of experience in  
 24 supported employment appointed by the Governor;  
 25 (g) A certified community work incentives coordinator or community  
 26 partner work incentives counselor appointed by the Governor;  
 27 (h) A special education transition coordinator appointed by the  
 1 Commissioner of Education;  
 2 (i) A representative of a Nebraska organization, established as part  
 3 of the national protection and advocacy system, that advocates for the  
 4 rights of individuals with disabilities appointed by the Governor; and  
 5 (j) A representative of a statewide disability organization with  
 6 recorded members in at least ten counties appointed by the Governor.  
 7 (2) The task force shall consist of the following nonvoting members:  
 8 (a) The chairperson of the Health and Human Services Committee of  
 9 the Legislature or designee;  
 10 (b) The chairperson of the Business and Labor Committee of the  
 11 Legislature or designee;  
 12 (c) A representative from the University Center for Excellence in  
 13 Developmental Disability Education, Research and Service of the Munroe-  
 14 Meyer Institute at the University of Nebraska Medical Center appointed by  
 15 the Governor;  
 16 (d) An employee of the Division of Vocational Rehabilitation of the  
 17 State Department of Education appointed by the Commissioner of Education;  
 18 (e) An employee of the Division of Developmental Disabilities of the  
 19 Department of Health and Human Services appointed by the Governor;  
 20 (f) An employee of the Division of Behavioral Health of the  
 21 Department of Health and Human Services appointed by the Governor;  
 22 (g) An employee of the Department of Labor appointed by the  
 23 Governor;  
 24 (h) A supported employment expert who has assisted in other states  
 25 appointed by the Governor; and  
 26 (i) An employee of the State Treasurer carrying out the achieving a  
 27 better life experience program under section 77-1402 appointed by the  
 28 State Treasurer.  
 29 Sec. 3. The voting members of the Task Force on Supported Employment  
 30 shall elect a chairperson. Seven voting members shall constitute a  
 31 quorum.  
 1 Sec. 4. The Task Force on Supported Employment shall:  
 2 (1) Review the 2023 report "Necessity or Luxury?" prepared for the  
 3 Nebraska Council on Developmental Disabilities and the Nebraska 2023  
 4 Supported Employment Action Plan and provide tangible solutions to  
 5 fulfill the recommendations;  
 6 (2) Review the recommendations resulting from the evaluation  
 7 required by section 83-1228; and  
 8 (3) Create a report with an action plan that provides tangible  
 9 solutions to fulfill the recommendations of the report, action plan, and  
 10 evaluation described in subsections (1) and (2) of this section, for the  
 11 executive branch of state government, relevant state agencies, the  
 12 Legislature, and businesses which shall include, but not be limited to,  
 13 the:  
 14 (a) Barriers to entry in the workforce for individuals with

15 intellectual and developmental disabilities;  
 16 (b) Untapped workforce potential for individuals with intellectual  
 17 and developmental disabilities;  
 18 (c) Number of individuals that would be able to join the workforce  
 19 with the implementation of the action plan;  
 20 (d) Ways in which additional working hours typically impact benefits  
 21 received by individuals with intellectual and developmental disabilities;  
 22 and  
 23 (e) Ways any negative impact in benefits eligibility or benefits  
 24 reduction can be minimized by the state.  
 25 Sec. 5. The Task Force on Supported Employment shall submit a  
 26 report electronically to the Legislature and Governor no later than July  
 27 1, 2026.  
 28 Sec. 6. The Task Force on Supported Employment shall terminate on  
 29 December 31, 2026.

(Signed) Raymond Aguilar, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Education  
 Room 1525 1:00 PM

Thursday, March 14, 2024

Dannika L. Nelson - Coordinating Commission for Postsecondary  
 Education

Deborah Frison - Coordinating Commission for Postsecondary Education

Jon W. Abegglen - Board of Educational Lands and Funds

(Signed) Dave Murman, Chairperson

**MOTION(S) - Print in Journal**

Senator Conrad filed the following motion to LB196:

MO1235

Place on General File pursuant to Rule 3, Sec. 20(b).

**GENERAL FILE**

**LEGISLATIVE BILL 175.** Committee AM2504, found on page 828 and considered on pages 931, 934, 937, 939, and in this day's Journal, was renewed.

Senator Slama offered FA249, found on page 945, to the committee amendment.

Senator Wayne moved for a call of the house. The motion prevailed with 11 ayes, 4 nays, and 34 not voting.

**SPEAKER ARCH PRESIDING**

The Chair declared the call raised.

Senator Dungan moved for a call of the house. The motion prevailed with 15 ayes, 3 nays, and 31 not voting.

Senator Dungan offered the following motion:

[MO1238](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Dungan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 30:

Arch	Cavanaugh, M.	Dover	Ibach	Riepe
Blood	Conrad	Dungan	Jacobson	Vargas
Bosn	Day	Fredrickson	Linehan	von Gillern
Bostar	DeBoer	Holdcroft	McDonnell	Walz
Brandt	DeKay	Hughes	McKinney	Wayne
Cavanaugh, J.	Dorn	Hunt	Raybould	Wishart

Voting in the negative, 16:

Aguilar	Brewer	Hansen	Meyer
Albrecht	Clements	Kauth	Moser
Ballard	Erdman	Lippincott	Murman
Bostelman	Halloran	Lowe	Slama

Excused and not voting, 3:

Armendariz    Hardin            Sanders

The Dungan motion to invoke cloture failed with 30 ayes, 16 nays, and 3 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**

Urban Affairs

**LEGISLATIVE BILL 840.** Placed on General File with amendment.

[AM2862](#) is available in the Bill Room.

(Signed) Terrell McKinney, Chairperson

Judiciary

**LEGISLATIVE BILL 549.** Placed on General File.

**LEGISLATIVE BILL 553.** Placed on General File.

**LEGISLATIVE BILL 923.** Placed on General File.

**LEGISLATIVE BILL 928.** Placed on General File.

**LEGISLATIVE BILL 977.** Placed on General File.

**LEGISLATIVE BILL 978.** Placed on General File.

**LEGISLATIVE BILL 1089.** Placed on General File.

**LEGISLATIVE BILL 1159.** Placed on General File.

**LEGISLATIVE BILL 87.** Placed on General File with amendment.

[AM722](#)

1 1. On page 2, line 29, after "guardian" insert "unless in the care  
2 and custody of the Department of Health and Human Services".

**LEGISLATIVE BILL 902.** Placed on General File with amendment.

[AM2857](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 71-5905, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 71-5905 (1) An assisted-living facility shall determine if an  
6 applicant for admission to the assisted-living facility is admitted or if  
7 a resident of the assisted-living facility is retained based on the care  
8 needs of the applicant or resident, the ability to meet those care needs  
9 within the assisted-living facility, and the degree to which the  
10 admission or retention of the applicant or resident poses a danger to the  
11 applicant or resident or others.  
12 (2) Any complex nursing intervention or noncomplex intervention  
13 provided by an employee of the assisted-living facility shall be  
14 performed in accordance with applicable state law.  
15 (3) Each assisted-living facility shall provide written information  
16 about the practices of the assisted-living facility to each applicant for  
17 admission to the facility or his or her authorized representative. The  
18 information shall include:  
19 (a) A description of the services provided by the assisted-living  
20 facility and the staff available to provide the services;  
21 (b) The charges for services provided by the assisted-living  
22 facility;  
23 (c) Whether or not the assisted-living facility accepts residents  
24 who are eligible for the medical assistance program under the Medical  
25 Assistance Act and, if applicable, the policies or limitations on access  
26 to services provided by the assisted-living facility for residents who  
27 seek care paid by the medical assistance program;  
28 (d) The criteria for admission to and continued residence in the  
29 assisted-living facility and the process for addressing issues that may  
30 prevent admission to or continued residence in the assisted-living  
31 facility;  
32 (e) The process for developing and updating the resident services  
33 agreement;  
34 (f) For facilities that have special care units for dementia, the  
35 additional services provided to meet the special needs of persons with  
36 dementia; and  
37 (g) Whether or not the assisted-living facility provides part-time  
38 or intermittent complex nursing interventions.  
39 (4) Each assisted-living facility shall enter into a resident  
40 services agreement in consultation with each resident.  
41 ~~(5)(a) A facility shall not request or require a third-party~~  
42 ~~guarantee of payment as a condition of admission, expedited admission, or~~  
43 ~~continued stay in the facility.~~  
44 (b) ~~A facility may request and require a resident representative who~~  
45 ~~has legal access to a resident's income or resources to sign a contract,~~  
46 ~~without incurring personal financial liability, to provide payment to the~~  
47 ~~facility from such resident's income or resources. For purposes of this~~

21 subsection, resident representative has the same meaning as defined in 42  
 22 C.F.R. 483.5, as such regulation existed on January 31, 2024.  
 23 (c) If a person other than the resident informs the assisted-living  
 24 facility that such person wants to guarantee payment of a resident's  
 25 expenses, the person shall execute a separate written agreement. No  
 26 provision in the separate written agreement shall conflict with this  
 27 subsection. The separate written agreement shall be provided to the  
 28 guarantor of payment and shall contain the following statements:  
 29 (i) "Do not sign this agreement unless you voluntarily agree to be  
 30 financially liable for paying the patient's expenses.";  
 31 (ii) "You may change your mind within forty-eight hours after  
 1 signing this agreement by notifying the facility that you want to revoke  
 2 this agreement."; and  
 3 (iii) "You may call the state long-term care ombudsman for an  
 4 explanation of your rights.".  
 5 (d) Nothing in this subsection shall permit an individual with legal  
 6 access to a resident's income or resources to avoid liability for  
 7 violation of such individual's fiduciary duty.  
 8 Sec. 2. Original section 71-5905, Reissue Revised Statutes of  
 9 Nebraska, is repealed.

**LEGISLATIVE BILL 967.** Placed on General File with amendment.  
[AM2909](#)

1 1. On page 6, line 1, after "Provide" insert "educational".

**LEGISLATIVE BILL 1051.** Placed on General File with amendment.  
[AM2641](#)

1 1. Strike original section 13.  
 2 2. Renumber the remaining sections and correct the repealer  
 3 accordingly.

**LEGISLATIVE BILL 1167.** Placed on General File with amendment.  
[AM2829](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 29-404.02, Revised Statutes Cumulative  
 4 Supplement, 2022, is amended to read:  
 5 29-404.02 (1) Except as provided in sections 28-311.11 and 42-928, a  
 6 peace officer may arrest a person without a warrant if the officer has  
 7 reasonable cause to believe that such person has committed:  
 8 (a) A felony;  
 9 (b) A misdemeanor, and the officer has reasonable cause to believe  
 10 that such person either (i) will not be apprehended unless immediately  
 11 arrested, (ii) may cause injury to himself or herself or others or damage  
 12 to property unless immediately arrested, (iii) may destroy or conceal  
 13 evidence of the commission of such misdemeanor, or (iv) has committed a  
 14 misdemeanor in the presence of the officer; or  
 15 (c) One or more of the following acts to one or more household  
 16 members, whether or not committed in the presence of the peace officer:  
 17 (i) Attempting to cause or intentionally and knowingly causing  
 18 bodily injury with or without a dangerous instrument;  
 19 (ii) Placing, by physical menace, another in fear of imminent bodily  
 20 injury; or  
 21 (iii) Engaging in sexual contact or sexual penetration without  
 22 consent as defined in section 28-318.  
 23 (2) An individual arrested without a warrant under this section who  
 24 remains in custody shall be brought before a court for a first appearance  
 25 no later than seven days after such arrest. The appearance may be in

26 person or conducted remotely by means of videoconferencing. The  
 27 individual shall have the right to appear in person but must agree to  
 1 waive the seven-day deadline if an in-person appearance within such time  
 2 is not reasonably practicable.  
 3 (3) (2) For purposes of this section:  
 4 (a) Household members includes spouses or former spouses, children,  
 5 persons who are presently residing together or who have resided together  
 6 in the past, persons who have a child in common whether or not they have  
 7 been married or have lived together at any time, other persons related by  
 8 consanguinity or affinity, and persons who are presently involved in a  
 9 dating relationship with each other or who have been involved in a dating  
 10 relationship with each other; and  
 11 (b) Dating relationship means frequent, intimate associations  
 12 primarily characterized by the expectation of affectional or sexual  
 13 involvement, but does not include a casual relationship or an ordinary  
 14 association between persons in a business or social context.  
 15 Sec. 2. Original section 29-404.02, Revised Statutes Cumulative  
 16 Supplement, 2022, is repealed.

(Signed) Justin Wayne, Chairperson

#### Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Steven L. Corsi , Chief Executive Officer - Department of Health and Human Services

Aye: 4. Ballard, Hansen, Hardin, Riepe. Nay: 2. Cavanaugh, M., Day.  
 Absent: 0. Present and not voting: 1. Walz.

(Signed) Ben Hansen, Chairperson

#### **MOTION(S) - Print in Journal**

Senator Wayne filed the following motion to LB917:  
[MO1236](#)  
 Place on General File pursuant to Rule 3, Sec. 20(b).

#### **AMENDMENT(S) - Print in Journal**

Senator Albrecht filed the following amendment to LB441:  
[AM2576](#)

1 1. Insert the following new section:  
 2 Section 1. Section 28-810, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 28-810 It shall be a defense to a prosecution under sections 28-808  
 5 and 28-809 that:  
 6 (1) Such person had reasonable cause to believe that the minor  
 7 involved was eighteen years of age or more, and that such reasonable  
 8 cause is based on but not limited to the presentation by the minor  
 9 exhibited to such person of a draft card, driver's license, birth



10 certificate, or other official or apparently official document purporting  
 11 to establish that such minor was eighteen years of age or more;  
 12 (2) The minor was accompanied by his parent or guardian and such  
 13 person had reasonable cause to believe that the person accompanying the  
 14 minor was the parent or guardian of that minor; or  
 15 ~~(3) Such person had reasonable cause to believe that the person was~~  
 16 ~~the parent or guardian of the minor; and~~  
 17 ~~(3) (4) Such person's activity falls within the defenses to a~~  
 18 prosecution contained in section 28-815.  
 19 2. Renumber the remaining sections and correct the repealer  
 20 accordingly.

### PRESENTED TO THE GOVERNOR

Presented to the Governor on March 7, 2024, at 11:10 a.m. were the following: LBs 139e, 144, 257, 569e, 605, 624, 716, 847, 848, 854, 908, 909e, 936, 940, 989, 992e, and 992A.

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

### SELECT FILE

**LEGISLATIVE BILL 685.** [ER67](#), found on page 766, was offered.

ER67 was adopted.

Senator Lowe offered [AM2753](#), found on page 889.

Senator Lowe offered the following amendment to his amendment:

[FA250](#)

On page 5, line 3, after the word "device" insert the phrase "within a retail establishment".

The Lowe amendment, to his amendment, was adopted with 27 ayes, 0 nays, 18 present and not voting, and 4 excused and not voting.

The Lowe amendment, as amended, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 857.** [ER66](#), found on page 766, was offered.

ER66 was adopted.

Senator Bosn offered [AM2761](#), found on page 886.

The Bosn amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1035.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 844.** Senator Ibach offered the following amendment:

AM2891

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 48-1701, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 48-1701 Sections 48-1701 to 48-1714 and section 3 of this act shall  
 6 be known and may be cited as the Farm Labor Contractors Act.  
 7 Sec. 2. Section 48-1702, Reissue Revised Statutes of Nebraska, is  
 8 amended to read:  
 9 48-1702 For purposes of the Farm Labor Contractors Act, unless the  
 10 context otherwise requires:  
 11 (1) Certified exempt contractor means a farm labor contractor that  
 12 holds a valid certificate of exemption described in subdivision (7) of  
 13 section 48-1703;  
 14 (2) (4) Department means the Department of Labor;  
 15 (3) Detasseling means the act of removing a tassel, which bears the  
 16 staminate flower of corn, by hand labor to prevent the self-pollination  
 17 of such corn;  
 18 (4) (2) Farm labor contractor means any individual, partnership,  
 19 limited liability company, corporation, or cooperative association, other  
 20 than an agricultural employer, an agricultural association, or an  
 21 employee of an agricultural employer or agricultural association, who for  
 22 any money or other valuable consideration paid or promised to be paid  
 23 performs any farm labor contracting activity;  
 24 (5) (3) Farm labor contracting activity means recruiting,  
 25 soliciting, hiring, employing, furnishing, or transporting any migrant or  
 26 seasonal agricultural worker;  
 27 (6) (4) Non-English-speaking worker has the same meaning as non-  
 1 English-speaking employee in section 48-2208; and  
 2 (7) Nonexempt contractor means a farm labor contractor that does not  
 3 hold a valid certificate of exemption described in subdivision (7) of  
 4 section 48-1703;  
 5 (8) Roguing means the act of removing unwanted, off-type, inferior,  
 6 or defective plants from an agricultural field by hand labor; and  
 7 (9) (5) Worker means a person who is employed or recruited by or who  
 8 subcontracts with a farm labor contractor.  
 9 Sec. 3. (1) Beginning January 1, 2025, any seed corn producer in  
 10 this state that intends to utilize one or more farm labor contractors for  
 11 the roguing or detasseling of seed corn shall:  
 12 (a) Complete and submit a form to the Director of Agriculture that  
 13 the seed corn producer intends to utilize one or more farm labor  
 14 contractors for detasseling or roguing of seed corn during the current or  
 15 upcoming growing season; and  
 16 (b) Complete and submit a signed and notarized form prescribed by  
 17 the Department of Agriculture, under penalty of perjury, to the Director  
 18 of Agriculture on or after August 1 but not later than September 1 of  
 19 each year. Such form shall contain the following information for the crop  
 20 year for which such form is filed:  
 21 (i) The total number of acres of seed corn the producer planted in  
 22 this state;  
 23 (ii) The name of each certified exempt contractor, if any, with whom  
 24 the producer contracted for labor for the roguing of seed corn and the  
 25 total number of acres rogued by each such operation;

26 (iii) The name of each nonexempt contractor, if any, with whom the  
27 producer contracted for labor for the roguing of seed corn and the total  
28 number of acres rogued by each such operation;  
29 (iv) The name of each certified exempt contractor, if any, with whom  
30 the producer contracted for labor for the detasseling of seed corn and  
31 the total number of acres detasseled by each such operation; and  
1 (v) The name of each nonexempt contractor, if any, with whom the  
2 producer contracted for labor for the detasseling of seed corn and the  
3 total number of acres detasseled by each such operation.  
4 (2) The Director of Agriculture shall publish a report on the  
5 Department of Agriculture's website not later than September 30, 2025,  
6 and by each September 30 thereafter. Such report shall aggregate the  
7 following information provided by seed corn producers pursuant to  
8 subdivision (1)(b) of this section for each crop year:  
9 (a) The total number of acres of seed corn planted in this state;  
10 (b) The total number of acres of seed corn detasseled by certified  
11 exempt contractors;  
12 (c) The total number of acres of seed corn rogued by certified  
13 exempt contractors;  
14 (d) The total number of acres of seed corn detasseled by nonexempt  
15 contractors;  
16 (e) The total number of acres of seed corn rogued by nonexempt  
17 contractors; and  
18 (f) The total number of acres of seed corn for which seed corn  
19 producers did not utilize detasseling or roguing services by any farm  
20 labor contractor.  
21 (3)(a) By January 1, 2025, the Director of Agriculture shall publish  
22 a directory on the Department of Agriculture's website, updated by  
23 December 31 of each year, that contains:  
24 (i) The name of each certified exempt contractor that provides  
25 detasseling or roguing services for seed corn;  
26 (ii) The address of the headquarters for each such certified exempt  
27 contractor; and  
28 (iii) Contact information for each such certified exempt contractor,  
29 including a telephone number if available.  
30 (b) Beginning in 2025, the Director of Agriculture shall send, by  
31 registered mail, a copy of the most recently updated directory described  
1 in this subsection to the following:  
2 (i) Within ten days after receiving a form described in subdivision  
3 (1)(a) of this section, to the seed corn producer that submitted such  
4 form; and  
5 (ii) By January 15 of each year, to each seed corn producer that  
6 submitted the form described in subdivision (1)(b) of this section during  
7 the previous year.  
8 (4) The Director of Agriculture shall prescribe the method by which  
9 any such seed corn producer may submit a form under subdivision (1)(a) of  
10 this section and receive a copy of the most recently updated directory  
11 described in subsection (3) of this section.  
12 (5) Any form submitted by any seed corn producer under this section  
13 shall not be a public record subject to disclosure pursuant to sections  
14 84-712 to 84-712.09.  
15 (6) The Department of Agriculture may adopt and promulgate rules and  
16 regulations to carry out this section.  
17 Sec. 4. Section 48-1714, Reissue Revised Statutes of Nebraska, is  
18 amended to read:  
19 48-1714 (1) Any person who violates ~~violating~~ section 48-1711 or  
20 48-1712 shall be guilty of a Class II misdemeanor.  
21 (2) Any person who (a) intentionally defaces, alters, or changes a  
22 farm labor contractor license, (b) uses the license of another, (c)  
23 knowingly permits the use of another person's license, or (d) acts as a

24 farm labor contractor without a license shall be guilty of a Class II  
25 misdemeanor.

26 (3) Any seed corn producer who violates section 3 of this act shall  
27 be guilty of a Class IV misdemeanor.

28 Sec. 5. Original sections 48-1701, 48-1702, and 48-1714, Reissue  
29 Revised Statutes of Nebraska, are repealed.

Senator Jacobson offered the following amendment to the Ibach  
amendment:

[FA252](#)

Strike lines 26 and 27 on page 4 of AM2891.

The Jacobson amendment, to the Ibach amendment, was adopted with 30  
eyes, 0 nays, 12 present and not voting, and 7 excused and not voting.

The Ibach amendment, as amended, was adopted with 29 ayes, 0 nays, 13  
present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1394.** Advanced to Enrollment and Review for  
Engrossment.

**LEGISLATIVE BILL 1394A.** Advanced to Enrollment and Review for  
Engrossment.

#### GENERAL FILE

**LEGISLATIVE BILL 867.** Title read. Considered.

#### SENATOR VON GILLERN PRESIDING

Committee [AM2767](#), found on page 856, was offered.

The committee amendment was adopted with 26 ayes, 0 nays, 14 present  
and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present  
and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1108.** Title read. Considered.

Committee [AM2482](#), found on page 715, was offered.

Senator Dorn offered [AM2569](#), found on page 941, to the committee  
amendment.

The Dorn amendment was adopted with 33 ayes, 0 nays, 10 present and not  
voting, and 6 excused and not voting.

Senator M. Cavanaugh withdrew [AM2877](#), found on page 925, to the committee amendment.

The committee amendment, as amended, was adopted with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 62.** Title read. Considered.

Committee [AM644](#), found on page 704, was offered.

Senator M. Cavanaugh offered [AM2762](#), found on page 922, to the committee amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 22 ayes, 5 nays, and 22 not voting.

The M. Cavanaugh amendment was adopted with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

The committee amendment, as amended, was adopted with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

Senator M. Cavanaugh withdrew [AM2547](#), found on page 739.

Senator M. Cavanaugh offered [AM2878](#), found on page 924.

The M. Cavanaugh amendment was adopted with 28 ayes, 0 nays, 13 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 2 nays, 11 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1169.** Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 1 nay, 13 present and not voting, and 8 excused and not voting.

## COMMITTEE REPORT(S)

Education

**LEGISLATIVE BILL 1101.** Placed on General File with amendment.

[AM2327](#)

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

3 Section 1. (1) For purposes of this section, program means the  
 4 Rural Health Opportunities Program that encourages students from rural  
 5 communities to pursue health care professions and return to practice in  
 6 those rural communities.  
 7 (2) The Board of Trustees of the Nebraska State Colleges and the  
 8 Board of Regents of the University of Nebraska shall enter into a  
 9 memorandum of understanding to administer the program, including a joint  
 10 application and interview process to select students to participate in  
 11 the program and be provisionally admitted into one of the eligible health  
 12 care programs at the University of Nebraska Medical Center. The Board of  
 13 Regents at the University of Nebraska shall also provide a program at the  
 14 University of Nebraska at Kearney. To be eligible, students shall:  
 15 (a) Attend or be a graduate of an approved or accredited high school  
 16 in Nebraska or receive an equivalent of a diploma of high school  
 17 equivalency in Nebraska; and  
 18 (b) Have lived in or been a resident of a rural area of Nebraska as  
 19 determined by the Board of Trustees of the Nebraska State Colleges and  
 20 the Board of Regents of the University of Nebraska.  
 21 (3) A student who participates in the program is entitled to a  
 22 waiver of one hundred percent of the cost of tuition and fees per  
 23 academic year for up to four years at a state college or at the  
 24 University of Nebraska at Kearney for the purpose of completing the  
 25 established health care program coursework at such state college or at  
 26 the University of Nebraska at Kearney that is required for early  
 27 admission and transfer to an eligible health care program at the  
 1 University of Nebraska Medical Center.  
 2 (4) It is the intent of the Legislature to appropriate a sufficient  
 3 amount of money for each fiscal year to carry out this section.

(Signed) Dave Murman, Chairperson

#### **MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to LB62:  
[MO1242](#)  
 Bracket until April 10, 2024.

Senator M. Cavanaugh filed the following motion to LB62:  
[MO1243](#)  
 Recommit to the Health and Human Services Committee.

#### **SPEAKER ARCH PRESIDING**

#### **GENERAL FILE**

**LEGISLATIVE BILL 932.** Title read. Considered.

Committee [AM2509](#), found on page 713, was offered.

The committee amendment was adopted with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

Senator Fredrickson withdrew [AM2401](#), found on page 662.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 13 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1069.** Title read. Considered.

Committee [AM2583](#), found on page 821, was offered.

The committee amendment was adopted with 29 ayes, 0 nays, 12 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

### **COMMITTEE REPORT(S)** Enrollment and Review

**LEGISLATIVE BILL 1162.** Placed on Select File with amendment.

**[ER78](#)**

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 23-1112.01, Reissue Revised Statutes of Nebraska,

4 is amended to read:

5 23-1112.01 (1) If a trip or trips included in an expense claim

6 filed by any county officer or employee for mileage are made by personal

7 automobile or otherwise, only one claim shall be allowed pursuant to

8 section 23-1112, regardless of the fact that one or more persons are

9 transported in the motor vehicle.

10 (2) No charge for mileage shall be allowed when such mileage accrues

11 while using any motor vehicle owned by the State of Nebraska ~~or by a~~

12 ~~county.~~

13 (3) No charge for mileage shall be allowed when such mileage accrues

14 while using any motor vehicle owned by a county, except as provided in

15 section 33-117.

16 Sec. 2. Section 33-117, Reissue Revised Statutes of Nebraska, is

17 amended to read:

18 33-117 (1) The several sheriffs shall charge and collect fees at the

19 rates specified in this section. The rates shall be as follows: (a)

20 Serving a capias with commitment or bail bond and return, two dollars;

21 (b) serving a search warrant, two dollars; (c) arresting under a search

22 warrant, two dollars for each person so arrested; (d) unless otherwise

23 specifically listed in subdivisions (f) ~~through~~ to (s) of this

24 subsection, serving a summons, subpoena, order of attachment, order of

25 replevin, other order of the court, notice of motion, other notice, other

26 writ or document, or any combination thereof, including any accompanying

27 or attached documents, twelve dollars for each person served, except that

1 when more than one person is served at the same time and location in the

2 same case, the service fee shall be twelve dollars for the first person

3 served at that time and location and three dollars for each other person

4 served at that time and location; (e) making a return of each summons,

5 subpoena, order of attachment, order of replevin, other order of the

6 court, notice of motion, other notice, or other writ or document, whether

7 served or not, six dollars; (f) taking and filing a replevin bond or

8 other indemnification to be furnished and approved by the sheriff, one

9 dollar; (g) making a copy of any process, bond, or other paper not

10 otherwise provided for in this section, twenty-five cents per page; (h)

11 traveling each mile actually and necessarily traveled within or without

12 their several counties in their official duties, three cents more per  
 13 mile than the rate provided in section 81-1176, except that the minimum  
 14 fee shall be fifty cents when the service is made within one mile of the  
 15 courthouse, and, as far as is expedient, all papers in the hands of the  
 16 sheriff at any one time shall be served in one or more trips by the most  
 17 direct route or routes and only one mileage fee shall be charged for a  
 18 single trip, the total mileage cost to be computed as a unit for each  
 19 trip and the combined mileage cost of each trip to be prorated among the  
 20 persons or parties liable for the payment of same; (i) levying a writ or  
 21 a court order and return thereof, eighteen dollars; (j) summoning a grand  
 22 jury, not including mileage to be paid by the county, ten dollars; (k)  
 23 summoning a petit jury, not including mileage to be paid by the county,  
 24 twelve dollars; (l) summoning a special jury, for each person impaneled,  
 25 fifty cents; (m) calling a jury for a trial of a case or cause, fifty  
 26 cents; (n) executing a writ of restitution or a writ of assistance and  
 27 return, eighteen dollars; (o) calling an inquest to appraise lands and  
 28 tenements levied on by execution, one dollar; (p) calling an inquest to  
 29 appraise goods and chattels taken by an order of attachment or replevin,  
 30 one dollar; (q) advertising a sale in a newspaper in addition to the  
 31 price of printing, one dollar; (r) advertising in writing for a sale of  
 1 real or personal property, five dollars; and (s) making deeds for land  
 2 sold on execution or order of sale, five dollars.

3 (2)(a) Except as provided in subdivision (b) of this subsection, the  
 4 commission due a sheriff on an execution or order of sale, an order of  
 5 attachment decree, or a sale of real or personal property shall be: For  
 6 each dollar not exceeding four hundred dollars, six cents; for every  
 7 dollar above four hundred dollars and not exceeding one thousand dollars,  
 8 four cents; and for every dollar above one thousand dollars, two cents.

9 (b) In real estate foreclosure, when any party to the original  
 10 action purchases the property or when no money is received or disbursed  
 11 by the sheriff, the commission shall be computed pursuant to subdivision  
 12 (a) of this subsection but shall not exceed two hundred dollars.

13 (3) The sheriff shall, on the first Tuesday in January, April, July,  
 14 and October of each year, make a report to the county board showing (a)  
 15 the different items of fees, ~~except mileage, collected or earned,~~ from  
 16 whom, at what time, and for what service, (b) the total amount of the  
 17 fees collected ~~or earned~~ by the officer since the last report, and (c)  
 18 the amount collected ~~or earned~~ for the current year. All mileage fees  
 19 collected by the sheriff, except when the sheriff or his or her employee  
 20 is using a personal vehicle, shall be paid. He or she shall pay all fees  
 21 earned to the county treasurer who shall credit the fees to the general  
 22 fund of the county.

23 (4) Any future adjustment made to the reimbursement rate provided in  
 24 subsection (1) of this section shall be deemed to apply to all provisions  
 25 of law which refer to this section for the computation of mileage.

26 (5) ~~All Commencing on and after January 1, 1988, all fees collected~~  
 27 ~~earned~~ pursuant to this section, except fees for mileage accrued in a  
 28 ~~personal vehicle,~~ by any constable who is a salaried employee of the  
 29 State of Nebraska shall be remitted to the clerk of the county court. The  
 30 clerk of the county court shall pay the same to the General Fund.

31 Sec. 3. Original sections 23-1112.01 and 33-117, Reissue Revised  
 1 Statutes of Nebraska, are repealed.

2. On page 1, strike beginning with "reimbursement" in line 3  
 3 through "sheriffs" in line 4 and insert "fees and mileage for sheriffs  
 4 and constables".

**LEGISLATIVE BILL 851.** Placed on Select File.

(Signed) Beau Ballard, Chairperson



Education

**LEGISLATIVE BILL 953.** Placed on General File with amendment.

[AM2445](#)

1 1. Strike the original sections and insert the following new  
2 section:  
3 Section 1. (1) Beginning in school year 2025-26 through school year  
4 2030-31, a student shall be entitled to a waiver of one hundred percent  
5 of the resident tuition charges of the University of Nebraska or a  
6 Nebraska state college for student teaching during the semester the  
7 student is student teaching in a Nebraska elementary, middle, or high  
8 school if the student:  
9 (a) Is enrolled at the University of Nebraska or a Nebraska state  
10 college;  
11 (b) Is taking classes and pursuing a degree that relates to a career  
12 in teaching; and  
13 (c) Maintains satisfactory academic performance at the University of  
14 Nebraska or the Nebraska state college.  
15 (2)(a) Beginning in school year 2025-26 through school year 2031-32,  
16 during the semester in which a student who meets the requirements of  
17 subsection (1) of this section is student teaching, the University of  
18 Nebraska or the Nebraska state college shall waive one hundred percent of  
19 the student's tuition for student teaching remaining due after  
20 subtracting for such semester any (i) awarded federal financial aid  
21 grants, (ii) awarded state scholarships and grants, and (iii) stipend  
22 paid to such student for student teaching.  
23 (b) The University of Nebraska or the Nebraska state college shall  
24 annually submit a report electronically to the Clerk of the Legislature  
25 relating to the number of students receiving the waivers described in  
26 subdivision (2)(a) of this section and the total amount of each tuition  
27 waiver granted pursuant to this subsection. Such report shall not contain  
1 any personally identifiable information of a student receiving a waiver.  
2 (3) It is the intent of the Legislature to appropriate up to three  
3 million dollars annually from the General Fund for fiscal year 2025-26  
4 through fiscal year 2030-31 to carry out this section.

(Signed) Dave Murman, Chairperson

Health and Human Services

**LEGISLATIVE BILL 903.** Placed on General File.

(Signed) Ben Hansen, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Kauth name added to LB1305.

**VISITOR(S)**

Visitors to the Chamber were students from Faith Christian Elementary, Kearney; Jeff Brayfield, Ashland; Kody, Mack, and Noah Schrader; Eric; Oliver; Josephine Lyons; Jaelyn Uehling, Omaha; Sam Van Gonple, Tyce and Dan Goodwin, York; members of I Be Black Girl, Omaha.

The Doctor of the Day was Dr. Sara Hoffschneider of Omaha.

**ADJOURNMENT**

At 2:55 p.m., on a motion by Senator Dorn, the Legislature adjourned until 10:00 a.m., Tuesday, March 12, 2024.

Brandon Metzler  
Clerk of the Legislature

**FORTY-FIRST DAY - MARCH 12, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 12, 2024

**PRAYER**

The prayer was offered by Father Vitalis Anyanike, Our Lady Lourdes/Holy Cross Catholic Churches, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senior Airman Ryan McDonnell, 155th Civil Engineering Squadron/NE Air National Guard, Air Force, Omaha.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Dorn presiding.

The roll was called and all members were present except Senator Sanders who was excused; and Senators Bostar, Conrad, Day, Dover, Linehan, Vargas, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fortieth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

March 12, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 139e, 144, 257, 569e, 605, 624, 716, 847, 848, 854, 908, 909e, 936, 940, and 989 were received in my office on March 7, 2024, and signed on March 11, 2024.

These bills were delivered to the Secretary of State on March 12, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

March 7, 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 Health Information Technology Board:

Matt Ahern, 6920 South 51st Street, Lincoln, NE 68516, District 1 - Health Care Payor

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

March 8, 2024

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

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

Contingent upon your approval, the following individuals are being appointed as members of the State Board of Health:

Brett Lindau, 941 S 1st Avenue, Broken Bow, NE 68822, Osteopathic Representative  
Carleen Barger, 7831 East Avon Lane, Lincoln, NE 68505, Registered Nurse  
Jeffrey Wienke, Jr, 12733 N 14th Street, Raymond, NE 68428, Podiatrist

Connie Lynn Petersen, 84677 562nd Street, Hastings, NE 68740, Registered Nurse

The aforementioned appointees are 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)**  
Health and Human Services

**LEGISLATIVE BILL 1007.** Placed on General File.

(Signed) Ben Hansen, Chairperson  
Business and Labor

**LEGISLATIVE BILL 1188.** Placed on General File with amendment.  
[AM2923](#) is available in the Bill Room.

(Signed) Merv Riepe, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to [LB287](#):  
[AM2890](#) is available in the Bill Room.

Senator Jacobson filed the following amendment to [LB1087A](#):  
[AM2928](#)

- 1 1. Insert the following new section:
- 2 Sec. 3. Since an emergency exists, this act takes effect when passed
- 3 and approved according to law.

**MOTION(S) - Override Veto on LB307**

Senator Hunt offered [MO1212](#) found on page 886, that LB307 becomes law notwithstanding the objections of the Governor.

Pending.

**EASE**

The Legislature was at ease from 11:19 a.m. until 11:21 a.m.

**MOTION(S) - Override Veto on LB307**

Senator Hunt renewed [MO1212](#) found on page 886 and considered in this day's Journal, that LB307 becomes law notwithstanding the objections of the Governor.

Senator Hunt moved for a call of the house. The motion prevailed with 34 ayes, 1 nay, and 14 not voting.

Senator Hunt requested a roll call vote on the motion to override the Governor's veto.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 27:

Aguilar	Cavanaugh, M.	Erdman	McDonnell	Walz
Arch	Conrad	Fredrickson	McKinney	Wayne
Blood	Day	Halloran	Raybould	Wishart
Bostar	DeBoer	Hunt	Riepe	
Brandt	Dorn	Jacobson	Vargas	
Cavanaugh, J.	Dungan	Linehan	von Gillern	

Voting in the negative, 20:

Albrecht	Bostelman	Dover	Hughes	Lowe
Armendariz	Brewer	Hansen	Ibach	Meyer
Ballard	Clements	Hardin	Kauth	Moser
Bosn	DeKay	Holdcroft	Lippincott	Murman

Excused and not voting, 2:

Sanders      Slama

Having failed to receive a constitutional three-fifths majority voting in the affirmative, the bill failed to pass notwithstanding the objections of the Governor.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 43.** Placed on Final Reading.

**[ST40](#)**

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

1. In the Standing Committee amendments, AM2076, on page 22, line 24, "21," has been inserted after "16,;" and in line 25 "23" has been struck and "24" inserted.

2. On page 1, the matter beginning with "the" in line 1 through line 6 and all amendments thereto have been struck and "law; to amend sections 84-712, 84-712.01, and 84-712.07, Reissue Revised Statutes of Nebraska, and sections 84-712.03, 84-712.05, 84-920, and 84-1412, Revised Statutes Cumulative Supplement, 2022; to adopt the First Freedom Act; to authorize wearing of tribal regalia by students as prescribed; to change public records provisions relating to residents, nonresidents, fees, duties, and remedies; to allow certain records relating to cybersecurity to be withheld from the public as prescribed; to provide a duty for the Nebraska Information Technology Commission; to provide requirements regarding the interpretation of statutes, rules, and regulations as prescribed; to prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations as prescribed; to state intent; to adopt the Personal Privacy Protection Act; to define terms; to change provisions relating to public meetings; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 61.** Placed on Final Reading.

[ST41](#)

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

1. Due to the adoption of the Bostelman amendment, FA233, in the DeBoer amendment, AM2531, on page 11, line 10, the comma has been struck and "or" inserted.

**LEGISLATIVE BILL 198.** Placed on Final Reading.

[ST44](#)

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

1. In the E & R amendments, ER64:
  - a. On page 52, line 14, the first occurrence of "employment" has been struck, shown as stricken, and "retirement" inserted; and
  - b. On page 55, line 2, "4-112," has been inserted after "4-111,".
2. On page 1, the matter beginning with "section" in line 1 through line 6 and all amendments thereto have been struck and "sections 4-108, 4-111, 4-112, 23-2306, 24-703.01, 60-1304, 79-955, 79-9.118, 81-2016, 84-1503.03, and 84-1504, Reissue Revised Statutes of Nebraska, sections 79-901, 79-915, 79-978, 79-992, 79-9.117, 81-1316, 84-1307, and 84-1501, Revised Statutes Cumulative Supplement, 2022, and sections 79-902 and 79-920, Revised Statutes Supplement, 2023; to change provisions relating to participation in retirement programs by noncitizens; to change provisions relating to returning to work after termination and contributions under the School Employees Retirement Act and the Class V School Employees Retirement Act; to define and redefine terms; to change provisions relating to the preretirement planning program, the State Personnel System, and the members of the Public Employees Retirement Board; to provide for the hiring of assistant directors and deputies of the Nebraska Public Employees Retirement Systems and to authorize compensation for such employees to be determined by the director; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 204.** Placed on Final Reading.

**LEGISLATIVE BILL 304.** Placed on Final Reading.

**LEGISLATIVE BILL 905.** Placed on Final Reading.

[ST43](#)

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 has been struck and "public health and welfare; to amend section 71-428, Reissue Revised Statutes of Nebraska, section 68-996, Revised Statutes Cumulative Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to submit a medicaid waiver or state plan amendment for medical respite care as prescribed; to change provisions relating to the Medicaid Managed Care Excess Profit Fund; to redefine a term under the Health Care Facility Licensure Act; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 938.** Placed on Final Reading.

**LEGISLATIVE BILL 1087.** Placed on Final Reading.[ST42](#)

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

1. In the Jacobsen amendment, AM2760:
  - a. On page 1, line 3, "10" has been struck and "9" inserted; and
  - b. Sections 11, 12, and 13 have been renumbered as sections 10, 11, and 12, respectively.
2. On page 1, the matter beginning with "hospitals" in line 1 through line 2 has been struck and "public health and welfare; to amend section 71-1798, Revised Statutes Supplement, 2023; to adopt the Hospital Quality Assurance and Access Assessment Act; to provide duties for the Nebraska Center for Nursing; to repeal the original section; and to declare an emergency." inserted.

**LEGISLATIVE BILL 1104.** Placed on Final Reading.**LEGISLATIVE BILL 894.** Placed on Select File with amendment.[ER83](#)

1. In the Wayne amendments, AM2764:
  - 2 a. On page 2, line 14, strike "that"; and
  - 3 b. On page 8, line 14, strike "Citizen" and insert "Citizenship".
4. In the Standing Committee amendments, AM2370, strike section 5 and insert the following new section:
  - 6 Sec. 13. Original sections 4-108, 4-111, 23-1701, 23-1701.01, 7 23-2306, 32-520, 81-1410, 81-2016, and 84-1504, Reissue Revised Statutes 8 of Nebraska, and sections 32-604, 81-1401, and 84-1307, Revised Statutes 9 Cumulative Supplement, 2022, are repealed.
  - 10 3. On page 1, strike beginning with "county" in line 1 through line 11 4 and insert "law enforcement; to amend sections 4-108, 4-111, 23-1701, 12 23-1701.01, 23-2306, 32-520, 81-1410, 81-2016, and 84-1504, Reissue 13 Revised Statutes of Nebraska, and sections 32-604, 81-1401, and 84-1307, 14 Revised Statutes Cumulative Supplement, 2022; to allow individuals who 15 have received Deferred Action for Childhood Arrivals status to receive 16 law enforcement officer training and certification; to allow such persons 17 to participate in retirement programs for such law enforcement positions; 18 to define a term; to change provisions relating to election, appointment, 19 qualification, and training of county sheriffs; to harmonize provisions; 20 and to repeal the original sections."

**LEGISLATIVE BILL 906.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Agriculture

**LEGISLATIVE BILL 1301.** Placed on General File with amendment.

[AM2594](#) is available in the Bill Room.

(Signed) Steve Halloran, Chairperson

Health and Human Services

**LEGISLATIVE BILL 874.** Placed on General File with amendment.[AM2803](#)

1. Strike original section 7.
2. On page 13, strike beginning with the comma in line 8 through the 3 second comma in line 9 and insert "rules".



4 3. Renumber the remaining sections and correct internal references  
5 accordingly.

**LEGISLATIVE BILL 1350.** Placed on General File with amendment.

[AM2377](#)

1 1. Strike the original sections and insert the following new  
2 section:  
3 Section 1. (1) For purposes of this section:  
4 (a) Emergency shelter means:  
5 (i) An emergency shelter as defined in 24 C.F.R. 576.2 as such  
6 regulation existed on January 1, 2024; or  
7 (ii) Any facility, the primary purpose of which is to provide a  
8 temporary shelter for individuals who have experienced domestic violence,  
9 human trafficking, sexual assault, or stalking and which provides a safe  
10 and nonthreatening living environment for such victims and their family  
11 and household members; and  
12 (b) Transitional housing means:  
13 (i) Transitional housing as defined in 24 C.F.R. 578.3 as such  
14 regulation existed on January 1, 2024; or  
15 (ii) Temporary housing, the purpose of which is to facilitate the  
16 movement of individuals experiencing domestic violence, human  
17 trafficking, sexual assault, or stalking and their family and household  
18 members into permanent housing within twenty-four months or such longer  
19 period as the administrator or operator of the temporary housing deems  
20 necessary.  
21 (2) The Department of Health and Human Services may conduct a study  
22 of issues relating to emergency shelters and transitional housing  
23 services in Nebraska. The study may include, but shall not be limited to,  
24 an examination of:  
25 (a) Barriers to providing services;  
26 (b) Requests for shelter services received by providers of emergency  
27 shelter services or transitional housing services, including information  
1 regarding the number of requests that were fulfilled and unfulfilled;  
2 (c) Operational costs; and  
3 (d) Other issues identified by the department or providers.  
4 (3) If the department completes a study as provided in this section,  
5 it shall electronically submit a report concerning the study to the Clerk  
6 of the Legislature.

(Signed) Ben Hansen, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Dungan filed the following amendment to [LB857A](#):

[AM2951](#)

1 1. Strike original section 2 and insert the following new section:  
2 Sec. 2. There is hereby appropriated (1) \$2,437,489 from the  
3 Medicaid Managed Care Excess Profit Fund and \$3,986,606 from federal  
4 funds for FY2024-25 and (2) \$3,443,473 from the Medicaid Managed Care  
5 Excess Profit Fund and \$5,516,102 from federal funds for FY2025-26 to the  
6 Department of Health and Human Services, for Program 348, to aid in  
7 carrying out the provisions of Legislative Bill 857, One Hundred Eighth  
8 Legislature, Second Session, 2024.  
9 There is included in the appropriation to this program for FY2024-25  
10 \$2,437,489 from the Medicaid Managed Care Excess Profit Fund and  
11 \$3,986,606 from federal funds for state aid, which shall only be used for  
12 such purpose. There is included in the appropriation to this program for  
13 FY2025-26 \$3,443,473 from the Medicaid Managed Care Excess Profit Fund

14 ~~and \$5,516,102 from federal funds for state aid, which shall only be used~~  
 15 ~~for such purpose.~~  
 16 ~~No expenditures for permanent and temporary salaries and per diems~~  
 17 ~~for state employees shall be made from funds appropriated in this~~  
 18 ~~section.~~

Senator DeKay filed the following amendment to LB1301:  
[AM2919](#)

(Amendments to Standing Committee amendments, AM2594)

1 1. On page 4, line 21, strike "list" and insert "lists".  
 2 2. On page 11, strike lines 16 through 19 and insert the following  
 3 new subdivision:  
 4 "(ii) Any secured party who has registered or filed a lien,  
 5 mortgage, or trust deed against the real estate or filed a financing  
 6 statement against the real estate as provided by law if the identity of  
 7 the secured party can be ascertained by the entity filing the petition by  
 8 making a good faith effort to ascertain the identity of the secured  
 9 party."  
 10 3. On page 13, line 4, strike "may" and insert "shall".

Senator Ibach filed the following amendment to LB894:  
[AM2927](#)

1 1. Strike the Wayne amendment, AM2764.

Senator Dungan filed the following amendment to LB1074:  
[AM2820](#)

(Amendments to Standing Committee Amendments, AM2560)

1 1. Insert the following new sections:  
 2 Sec. 31. Sections 31 to 36 of this act shall be known and may be  
 3 cited as the Public Entities Pooled Investment Act.  
 4 Sec. 32. For purposes of the Public Entities Pooled Investment Act:  
 5 (1) Bank means a state-chartered or federally chartered bank which  
 6 has a main chartered office in this state, any branch thereof in this  
 7 state, or any branch in this state of a state-chartered or federally  
 8 chartered bank which maintained a main chartered office in this state  
 9 prior to becoming a branch of such state-chartered or federally chartered  
 10 bank;  
 11 (2) Capital stock financial institution means a capital stock state  
 12 building and loan association, a capital stock federal savings and loan  
 13 association, a capital stock federal savings bank, or a capital stock  
 14 state savings bank, which has a main chartered office in this state, any  
 15 branch thereof in this state, or any branch in this state of a capital  
 16 stock financial institution which maintained a main chartered office in  
 17 this state prior to becoming a branch of such capital stock financial  
 18 institution;  
 19 (3) Eligible entity means any governmental, public, or quasi-public  
 20 entity, joint public agency created pursuant to the Joint Public Agency  
 21 Act, or joint entity created pursuant to the Interlocal Cooperation Act,  
 22 located in the state, including, but not limited to, an entity designated  
 23 as a political subdivision, vested with taxing authority, or whose  
 24 membership is wholly comprised by such entities and funds created by such  
 25 entities. Eligible entity does not include the State of Nebraska or any  
 26 department, division, office, board, commission, or other agency of the  
 1 state, or any court, constitutional office, or elected or appointed  
 2 officer of the state;  
 3 (4) Eligible investment means:  
 4 (a) Obligations, including letters of credit, of any agency or  
 5 instrumentality of the United States, including bonds, debentures, or

6 notes issued by the Federal Home Loan Bank System;  
7 (b) Direct obligations of or other obligations the principal of and  
8 interest on which are guaranteed by the United States or its agencies or  
9 instrumentalities, including collateralized mortgage obligations and  
10 obligations that are fully guaranteed or insured by the Federal Deposit  
11 Insurance Corporation or by the full faith and credit of the United  
12 States;  
13 (c) Direct obligations of the state, its agencies, and its  
14 instrumentalities receiving an investment quality rating by a nationally  
15 recognized investment rating firm not less than A or its equivalent at  
16 the time of purchase;  
17 (d) Obligations of other states, agencies, counties, cities, and  
18 political subdivisions of any state receiving an investment quality  
19 rating by a nationally recognized investment rating firm not less than A  
20 or its equivalent at the time of purchase;  
21 (e) Commercial paper, if such commercial paper:  
22 (i) Is issued by a United States corporation;  
23 (ii) Has a stated maturity of two hundred seventy days or fewer from  
24 its date of issuance;  
25 (iii) Is rated in the highest short-term rating quality category by  
26 at least two nationally recognized statistical rating organizations at  
27 the time of purchase;  
28 (iv) Is limited to no more than fifty percent of the total funds  
29 available for investment by a local government investment pool at the  
30 time of purchase; and  
31 (v) Is limited to no more than five percent of the total funds  
1 available for investment by a local government investment pool being  
2 invested in the commercial paper of a single issuer;  
3 (f) Money market mutual funds whose shares are sold without  
4 commissions or other sales charges unrelated to fund expenses, that have  
5 a fixed net asset value of one dollar, and that are comprised of  
6 obligations of the United States, its agencies, or its instrumentalities;  
7 (g) Fully collateralized repurchase agreements if such agreements:  
8 (i) Have a defined termination date;  
9 (ii) Are secured by a combination of cash and obligations of the  
10 United States, its agencies, or its instrumentalities;  
11 (iii) Require securities purchased by the trust or cash held by the  
12 trust to be pledged to the trust, held in the trust's name, and deposited  
13 at the time the investment is made with the trust or with a third party  
14 selected and approved by the trust; and  
15 (iv) Are invested through a primary government securities dealer, as  
16 defined by the Board of Governors of the Federal Reserve System, or a  
17 financial institution; and  
18 (h) Certificates of deposit and time deposit open accounts in banks,  
19 capital stock financial institutions, or qualifying mutual financial  
20 institutions;  
21 (5) Local government investment pool means an investment pool or  
22 trust created pursuant to the laws of this state, including, but not  
23 limited to, the Interlocal Cooperation Act, for the purpose of pooling  
24 and investing the funds of two or more eligible entities; and  
25 (6) Qualifying mutual financial institution has the same meaning as  
26 in section 77-2365.01.  
27 Sec. 33. An eligible entity may invest its funds and funds under  
28 its control through a local government investment pool if the governing  
29 body of the eligible entity by ordinance or resolution authorizes  
30 investment in the pool. A local government investment pool may only  
31 invest the funds it receives from eligible entities in eligible  
1 investments.  
2 Sec. 34. A local government investment pool shall display and  
3 include in all advertising, in all marketing materials, and on any

4 Internet website or mobile application it maintains the following  
5 conspicuous statements:  
6 (1) Investments in a local government investment pool are not  
7 insured or guaranteed by the Federal Deposit Insurance Corporation or any  
8 other government agency; and  
9 (2) Investments in a local government investment pool are subject to  
10 liquidity risk, which may impact the pool's ability to sell investments  
11 in a timely fashion or at near face value in order to fulfill a  
12 participant's redemption request. Such investments are also subject to  
13 market risk, issuer risk, and default risk. Participants may lose money  
14 by investing in a local government investment pool.  
15 Sec. 35. The general investment strategy for a local government  
16 investment pool shall be to invest all funds of eligible entities to  
17 accomplish the following objectives, which are listed in order of  
18 priority:  
19 (1) Preservation and safety of principal;  
20 (2) Liquidity; and  
21 (3) Yield.  
22 Sec. 36. Any agent, employee, or representative of an investment  
23 advisor acting on behalf of a local government investment pool who  
24 solicits, purchases, or sells securities or eligible investments on  
25 behalf of the local government investment pool shall hold and maintain  
26 any license or registration required by federal or state law to solicit,  
27 purchase, or sell securities or eligible investments on behalf of a local  
28 government investment pool.  
29 Sec. 74. Section 30-3801, Reissue Revised Statutes of Nebraska, is  
30 amended to read:  
31 30-3801 (UTC 101) Sections 30-3801 to 30-38,110 and sections 75 to  
1 79 of this act shall be known and may be cited as the Nebraska Uniform  
2 Trust Code.  
3 Sec. 75. It is the policy of the State of Nebraska to encourage the  
4 use of a special needs trust by an individual with disabilities to  
5 preserve funds to provide for the needs of the individual that are not  
6 met by governmental benefits and that enhance such individual's quality  
7 of life.  
8 Sec. 76. For purposes of sections 75 to 79 of this act:  
9 (1) Beneficiary with a disability means a beneficiary of a trust,  
10 who a special needs fiduciary believes may qualify for governmental  
11 benefits based on disability whether or not the beneficiary currently  
12 receives those benefits, or who is an individual who has been adjudicated  
13 to be disabled;  
14 (2) Governmental benefits means financial aid or services from a  
15 state, federal, or other public agency;  
16 (3) Pooled special needs trust means a trust which combines assets  
17 and is managed by a nonprofit association providing a separate account  
18 maintained for each beneficiary with a disability;  
19 (4) Self-settled special needs trust means a trust which has been  
20 funded with the assets of a beneficiary with a disability and includes a  
21 first party special needs trust;  
22 (5) Special needs fiduciary means a trustee or other fiduciary,  
23 other than a settlor, that has discretion to distribute, or is required  
24 to distribute, part or all of the principal of a trust to a current  
25 beneficiary with a disability;  
26 (6) Special needs trust means a trust the trustee believes would not  
27 be considered a resource for purposes of determining whether a  
28 beneficiary with a disability is eligible for governmental benefits and  
29 includes a supplemental needs trust; and  
30 (7) Third-party special needs trust means a trust which has been  
31 funded with the assets of an individual other than the beneficiary with a  
1 disability.

2 Sec. 77. (1) Each state agency that provides governmental benefits  
 3 to individuals of any age with disabilities through means-tested  
 4 programs, including the medical assistance program, shall adopt and  
 5 promulgate rules and regulations that:  
 6 (a) Are not more restrictive than existing federal law, regulations,  
 7 or policies with regard to the treatment of a special needs trust,  
 8 including a trust defined in 42 U.S.C. 1396p(c)(2) and 42 U.S.C. 1396p(d)  
 9 (4);

10 (b) Are not more restrictive than any state law regarding trusts,  
 11 including any state law relating to the reasonable exercise of discretion  
 12 by a trustee, guardian, or conservator in the best interests of the  
 13 beneficiary;

14 (c) Do not require disclosure of a beneficiary's personal or  
 15 confidential information without the consent of the beneficiary;

16 (d) Allow an individual account in a pooled special needs trust to  
 17 be funded without financial limit;

18 (e) Allow an individual to establish or fund an individual account  
 19 in a pooled special needs trust without an age limit or a transfer  
 20 penalty;

21 (f) Allow an individual to fund a special needs trust for the  
 22 individual's child with disabilities without a transfer penalty and  
 23 regardless of the child's age; and

24 (g) Allow all legally assignable income or resources to be assigned  
 25 to any special needs trust without limit.

26 (2) Nothing in this section may be interpreted to require a court  
 27 order to authorize the funding of, or a disbursement from, a special  
 28 needs trust.

29 Sec. 78. (1) A determination by the Internal Revenue Service  
 30 regarding the nonprofit status of a nonprofit organization operating a  
 31 pooled special needs trust shall be sufficient to satisfy the nonprofit  
 1 requirement of 42 U.S.C. 1396p(d)(4)(C).

2 (2) A state agency may not impose additional requirements on an  
 3 organization described in subsection (1) of this section for the purpose  
 4 of qualifying or disqualifying the organization from offering a pooled  
 5 special needs trust.

6 Sec. 79. Any rule or regulation adopted and promulgated by a state  
 7 agency regarding pooled special needs trusts shall apply only to those  
 8 trust beneficiaries who are residents of the state or who receive  
 9 governmental benefits funded by the state.

10 Sec. 96. Section 77-2341, Reissue Revised Statutes of Nebraska, is  
 11 amended to read:

12 77-2341 (1) Whenever any county, city, village, or other  
 13 governmental subdivision, other than a school district, of the State of  
 14 Nebraska has accumulated a surplus of any fund in excess of its current  
 15 needs or has accumulated a sinking fund for the payment of its bonds and  
 16 the money in such sinking fund exceeds the amount necessary to pay the  
 17 principal and interest of any such bonds which become due during the  
 18 current year, the governing body of such county, city, village, or other  
 19 governmental subdivision may invest any such surplus in excess of current  
 20 needs or such excess in its sinking fund in certificates of deposit, in  
 21 time deposits, and in any securities in which the state investment  
 22 officer is authorized to invest pursuant to the Nebraska Capital  
 23 Expansion Act and the Nebraska State Funds Investment Act and as provided  
 24 in the authorized investment guidelines of the Nebraska Investment  
 25 Council in effect on the date the investment is made. The state  
 26 investment officer shall upon request furnish a copy of current  
 27 authorized investment guidelines of the Nebraska Investment Council.

28 (2) Whenever any school district of the State of Nebraska has  
 29 accumulated a surplus of any fund in excess of its current needs or has  
 30 accumulated a fund for the payment of bonds and the money in such fund

31 exceeds the amount necessary to pay the principal and interest of any  
 1 such bonds which become due during the current year, the board of  
 2 education of such school district may invest any such surplus in excess  
 3 of current needs or such excess in the bond fund in securities in which  
 4 such board of education is authorized to invest pursuant to section  
 5 79-1043.

6 (3) Nothing in subsection (1) of this section shall be construed to  
 7 restrict investments authorized pursuant to section 14-563.

8 (4) Nothing in subsections (1), (2), and (3) of this section shall  
 9 be construed to authorize investments in venture capital or to expand the  
 10 investment authority of a local government investment pool under the  
 11 Public Entities Pooled Investment Act.

12 2. Correct the operative date and repealer sections so that the  
 13 sections added by this amendment become operative three calendar months  
 14 after the adjournment of this legislative session.

15 3. Renumber the remaining sections and correct internal references  
 16 accordingly.

Senator Ibach filed the following amendment to [LB1368](#):  
[AM2882](#) is available in the Bill Room.

### BILL ON FIRST READING

The following bill was read for the first time by title:

**LEGISLATIVE BILL 993A.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 993, One Hundred Eighth Legislature, Second Session, 2024.

### NOTICE OF COMMITTEE HEARING(S)

Agriculture  
 Room 2102 12:30 PM

Wednesday, March 27, 2024

Christopher J. Gentry - Nebraska Brand Committee  
 Lisa A. Lutz - Beginning Farmer Board  
 John E. Walvoord - Beginning Farmer Board  
 Wade E. Thornburg - Beginning Farmer Board  
 Britt D. Anderson - Beginning Farmer Board  
 Bradley D. Lubben - Beginning Farmer Board

(Signed) Steve Halloran, Chairperson

Business and Labor  
 Room 2102 1:00 PM

Tuesday, March 19, 2024

Steven Bley - Boiler Safety Code Advisory Board

(Signed) Merv Riepe, Chairperson

**VISITOR(S)**

Visitors to the Chamber were Sonja Puszewski; students from St. Robert Bellarmine, Omaha.

**RECESS**

At 11:59 a.m., on a motion by Senator Dover, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Sanders who was excused; and Senators Bostar, Fredrickson, Hunt, Raybould, and Slama who were excused until they arrive.

**COMMUNICATION**

March 12, 2024

The Honorable Robert Evnen  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Pillen of LB307, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,  
(Signed) Brandon Metzler  
Clerk of the Legislature

BM:jl

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 644.** Placed on Final Reading.

[ST45](#)

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 7 and all amendments thereto have been struck and "the Site and Building Development Fund; to amend section 81-12,146, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the

Site and Building Development Fund; to repeal the original section; and to declare an emergency." inserted.

**LEGISLATIVE BILL 895.** Placed on Final Reading.

**LEGISLATIVE BILL 856A.** Placed on Select File.

**LEGISLATIVE BILL 857A.** Placed on Select File.

**LEGISLATIVE BILL 1035A.** Placed on Select File.

**LEGISLATIVE BILL 685A.** Placed on Select File.

**LEGISLATIVE BILL 1087A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to LB399:

AM2912

(Amendments to Standing Committee amendments, AM2702)

1 1. Strike sections 3 and 4 and insert the following new section:

2 Sec. 3. Section 70-1014.02, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 70-1014.02 (1) The Legislature finds that:

5 (a) Nebraska has the authority as a sovereign state to protect its

6 land, natural resources, and cultural resources for economic and

7 aesthetic purposes for the benefit of its residents and future

8 generations by regulation of energy generation projects;

9 (b) The unique terrain and ecology of the Nebraska Sandhills provide

10 an irreplaceable habitat for millions of migratory birds and other

11 wildlife every year and serve as the home to numerous ranchers and

12 farmers;

13 (c) The grasslands of the Nebraska Sandhills and other natural

14 resources in Nebraska will become increasingly valuable, both

15 economically and strategically, as the demand for food and energy

16 increases; and

17 (d) The Nebraska Sandhills are home to priceless archaeological

18 sites of historical and cultural significance to American Indians.

19 (2)(a) A privately developed renewable energy generation facility

20 that meets the requirements of this section is exempt from sections

21 70-1012 to 70-1014.01 if, no less than thirty days prior to the

22 commencement of construction, the owner of the facility:

23 (i) Notifies the board in writing of its intent to commence

24 construction of a privately developed renewable energy generation

25 facility;

26 (ii) Certifies to the board that the facility will meet the

1 requirements for a privately developed renewable energy generation

2 facility;

3 (iii) Certifies to the board that the private electric supplier will

4 (A) comply with any decommissioning requirements adopted by the local

5 governmental entities having jurisdiction over the privately developed

6 renewable energy generation facility and (B) except as otherwise provided

7 in subdivision (b) of this subsection, submit a decommissioning plan to

8 the board obligating the private electric supplier to bear all costs of

9 decommissioning the privately developed renewable energy generation

10 facility and requiring that the private electric supplier post a security

11 bond or other instrument, no later than the ~~third~~ fourth year following

12 commercial operation, securing the costs of decommissioning the facility

13 and provide a copy of the bond or instrument to the board;



14 (iv) Certifies to the board that the private electric supplier has  
15 entered into or prior to commencing construction will enter into a joint  
16 transmission development agreement pursuant to subdivision (c) of this  
17 subsection with the electric supplier owning the transmission facilities  
18 of sixty thousand volts or greater to which the privately developed  
19 renewable energy generation facility will interconnect; ~~and~~  
20 (v) Certifies to the board that the private electric supplier has  
21 consulted with the Game and Parks Commission to identify potential  
22 measures to avoid, minimize, and mitigate impacts to species identified  
23 under subsection (1) or (2) of section 37-806 during the project planning  
24 and design phases, if possible, but in no event later than the  
25 commencement of construction; ~~;~~  
26 (vi) Certifies to the board that the private electric supplier has  
27 entered into a power purchase agreement with an electric supplier  
28 operating in this state that is not a private electric supplier for the  
29 output of the privately developed renewable energy generation facility;  
30 and  
31 (vii) For a proposed privately developed renewable energy generation  
1 facility that has a generating capacity that is greater than ten  
2 megawatts, certifies to the board that the entity with whom the private  
3 electric supplier has entered into a power purchase agreement has held at  
4 least one public meeting with advanced publicized notice in one of the  
5 counties in which the proposed facility will be located at which (A) at  
6 least fifty percent of the governing body of such entity attends either  
7 in person or by videoconference, but with not less than one member of the  
8 governing body physically present, (B) the private electric supplier  
9 explains the need for the proposed facility and the type of facility, and  
10 (C) real property owners in any of the counties in which the proposed  
11 facility will be located are provided an opportunity to comment on the  
12 proposed facility. The private electric supplier shall provide a report  
13 to the board containing the minutes of any such meeting and how many  
14 people commented on the proposed facility. Documentation received at any  
15 such meeting shall be made available to the board upon its request. A  
16 meeting described in this subdivision is not subject to the requirements  
17 described in subdivision (2)(b)(iv) of section 84-1411.  
18 (b) The board may bring an action in the name of the State of  
19 Nebraska for failure to comply with subdivision (a)(iii)(B) of this  
20 subsection, ~~except that such subdivision -Subdivision (a)(iii)(B) of~~  
21 ~~this subsection~~ does not apply if a local government entity with the  
22 authority to create requirements for decommissioning has enacted  
23 decommissioning requirements for the applicable jurisdiction.  
24 (c) ~~A~~ The joint transmission development agreement shall be entered  
25 into to address construction, ownership, operation, and maintenance of  
26 such additions or upgrades to the transmission facilities as required for  
27 the privately developed renewable energy generation facility. The joint  
28 transmission development agreement shall be negotiated and executed  
29 contemporaneously with the generator interconnection agreement or other  
30 directives of the applicable regional transmission organization with  
31 jurisdiction over the addition or upgrade of transmission, upon terms  
1 consistent with prudent electric utility practices for the  
2 interconnection of renewable generation facilities, the electric  
3 supplier's reasonable transmission interconnection requirements, and  
4 applicable transmission design and construction standards. The electric  
5 supplier shall have the right to purchase and own transmission facilities  
6 as set forth in the joint transmission development agreement. The private  
7 electric supplier of the privately developed renewable energy generation  
8 facility shall have the right to construct any necessary facilities or  
9 improvements set forth in the joint transmission development agreement  
10 pursuant to the standards set forth in the agreement at the private  
11 electric supplier's cost.

12 (3) Within ten days after receipt of a written notice complying with  
 13 subsection (2) of this section, the executive director of the board shall  
 14 issue a written acknowledgment that the privately developed renewable  
 15 energy generation facility is exempt from sections 70-1012 to 70-1014.01  
 16 if such facility remains in compliance with the requirements of this  
 17 section.

18 (4) The exemption allowed under this section for a privately  
 19 developed renewable energy generation facility shall extend to and exempt  
 20 all private electric suppliers owning any interest in the facility,  
 21 including any successor private electric supplier which subsequently  
 22 acquires any interest in the facility.

23 (5) No property owned, used, or operated as part of a privately  
 24 developed renewable energy generation facility shall be subject to  
 25 eminent domain by a consumer-owned electric supplier operating in the  
 26 State of Nebraska. Nothing in this section shall be construed to grant  
 27 the power of eminent domain to a private electric supplier or limit the  
 28 rights of any entity to acquire any public, municipal, or utility right-  
 29 of-way across property owned, used, or operated as part of a privately  
 30 developed renewable energy generation facility as long as the right-of-  
 31 way does not prevent the operation of or access to the privately  
 1 developed renewable energy generation facility.

2 (6) Only a consumer-owned electric supplier operating in the State  
 3 of Nebraska may exercise eminent domain authority to acquire the land  
 4 rights necessary for the construction of transmission lines and related  
 5 facilities. There is a rebuttable presumption that the exercise of  
 6 eminent domain to provide needed transmission lines and related  
 7 facilities for a privately developed renewable energy generation facility  
 8 is a public use.

9 (7) Nothing in this section shall be construed to authorize a  
 10 private electric supplier to sell or deliver electricity at retail in  
 11 Nebraska.

12 (8) Nothing in this section shall be construed to limit the  
 13 authority of or require a consumer-owned electric supplier operating in  
 14 the State of Nebraska to enter into a joint agreement with a private  
 15 electric supplier to develop, construct, and jointly own a privately  
 16 developed renewable energy generation facility.

17 2. On page 3, line 25, strike "may" and insert "shall".

18 3. Renumber the remaining sections and correct the repealer  
 19 accordingly.

Senator Aguilar filed the following amendment to [LB926](#):  
[AM2904](#)

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

3 Section 1. Section 51-703, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:

5 51-703 (1) In addition to any other information prescribed for a  
 6 particular notice, each notice given to the lender or claimant pursuant  
 7 to the Museum Property Act shall contain the following information:

8 (a) The lender's or claimant's name as appropriate;

9 (b) The lender's last-known address or the claimant's last-known  
 10 address as appropriate;

11 (c) A brief description of the property on loan;

12 (d) The date of the loan, if known;

13 (e) The name of the museum; and

14 (f) The name, address, and telephone number of the appropriate  
 15 person or office to be contacted regarding the property.

16 (2) Each notice given by a museum pursuant to the act shall be  
 17 mailed to the lender's and any claimant's last-known address by

18 restricted certified mail. Notice is deemed given if the museum receives

19 proof of receipt within thirty days after mailing the notice.  
 20 (3) Notice may be given by publication if the museum does not:  
 21 (a) Know the identity of the lender;  
 22 (b) Have the address or telephone number for the lender or the  
 23 address or telephone number for the claimant; or  
 24 (c) Receive proof of receipt of the notice by the person to whom the  
 25 notice was sent within thirty days after the notice was mailed.  
 26 (4) Notice by publication must be given by posting online on the  
 27 museum's website for a minimum of three consecutive weeks and by  
 1 publication of a statement for one week at least once each week for three  
 2 consecutive weeks in a newspaper of general circulation in both the  
 3 county where the museum is located and the county of the lender's or  
 4 claimant's address, if any. The statement published in the newspaper must  
 5 contain (a) the museum's name and contact information, (b) notification  
 6 that the museum is acting to assert title, and (c) notification that  
 7 interested parties should contact the museum for a complete listing of  
 8 property to which the museum is asserting title.  
 9 Sec. 2. Section 51-705, Reissue Revised Statutes of Nebraska, is  
 10 amended to read:  
 11 51-705 Subject to any existing security interest in the property, a  
 12 museum may acquire title to undocumented property held by the museum for  
 13 at least seven years as follows:  
 14 (1) The museum must give notice as provided in subsection (3) of  
 15 section 51-703 that the museum is asserting title to the undocumented  
 16 property; and  
 17 ~~(2) The notice that the museum is asserting title to the property~~  
 18 ~~must include a statement containing substantially the following~~  
 19 ~~information:~~  
 20 ~~The records of (name of museum) fail to indicate the owner of record~~  
 21 ~~of certain property in its possession. The museum hereby asserts title to~~  
 22 ~~the following property: (general description of property). If you claim~~  
 23 ~~ownership or other legal interest in this property, you must contact the~~  
 24 ~~museum, establish ownership of the property, and make arrangements to~~  
 25 ~~collect the property. If you fail to do so within three years, you will~~  
 26 ~~be considered to have waived any claim you may have had to the property;~~  
 27 ~~and~~  
 28 ~~(2) (3) If a claimant or lender does not respond to such the notice~~  
 29 ~~provided in subdivision (2) of this section within one year three years~~  
 30 ~~by giving a written notice of intent to retain an interest in the~~  
 31 ~~property on loan, the museum's title to the property becomes absolute.~~

Senator Moser filed the following amendment to LB484:  
AM2939

(Amendments to Standing Committee amendments, AM790)

1 1. On page 1, line 4, strike "2025" and insert "2026".

Senator Ibach filed the following amendment to LB262:  
AM2654

(Amendments to Standing Committee amendments, AM719)

1 1. Insert the following new sections:  
 2 Sec. 12. Section 2-3611, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 2-3611 (1) The board shall be composed of nine members who (a) (1)  
 5 are citizens of Nebraska, (b) (2) are at least twenty-one years of age,  
 6 (c) (3) have been actually engaged in growing corn in this state for a  
 7 period of at least five years, and (d) (4) derive a substantial portion  
 8 of their income from growing corn.  
 9 (2) There shall be eight district members appointed by the Governor  
 10 as follows: One member from each membership district described in section

11 ~~2-3615.~~

12 (3) There shall be one at-large member appointed by the eight  
13 district members.

14 (4) The Director of Agriculture, the vice chancellor of the  
15 University of Nebraska Institute of Agriculture and Natural Resources,  
16 and the president of the Nebraska Corn Growers Association shall be ex  
17 officio members of the board but shall have no vote in board matters.  
18 Sec. 13. Section 2-3615, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 2-3615 (1) The membership districts are as follows ~~One member shall~~  
21 ~~be appointed from each of the following districts:~~

22 (a) District 1. The counties of Butler, Saunders, Douglas, Sarpy,  
23 Seward, Lancaster, Cass, Otoe, Saline, Jefferson, Gage, Johnson, Nemaha,  
24 Pawnee, and Richardson;

25 (b) District 2. The counties of Adams, Clay, Fillmore, Franklin,  
26 Webster, Nuckolls, and Thayer;

1 (c) District 3. The counties of Merrick, Polk, Hamilton, and York;

2 (d) District 4. The counties of Knox, Cedar, Dixon, Dakota, Pierce,

3 Wayne, Thurston, Madison, Stanton, Cuming, Burt, Colfax, Dodge, and  
4 Washington;

5 (e) District 5. The counties of Sherman, Howard, Dawson, Buffalo,  
6 and Hall;

7 (f) District 6. The counties of Hayes, Frontier, Gosper, Phelps,  
8 Kearney, Hitchcock, Red Willow, Furnas, and Harlan;

9 (g) District 7. The counties of Boyd, Holt, Antelope, Garfield,

10 Wheeler, Boone, Platte, Valley, Greeley, and Nance; and

11 (h) District 8. The counties of Sioux, Dawes, Box Butte, Sheridan,  
12 Scotts Bluff, Banner, Kimball, Morrill, Cheyenne, Garden, Deuel, Cherry,  
13 Keya Paha, Brown, Rock, Grant, Hooker, Thomas, Blaine, Loup, Arthur,  
14 McPherson, Logan, Custer, Keith, Lincoln, Perkins, Chase, and Dundy.

15 (2) The board may provide recommendations to the Agriculture  
16 Committee of the Legislature for potential changes to the list of  
17 counties that make up each membership district.

18 Sec. 14. Section 2-3619, Reissue Revised Statutes of Nebraska, is  
19 amended to read:

20 2-3619 The voting members of the board, while engaged in the  
21 performance of their official duties, shall receive compensation at the  
22 rate of fifty ~~twenty-five~~ dollars per day while so serving, including  
23 travel time. In addition, members of the board shall receive  
24 reimbursement for expenses on the same basis and subject to the same  
25 conditions as provided in sections 81-1174 to 81-1177.

26 Sec. 15. Section 2-3620, Reissue Revised Statutes of Nebraska, is  
27 amended to read:

28 2-3620 A member of the board shall be removable by the Governor for  
29 cause. ~~The member~~ He shall first be given a copy of written charges  
30 against ~~such member~~ him and also an opportunity to be heard publicly. In  
31 addition to all other causes, a member ceasing to (1) be a resident of  
1 the state, (2) live in the district from which ~~such member~~ he was  
2 appointed, or (3) be actually engaged in growing corn in the state shall  
3 be deemed sufficient cause for removal from office.

4 Sec. 16. Section 2-3622, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 2-3622 The duties and responsibilities of the board shall be  
7 prescribed in the authority for the corn program and to the extent  
8 applicable shall include the following:

9 (1) To develop and direct any corn development, utilization, and  
10 marketing program. Such program may include a program to make grants and  
11 enter into contracts for research, accumulation of data, and construction  
12 of ethanol production facilities;

13 (2) To prepare and approve a budget consistent with limited receipts

14 and the scope of the corn commodity program;  
 15 (3) To adopt and promulgate such rules and regulations as are  
 16 necessary to enforce the Nebraska Corn Resources Act in accordance with  
 17 the Administrative Procedure Act;  
 18 (4) To procure and evaluate data and information necessary for the  
 19 proper administration and operation of the corn commodity program;  
 20 (5) To employ personnel or ~~and~~ contract for services which are  
 21 necessary for the proper operation of the program;  
 22 (6) To establish a means whereby any grower of corn has the  
 23 opportunity at least annually to offer such grower's ~~his or her~~ ideas and  
 24 suggestions relative to board policy for the upcoming year;  
 25 (7) To authorize the expenditure of funds and contracting of  
 26 expenditures to conduct proper activities of the program;  
 27 (8) To bond the treasurer and such other persons necessary to insure  
 28 adequate protection of funds;  
 29 (9) To keep minutes of its meetings and other books and records  
 30 which will clearly reflect all of the acts and transactions of the board,  
 31 and to keep these records open to examination by any grower-participant  
 1 during normal business hours;  
 2 (10) To prohibit any funds collected by the board from being  
 3 expended directly or indirectly to promote or oppose any candidate for  
 4 public office or to influence state legislation. The board shall not  
 5 expend more than ~~ten~~ twenty-five percent of its annual budget to  
 6 influence federal legislation; and  
 7 (11) To make refunds for overpayment of fees according to rules and  
 8 regulations adopted and promulgated by the board.  
 9 Sec. 17. Section 2-3623, Reissue Revised Statutes of Nebraska, is  
 10 amended to read:  
 11 2-3623 (1) The following corn fee is levied ~~There is hereby levied~~  
 12 ~~a fee of five-tenths of a cent per bushel~~ upon all corn sold through  
 13 commercial channels in Nebraska or delivered in Nebraska; -  
 14 (a) Until and on September 30, 2024, one-half cent per bushel; and  
 15 (b) Beginning October 1, 2024, one cent per bushel.  
 16 ~~(2) The fee shall be paid by the grower at the time of sale or~~  
 17 ~~delivery and shall be collected by the first purchaser. Under the~~  
 18 ~~Nebraska Corn Resources Act, no corn shall be subject to the fee more~~  
 19 ~~than once.~~  
 20 Sec. 18. Section 2-3629, Reissue Revised Statutes of Nebraska, is  
 21 amended to read:  
 22 2-3629 The fee, provided for by section 2-3623, shall be deducted;  
 23 as provided in the Nebraska Corn Resources Act ~~by sections 2-3601 to~~  
 24 ~~2-3635~~; whether such corn is stored in this state or any other state.  
 25 Sec. 19. Section 2-3631, Reissue Revised Statutes of Nebraska, is  
 26 amended to read:  
 27 2-3631 (1)(a) The first ~~(1) The~~ purchaser, at the time of  
 28 settlement, shall deduct the corn fee and shall maintain the necessary  
 29 record of the fee for each purchase of corn on the grain settlement form  
 30 or check stub showing payment to the grower for each purchase. Such  
 31 records maintained by the first purchaser shall provide the following  
 1 information:  
 2 (i) (a) Name and address of the grower and seller;  
 3 (ii) (b) The date of the purchase;  
 4 (iii) (c) The number of bushels of corn sold; and  
 5 (iv) (d) The amount of fees collected on each purchase.  
 6 (b) Such records shall be open for inspection during normal the  
 7 business hours observed by the first purchaser.  
 8 (2) The first purchaser shall render and have on file with the board  
 9 by the last day of each January, April, July, and October, on forms  
 10 prescribed by the board, a statement of the number of bushels of corn  
 11 purchased in Nebraska. At the time the statement is filed, the first

12 purchaser shall pay and remit to the board the fee as provided for in  
13 section 2-3623.

14 Sec. 20. Section 2-3632, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 2-3632 (1) The board shall prepare and make available an annual  
17 report on or before January 1 of each year, which report shall set forth  
18 in detail the income received from the corn assessment for the previous  
19 year and shall include:

20 (a) (1) The expenditure of all funds by the board during the  
21 previous year for the administration of the Nebraska Corn Resources Act;

22 (b) (2) The action taken by the board on all contracts requiring the  
23 expenditure of funds by the board;

24 (c) (3) A description of all such contracts;

25 (d) (4) A detailed explanation of all programs relating to the  
26 discovery, promotion, and development of markets and industries for the  
27 utilization of corn, the direct expense associated with each program, and  
28 copies of such programs if in writing; and

29 (e) (5) The name and address of each member of the board and a copy  
30 of all rules and regulations promulgated by the board.

31 (2) Such report and a copy of all contracts requiring expenditure of  
1 funds by the board shall be available to the public in an electronic form  
2 upon request.

3 Sec. 21. Section 2-3634, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 2-3634 The board shall not be authorized to set up research or  
6 development units or agencies of its own, but shall limit its activity to  
7 cooperation and contracts with the University of Nebraska Institute of  
8 Agriculture and Natural Resources and other proper local, state, or  
9 national organizations, public or private, in carrying out the Nebraska  
10 Corn Resources Act ~~the purposes of sections 2-3601 to 2-3635.~~

11 Sec. 22. Section 2-3635, Reissue Revised Statutes of Nebraska, is  
12 amended to read:

13 2-3635 Any person violating the Nebraska Corn Resources Act ~~any of~~  
14 ~~the provisions of sections 2-3601 to 2-3635~~ shall be guilty of a Class  
15 III misdemeanor.

16 2. On page 56, line 24, after "Sections" insert "2-3616, 2-3627,  
17 2-3628,".

18 3. Renumber the remaining sections and correct internal references  
19 and the repealer accordingly.

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR315 was adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business,  
the President signed the following: LR315.

### GENERAL FILE

**LEGISLATIVE BILL 1412.** Senator M. Cavanaugh offered the following  
motion:

[MO1244](#)

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

Senator Clements opened on the bill, LB1412.

Senator M. Cavanaugh opened on her motion, MO1244.

## **SPEAKER ARCH PRESIDING**

## **PRESIDENT KELLY PRESIDING**

Pending.

### **COMMITTEE REPORT(S)** Enrollment and Review

**LEGISLATIVE BILL 607.** Placed on Select File with amendment.

#### [ER81](#)

1 1. On page 1, strike beginning with "to" in line 4 through the  
2 semicolon in line 5.

**LEGISLATIVE BILL 839.** Placed on Select File.

**LEGISLATIVE BILL 834.** Placed on Select File.

**LEGISLATIVE BILL 1313.** Placed on Select File.

**LEGISLATIVE BILL 1215.** Placed on Select File with amendment.

#### [ER85](#)

1 1. Strike beginning with "the" in line 1 through line 8 and insert  
2 "public health and welfare; to amend sections 38-142, 38-2854, 38-2890,  
3 38-28,104, 42-371.01, 71-211, 71-212, 71-217, 71-220, 71-222.01, 71-223,  
4 71-434, 71-601.01, 71-3608, 71-3610, 71-3613, and 71-3614, Reissue  
5 Revised Statutes of Nebraska, sections 28-410, 28-414, 38-1,146, 38-2847,  
6 71-605, 71-2454, 71-2478, and 71-8505, Revised Statutes Supplement, 2022,  
7 and sections 38-2801, 71-612, and 71-2479, Revised Statutes Supplement,  
8 2023; to change requirements relating to pharmacy inventories and  
9 prescriptions for controlled substances; to change requirements relating  
10 to renewal of certain credentials under the Uniform Credentialing Act; to  
11 provide requirements for self-inspection of pharmacies; to provide  
12 verification requirements for pharmacists and pharmacy technicians; to  
13 change an age requirement for pharmacy interns; to change registration  
14 requirements for pharmacy technicians; to change prescription  
15 requirements for certain legend drugs; to change an examination  
16 requirement for barbers; to eliminate a fee under the Health Care  
17 Facility Licensure Act; to define a term; to provide for the use of  
18 abstracts of death as prescribed; to change a requirement for  
19 prescription drug monitoring; to change a requirement for persons with  
20 communicable tuberculosis; to change powers and duties of the Department  
21 of Health and Human Services relating to the care, maintenance, and  
22 treatment of persons with communicable tuberculosis; to change a  
23 requirement relating to telehealth consultations; to harmonize  
24 provisions; to provide operative dates; to repeal the original sections;  
25 and to declare an emergency."

**LEGISLATIVE BILL 1200.** Placed on Select File with amendment.

#### [ER86](#)

1 1. In the Standing Committee amendments, AM2508:  
2 a. On page 79, line 18, after "(4)" insert "of this section"; and  
3 b. On page 105, line 13, strike "one-hundreth" and insert "one-  
4 hundredth".

5 2. On page 1, strike beginning with "motor" in line 1 through line  
6 21 and insert "law; to amend sections 18-1737, 43-3314, 43-3318,  
7 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01,  
8 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01,  
9 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, 60-6,123, 60-6,254,  
10 60-6,290, 60-1401.24, 60-1438.01, and 66-4,144, Reissue Revised Statutes  
11 of Nebraska, sections 39-2817, 60-144, 60-146, 60-149, 60-3,198, 60-490,  
12 86-1025, and 86-1029.02, Revised Statutes Cumulative Supplement, 2022,  
13 and sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01,  
14 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01,  
15 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144,  
16 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01,  
17 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes  
18 Supplement, 2023; to adopt updates to federal law and update certain  
19 federal references; to change provisions relating to certificates of  
20 title under the Nebraska Probate Code, construction manager-general  
21 contractor contracts and public-private partnerships under the  
22 Transportation Innovation Act, delivery of certain notifications relating  
23 to operator's licenses, the Motor Vehicle Certificate of Title Act, the  
24 Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act,  
25 the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the  
26 Road, the Motor Vehicle Industry Regulation Act, excise tax rates on  
27 certain fuels, federal motor carrier safety regulations, federal  
1 hazardous materials regulations, and the unified carrier registration  
2 plan; to change certain civil penalties; to provide for coordination of  
3 the 911 service system and the 988 suicide and crisis lifeline; to  
4 eliminate obsolete provisions; to harmonize provisions; to provide  
5 operative dates; to repeal the original sections; and to declare an  
6 emergency."

**LEGISLATIVE BILL 1204.** Placed on Select File with amendment.

[ER79](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 8  
2 and insert "law; to amend sections 9-402, 9-422, 9-426, 9-427, 9-429,  
3 9-502, 9-511, 9-823, 28-1105.01, 28-1422, 28-1429, 53-123.01, 59-1523,  
4 77-4003, 77-4005, 77-4006, 77-4012, 77-4013, 77-4017, 77-4019, and  
5 77-4020, Reissue Revised Statutes of Nebraska, sections 28-1418.01,  
6 28-1420, 28-1425, and 84-712.05, Revised Statutes Cumulative Supplement,  
7 2022, and sections 53-101, 53-103, 53-123.16, 77-4001, and 77-4025,  
8 Revised Statutes Supplement, 2023; to define and redefine terms; to  
9 change provisions relating to the Nebraska Lottery and Raffle Act and the  
10 Nebraska Small Lottery and Raffle Act; to provide for the anonymity of  
11 winners of certain prizes under the State Lottery Act; to prohibit  
12 actions relating to unlicensed tobacco products manufacturers,  
13 wholesalers, and retailers; to change provisions relating to issuance,  
14 revocation, and forfeiture of certain tobacco licenses; to prohibit  
15 conduct relating to controlled or counterfeit controlled substances; to  
16 prohibit delivery sales of electronic nicotine delivery systems and  
17 provide requirements for packaging and advertising of such systems; to  
18 provide requirements for e-liquid containers; to authorize a holder of a  
19 microdistillery license and a holder of a manufacturer's license to  
20 operate a rickhouse under the Nebraska Liquor Control Act; to require  
21 certification of manufacturers of electronic nicotine delivery systems  
22 under the Tobacco Products Tax Act; to provide duties for such  
23 manufacturers; to provide powers and duties for the Tax Commissioner; to  
24 provide penalties; to change public records disclosure provisions as  
25 prescribed; to harmonize provisions; to eliminate provisions relating to  
26 a small lottery; to repeal the original sections; and to outright repeal  
27 section 9-510, Reissue Revised Statutes of Nebraska."

(Signed) Beau Ballard, Chairperson



**AMENDMENT(S) - Print in Journal**

Senator Fredrickson filed the following amendment to [LB1031](#):  
[AM2905](#)

(Amendments to Standing Committee amendments, AM2780)

1 1. Strike section 11 and insert the following new section:

2 Sec. 11. (1) For purposes of this section, originating service

3 provider means the telecommunications service provider, whether by

4 wireline or wireless service, or the voice over Internet protocol service

5 provider providing the capability for customers to originate 911 calls.

6 (2)(a) Except as provided in subdivision (2)(c) of this section, or

7 unless otherwise required by the Federal Communications Commission, no

8 later than January 1, 2026, an originating service provider and the next-

9 generation 911 service contractor shall cause:

10 (i) All 911 calls to be transmitted to the next-generation 911

11 network that allows 911 calls to be answered; and

12 (ii) All translation and routing to be completed to deliver all 911

13 calls, including associated location information in the requested

14 Internet protocol-enabled service format, to the next-generation 911

15 network that allows 911 calls to be answered.

16 (b) No later than ten months prior to the date set forth in

17 subdivision (2)(a) of this section, an originating service provider and

18 the next-generation 911 service contractor shall enter into an agreement

19 to cause the requirements of such subdivision to be met. If the

20 originating service provider and the next-generation 911 service

21 contractor have not entered into an agreement by such date, the

22 originating service provider and the next-generation 911 service

23 contractor shall notify the Public Service Commission to seek resolution

24 of any unresolved issues in accordance with the commission's policies

25 relating to interconnection arbitration and mediation.

26 (c) An originating service provider may enter into an agreement with

1 the commission to establish an alternative timeframe for meeting the

2 requirements of subdivision (2)(a) of this section. The originating

3 service provider shall notify the commission of the dates and terms of

4 the alternative timeframe within thirty days after entering into such

5 agreement.

6 (3)(a) Except as provided in subdivision (3)(c) of this section, or

7 unless otherwise required by the Federal Communications Commission, no

8 later than January 1, 2026, a provider of telecommunications relay

9 services and the next-generation 911 service contractor shall cause:

10 (i) All 911 calls to be transmitted to the next-generation 911

11 network that allows 911 calls to be answered; and

12 (ii) All translation and routing to be completed to deliver all 911

13 calls, including associated location information if received from the

14 originating service provider in the requested Internet protocol-enabled

15 service format, to the next-generation 911 network that allows 911 calls

16 to be answered.

17 (b) No later than ten months prior to the date set forth in

18 subdivision (3)(a) of this section, a provider of telecommunications

19 relay services and the next-generation 911 service contractor shall enter

20 into an agreement to cause the requirements of such subdivision to be

21 met. If the provider of telecommunications relay services and the next-

22 generation 911 service contractor have not entered into an agreement by

23 such date, the provider of telecommunications relay services and the

24 next-generation 911 service contractor shall notify the Public Service

25 Commission to seek resolution of any unresolved issues in accordance with

26 the commission's policies relating to interconnection arbitration and

27 mediation.

28 (c) A provider of telecommunications relay services may enter into

29 an agreement with the commission to establish an alternative timeframe  
 30 for meeting the requirements of subdivision (3)(a) of this section. The  
 31 telecommunications relay provider shall notify the commission of the  
 1 dates and terms of the alternative timeframe within thirty days after  
 2 entering into such agreement.  
 3 (4) No later than November 15, 2024, and no later than November 15  
 4 of each year thereafter, the next-generation 911 service contractor shall  
 5 submit an annual report electronically to the Transportation and  
 6 Telecommunications Committee of the Legislature and to the commission on  
 7 the capabilities and redundancies of the next-generation 911 service  
 8 network.  
 9 (5) Nothing in this section shall be construed to modify or change  
 10 any requirement for an originating service provider to file a report with  
 11 state and federal entities, including with public safety answering points  
 12 and local governing bodies, in accordance with applicable local, state,  
 13 or federal regulations and policies, regarding any impediment to  
 14 transmitting and delivering 911 calls to the next-generation 911 network.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 319.** Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether student-to-teacher ratio requirements should be considered or implemented in Nebraska by statute or regulation. The study should also consider whether student-to-teacher ratios should be tailored for special education instruction.

At least twenty-eight states have statutes or regulations that provide student-to-teacher ratio requirements. An additional ten states provide maximum class size requirements. A number of other states have laws that link funding to lower student-to-teacher ratios. Nebraska is among the states that have no statutory or regulatory student-to-teacher ratio requirements for public schools. If implemented, Legislative Bill 1081, introduced in the One Hundred Eighth Legislature, Second Session, would provide for student-to-teacher ratio requirements for special education and general education students in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 320.** Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether students with disabilities have experienced increased ability to access option enrollment opportunities in Nebraska and to

examine potential changes to the enrollment option program to better ensure students with disabilities have an increased ability to access option enrollment opportunities.

Prior to 2023, school districts had wide latitude to reject students with disabilities and evidence showed that most districts had closed enrollment option programs to all students with disabilities. In an effort to expand option enrollment opportunities for students with disabilities, section 79-239 was amended by Laws 2023, LB705, and now requires the adoption of capacity standards for acceptance and rejection of applications under the enrollment option program, and requires capacity for special education services to be determined on a case-by-case basis. Additionally, section 79-239 now requires school districts that reject such applicants to provide written notification to parents with the specific reasons for rejection including a description of the services and accommodations required for a student with a disability that the school district does not have capacity to provide.

This study should analyze applications under the enrollment option program, and acceptance or rejections thereof, in order to determine whether school districts are making individualized decisions as opposed to generalized decisions. The study should also examine and determine how the significant increases in special education funding granted in 2023 has been utilized by school districts to increase capacity in the enrollment option program for students with disabilities, and should consider what, if any, improvements need to be made to ensure that students with disabilities are regularly accepted to enrollment option programs across the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1412.** Senator M. Cavanaugh renewed [MO1244](#), found and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Pending.

**MESSAGE(S) FROM THE GOVERNOR**

March 12, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 992e and 992A were received in my office on March 7, 2024, and signed on March 12, 2024.

These bills were delivered to the Secretary of State on March 12, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

**COMMITTEE REPORT(S)**  
Education

**LEGISLATIVE BILL 1329.** Placed on General File with amendment.  
[AM2831](#) is available in the Bill Room.

(Signed) Dave Murman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Clements filed the following amendment to LB1412:  
[AM2950](#)

(Amendments to Standing Committee amendments, AM2566)

- 1 1. On page 38, strike line 27, show as stricken, and insert "CASH
- 2 FUND 133,894,141 72,117,244"; and in line 30 strike "3,122,438,788" and
- 3 insert "3,152,438,788".
- 4 2. On page 39, line 11, strike "\$42,117,244", show as stricken, and
- 5 insert "\$72,117,244".

Senator Brewer filed the following amendment to LB1412:  
[AM2954](#)

(Amendments to Standing Committee amendments, AM2566)

- 1 1. On page 8, lines 28 and 30, strike "11,400,000" and insert
- 2 "11,900,000".
- 3 2. On page 9, line 4, strike "\$11,400,000" and insert "\$11,900,000";
- 4 and after line 19 insert the following new paragraph:
- 5 "There is included in the amount shown as aid for this program for
- 6 FY2024-25 \$500,000 Cash Funds from the Health and Human Services Cash
- 7 Fund for state aid to a nonprofit organization holding a certificate of
- 8 exemption under section 501(c)(3) of the Internal Revenue Code of 1986
- 9 providing health care screening, sports competitions, educational
- 10 opportunities, and leadership training for persons with developmental or
- 11 intellectual disabilities.".

Senator Dungan filed the following amendment to [LB1412](#):  
[AM2945](#) is available in the Bill Room.

Senator Hughes filed the following amendment to [LB1412](#):  
[AM2932](#)

(Amendments to Standing Committee amendments, AM2566)

1 1. On page 50, line 22, strike "~~20,832,043~~" and insert "10,832,043";  
2 in line 23 strike "~~1,003,874,134~~" and insert "93,874,134"; and in line 27  
3 strike "~~\$20,832,043~~" and insert "\$10,832,043".  
4 2. On page 53, strike line 28, show as stricken, and insert "FEDERAL  
5 FUND 189,200,000 -0-"; and in line 29 strike "~~266,000,000~~" and insert  
6 "276,000,000".  
7 3. On page 55, after line 10 insert the following new paragraph:  
8 "There is included in the appropriation to this program for  
9 FY2023-24 \$10,000,000 Federal Funds to provide a grant to a city of the  
10 first class located in a county with less than twenty thousand  
11 inhabitants which is located in a metropolitan statistical area, as  
12 defined in section 18-803, with more than three hundred thousand  
13 inhabitants for the purpose of funding a portion of the cost of a  
14 wastewater system. The Federal Funds appropriated in this section are  
15 from the funds allocated to the State of Nebraska from the federal  
16 Coronavirus State Fiscal Recovery Fund pursuant to the federal American  
17 Rescue Plan Act of 2021, 42 U.S.C. 802, as amended."

Senator Holdcroft filed the following amendment to [LB1412](#):  
[AM2955](#)

(Amendments to Standing Committee amendments, AM2566)

1 1. On page 50, line 22, strike "~~20,832,043~~" and insert "10,832,043";  
2 in line 23 strike "~~1,003,874,134~~" and insert "993,874,134"; and in line  
3 27 strike "~~\$20,832,043~~" and insert "\$10,832,043".  
4 2. On page 53, strike line 28, show as stricken, and insert "FEDERAL  
5 FUND 189,200,000 -0-"; and in line 29 strike "~~266,000,000~~" and insert  
6 "276,000,000".  
7 3. On page 55, after line 10 insert the following new paragraph:  
8 "There is included in the appropriation to this program for  
9 FY2023-24 \$10,000,000 Federal Funds from the funds allocated to the State  
10 of Nebraska from the federal Coronavirus State Fiscal Recovery Fund  
11 pursuant to the federal American Rescue Plan Act of 2021, 42 U.S.C. 802,  
12 as amended, for the purpose of providing state aid for a grant to an  
13 entity within a county with a population exceeding one hundred thousand  
14 inhabitants formed pursuant to the Interlocal Cooperation Act for the  
15 purpose of funding a portion of the cost of a wastewater system."

Senator Vargas filed the following amendment to [LB1412](#):  
[AM2949](#)

(Amendments to Standing Committee amendments, AM2566)

1 1. On page 44, after line 20 insert the following new paragraph:  
2 "It is the intent of the Legislature that all unutilized or unspent  
3 funds appropriated to Program 424, inclusive of Cash Funds, General  
4 Funds, Federal Funds, and funds allocated to the State of Nebraska from  
5 the federal Coronavirus State Fiscal Recovery Fund pursuant to the  
6 federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended, and  
7 all Federal Medical Assistance Percentage (FMAP) funds received by the  
8 Department of Health and Human Services as a result of expenditures under  
9 Program 424, will be distributed at the end of each fiscal year in this  
10 order:  
11 First, proportionately among providers of services under Program

12 424, as a one-time payment at the end of each fiscal year up to  
13 \$52,111,031; and  
14 Second, to service providers for the needs of persons with  
15 developmental disabilities under subdivision (4)(f) of section 83-1216."

Senator M. Cavanaugh filed the following amendment to LB1412:  
[AM2969](#) is available in the Bill Room.

Senator Clements filed the following amendment to LB1412:  
[FA258](#)  
Strike Section 1.

Senator Clements filed the following amendment to LB1412:  
[FA259](#)  
Strike Section 2.

Senator Clements filed the following amendment to LB1412:  
[FA260](#)  
Strike Section 3.

Senator Clements filed the following amendment to LB1412:  
[FA261](#)  
Strike Section 3.

Senator Clements filed the following amendment to LB1412:  
[FA262](#)  
Strike Section 2.

Senator Clements filed the following amendment to LB1412:  
[FA263](#)  
Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1413:  
[FA254](#)  
Strike line 25 on page 48 and replace with "On June 30, 2025, the".

Senator Clements filed the following amendment to LB1413:  
[FA255](#)  
Strike Section 1.

Senator Clements filed the following amendment to LB1413:  
[FA256](#)  
Strike Section 2.

Senator Clements filed the following amendment to LB1413:  
[FA257](#)  
Strike Section 3.

Senator Clements filed the following amendment to LB1413:  
[FA264](#)  
Strike Section 3.

Senator Clements filed the following amendment to LB1413:  
[FA265](#)  
Strike Section 2.

Senator Clements filed the following amendment to LB1413:  
[FA266](#)  
Strike Section 1.

Senator Murman filed the following amendment to LB1329:  
[FA267](#)  
Strike Section 1.

Senator Murman filed the following amendment to LB1329:  
[FA268](#)  
Strike Section 2.

Senator Murman filed the following amendment to LB1329:  
[FA269](#)  
Strike Section 3.

Senator Murman filed the following amendment to LB1329:  
[FA270](#)  
Strike Section 4.

Senator Murman filed the following amendment to LB1329:  
[FA271](#)  
Strike Section 5.

Senator Murman filed the following amendment to LB1329:  
[FA272](#)  
Strike Section 6.

Senator Murman filed the following amendment to LB1329:  
[FA273](#)  
Strike Section 7.

Senator Murman filed the following amendment to LB1329:  
[FA274](#)  
Strike Section 8.

#### **MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to LB1412:  
[MO1245](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to LB1412:  
[MO1246](#)  
Recommit to the Appropriations Committee.

Senator Clements filed the following motion to LB1412:  
[MO1251](#)  
Recommit to the Appropriations Committee.

Senator Clements filed the following motion to LB1412:  
[MO1252](#)  
Bracket until April 2, 2024.

Senator M. Cavanaugh filed the following motion to LB1413:  
[MO1247](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to LB1413:  
[MO1248](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to LB1413:  
[MO1249](#)  
Recommit to the Appropriations Committee.

### NOTICE OF COMMITTEE HEARING(S)

Education  
Room 1525 12:30 PM

Tuesday, March 19, 2024  
LeDonna Griffin - Coordinating Commission for Postsecondary Education  
Christy Hovanetz - Technical Advisory Committee for Statewide  
Assessment  
Timothy Daniels - Coordinating Commission for Postsecondary Education  
Dennis Headrick - Coordinating Commission for Postsecondary Education  
Dorothy C. Anderson - Nebraska Educational Telecommunications  
Commission  
Dwayne B. Probyn - Board of Educational Lands and Funds

(Signed) Dave Murman, Chairperson

### BILL ON FIRST READING

The following bill was read for the first time by title:

**LEGISLATIVE BILL 43A.** Introduced by Conrad, 46.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 43, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.



**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator DeBoer name added to LB857.

Senator DeBoer name added to LB876.

Senator DeBoer name added to LB892.

Senator DeBoer name added to LB934.

Senator McDonnell name added to LB1408.

**VISITOR(S)**

Visitors to the Chamber were members of Leadership Sarpy; students from Adams Central, Hastings; students and teachers from Solling Boarding School, Holzminden, Germany.

The Doctor of the Day was Dr. Joe Miller of Omaha.

**ADJOURNMENT**

At 4:55 p.m., on a motion by Senator Holdcroft, the Legislature adjourned until 9:00 a.m., Wednesday, March 13, 2024.

Brandon Metzler  
Clerk of the Legislature



**FORTY-SECOND DAY - MARCH 13, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FORTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 13, 2024

**PRAYER**

The prayer was offered by Pastor John Schnell, Encounter Life Ministries, Mead.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Holdcroft.

**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 Senator Raybould who was excused; and Senators Albrecht, Bostar, Day, Hansen, Hunt, Linehan, McKinney, Slama, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-first day was approved.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 316 and 317 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 316 and 317.

**GENERAL FILE**

**LEGISLATIVE BILL 1412.** Senator M. Cavanaugh renewed [MO1244](#), found on page 998 and considered on pages 998 and 1003, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) .

No objections. So ordered.

Title read. Considered.

Committee [AM2566](#), found on page 962, was offered.

Pending.

**COMMITTEE REPORT(S)**  
Education

**LEGISLATIVE BILL 550.** Placed on General File with amendment.

[AM2869](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 79-234, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 79-234 (1) An enrollment option program is hereby established to  
6 enable any kindergarten through twelfth grade Nebraska student to attend  
7 a school in a Nebraska public school district in which the student does  
8 not reside subject to the limitations prescribed in section 79-238. The  
9 option shall be available once during elementary school, once during  
10 middle school or junior high school, and once during high school for a  
11 total of three times only once to each student prior to graduation,  
12 except that the option does not count toward such limitation if such  
13 option meets, or met at the time of the option, one of the following  
14 criteria: (a) The student relocates to a different resident school  
15 district, (b) the option school district merges with another district,  
16 (c) the student will have completed either the grades offered in the  
17 school building originally attended in the option school district or the  
18 grades immediately preceding the lowest grade offered in the school  
19 building for which a new option is sought, (d) the option would allow the  
20 student to continue current enrollment in a school district, (e) the  
21 option would allow the student to enroll in a school district in which  
22 the student was previously enrolled as a student, or (f) the student is  
23 an open enrollment option student. Sections 79-232 to 79-246 do not  
24 relieve a parent or guardian from the compulsory attendance requirements  
25 in section 79-201.  
26 (2) The program shall not apply to any student who resides in a  
27 district which has entered into an annexation agreement pursuant to  
1 section 79-473, except that such student may transfer to another district  
2 which accepts option students.  
3 Sec. 2. Section 79-237, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 79-237 (1) For a student to begin attendance as an option student in  
6 an option school district, the student's parent or legal guardian shall  
7 submit an application to the school board of the option school district  
8 between September 1 and March 15 for attendance during the following and  
9 subsequent school years. Except as provided in subsection (2) of this  
10 section, applications submitted after March 15 shall contain a release  
11 approval from the resident school district, or if the student is an  
12 option student at the time of such application and applying to become an  
13 option student at a subsequent option school district, a release approval  
14 from the option school district the student is attending at the time of  
15 such application, on the application form prescribed and furnished by the

16 State Department of Education pursuant to subsection (8) of this section.  
 17 A district may not accept or approve any applications submitted after  
 18 such date without such a release approval. The option school district the  
 19 student is applying to attend shall provide the resident school district,  
 20 and if applicable, the option school district the student is attending at  
 21 the time of such application, with the name of the applicant on or before  
 22 April 1 or, in the case of an application submitted after March 15,  
 23 within sixty days after submission. The option school district the  
 24 student is applying to attend shall notify, in writing, the parent or  
 25 legal guardian of the student and the resident school district, and, if  
 26 applicable, the option school district the student is attending at the  
 27 time of the application, whether the application is accepted or rejected  
 28 on or before April 1 or, in the case of an application submitted after  
 29 March 15, within sixty days after submission. An option school district  
 30 that is a member of a learning community may not approve an application  
 31 pursuant to this section for a student who resides in such learning  
 1 community to attend prior to school year 2017-18.

2 (2) A student who relocates to a different resident school district  
 3 after February 1 or whose option school district merges with another  
 4 district effective after February 1 may submit an application to the  
 5 school board of an option school district for attendance during the  
 6 current or immediately following and subsequent school years unless the  
 7 applicant is a resident of a learning community and the application is  
 8 for attendance to begin prior to school year 2017-18 in an option school  
 9 district that is also a member of such learning community. Such  
 10 application does not require the release approval of the resident school  
 11 district or the option school district the student is attending at the  
 12 time of such application. The option school district the student is  
 13 applying to attend shall accept or reject such application within forty-  
 14 five days.

15 (3) A parent or guardian may provide information on the application  
 16 for an option school district that is a member of a learning community  
 17 regarding the applicant's potential qualification for free or reduced-  
 18 price lunches. Any such information provided shall be subject to  
 19 verification and shall only be used for the purposes of subsection (4) of  
 20 section 79-238. Nothing in this subsection requires a parent or guardian  
 21 to provide such information. Determinations about an applicant's  
 22 qualification for free or reduced-price lunches for purposes of  
 23 subsection (4) of section 79-238 shall be based on any verified  
 24 information provided on the application. If no such information is  
 25 provided, the student shall be presumed not to qualify for free or  
 26 reduced-price lunches for the purposes of subsection (4) of section  
 27 79-238.

28 (4) Applications for students who do not actually attend the option  
 29 school district that the student applied to attend may be withdrawn in  
 30 good standing upon mutual agreement by ~~both~~ the resident and option  
 31 school districts involved.

1 (5) No option student shall attend an option school district for  
 2 less than one school year unless the student relocates to a different  
 3 resident school district, completes requirements for graduation prior to  
 4 the end of his or her senior year, transfers to a private or parochial  
 5 school, or upon mutual agreement of the resident and option school  
 6 districts cancels the enrollment option and returns to the resident  
 7 school district or the previous option school district the student was  
 8 attending immediately prior.

9 (6) Except as provided in subsection (5) of this section or, for  
 10 open enrollment option students, in section 79-235.01, the option student  
 11 shall attend the option school district until graduation unless the  
 12 student relocates in a different resident school district, transfers to a  
 13 private or parochial school, ~~or~~ chooses to return to the resident school  
 14 district, or options into a subsequent option school district, except  
 15 that no student may use the enrollment option program other than as  
 16 provided in section 79-234.

17 (7) In each case of cancellation pursuant to subsections (5) and (6)

18 of this section, the student's parent or legal guardian shall provide  
 19 written notification to the school board of the option school district or  
 20 districts and the resident school district on forms prescribed and  
 21 furnished by the department under subsection (8) of this section in  
 22 advance of such cancellation.

23 (8) The application and cancellation forms shall be prescribed and  
 24 furnished by the State Department of Education.

25 (9) An option student who subsequently chooses to attend a private  
 26 or parochial school and who is not an open enrollment option student  
 27 shall be automatically accepted to return to either the resident school  
 28 district or option school district upon the completion of the grade  
 29 levels offered at the private or parochial school. If such student  
 30 chooses to return to the option school district, the student's parent or  
 31 legal guardian shall submit another application to the school board of  
 1 the option school district which shall be automatically accepted, and the  
 2 deadlines prescribed in this section shall be waived.

3 Sec. 3. Original sections 79-234 and 79-237, Revised Statutes

4 Cumulative Supplement, 2022, are repealed.

(Signed) Dave Murman, Chairperson

### **MOTION(S) - Print in Journal**

Senator Conrad filed the following motion to LB43A:

MO1253

Indefinitely postpone.

### **NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services  
 Room 1510 1:00 PM

Wednesday, March 20, 2024

J. Paul Cook - State Board of Health

David Owens - Stem Cell Research Advisory Committee

Rui Yi - Stem Cell Research Advisory Committee

Daniel J. Rosenthal - State Board of Health

Dennis Roop - Stem Cell Research Advisory Committee

(Signed) Brian Hardin, Vice Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 1412.** Committee AM2566, found on page 962 and  
 considered in this day's Journal, was renewed.

Senator M. Cavanaugh offered MO1245, found on page 1007, to bracket  
 until April 18, 2024.

Pending.

### **VISITOR(S)**

Visitors to the Chamber were Douglas Eicher, Milford; Sarah, Eleanor, and  
 Jocelyn Mayo, Lincoln; Julia Paulzer and Nancy McKade, Omaha; students

from Grant Elementary, Norfolk; members of Civic Nebraska; members of Matriarchs for Change.

### RECESS

At 11:57 a.m., on a motion by Senator Dorn, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator DeBoer presiding.

### ROLL CALL

The roll was called and all members were present except Senators Hansen and Raybould who were excused; and Senators Albrecht, Bosn, Day, Dover, Dungan, Hunt, and Walz who were excused until they arrive.

### AMENDMENT(S) - Print in Journal

Senator Fredrickson filed the following amendment to [LB856](#):  
[AM2843](#)

(Amendments to AM2544)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 68-1206, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 68-1206 (1) The Department of Health and Human Services shall  
6 administer the program of social services in this state. The department  
7 may contract with other social agencies for the purchase of social  
8 services at rates not to exceed those prevailing in the state or the cost  
9 at which the department could provide those services. The statutory  
10 maximum payments for the separate program of aid to dependent children  
11 shall apply only to public assistance grants and shall not apply to  
12 payments for social services.  
13 (2)(a) As part of the provision of social services authorized by  
14 section 68-1202, the department shall participate in the federal child  
15 care assistance program under 42 U.S.C. 9857 et seq., as such sections  
16 existed on January 1, 2023, and provide child care assistance to families  
17 with incomes up to (i) one hundred eighty-five percent of the federal  
18 poverty level prior to October 1, 2026, or (ii) one hundred thirty  
19 percent of the federal poverty level on and after October 1, 2026.  
20 ~~(b)(i)~~ ~~(b)~~ As part of the provision of social services authorized by  
21 this section and section 68-1202, the department shall participate in the  
22 federal Child Care Subsidy program. A child care provider seeking to  
23 participate in the federal Child Care Subsidy program shall comply with  
24 the criminal history record information check requirements of the Child  
25 Care Licensing Act. In determining ongoing eligibility for this program,  
26 ten percent of a household's gross earned income shall be disregarded  
1 after twelve continuous months on the program and at each subsequent  
2 redetermination. In determining ongoing eligibility, if a family's income  
3 exceeds one hundred eighty-five percent of the federal poverty level  
4 prior to October 1, 2026, or one hundred thirty percent of the federal  
5 poverty level on and after October 1, 2026, the family shall receive  
6 transitional child care assistance through the remainder of the family's  
7 eligibility period or until the family's income exceeds eighty-five

8 percent of the state median income for a family of the same size as reported by the United States Bureau of the Census, whichever occurs first. When the family's eligibility period ends, the family shall continue to be eligible for transitional child care assistance if the family's income is below two hundred percent of the federal poverty level prior to October 1, 2026, or one hundred eighty-five percent of the federal poverty level on and after October 1, 2026. The family shall receive transitional child care assistance through the remainder of the transitional eligibility period or until the family's income exceeds eighty-five percent of the state median income for a family of the same size as reported by the United States Bureau of the Census, whichever occurs first. The amount of such child care assistance shall be based on a cost-shared plan between the recipient family and the state and shall be based on a sliding-scale methodology. A recipient family may be required to contribute a percentage of such family's gross income for child care that is no more than the cost-sharing rates in the transitional child care assistance program as of January 1, 2015, for those no longer eligible for cash assistance as provided in section 68-1724.

(ii) A household shall have all earned and unearned income excluded from its eligibility determination if the applicant or adult household member is:

(A)(I) Self-employed at a licensed child care program as described in section 71-1911, (II) employed at a licensed child care program as described in section 71-1911, (III) employed at a federal Head Start program, as described in 42 U.S.C. 9831 et seq., or (IV) employed at an Early Head Start program, as described in 42 U.S.C. 9840a;

(B) Verified for a minimum of thirty hours of employment per week; and

(C) Listed in the Nebraska Early Childhood Professional Record System as described in section 71-1962.

(iii) Child care programs with an eligible household described in subdivision (2)(b)(ii)(A)(II) or (2)(b)(ii)(A)(III) of this section shall make reasonable accommodations so that the eligible applicant or adult household member is not a primary caregiver to such applicant's or adult household member's child. If reasonable accommodation cannot be made, the department shall allow the applicant or adult household member to receive child care assistance for the applicant's or adult household member's child including when the applicant or adult household member is the primary caregiver for such child.

(iv) An eligible household described in subdivision (2)(b)(ii)(A)(I) of this section may enroll the household member's child in a child care program other than the household member's child care program to receive child care assistance.

(v) Nothing in subdivision (2)(b)(ii) of this section shall preclude a household from meeting additional eligibility requirements of the federal Child Care Subsidy program.

(vi) The department shall submit a report electronically to the Legislature on December 1 of each year that includes the monthly number of enrolled children and households by county and program type for households eligible pursuant to subdivision (2)(b)(ii) of this section.

(vii) No more than ten million dollars shall be spent annually for enrolled children under subdivisions (2)(b)(ii) through (vi) of this section.

(viii) The department shall provide for eligibility under subdivisions (2)(b)(ii) through (vi) of this section on a first-come, first-served basis and may limit eligibility once funds have been obligated for currently enrolled households through the remainder of the household's eligibility period. If all funds are obligated, the department shall maintain a wait list and when funds become available,



6 the department shall distribute such funds in the same manner as  
7 specified in this subdivision.  
8 (ix) Subdivisions (2)(b)(ii) through (ix) of this section shall  
9 terminate effective October 1, 2026.  
10 (c) For the period beginning July 1, 2021, through September 30,  
11 2026, funds provided to the State of Nebraska pursuant to the Child Care  
12 and Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such  
13 act and sections existed on January 1, 2023, shall be used to pay the  
14 costs to the state resulting from the income eligibility changes made in  
15 subdivisions (2)(a) and (b) of this section by Laws 2021, LB485. If the  
16 available amount of such funds is insufficient to pay such costs, then  
17 funds provided to the state for the Temporary Assistance for Needy  
18 Families program established in 42 U.S.C. 601 et seq. may also be used.  
19 No General Funds shall be used to pay the costs to the state, other than  
20 administration costs, resulting from the income eligibility changes made  
21 in subdivisions (2)(a) and (b) of this section by Laws 2021, LB485, for  
22 the period beginning July 1, 2021, through September 30, 2026.  
23 (d) The Department of Health and Human Services shall collaborate  
24 with a private nonprofit organization with expertise in early childhood  
25 care and education for an independent evaluation of the income  
26 eligibility changes made in subdivisions (2)(a) and (b) of this section  
27 by Laws 2021, LB485, if private funding is made available for such  
28 purpose. The evaluation shall be completed by July 1, 2024, and shall be  
29 submitted electronically to the department and to the Health and Human  
30 Services Committee of the Legislature.  
31 (3) In determining the rate or rates to be paid by the department  
1 for child care as defined in section 43-2605, the department shall adopt  
2 a fixed-rate schedule for the state or a fixed-rate schedule for an area  
3 of the state applicable to each child care program category of provider  
4 as defined in section 71-1910 which may claim reimbursement for services  
5 provided by the federal Child Care Subsidy program, except that the  
6 department shall not pay a rate higher than that charged by an individual  
7 provider to that provider's private clients. The schedule may provide  
8 separate rates for care for infants, for children with special needs,  
9 including disabilities or technological dependence, or for other  
10 individual categories of children. The schedule may also provide tiered  
11 rates based upon a quality scale rating of step three or higher under the  
12 Step Up to Quality Child Care Act. The schedule shall be effective on  
13 October 1 of every year and shall be revised annually by the department.  
14 Sec. 2. Original section 68-1206, Revised Statutes Supplement,  
15 2023, is repealed.

## MESSAGE(S) FROM THE GOVERNOR

March 8, 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 Commission of Industrial Relations:

Spencer Hartman, 2300 Van Dorn Street, Lincoln, NE 68502, Attorney

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

March 8, 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 individuals are being appointed as members of the Natural Resources Commission:

Larry Mohrman, 22624 235th Avenue, Columbus, NE 68601, Groundwater  
Irrigator  
John Shadle, 311 Morton Road, Columbus, NE 68601, Public Power  
District

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

March 8, 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 State Racing and Gaming Commission:

Michael Drinnin, 493 E 53rd Street, Columbus, NE 68601, District 2

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

March 8, 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 State Racing and Gaming Commission:

Helen Abbott Feller, 1121 18th Street, Wisner, NE 68791, District 1 -  
Horseracing

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

#### **GENERAL FILE**

**LEGISLATIVE BILL 1412.** Committee [AM2566](#), found on page 962 and considered in this day's Journal, was renewed.

Senator M. Cavanaugh renewed [MO1245](#), found on page 1007 and considered in this day's Journal, to bracket until April 18, 2024.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Dorn filed the following amendment to [LB1108](#):  
[AM2943](#)

(Amendments to AM2569)

1 1. On page 2, line 19 strike "(2)" and insert "(2)(a)"; in line 22

2 strike "(a)" and insert "(i)"; in line 24 strike "(b)" and insert "(ii)";  
 3 in line 26 strike "(c)" and insert "(iii)"; in line 28 strike "(d)" and  
 4 insert "(iv)"; in line 30 strike "(e)" and insert "(v)"; in line 31  
 5 strike "medical responders" and insert "care providers"; and after line  
 6 31 insert the following new subdivision:  
 7 "(b) The Department of Health and Human Services may adopt and  
 8 promulgate rules and regulations to carry out this subsection."

Senator Brewer filed the following amendment to [LB287](#):  
[AM2982](#)

(Amendments to AM2890)

1 1. On page 21, line 11, strike "[25-1564](#)" and insert "[25-1654](#)".

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 904A.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 904, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1204A.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1204, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 644A.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 644, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

### GENERAL FILE

**LEGISLATIVE BILL 1412.** Committee [AM2566](#), found on page 962 and considered in this day's Journal, was renewed.

Senator M. Cavanaugh renewed [MO1245](#), found on page 1007 and considered in this day's Journal, to bracket until April 18, 2024.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator M. Cavanaugh offered [MO1246](#), found on page 1007, to recommit to the Appropriations Committee.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to recommit to committee.

No objections. So ordered.

Speaker Arch offered the following motion:

[MO1254](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Speaker Arch moved for a call of the house. The motion prevailed with 25 ayes, 3 nays, and 21 not voting.

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

Voting in the affirmative, 38:

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

Voting in the negative, 4:

Blood	Hunt	McKinney	Wayne
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Present and not voting, 4:

Cavanaugh, J.	Cavanaugh, M.	Day	Dungan
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Excused and not voting, 3:

Aguilar	Hansen	Raybould
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The Arch motion to invoke cloture prevailed with 38 ayes, 4 nays, 4 present and not voting, and 3 excused and not voting.

The committee amendment was adopted with 39 ayes, 3 nays, 4 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 39:

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

Voting in the negative, 4:

Cavanaugh, M.    Hunt                    McKinney    Wayne

Present and not voting, 3:

Cavanaugh, J.    Day                    Hughes

Excused and not voting, 3:

Aguilar            Hansen            Raybould

Advanced to Enrollment and Review Initial with 39 ayes, 4 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

### COMMITTEE REPORT(S)

#### Enrollment and Review

**LEGISLATIVE BILL 685.** Placed on Final Reading.

**LEGISLATIVE BILL 844.** Placed on Final Reading.

#### [ST47](#)

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

1. Due to the adoption of the Jacobson amendment, FA252, in the Ibach amendment, AM2891:

- a. Section 4 has been struck, and section 5 has been renumbered as section 4; and
- b. On page 4, line 28, ", 48-1702, and 48-1714" has been struck and "and 48-1702" inserted.

2. On page 1, the matter beginning with "the" in line 1 through line 6 has been struck and "the Farm Labor Contractors Act; to amend sections 48-1701 and 48-1702, Reissue Revised Statutes of Nebraska; to define terms; to require certain actions by certain seed corn producers; to provide duties to the Director of Agriculture and the Department of Agriculture; to harmonize provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 857.** Placed on Final Reading.

#### [ST46](#)

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

1. Section 9 of the Bosn amendment, AM2761, has been incorporated into the Standing Committee amendments, AM2409, as follows: In AM2409, on page 2, line 16, "providing coverage for continuous glucose monitors as described in section 68-911." has been inserted after the first comma.

2. In the Standing Committee amendments, AM2409:



27 that I am not affiliated with any foreign government or nongovernment  
1 person determined to be a foreign adversary pursuant to 15 C.F.R. 7.4.

2 .....  
3 Signature of Purchaser .....  
4 ..... Date

4 Sec. 2. Section 76-214, Reissue Revised Statutes of Nebraska, is  
5 amended to read:

6 76-214 (1) Except as provided in subsection (4) of this section,  
7 every grantee who has a deed to real estate recorded and every purchaser  
8 of real estate who has a memorandum of contract or land contract recorded  
9 shall, at the time such deed, memorandum of contract, or land contract is  
10 presented for recording, file with the register of deeds a completed  
11 statement as prescribed by the Tax Commissioner. For all deeds and all  
12 memoranda of contract and land contracts recorded on and after January 1,  
13 2001, the statement shall not require the social security number of the  
14 grantee or purchaser or the federal employer identification number of the  
15 grantee or purchaser. This statement may require the recitation of any  
16 information contained in the deed, memorandum of contract, or land  
17 contract, the total consideration paid, the amount of the total  
18 consideration attributable to factors other than the purchase of the real  
19 estate itself, and other factors which may influence the transaction. If  
20 a death certificate is recorded as provided in subsection (2) of this  
21 section, this statement may require a date of death, the name of the  
22 decedent, and whether the title is affected as a result of a transfer on  
23 death deed, a joint tenancy deed, or the expiration of a life estate or  
24 by any other means. This statement shall ask whether the affidavit  
25 described in section 1 of this act is required with respect to the deed,  
26 memorandum of contract, or land contract and, if so, whether such  
27 affidavit has been completed. This statement shall be signed and filed by  
28 the grantee, the purchaser, or his or her authorized agent. The register  
29 of deeds shall forward the statement to the county assessor. If the  
30 grantee or purchaser fails to furnish the prescribed statement, the  
1 register of deeds shall not record the deed, memorandum of contract, or  
2 land contract. The register of deeds shall indicate on the statement the  
3 book and page or computer system reference where the deed, memorandum of  
4 contract, or land contract is recorded and shall immediately forward the  
5 statement to the county assessor. The county assessor shall process the  
6 statement according to the instructions of the Property Tax Administrator  
7 and shall, pursuant to the rules and regulations of the Tax Commissioner,  
8 forward the statement to the Tax Commissioner.

9 (2)(a) The statement described in subsection (1) of this section  
10 shall be filed at the time that a certified or authenticated copy of the  
11 grantor's death certificate is filed if such death certificate is  
12 required to be filed under section 76-2,126 and the conveyance of real  
13 estate was pursuant to a transfer on death deed.

14 (b) The statement described in subsection (1) of this section shall  
15 not be required to be filed at the time that a transfer on death deed is  
16 filed or at the time that an instrument of revocation of a transfer on  
17 death deed as described in subdivision (a)(1)(B) of section 76-3413 is  
18 filed.

19 (3) Any person shall have access to the statements at the office of  
20 the Tax Commissioner, county assessor, or register of deeds if the  
21 statements are available and have not been disposed of pursuant to the  
22 records retention and disposition schedule as approved by the State  
23 Records Administrator.

24 (4) The statement described in subsection (1) of this section shall  
25 not be required if the document being recorded is an easement or an oil,  
26 gas, or mineral lease, or any subsequent assignment of an easement or  
27 such lease, except that such statement shall be required for conservation  
28 easements and preservation easements as such terms are defined in section  
29 76-2,111.



30 Sec. 3. Original section 76-214, Reissue Revised Statutes of  
 31 Nebraska, is repealed.  
 1 2. On page 1, strike beginning with "76-903" in line 1 through line  
 2 5 and insert "76-214, Reissue Revised Statutes of Nebraska; to define a  
 3 term; to require affidavits for certain purchases of real estate; to  
 4 change provisions relating to a real estate transfer statement; and to  
 5 repeal the original section."

**LEGISLATIVE BILL 1004.** Placed on Select File with amendment.

[ER80](#)

1 1. On page 1, line 4, strike "and"; and in line 5 after "sections"  
 2 insert "; and to declare an emergency".

**LEGISLATIVE BILL 262.** Placed on Select File with amendment.

[ER84](#)

1 1. In the Standing Committee amendments, AM719:  
 2 a. On page 40, line 21, strike "22, 25, 26, 30, 31, and 32" and  
 3 insert "24, and 25";  
 4 b. On page 45, line 9, after the comma insert "the"; and in line 10  
 5 after "or" insert "the"; and  
 6 c. On page 56, line 20, strike "and" and "81-2,239,"; in line 21  
 7 strike "81-2,240,"; and in line 23 after the comma insert "and sections  
 8 81-2,239 and 81-2,240, Revised Statutes Supplement, 2023."  
 9 2. On page 1, strike beginning with "the" in line 1 through line 13  
 10 and insert "agriculture; to amend sections 2-503, 2-504, 2-505, 2-506,  
 11 2-508, 2-509, 2-510, 2-511, 2-514, 2-515, 2-517, 75-902, 75-903,  
 12 75-903.02, 81-2,251.03, 88-526, 88-527, 88-528.01, 88-541, and 88-549,  
 13 Reissue Revised Statutes of Nebraska, sections 28-401, 75-156,  
 14 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,263, 81-2,270, 81-2,271,  
 15 81-2,281, and 88-530, Revised Statutes Cumulative Supplement, 2022, and  
 16 sections 81-2,239 and 81-2,240, Revised Statutes Supplement, 2023; to  
 17 change and eliminate provisions of the Nebraska Hemp Farming Act and the  
 18 Uniform Controlled Substances Act relating to hemp; to change provisions  
 19 relating to warehouse operators; to change provisions of the Grain Dealer  
 20 Act, the Nebraska Pure Food Act, and the Grain Warehouse Act; to  
 21 eliminate provisions relating to hemp; to harmonize provisions; to repeal  
 22 the original sections; and to outright repeal sections 2-5701,  
 23 81-2,242.03, and 81-2,251.02, Reissue Revised Statutes of Nebraska, and  
 24 sections 81-2,245, 81-2,251.01, and 81-2,272.31, Revised Statutes  
 25 Cumulative Supplement, 2022."

**LEGISLATIVE BILL 867.** Placed on Select File with amendment.

[ER88](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 6  
 2 and insert "natural resources; to amend sections 37-420 and 37-421,  
 3 Reissue Revised Statutes of Nebraska, and sections 37-201, 37-438,  
 4 66-1519, 66-1523, 66-1525, 66-1529.02, and 70-1003, Revised Statutes  
 5 Cumulative Supplement, 2022; to provide under the Game Law for a database  
 6 for guides and outfitters, a migratory waterfowl hunting season for  
 7 veterans as prescribed, a one-day hunting permit and stamps for certain  
 8 veterans for use on Veterans Day, and active-duty military permits as a  
 9 type of state park motor vehicle entry permit; to change reimbursement,  
 10 transfer, investment, and remedial action provisions relating to the  
 11 Petroleum Release Remedial Action Cash Fund; to change provisions  
 12 relating to service on the Nebraska Power Review Board; to harmonize  
 13 provisions; to provide operative dates; to repeal the original sections;  
 14 and to declare an emergency."

(Signed) Beau Ballard, Chairperson

## Revenue

**LEGISLATIVE BILL 126.** Placed on General File with amendment. [AM2941](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

## Natural Resources

**LEGISLATIVE BILL 1335.** Placed on General File with amendment. [AM2947](#) is available in the Bill Room.

(Signed) Bruce Bostelman, Chairperson

## Banking, Commerce and Insurance

The Banking, Commerce and Insurance Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

KC Belitz Director - Department of Economic Development

Aye: 8. Aguilar, Ballard, Bostar, Dungan, Jacobson, Kauth, Slama, von Gillern. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Julie Slama, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 1:00 PM

Wednesday, March 20, 2024  
Sarah Scott - Department of Revenue

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Hughes filed the following amendment to [LB1412](#):  
[AM2986](#)

(Amendments to Standing Committee amendments, AM2566)

- 1 1. On page 50, line 22, strike "20,832,043" and insert "10,832,043";
- 2 in line 23 strike "1,003,874,134" and insert "993,874,134"; and in line
- 3 27 strike "\$20,832,043" and insert "\$10,832,043".
- 4 2. On page 53, strike line 28, show as stricken, and insert "FEDERAL
- 5 FUND 189,200,000 -0-"; and in line 29 strike "266,000,000" and insert
- 6 "276,000,000".
- 7 3. On page 55, after line 10 insert the following new paragraph:
- 8 "There is included in the appropriation to this program for

9 FY2023-24 \$10,000,000 Federal Funds to provide a grant to a city of the  
10 first class located in a county with less than twenty thousand  
11 inhabitants which is located in a metropolitan statistical area, as  
12 defined in section 18-803, with more than three hundred thousand  
13 inhabitants for the purpose of funding a portion of the cost of a  
14 wastewater system. The Federal Funds appropriated in this section are  
15 from the funds allocated to the State of Nebraska from the federal  
16 Coronavirus State Fiscal Recovery Fund pursuant to the federal American  
17 Rescue Plan Act of 2021, 42 U.S.C. 802, as amended."

Senator M. Cavanaugh filed the following amendment to LB1412:

[FA280](#)

Strike line 22 on page 37 and reinstate line 23.

Senator M. Cavanaugh filed the following amendment to LB1412:

[FA281](#)

Strike line 22 on page 34 and reinstate line 23.

Senator M. Cavanaugh filed the following amendment to LB1412:

[FA282](#)

Strike lines 1-20 on page 75.

Senator M. Cavanaugh filed the following amendment to LB1412:

[FA283](#)

Strike lines 26-30 on page 50 and line 1 on page 51.

Senator M. Cavanaugh filed the following amendment to LB1412:

[FA284](#)

Strike lines 6-15 on page 10.

Senator Fredrickson filed the following amendment to LB1412:

[AM2983](#)

(Amendments to Standing Committee amendments, AM2566)

1 1. On page 34, line 22, strike "70,382,211" and insert "82,382,211";

2 and in line 27 strike "102,466,682" and insert "114,466,682".

3 2. On page 35, line 3, strike "\$70,382,211" and insert

4 "\$82,382,211".

5 3. On page 41, line 30, strike "84,553,606" and insert "87,553,606".

6 4. On page 42, line 6, strike "94,107,211" and insert "97,107,211".

Senator Clements filed the following amendment to LB1412:

[AM2987](#) is available in the Bill Room.

Senator M. Cavanaugh filed the following amendment to LB1413:

[FA275](#)

Strike Sections 4 - 27.

Senator M. Cavanaugh filed the following amendment to LB1413:

[FA276](#)

Strike Section 26.

Senator M. Cavanaugh filed the following amendment to LB1413:

[FA277](#)

Strike Section 8.

Senator M. Cavanaugh filed the following amendment to LB1413:

[FA278](#)

Strike Section 7.

Senator M. Cavanaugh filed the following amendment to LB1413:

[FA279](#)

Strike Section 3.

Senator Conrad filed the following amendment to LB1413:

[FA285](#)

On page 5, strike lines 8-12 in Sec. 26.

Senator Jacobson filed the following amendment to LB1413:

[FA286](#)

Strike lines 13-17 on page 5.

### GENERAL FILE

**LEGISLATIVE BILL 1413.** Senator M. Cavanaugh offered [MO1247](#), found on page 1008, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Clements opened on the bill, LB1413.

Senator M. Cavanaugh opened on her motion, MO1247.

### SENATOR VON GILLERN PRESIDING

Pending.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 1108.** Placed on Select File with amendment.

[ER89](#)

1 1. On page 1, strike beginning with "motor" in line 1 through line 4  
2 and insert "the Nebraska Emergency Medical System Operations Fund; to  
3 amend section 71-51,103, Reissue Revised Statutes of Nebraska, section  
4 37-327.02, Revised Statutes Cumulative Supplement, 2022, and section  
5 77-27,132, Revised Statutes Supplement, 2023; to provide for transfers to  
6 the Nebraska Emergency Medical System Operations Fund; to change the  
7 permitted uses of the fund; to provide for a report; to harmonize  
8 provisions; to repeal the original sections; and to declare an  
9 emergency."

(Signed) Beau Ballard, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Dungan filed the following amendment to LB399:

[AM2804](#)

(Amendments to Standing Committee amendments, AM2702)

- 1 1. Strike section 3 and insert the following new section:
- 2 Sec. 3. Section 70-1014.02, Revised Statutes Cumulative Supplement,
- 3 2022, is amended to read:
- 4 70-1014.02 ~~(1)(a) (+)~~ The Legislature finds that:
- 5 ~~(i) (+)~~ Nebraska has the authority as a sovereign state to protect
- 6 its land, natural resources, and cultural resources for economic and
- 7 aesthetic purposes for the benefit of its residents and future
- 8 generations by regulation of energy generation projects;
- 9 ~~(ii) (b)~~ The unique terrain and ecology of the Nebraska Sandhills
- 10 provide an irreplaceable habitat for millions of migratory birds and
- 11 other wildlife every year and serve as the home to numerous ranchers and
- 12 farmers;
- 13 ~~(iii) (e)~~ The grasslands of the Nebraska Sandhills and other natural
- 14 resources in Nebraska will become increasingly valuable, both
- 15 economically and strategically, as the demand for food and energy
- 16 increases; and
- 17 ~~(iv) (d)~~ The Nebraska Sandhills are home to priceless archaeological
- 18 sites of historical and cultural significance to American Indians.
- 19 ~~(b)~~ The Legislature further finds that local governmental entities
- 20 in Nebraska best understand local needs and should have the right to
- 21 determine if they want privately developed renewable energy generation
- 22 facilities within their boundaries.
- 23 (2)(a) A privately developed renewable energy generation facility
- 24 that meets the requirements of this section is exempt from sections
- 25 70-1012 to 70-1014.01. ~~Prior if no less than thirty days prior to the~~
- 26 ~~commencement of construction of a privately developed renewable energy~~
- 1 ~~generation facility, the owner of such the facility shall either file an~~
- 2 ~~application and receive a conditional use permit or special exception to~~
- 3 ~~commence construction from the local governmental entity having~~
- 4 ~~jurisdiction or file an application with - (i) Notifies the board and~~
- 5 ~~receive the board's approval in writing of its intent to commence~~
- 6 ~~construction. Whichever application the owner elects to file shall be~~
- 7 ~~exclusive. If the owner elects to file an application for a conditional~~
- 8 ~~use permit or special exception, the owner shall comply with the local~~
- 9 ~~governmental entity's application requirements and the board shall not~~
- 10 ~~impose additional requirements. If the owner elects to file an~~
- 11 ~~application with the board, the local governmental entity shall not~~
- 12 ~~impose additional requirements. The owner shall certify in an application~~
- 13 ~~to the board that: of a privately developed renewable energy generation~~
- 14 ~~facility;~~
- 15 ~~(i) The (ii) Certifies to the board that the facility will meet the~~
- 16 ~~requirements for a privately developed renewable energy generation~~
- 17 ~~facility;~~
- 18 ~~(ii) The (iii) Certifies to the board that the private electric~~
- 19 ~~supplier will (A) comply with any decommissioning requirements adopted by~~
- 20 ~~the local governmental entities having jurisdiction over the privately~~
- 21 ~~developed renewable energy generation facility and (B) except as~~
- 22 ~~otherwise provided in subdivision (b) of this subsection, submit a~~
- 23 ~~decommissioning plan to the board obligating the private electric~~
- 24 ~~supplier to bear all costs of decommissioning the privately developed~~
- 25 ~~renewable energy generation facility and requiring that the private~~
- 26 ~~electric supplier post a security bond or other instrument, no later than~~
- 27 ~~the third tenth year following commercial operation, securing the costs~~
- 28 ~~of decommissioning the facility and provide a copy of the bond or~~
- 29 ~~instrument to the board;~~
- 30 ~~(iii) The (iv) Certifies to the board that the private electric~~
- 31 ~~supplier has entered into or prior to commencing construction will enter~~
- 1 ~~into a joint transmission development agreement pursuant to subdivision~~
- 2 ~~(c) of this subsection with the electric supplier owning the transmission~~
- 3 ~~facilities of sixty thousand volts or greater to which the privately~~
- 4 ~~developed renewable energy generation facility will interconnect; and~~
- 5 ~~(iv) The (+) Certifies to the board that the private electric~~
- 6 ~~supplier has consulted with the Game and Parks Commission to identify~~

7 potential measures to avoid, minimize, and mitigate impacts to species  
8 identified under subsection (1) or (2) of section 37-806 during the  
9 project planning and design phases, if possible, but in no event later  
10 than the commencement of construction; -

11 (v) The applicant has entered into a power purchase agreement for  
12 the output of the privately developed renewable energy generation  
13 facility; and

14 (vi) For a proposed privately developed renewable energy generation  
15 facility that has a generating capacity that is greater than ten  
16 megawatts, the entity with whom the applicant has entered into a power  
17 purchase agreement has held at least one public meeting with advanced  
18 publicized notice in one of the counties in which the proposed facility  
19 will be located at which (A) at least fifty percent of the governing body  
20 of such entity attends either in person or by videoconference, but with  
21 not less than one member of the governing body physically present, (B)  
22 the applicant explains the need for the proposed facility and the type of  
23 facility, and (C) real property owners in any of the counties in which  
24 the proposed facility will be located are provided an opportunity to  
25 comment on the proposed facility. The applicant shall provide a report to  
26 the board containing the minutes of any such meeting and how many people  
27 commented on the proposed facility. Documentation received at any such  
28 meeting may be made available to the board upon its request. A meeting  
29 described in this subdivision is not subject to the requirements  
30 described in subdivision (2)(b)(iv) of section 84-1411.

31 (b) The board may bring an action in the name of the State of  
1 Nebraska for failure to comply with subdivision (a)(ii)(B) ~~(a)(iii)(B)~~ of  
2 this subsection, ~~except that such subdivision -Subdivision (a)(iii)(B)~~  
3 ~~of this subsection~~ does not apply if a local government entity with the  
4 authority to create requirements for decommissioning has enacted  
5 decommissioning requirements for the applicable jurisdiction.

6 (c) ~~A~~ The joint transmission development agreement shall be entered  
7 into to address construction, ownership, operation, and maintenance of  
8 such additions or upgrades to the transmission facilities as required for  
9 the privately developed renewable energy generation facility. The joint  
10 transmission development agreement shall be negotiated and executed  
11 contemporaneously with the generator interconnection agreement or other  
12 directives of the applicable regional transmission organization with  
13 jurisdiction over the addition or upgrade of transmission, upon terms  
14 consistent with prudent electric utility practices for the  
15 interconnection of renewable generation facilities, the electric  
16 supplier's reasonable transmission interconnection requirements, and  
17 applicable transmission design and construction standards. The electric  
18 supplier shall have the right to purchase and own transmission facilities  
19 as set forth in the joint transmission development agreement. The private  
20 electric supplier of the privately developed renewable energy generation  
21 facility shall have the right to construct any necessary facilities or  
22 improvements set forth in the joint transmission development agreement  
23 pursuant to the standards set forth in the agreement at the private  
24 electric supplier's cost.

25 ~~(3)(a)~~ ~~(3)~~ Within ten days after receipt of an application to the  
26 board a written notice complying with subsection (2) of this section,  
27 including the holding of at least one public meeting pursuant to  
28 subdivision (2)(a)(vi) of this section, if applicable, the board shall  
29 approve the application if the board finds that (i) the application meets  
30 the criteria certified in such application pursuant to subsection (2) of  
31 this section, (ii) the application will serve the public convenience and  
1 necessity, and (iii) the applicant can most economically and feasibly  
2 supply the electric service resulting from the proposed construction or  
3 acquisition without unnecessary duplication of facilities or operations.

4 (b) ~~The~~ the executive director of the board shall issue a written  
5 acknowledgment of such board approval and that the privately developed  
6 renewable energy generation facility is exempt from sections 70-1012 to  
7 70-1014.01 if such facility remains in compliance with the requirements  
8 of this section.

9 (4) The exemption allowed under this section for a privately  
 10 developed renewable energy generation facility shall extend to and exempt  
 11 all private electric suppliers owning any interest in the facility,  
 12 including any successor private electric supplier which subsequently  
 13 acquires any interest in the facility.  
 14 (5) No property owned, used, or operated as part of a privately  
 15 developed renewable energy generation facility shall be subject to  
 16 eminent domain by a consumer-owned electric supplier operating in the  
 17 State of Nebraska. Nothing in this section shall be construed to grant  
 18 the power of eminent domain to a private electric supplier or limit the  
 19 rights of any entity to acquire any public, municipal, or utility right-  
 20 of-way across property owned, used, or operated as part of a privately  
 21 developed renewable energy generation facility as long as the right-of-  
 22 way does not prevent the operation of or access to the privately  
 23 developed renewable energy generation facility.  
 24 (6) Only a consumer-owned electric supplier operating in the State  
 25 of Nebraska may exercise eminent domain authority to acquire the land  
 26 rights necessary for the construction of transmission lines and related  
 27 facilities. There is a rebuttable presumption that the exercise of  
 28 eminent domain to provide needed transmission lines and related  
 29 facilities for a privately developed renewable energy generation facility  
 30 is a public use.  
 31 (7) Nothing in this section shall be construed to authorize a  
 1 private electric supplier to sell or deliver electricity at retail in  
 2 Nebraska.  
 3 (8) Nothing in this section shall be construed to limit the  
 4 authority of or require a consumer-owned electric supplier operating in  
 5 the State of Nebraska to enter into a joint agreement with a private  
 6 electric supplier to develop, construct, and jointly own a privately  
 7 developed renewable energy generation facility.

Senator Jacobson filed the following amendment to LB1413:

[FA287](#)

Strike lines 13-17 on page 5.

### VISITOR(S)

Visitors to the Chamber were members of Girl Scouts-Lincoln; Olena and Olha Rudenko, Kearney and Ukraine; Milena Rudenko and Sandy Cook-Fong, Kearney; students, teachers, and sponsors from Sutton Public School, Sutton; students and teachers from North Platte St. Patrick's Catholic High school, North Platte; Carter Brady, Lincoln.

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

### ADJOURNMENT

At 5:03 p.m., on a motion by Senator Jacobson, the Legislature adjourned until 9:00 a.m., Thursday, March 14, 2024.

Brandon Metzler  
 Clerk of the Legislature





**FORTY-THIRD DAY - MARCH 14, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FORTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 14, 2024

**PRAYER**

The prayer was offered by Father Michael Eckley, St. Wenceslaus Catholic Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Hughes.

**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 Senator Raybould who was excused; and Senators Albrecht, Bostar, J. Cavanaugh, M. Cavanaugh, Day, Hunt, Meyer, Murman, Slama, and Vargas who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-second day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Brewer filed the following amendment to LB1037:  
[AM2992](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 87-302, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 87-302 (a) A person engages in a deceptive trade practice when, in  
6 the course of his or her business, vocation, or occupation, he or she:  
7 (1) Passes off goods or services as those of another;  
8 (2) Causes likelihood of confusion or of misunderstanding as to the  
9 source, sponsorship, approval, or certification of goods or services;  
10 (3) Causes likelihood of confusion or of misunderstanding as to

11 affiliation, connection, or association with, or certification by,  
12 another;  
13 (4) Uses deceptive representations or designations of geographic  
14 origin in connection with goods or services;  
15 (5) Represents that goods or services have sponsorship, approval,  
16 characteristics, ingredients, uses, benefits, or quantities that they do  
17 not have or that a person has a sponsorship, approval, status,  
18 affiliation, or connection that he or she does not have;  
19 (6) Represents that goods or services do not have sponsorship,  
20 approval, characteristics, ingredients, uses, benefits, or quantities  
21 that they have or that a person does not have a sponsorship, approval,  
22 status, affiliation, or connection that he or she has;  
23 (7) Represents that goods are original or new if they are  
24 deteriorated, altered, reconditioned, reclaimed, used, or secondhand,  
25 except that sellers may repair damage to and make adjustments on or  
26 replace parts of otherwise new goods in an effort to place such goods in  
27 compliance with factory specifications;  
1 (8) Represents that goods or services are of a particular standard,  
2 quality, or grade, or that goods are of a particular style or model, if  
3 they are of another;  
4 (9) Disparages the goods, services, or business of another by false  
5 or misleading representation of fact;  
6 (10) Advertises goods or services with intent not to sell them as  
7 advertised or advertises the price in any manner calculated or tending to  
8 mislead or in any way deceive a person;  
9 (11) Advertises goods or services with intent not to supply  
10 reasonably expectable public demand, unless the advertisement discloses a  
11 limitation of quantity;  
12 (12) Makes false or misleading statements of fact concerning the  
13 reasons for, existence of, or amounts of price reductions;  
14 (13) Uses or promotes the use of or establishes, operates, or  
15 participates in a pyramid promotional scheme in connection with the  
16 solicitation of such scheme to members of the public. This subdivision  
17 shall not be construed to prohibit a plan or operation, or to define a  
18 plan or operation as a pyramid promotional scheme, based on the fact that  
19 participants in the plan or operation give consideration in return for  
20 the right to receive compensation based upon purchases of goods,  
21 services, or intangible property by participants for personal use,  
22 consumption, or resale so long as the plan or operation does not promote  
23 or induce inventory loading and the plan or operation implements an  
24 appropriate inventory repurchase program;  
25 (14) With respect to a sale or lease to a natural person of goods or  
26 services purchased or leased primarily for personal, family, household,  
27 or agricultural purposes, uses or employs any referral or chain referral  
28 sales technique, plan, arrangement, or agreement;  
29 (15) Knowingly makes a false or misleading statement in a privacy  
30 policy, published on the Internet or otherwise distributed or published,  
31 regarding the use of personal information submitted by members of the  
1 public;  
2 (16) Uses any scheme or device to defraud by means of:  
3 (i) Obtaining money or property by knowingly false or fraudulent  
4 pretenses, representations, or promises; or  
5 (ii) Selling, distributing, supplying, furnishing, or procuring any  
6 property for the purpose of furthering such scheme;  
7 (17) Offers an unsolicited check, through the mail or by other  
8 means, to promote goods or services if the cashing or depositing of the  
9 check obligates the endorser or payee identified on the check to pay for  
10 goods or services. This subdivision does not apply to an extension of  
11 credit or an offer to lend money;  
12 (18) Mails or causes to be sent an unsolicited billing statement,

13 invoice, or other document that appears to obligate the consumer to make  
14 a payment for services or merchandise he or she did not order;  
15 (19)(i) Installs, offers to install, or makes available for  
16 installation or download a covered file-sharing program on a computer not  
17 owned by such person without providing clear and conspicuous notice to  
18 the owner or authorized user of the computer that files on that computer  
19 will be made available to the public and without requiring intentional  
20 and affirmative activation of the file-sharing function of such covered  
21 file-sharing program by the owner or authorized user of the computer; or  
22 (ii) Prevents reasonable efforts to block the installation,  
23 execution, or disabling of a covered file-sharing program;  
24 (20) Violates any provision of the Nebraska Foreclosure Protection  
25 Act;  
26 (21) In connection with the solicitation of funds or other assets  
27 for any charitable purpose, or in connection with any solicitation which  
28 represents that funds or assets will be used for any charitable purpose,  
29 uses or employs any deception, fraud, false pretense, false promise,  
30 misrepresentation, unfair practice, or concealment, suppression, or  
31 omission of any material fact; or  
1 (22)(i) ~~(22)~~ In the manufacture, production, importation,  
2 distribution, promotion, display for sale, offer for sale, attempt to  
3 sell, or sale of a substance:  
4 (A) ~~(i)~~ Makes a deceptive or misleading representation or  
5 designation, or omits material information, about a substance or fails to  
6 identify the contents of the package or the nature of the substance  
7 contained inside the package; or  
8 (B) ~~(ii)~~ Causes confusion or misunderstanding as to the effects a  
9 substance causes when ingested, injected, inhaled, or otherwise  
10 introduced into the human body.  
11 (ii) A person shall be deemed to have committed a violation of the  
12 Uniform Deceptive Trade Practices Act for each individually packaged  
13 product that is either manufactured, produced, imported, distributed,  
14 promoted, displayed for sale, offered for sale, attempted to sell, or  
15 sold in violation of this section. A violation under this subdivision (a)  
16 (22) shall be treated as a separate and distinct violation from any other  
17 offense arising out of acts alleged to have been committed while the  
18 person was in violation of this section; or -  
19 (23)(i) Advertises, promotes, offers, sells, performs, or contracts  
20 to perform any service in violation of subdivision (ii) or (iii) of this  
21 subdivision (a)(23).  
22 (ii) Except as permitted under state or federal law, no person shall  
23 receive compensation, directly or indirectly, for preparing, presenting,  
24 prosecuting, advising, consulting, or assisting any individual with  
25 regard to any veterans benefits matter before the United States  
26 Department of Veterans Affairs, the United States Department of Defense,  
27 or the Nebraska Department of Veterans' Affairs.  
28 (iii) Except as permitted under state or federal law, no person  
29 shall receive compensation, directly or indirectly, for referring any  
30 individual to another person to prepare, present, prosecute, advise,  
31 consult, or provide assistance regarding any veterans benefits matter  
1 before the United States Department of Veterans Affairs, the United  
2 States Department of Defense, or the Nebraska Department of Veterans'  
3 Affairs.  
4 (iv) For purposes of this subdivision (a)(23):  
5 (A) Veterans benefits matter means the preparation, presentation, or  
6 prosecution of any claim affecting any person who has filed or expressed  
7 an intent to file a claim for any benefit, program, service, commodity,  
8 function, or status, to which entitlement is determined under the laws  
9 and regulations administered by the United States Department of Veterans  
10 Affairs, the United States Department of Defense, or the Nebraska

11 Department of Veterans' Affairs pertaining to veterans, their dependents  
 12 or survivors, or any other individual eligible for such benefit, program,  
 13 service, commodity, function, or status; and  
 14 (B) Compensation means payment of any money, thing of value, or  
 15 financial benefit.  
 16 (v) Nothing in this subdivision (a)(23) shall be construed to  
 17 prohibit a division of fees between attorneys that is otherwise proper  
 18 under Nebraska law and the Nebraska Rules of Professional Conduct.  
 19 (vi) This subdivision (a)(23) does not apply to county veterans  
 20 service officers.  
 21 (b) In order to prevail in an action under the Uniform Deceptive  
 22 Trade Practices Act, a complainant need not prove competition between the  
 23 parties.  
 24 (c) This section does not affect unfair trade practices otherwise  
 25 actionable at common law or under other statutes of this state.  
 26 Sec. 2. Original section 87-302, Revised Statutes Cumulative  
 27 Supplement, 2022, is repealed.

### GENERAL FILE

**LEGISLATIVE BILL 1413.** Senator M. Cavanaugh renewed [MO1247](#), found on page 1008 and considered on page 1028, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Pending.

### COMMITTEE REPORT(S)

Banking, Commerce and Insurance

**LEGISLATIVE BILL 446.** Placed on General File with amendment.

[AM366](#)

1 1. On page 3, strike lines 9 through 12 and insert the following new  
 2 subdivision:  
 3 "(10) Vehicle means a motor vehicle as defined in section 60-471  
 4 that is available for use through a peer-to-peer vehicle sharing program.  
 5 Vehicle does not include any motor vehicle used as or offered for use as  
 6 a rental vehicle under section 44-4067, any commercial motor vehicle as  
 7 defined in section 60-465, or any vehicle subject to section 75-363."

(Signed) Julie Slama, Chairperson

### MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motion to [LB937](#):

[MO1256](#)

Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to [LB937](#):

[MO1257](#)

Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to [LB937](#):

[MO1258](#)

Bracket until April 12, 2024.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1259](#)  
Bracket until April 11, 2024.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1260](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1261](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

### GENERAL FILE

**LEGISLATIVE BILL 1413.** Senator M. Cavanaugh renewed [MO1247](#), found on page 1008 and considered on page 1028 and in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

No objections. So ordered.

Title read. Considered.

Committee [AM2698](#), found on page 962, was offered.

Senator M. Cavanaugh offered [FA254](#), found on page 1006, to the committee amendment.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 13 ayes, 4 nays, and 32 not voting.

The M. Cavanaugh amendment, to the committee amendment, was adopted with 30 ayes, 12 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Conrad offered [FA285](#), found on page 1028, to the committee amendment.

Senator Conrad moved for a call of the house. The motion prevailed with 21 ayes, 4 nays, and 24 not voting.

The Conrad amendment, to the committee amendment, lost with 20 ayes, 20 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Riepe offered the following motion:

[MO1262](#)

Reconsider the vote on FA285.

Pending.

### COMMITTEE REPORT(S)

#### Appropriations

**LEGISLATIVE BILL 942.** Placed on General File with amendment.

[AM3006](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 68-1917, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 68-1917 Except for facilities which are exempt under section 68-1918  
6 and facilities referred to in section 68-1919, each nursing facility or  
7 skilled nursing facility licensed under the Health Care Facility  
8 Licensure Act shall pay a quality assurance assessment based on total  
9 resident days, including bed-hold days, less medicare days, for the  
10 purpose of improving the quality of nursing facility or skilled nursing  
11 facility care in this state. The assessment shall be ~~nine~~ nine ~~three~~  
12 ~~and fifty cents~~ for each resident day for the preceding calendar quarter.  
13 The assessment in the aggregate shall not exceed the amount stated in  
14 section 68-1920.  
15 Sec. 2. Original section 68-1917, Reissue Revised Statutes of  
16 Nebraska, is repealed.

(Signed) Robert Clements, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 1358.** Placed on General File with amendment.

[AM2755](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

Education

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

Patricia M. Kircher - Nebraska Educational Telecommunications  
Commission

Courtney C. Wittstruck - Nebraska Educational Telecommunications  
Commission

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

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

Jeffrey Nellhaus - Technical Advisory Committee for Statewide Assessment  
Linda Poole - Technical Advisory Committee for Statewide Assessment

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

(Signed) Dave Murman, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Holdcroft filed the following amendment to LB876:

AM2953

(Amendments to Standing Committee amendments, AM2458)

- 1 1. On page 1, line 6, after "means" insert "(a)"; and in line 7
- 2 strike the first comma and insert "and (b) a" and strike the second
- 3 comma.
- 4 2. On page 2, strike beginning with "displaying" in line 10 through
- 5 "act" in line 11; strike beginning with "displaying" in line 14 through
- 6 the comma in line 15; and strike beginning with "displaying" in line 22
- 7 through "act" in line 23.

Senator Hardin filed the following amendment to LB1120:

AM2952

(Amendments to E&R amendments, ER82)

- 1 1. On page 1, line 20, after the period insert "No title or interest
- 2 in land shall be invalid, unmarketable, or subject to divestiture for a
- 3 violation of this section.".

Senator Dorn filed the following amendment to LB130:

AM3007

(Amendments to Final Reading copy)

- 1 1. Strike section 2 and insert the following new sections:
- 2 Sec. 2. Section 68-1917, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 68-1917 Except for facilities which are exempt under section 68-1918
- 5 and facilities referred to in section 68-1919, each nursing facility or
- 6 skilled nursing facility licensed under the Health Care Facility
- 7 Licensure Act shall pay a quality assurance assessment based on total
- 8 resident days, including bed-hold days, less medicare days, for the
- 9 purpose of improving the quality of nursing facility or skilled nursing
- 10 facility care in this state. The assessment shall be nine ~~three~~ dollars
- 11 ~~and fifty cents~~ for each resident day for the preceding calendar quarter.
- 12 The assessment in the aggregate shall not exceed the amount stated in
- 13 section 68-1920.
- 14 Sec. 3. Original sections 68-949 and 68-1917, Reissue Revised
- 15 Statutes of Nebraska, are repealed.
- 16 2. On page 1, strike beginning with "the" in line 1 through 4 and
- 17 insert "nursing facilities; to amend sections 68-949 and 68-1917, Reissue
- 18 Revised Statutes of Nebraska; to state intent regarding medicaid nursing
- 19 facility rates; to provide for reports; to change the amount of quality
- 20 assurance assessments; and to repeal the original sections."

Senator Brewer filed the following amendment to LB1412:  
AM3008

(Amendments to Standing Committee amendments, AM2566)

- 1 1. On page 75, line 27, strike "57,513,677" and insert "58,013,677".
- 2 2. On page 76, line 1, strike "116,762,544" and insert
- 3 "117,262,544".
- 4 3. On page 77, line 6, strike "\$56,839,197", show as stricken, and
- 5 insert "\$57,339,197".
- 6 4. On page 78, after line 10 insert the following new paragraph:
- 7 "There is included in the amount shown as aid for this program for
- 8 FY2024-25 \$500,000 Cash Funds from the Job Training Cash Fund for state
- 9 aid to a nonprofit organization holding a certificate of exemption under
- 10 section 501(c)(3) of the Internal Revenue Code of 1986 providing health
- 11 care screening, sports competitions, educational opportunities, and
- 12 leadership training for persons with developmental or intellectual
- 13 disabilities."

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 321.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine the scope and use of student surveillance, monitoring, and tracking technology by school officials in Nebraska and the private companies involved that are contracting with schools for the use of such student surveillance, monitoring, and tracking technology.

The intersection of government and technology companies utilizing tools of mass surveillance raises red flags from a civil rights and civil liberties perspective. Numerous public schools in Nebraska have instituted various tracking systems of students or school-issued computers that can surveil and monitor student usage or student movement in classrooms and schools. The tracking systems include, but are not limited to, digital hall passes, anti-vaping devices, fingerprints swipes, and electronic surveys.

Tools of mass surveillance are being purchased and utilized with taxpayer funds through contracts with private companies. These tools may have legitimate use for educational purposes and new technologies can advance the goals of student success and school safety. However, it is unclear as to how decisions about the tools are being made, under what authority, whether or not students and families can opt in or out of these tools, how these tools interface with student privacy laws, whether these tools comply with constitutional rights and civil liberties, how much public funds are expended by schools in Nebraska for these tools, how these tools impact or are able to ensure proper accommodations for students with disabilities or individualized education programs, and how biometric or personally identifiable information is stored, shared, or sold with the private companies.

The study should also include, but not be limited to, a consideration of the following:

- (1) What statutory reforms are necessary to ensure that the constitutional and privacy rights of students, parents, and guardians are protected regarding governmental and commercial surveillance of students; and



(2) What statutory reforms are necessary to provide remedies for students, parents, and guardians against schools and private surveillance or curriculum companies that misappropriate or improperly use collected data for commercial or other purposes beyond legitimate educational purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 322.** Introduced by Hughes, 24.

WHEREAS, Royce Schweitzer of Heartland Community Schools is retiring at the end of the school year after forty-eight years as the school's band teacher; and

WHEREAS, under Royce's leadership, the Heartland Community Schools band earned many awards, including the Traveling Trophy from the 2023 Yorkfest Parade, which was the third year in a row the band has secured the award, and the 2023 Cornerstone Bank Governor's Trophy for Best Overall Band; and

WHEREAS, Royce has earned achievements of his own while teaching at Heartland Community Schools, including being named the Secondary Teacher of the Year by the Nebraska Rural Community Schools Association in 2003, receiving the 2017 Donald A. Lentz Outstanding Bandmaster Award, and being the president of the Nebraska Band Masters Association; and

WHEREAS, Royce taught for fifty-one years and forty-eight of those years he taught at Heartland Community Schools. His steady and reliable contributions to the school will be missed by the students he taught through the years.

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

1. That the Legislature congratulates Royce Schweitzer for his service and dedication to Heartland Community Schools.

2. That a copy of this resolution be sent to Royce Schweitzer.

Laid over.

**LEGISLATIVE RESOLUTION 323.** Introduced by Cavanaugh, J., 9; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; 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, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

WHEREAS, on October 7, 1924, President Calvin Coolidge formalized diplomatic relations between the United States and Ireland when he accepted the credentials of Ambassador Timothy Smiddy of the Irish Free State; and

WHEREAS, the United States was one of the first nations to formally open diplomatic relations with Ireland; and

WHEREAS, diplomatic ties between the United States and Ireland remain strong to this day; and

WHEREAS, millions of Americans and tens of thousands of Nebraskans celebrate their Irish heritage; and

WHEREAS, 2024 marks one hundred years since the establishment of diplomatic relations between the United States and Ireland.

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

1. That the Legislature commemorates one hundred years since the opening of diplomatic relations between the United States and Ireland.

2. That the Legislature recognizes the strong relationship between the United States and Ireland and the heritage of Irish-Americans throughout Nebraska.

Laid over.

### **VISITOR(S)**

Visitors to the Chamber were members of Leadership Nebraska City; members of Nemaha County Leadership; students from Lincoln Christian, Lincoln; students from Jefferson Elementary, Norfolk; JoAnne Nickerson and Nick Sass, Lincoln; Cory Reed and Ashley DuBois, Omaha; Keley Sass, Firth; Lendy Kesler and Audrey Kesler, Kansas City, MO; students, teachers, and parents from Heritage Elementary, Bennington.

### **RECESS**

At 11:53 a.m., on a motion by Senator Albrecht, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Raybould who was excused; and Senators Albrecht, Bostar, Conrad, Meyer, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

**GENERAL FILE**

**LEGISLATIVE BILL 1413.** Committee [AM2698](#), found on page 962 and considered in this day's Journal, was renewed.

Senator Riepe renewed [MO1262](#), found and considered in this day's Journal, to reconsider the vote on FA285.

Senator Riepe asked unanimous consent to withdraw his motion to reconsider.

No objections. So ordered.

Senator Jacobson offered [FA286](#), found on page 1028, to the committee amendment.

The Jacobson amendment, to the committee amendment, was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Pending.

**MESSAGE(S) FROM THE GOVERNOR**

March 13, 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:

On November 20, 2023, John L Kuehn, DVM, was reappointed to the State Board of Health. Dr. Kuehn has recently submitted his resignation effective March 7, 2024. Accordingly, I hereby respectfully request you withdraw him from consideration for confirmation. His contact information is as follows:

Dr John L Kuehn, 1101 43 Road, Heartwell, NE 68945

Please contact my office if you have any questions.

Sincerely,  
(Signed) Jim Pillen  
Governor

cc: State Board of Health

March 14, 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:

I hereby respectfully request you withdraw Michael Drinnin from consideration for confirmation to the Racing and Gaming Commission.

Please contact my office if you have any questions.

Sincerely,  
(Signed) Jim Pillen  
Governor

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 324.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine whether the Nebraska statutes should be modified to provide a tax credit or consideration towards the purchase of a new or replacement vehicle for a private seller who sells a vehicle. This study should also consider whether a different sales tax rate should be assessed on the sale of pre-owned or used vehicles, or whether an exemption from sales tax for such vehicles is warranted.

In Nebraska, purchasers of new and used cars must pay the state sales tax whether the vehicle is purchased from a private party, a relative, a private seller, or a licensed car dealer. Nebraska does allow for the exclusion of the value of a trade-in vehicle from the purchase of another vehicle for purpose of calculating sales tax. Section 77-2701.35 allows exclusions from the sale price for credit from a trade-in vehicle that is taken as all or a part of the consideration for the sale of another vehicle. This statute does not impose a time requirement for qualifying a vehicle transfer as a trade-in credit but the Department of Revenue generally requires that a trade-in must occur at the time of the new vehicle purchase, or the completion of the Nebraska sales and use tax form for the purchase, completed by a licensed Nebraska dealer, which serves as the certification of the consideration between the parties including a trade-in credit.

As a practical matter, the option to exclude the value of a trade-in vehicle is not available to private parties who purchase individual vehicles from

other private parties. This results in a purchaser of a vehicle from a private seller having to pay sales tax on the total purchase price of a vehicle, regardless if the purchaser sold their own original vehicle at or near the time of the purchase.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**AMENDMENT(S) - Print in Journal**

Senator Riepe filed the following amendment to [LB1188](#):  
[AM3018](#) is available in the Bill Room.

**NOTICE OF COMMITTEE HEARING(S)**

Business and Labor  
Room 2102 3:00 PM

Thursday, March 21, 2024  
AM3018 Amending LB1188

(Signed) Merv Riepe, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 1413.** Committee [AM2698](#), found on page 962 and considered in this day's Journal, was renewed.

Senator M. Cavanaugh withdrew [FA275](#), found on page 1027, to the committee amendment.

Senator M. Cavanaugh, withdrew [FA279](#), found on page 1028, to the committee amendment.

Senator M. Cavanaugh offered [FA277](#), found on page 1027, to the committee amendment.

The M. Cavanaugh amendment, to the committee amendment, was withdrawn.

Senator M. Cavanaugh withdrew [FA278](#), found on page 1028, to the committee amendment.

The M. Cavanaugh amendment, [FA276](#), found on page 1027, to the committee amendment, was not considered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1248](#), found on page 1008, to bracket.

[MO1249](#), found on page 1008, to recommit to committee.

No objections. So ordered.

The committee amendment, as amended, was adopted with 39 ayes, 1 nay, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

#### ANNOUNCEMENT

Speaker Arch requested LB1188 be passed over on General Final.

#### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 325.** Introduced by Dungan, 26.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine whether changes to the Nebraska statutes relating to pretrial discovery are necessary to accommodate or to provide for parties to inspect or extract information from personal communication devices, computers, and other similar devices.

In Nebraska, the pretrial discovery process is governed mostly by statute. Various statutes provide that both prosecution and defense are entitled to inspect, investigate, and copy or receive copies of anticipated evidence or information material to a criminal case from opposing parties, witnesses, or other sources. Section 29-1913 provides that in certain instances if the prosecutor intends to use evidence consisting of scientific tests or analyses of ballistics, firearms identification, fingerprints, blood, semen, or other stains, a defendant may request the court to order the prosecutor to make available such evidence necessary to allow the defense to conduct like tests or analyses with its own experts. Section 29-1913 does not clearly provide for a defendant to request to inspect or extract material information from personal communication devices, computers, and other similar devices which the prosecutor may intend to use evidence from or which the state may have in its possession.

Nebraska has a statutory mechanism for postconviction relief, found in sections 29-3001 to 29-3004. The postconviction relief statutes do not provide for statutory discovery or allow for the typical discovery process available in other proceedings.

This study should consider whether changes to the Nebraska statutes relating to pretrial discovery are necessary to accommodate or to provide for parties to utilize discovery during the postconviction relief process.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 326.** Introduced by McKinney, 11.

WHEREAS, the 2024 Nebraska School Activities Association State Wrestling Tournament was held from February 15 through February 17 at the CHI Health Center Omaha; and

WHEREAS, Senior Ann Marie Meiman competed in the tournament for the Omaha North High School girls wrestling team coached by Steven Kirchner; and

WHEREAS, Meiman won the Girls 135-pound state championship by defeating Alexis Pehrson of Omaha Skutt; and

WHEREAS, Meiman is the first girl at Omaha North High School to win an individual state wrestling championship for Omaha North High School; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Omaha North High School wrestler Ann Marie Meiman on winning the 2024 Girls 135-pound State Wrestling Championship.
2. That copies of this resolution be sent to Omaha North High School and Ann Marie Meiman.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 926.** Title read. Considered.

Senator Aguilar offered [AM2904](#), found on page 994.

The Aguilar amendment was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 880.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1167.** Title read. Considered.

Committee [AM2829](#), found on page 967, was offered.

The committee amendment was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator DeBoer withdrew [AM2281](#), found on page 578.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1270.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1095.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 484.** Title read. Considered.

Committee [AM790](#), found on page 786, First Session, 2023, was offered.

Senator Moser offered [AM2939](#), found on page 995, to the committee amendment.

The Moser amendment, to the committee amendment, was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, 6 present and not voting, and 4 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 1118.** Advanced to Enrollment and Review for Engrossment.



**LEGISLATIVE BILL 1143.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 877.** [ER76](#), found on page 940, was offered.

ER76 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 998.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1162.** [ER78](#), found on page 975, was offered.

ER78 was adopted.

Senator Lowe offered the following amendment:

[AM2946](#)

(Amendments to E and R amendments, ER78)

1 1. On page 3, line 18, strike "mileage"; and in line 19 after

2 "except" insert "mileage fees".

The Lowe amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 851.** Advanced to Enrollment and Review for Engrossment.

#### AMENDMENT(S) - Print in Journal

Senator Riepe filed the following amendment to [LB905A](#):

[AM3012](#)

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

3 Section 1. There is hereby appropriated (1) \$106,045 from the  
4 Medicaid Managed Care Excess Profit Fund and \$106,048 from federal funds  
5 for FY2024-25 and (2) \$216,444 from the Medicaid Managed Care Excess  
6 Profit Fund and \$216,445 from federal funds for FY2025-26 to the  
7 Department of Health and Human Services, for Program 33, to aid in  
8 carrying out the provisions of Legislative Bill 905, One Hundred Eighth  
9 Legislature, Second Session, 2024.

10 Total expenditures for permanent and temporary salaries and per  
11 diems from funds appropriated in this section shall not exceed \$50,917  
12 for FY2024-25 or \$106,924 for FY2025-26.

13 Sec. 2. There is hereby appropriated (1) \$-0- from the Medicaid  
14 Managed Care Excess Profit Fund and \$-0- from federal funds for FY2024-25  
15 and (2) \$133,435 from the Medicaid Managed Care Excess Profit Fund and  
16 \$1,057,953 from federal funds for FY2025-26 to the Department of Health  
17 and Human Services, for Program 348, to aid in carrying out the  
18 provisions of Legislative Bill 905, One Hundred Eighth Legislature.

19 Second Session, 2024.

20 There is included in the appropriation to this program for FY2024-25

21 \$-0- Medicaid Managed Care Excess Profit Funds and \$-0- federal funds for

22 state aid, which shall only be used for such purpose. There is included

23 in the appropriation to this program for FY2025-26 \$133,435 Medicaid

24 Managed Care Excess Profit Funds and \$1,057,953 federal funds for state

25 aid, which shall only be used for such purpose.

26 No expenditures for permanent and temporary salaries and per diems

27 for state employees shall be made from funds appropriated in this

1 section.

Senator Halloran filed the following amendment to [LB262](#):  
[AM3015](#) is available in the Bill Room.

### GENERAL FILE

**LEGISLATIVE BILL 852.** Title read. Considered.

Committee [AM2355](#), found on page 659, was offered.

Senator Jacobson offered [AM2732](#), found on page 850, to the committee amendment.

The Jacobson amendment, to the committee amendment, was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1344.** Title read. Considered.

Committee [AM2361](#), found on page 736, was offered.

The committee amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1197.** Title read. Considered.

Committee [AM2419](#), found on page 679, was offered.

Senator von Gillern offered [AM2715](#), found on page 833, to the committee amendment.

The von Gillern amendment, to the committee amendment, was adopted with 33 ayes, 2 nays, 8 present and not voting, and 6 excused and not voting.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

Senator von Gillern withdrew [AM2379](#), found on page 630.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

#### **AMENDMENT(S) - Print in Journal**

Senator DeBoer filed the following amendment to [LB1031](#):  
[AM2956](#)

(Amendments to Standing Committee amendments, AM2780)

- 1 1. On page 12, strike lines 26 and 27 and insert the following new
- 2 subdivision:
- 3 "(a) Communications service provider means a cable operator as
- 4 defined in 47 U.S.C. 522, a provider of information service as defined in
- 5 47 U.S.C. 153, or a telecommunications carrier as defined in 47 U.S.C.
- 6 153, but does not include a wireless provider."
- 7 2. On page 13, line 1, after "outage" insert "pursuant to 47 C.F.R.
- 8 4.9(h)".

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Raybould name added to LR323.

#### **VISITOR(S)**

Visitors to the Chamber was Greg Ibach, Sumner.

The Doctor of the Day was Dr. Steve Williams of Omaha.

#### **ADJOURNMENT**

At 4:47 p.m., on a motion by Senator Dover, the Legislature adjourned until 9:00 a.m., Friday, March 15, 2024.

Brandon Metzler  
Clerk of the Legislature



**FORTY-FOURTH DAY - MARCH 15, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, March 15, 2024

**PRAYER**

The prayer was offered by Reverend Gary Eller, First Presbyterian Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Corporal Antonio Espejo, 2nd Battalion 4th Marines, Marine Corps, Omaha.

**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 Senator Raybould who was excused; and Senators Armendariz, Bostar, Conrad, Day, Dover, Hansen, Hunt, McKinney, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-third day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

March 13, 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 individuals are being reappointed as members of the Commission on Problem Gambling:

Paul Leckband, 1606 Skyline Drive, Norfolk, NE 68701, Education  
Todd Zohner, 82998 562 Avenue, Stanton, NE 68779, At-Large  
Dan Volnek, 6330 Thompson Creek Circle, Lincoln, NE 68516, Consumer

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

March 11, 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 Brand Committee:

Brenda R Masek, 40507 Loup River Road, Purdum, NE 69157, Rancher

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

#### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 14, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

CP Strategies LLC

Primary Class, Inc.  
 Duncan, Eric  
 Indivior Inc  
 Kelley Plucker, LLC  
 D.A. Davidson & Co.  
 Moenning, Josh  
 Renew Nebraska, LLC  
 Mueller Robak  
 Circle City ABA  
 Nebraska Strategies  
 Education Facility Modernization Coalition  
 Pratt, Fred  
 Southwest Airlines Co.  
 Vincent, Marlene  
 U.S. Term Limits

**REPORTS**

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

**MOTION(S) - Confirmation Report(s)**

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 857:

Nebraska Broadband Office  
 Patrick Haggerty, Director

Voting in the affirmative, 36:

Aguilar	Cavanaugh, J.	Erdman	Kauth	Riepe
Albrecht	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Arch	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hardin	Lowe	von Gillern
Blood	DeBoer	Holdcroft	McDonnell	
Bosn	DeKay	Hughes	Meyer	
Bostelman	Dorn	Ibach	Moser	
Brandt	Dungan	Jacobson	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Armendariz    Brewer            Slama

Excused and not voting, 10:

Bostar	Dover	Hunt	Raybould	Wayne
Day	Hansen	McKinney	Walz	Wishart

The appointment was confirmed with 36 ayes, 0 nays, 3 present and not voting, and 10 excused and not voting.

Senator Slama moved the adoption of the Banking, Commerce and Insurance Committee report for the confirmation of the following appointment(s) found on page 1026:

Department of Economic Development  
KC Belitz, Director

Voting in the affirmative, 30:

Aguilar	Brandt	Hardin	Linehan	Murman
Albrecht	Conrad	Holdcroft	Lippincott	Riepe
Ballard	DeKay	Hughes	Lowe	Sanders
Blood	Dorn	Ibach	McDonnell	Slama
Bosn	Dungan	Jacobson	Meyer	Vargas
Bostelman	Erdman	Kauth	Moser	von Gillern

Voting in the negative, 0.

Present and not voting, 9:

Arch	Brewer	Cavanaugh, M.	DeBoer	Halloran
Armendariz	Cavanaugh, J.	Clements	Fredrickson	

Excused and not voting, 10:

Bostar	Dover	Hunt	Raybould	Wayne
Day	Hansen	McKinney	Walz	Wishart

The appointment was confirmed with 30 ayes, 0 nays, 9 present and not voting, and 10 excused and not voting.

### GENERAL FILE

**LEGISLATIVE BILL 644A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 4 present and not voting, and 10 excused and not voting.

**LEGISLATIVE BILL 904A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.



**LEGISLATIVE BILL 1204A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 43A.** Title read. Considered.

Senator Conrad offered [MO1253](#), found on page 1014, to indefinitely postpone.

The Conrad motion to indefinitely postpone prevailed with 38 ayes, 1 nay, 4 present and not voting, and 6 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 358A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 685A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 857A.** Senator Dungan offered [AM2951](#), found on page 985.

The Dungan amendment was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 905A.** Senator Riepe offered [AM3012](#), found on page 1049.

The Riepe amendment was adopted with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1035A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1087A.** Senator Jacobson offered [AM2928](#), found on page 981.

The Jacobson amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 327.** Introduced by Jacobson, 42.

WHEREAS, the American Angus Association created the Angus Heritage Foundation in 1983 to celebrate and honor the contributions of individuals who have gone above and beyond for the Angus Breed; and

WHEREAS, American Heritage Foundation inductees define the type of breeders who built their reputation with their drive, ambition and forward-thinking attitudes; and

WHEREAS, American Heritage Foundation inductees are on a mission to improve the Angus Breed and the cattle industry while navigating the ever-changing beef industry and its challenges; and

WHEREAS, Jerry and Sharon Connealy of Whitman, Nebraska, were inducted into the Angus Heritage Foundation during the fall of 2023; and

WHEREAS, Jerry and Sharon demonstrate their dedication to the betterment of the cattle industry by hosting bull sales, ranch tours, and supporting the Angus Heritage Foundation; and

WHEREAS, Jerry and Sharon share their passion for the Angus Breed with their children and grandchildren; and

WHEREAS, the Legislature recognizes dedication, hard work, and commitment of Jerry and Sharon to Angus Breed production and range management.

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

1. That the Legislature congratulates Jerry and Sharon Connealy of Whitman, Nebraska, on being named 2023 Angus Heritage Foundation inductees.

2. That a copy of this resolution be sent to Jerry and Sharon Connealy.

Laid over.

**LEGISLATIVE RESOLUTION 328.** Introduced by Jacobson, 42.

WHEREAS, Greg Wright, a native Nebraskan raised and living in Western Nebraska, received a Regional Forester Award from Nebraska National Forests and Grasslands in February 2024 for his work sustaining national forests and grasslands in the Bessey Ranger District and McKelvie National Forest; and

WHEREAS, Greg completed his undergraduate studies at the University of Nebraska at Kearney and his graduate studies at New Mexico State University; and

WHEREAS, Greg has worked for universities, the Nebraska Game and Parks Commission, the Crane Trust, and beginning in 2015, as a wildlife biologist for the Nebraska National Forests and Grasslands; and

WHEREAS, Greg's work for Nebraska National Forests and Grasslands has resulted in improvement and economic opportunities for the sandhills grassland area; and

WHEREAS, the Legislature recognizes Greg's accomplishments and work to improve wildlife habitats and efforts to advance community wildlife education.

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

1. That the Legislature congratulates Greg Wright for receiving a Nebraska National Forest and Grassland Regional Forester Award.
2. That a copy of this resolution be sent to Greg Wright.

Laid over.

**LEGISLATIVE RESOLUTION 329.** Introduced by Jacobson, 42.

WHEREAS, Ralph and Beverly Holzfaster were inducted into the Nebraska Business Hall of Fame on February 2, 2023; and

WHEREAS, Ralph and Beverly's interest in pivot irrigation technology led them to open Lindsay Manufacturing in Ogallala, Nebraska; and

WHEREAS, Ralph and Beverly's commitment to advancing agriculture led to Ralph serving on several boards including: the Nebraska Ethanol Authority and Development Board, Nebraska Public Power District Board, Keith County Economic Development Board, and Mid-Plains Community College Foundation Board, as well as serving on boards for private ethanol and bioenergy companies; and

WHEREAS, Ralph and Beverly and their family hosted the Cattleman's Ball in 2013 and remain actively engaged in agriculture, economic development, and housing and tourism including managing Ole's Big Game Steakhouse and Lounge in Paxton, Nebraska; and

WHEREAS, Ralph and Beverly's past and continued involvement and achievements in agribusiness and community development earned them an induction into the Nebraska Business Hall of Fame.

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

1. That the Legislature congratulates Ralph and Beverly Holzfaster for their induction into the Nebraska Business Hall of Fame.
2. That a copy of this resolution be sent to Ralph and Beverly Holzfaster.

Laid over.

## **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 LB61 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 61.**

A BILL FOR AN ACT relating to dark fiber; to amend sections 18-419, 70-704, 70-1409, 86-416, and 86-575, Reissue Revised Statutes of Nebraska, and sections 70-625 and 86-577, Revised Statutes Cumulative Supplement, 2022; to authorize the licensing of dark fiber by any agency or political subdivision of the state as prescribed; to change and eliminate provisions relating to leasing and licensing of dark fiber; to define terms; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB198 with 36 ayes, 5 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 198.** With Emergency Clause.

A BILL FOR AN ACT relating to retirement; to amend sections 4-108, 4-111, 4-112, 23-2306, 24-703.01, 60-1304, 79-955, 79-9,118, 81-2016, 84-1503.03, and 84-1504, Reissue Revised Statutes of Nebraska, sections

79-901, 79-915, 79-978, 79-992, 79-9,117, 81-1316, 84-1307, and 84-1501, Revised Statutes Cumulative Supplement, 2022, and sections 79-902 and 79-920, Revised Statutes Supplement, 2023; to change provisions relating to participation in retirement programs by noncitizens; to change provisions relating to returning to work after termination and contributions under the School Employees Retirement Act and the Class V School Employees Retirement Act; to define and redefine terms; to change provisions relating to the preretirement planning program, the State Personnel System, and the members of the Public Employees Retirement Board; to provide for the hiring of assistant directors and deputies of the Nebraska Public Employees Retirement Systems and to authorize compensation for such employees to be determined by the director; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; 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, 47:

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

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

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(S) - Print in Journal**

Senator Walz filed the following amendment to [LB1007](#):

[AM2990](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 68-911 (1) Medical assistance shall include coverage for health care

6 and related services as required under Title XIX of the federal Social  
7 Security Act, including, but not limited to:  
8 (a) Inpatient and outpatient hospital services;  
9 (b) Laboratory and X-ray services;  
10 (c) Nursing facility services;  
11 (d) Home health services;  
12 (e) Nursing services;  
13 (f) Clinic services;  
14 (g) Physician services;  
15 (h) Medical and surgical services of a dentist;  
16 (i) Nurse practitioner services;  
17 (j) Nurse midwife services;  
18 (k) Pregnancy-related services;  
19 (l) Medical supplies;  
20 (m) Mental health and substance abuse services;  
21 (n) Early and periodic screening and diagnosis and treatment  
22 services for children which shall include both physical and behavioral  
23 health screening, diagnosis, and treatment services;  
24 (o) Rural health clinic services; and  
25 (p) Federally qualified health center services.  
26 (2) In addition to coverage otherwise required under this section,  
27 medical assistance may include coverage for health care and related  
1 services as permitted but not required under Title XIX of the federal  
2 Social Security Act, including, but not limited to:  
3 (a) Prescribed drugs;  
4 (b) Intermediate care facilities for persons with developmental  
5 disabilities;  
6 (c) Home and community-based services for aged persons and persons  
7 with disabilities;  
8 (d) Dental services;  
9 (e) Rehabilitation services;  
10 (f) Personal care services;  
11 (g) Durable medical equipment;  
12 (h) Medical transportation services;  
13 (i) Vision-related services;  
14 (j) Speech therapy services;  
15 (k) Physical therapy services;  
16 (l) Chiropractic services;  
17 (m) Occupational therapy services;  
18 (n) Optometric services;  
19 (o) Podiatric services;  
20 (p) Hospice services;  
21 (q) Mental health and substance abuse services;  
22 (r) Hearing screening services for newborn and infant children; and  
23 (s) Administrative expenses related to administrative activities,  
24 including outreach services, provided by school districts and educational  
25 service units to students who are eligible or potentially eligible for  
26 medical assistance.  
27 (3) No later than July 1, 2009, the department shall submit a state  
28 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
29 Services to provide coverage under the medical assistance program for  
30 community-based secure residential and subacute behavioral health  
31 services for all eligible recipients, without regard to whether the  
1 recipient has been ordered by a mental health board under the Nebraska  
2 Mental Health Commitment Act to receive such services.  
3 (4) On or before October 1, 2014, the department, after consultation  
4 with the State Department of Education, shall submit a state plan  
5 amendment to the federal Centers for Medicare and Medicaid Services, as  
6 necessary, to provide that the following are direct reimbursable services  
7 when provided by school districts as part of an individualized education

8 program or an individualized family service plan: Early and periodic  
9 screening, diagnosis, and treatment services for children; medical  
10 transportation services; mental health services; nursing services;  
11 occupational therapy services; personal care services; physical therapy  
12 services; rehabilitation services; speech therapy and other services for  
13 individuals with speech, hearing, or language disorders; and vision-  
14 related services.  
15 (5) No later than January 1, 2023, the department shall provide  
16 coverage for continuous glucose monitors under the medical assistance  
17 program for all eligible recipients who have a prescription for such  
18 device.  
19 (6) On or before October 1, 2023, the department shall seek federal  
20 approval for federal matching funds from the federal Centers for Medicare  
21 and Medicaid Services through a state plan amendment or waiver to extend  
22 postpartum coverage for beneficiaries from sixty days to at least six  
23 months. Nothing in this subsection shall preclude the department from  
24 submitting a state plan amendment for twelve months.  
25 (7) No later than October 1, 2024, the department shall submit a  
26 state plan amendment to the federal Centers for Medicare and Medicaid  
27 Services to authorize medicaid eligibility pursuant to 42 U.S.C. 1383c  
28 for aged, blind, and disabled program recipients who are eligible for the  
29 federal Supplemental Security Income Program.  
30 Sec. 2. Original section 68-911, Revised Statutes Supplement, 2023,  
31 is repealed.

### **MOTION(S) - Return LB304 to Select File**

Senator Wayne moved to return LB304 to Select File for the following specific amendment:

[FA289](#)

Strike the enacting clause.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA289, was not considered.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 304.**

A BILL FOR AN ACT relating to political subdivisions; to provide for disclosure of certain membership dues and lobbying fees paid as prescribed.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **MOTION(S) - Return LB771 to Select File**

Senator Wayne moved to return LB771 to Select File for the following specific amendment:

[FA291](#)

Strike the enacting clause.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA291, was not considered.

#### **BILLS ON FINAL READING**

The following bills were read and put upon final passage:

##### **LEGISLATIVE BILL 771. With Emergency Clause.**

A BILL FOR AN ACT relating to the Department of Veterans' Affairs; to amend section 85-2701, Revised Statutes Cumulative Supplement, 2022, and section 80-401, Revised Statutes Supplement, 2023; to change provisions relating to the Veterans' Aid Income Fund; to provide for a postsecondary institution grant program under the Veteran and Active Duty Supportive Postsecondary Institution Act; to harmonize provisions; to repeal the original sections; 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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Aguilar          Armendariz    Day                  Raybould

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

**LEGISLATIVE BILL 771A.** With Emergency Clause.

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.

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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Aguilar      Armendariz    Day            Raybould

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

**LEGISLATIVE BILL 844.**

A BILL FOR AN ACT relating to the Farm Labor Contractors Act; to amend sections 48-1701 and 48-1702, Reissue Revised Statutes of Nebraska; to define terms; to require certain actions by certain seed corn producers; to provide duties to the Director of Agriculture and the Department of Agriculture; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Aguilar      Armendariz    Day            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 895.**

A BILL FOR AN ACT relating to the Nebraska National Guard; to amend section 55-157.03, Reissue Revised Statutes of Nebraska; to change incentive payment provisions relating to recruitment and retention; and to repeal the original section.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Aguilar      Armendariz    Day            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**MOTION(S) - Return LB938 to Select File**

Senator Wayne moved to return LB938 to Select File for the following specific amendment:

[FA293](#)

Strike the enacting clause.

Pending.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 61, 198e, 304, 771e, 771Ae, 844, and 895.

**MOTION(S) - Return LB938 to Select File**

Senator Wayne renewed his motion, found and considered in this day's Journal, to return LB938 to Select File for his specific amendment, [FA293](#), found in this day's Journal.

**SPEAKER ARCH PRESIDING**

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA293, was not considered.

**BILL 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 LB938 with 35 ayes, 4 nays, 6 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 938.**

A BILL FOR AN ACT relating to the County Purchasing Act; to amend sections 23-3104, 23-3105, 23-3107, 23-3108, 23-3109, 23-3111, and 23-3115, Reissue Revised Statutes of Nebraska; to redefine a term; to change provisions relating to the county board, purchasing agent, purchases, competitive bidding, and surplus property; to allow auctions and trades; to eliminate special purchases; to harmonize provisions; to provide an operative date; and to repeal the original sections.

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

Voting in the affirmative, 46:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Cavanaugh, J.	Erdman	Kauth	Slama
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	Walz
Ballard	Conrad	Hansen	Lowe	Wayne
Blood	Day	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdercroft	McKinney	
Bostar	DeKay	Hughes	Meyer	
Bostelman	Dorn	Hunt	Moser	
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 3:

Raybould      Sanders      von Gillern

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**MOTION(S) - Return LB1104 to Select File**

Senator Wayne moved to return LB1104 to Select File for the following specific amendment:

[FA292](#)

Strike the enacting clause.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA292, was not considered.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1104.** With Emergency Clause.

A BILL FOR AN ACT relating to the Legislature; to amend sections 49-1480.01 and 49-1482, Reissue Revised Statutes of Nebraska; to change the amount and distribution of lobbyist registration fees; to provide an operative date; to repeal the original sections; 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, 45:

Aguilar	Brandt	Dorn	Hunt	Meyer
Albrecht	Brewer	Dover	Ibach	Moser
Arch	Cavanaugh, J.	Dungan	Jacobson	Murman
Armendariz	Cavanaugh, M.	Erdman	Kauth	Riepe
Ballard	Clements	Fredrickson	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	Day	Hardin	Lowe	Walz
Bostar	DeBoer	Holdercroft	McDonnell	Wayne
Bostelman	DeKay	Hughes	McKinney	Wishart

Voting in the negative, 1:

Slama

Present and not voting, 1:

Halloran

Excused and not voting, 2:

Raybould      von Gillern

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

### **WITHDRAW - Amendment to LB1102**

Senator McKinney withdrew [AM2685](#), found on page 813, to LB1102.

**MOTION(S) - Return LB1102 to Select File**

Senator McKinney moved to return LB1102 to Select File for the following specific amendment:

[AM2744](#)

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. October 17 of each year shall be recognized as Nebraska
- 4 Missing Persons Day. Nebraska Missing Persons Day is observed not only
- 5 for the missing people, but also for their families and friends who deal
- 6 with the trauma of having their loved one go missing without a trace.
- 7 This day respects and honors their grief.
- 8 Sec. 2. May 19 of each year shall be recognized as El-Hajj Malik
- 9 El-Shabazz, Malcolm X Day, and shall be set apart for holding suitable
- 10 exercises in the schools of the state in recognition of the sacrifices of
- 11 the late Nebraska Hall of Fame inductee El-Hajj Malik El-Shabazz, Malcolm
- 12 X and his contributions to the betterment of society.
- 13 2. On page 1, strike beginning with "missing" in line 1 through line
- 14 2 and insert "days of observance; to declare October 17 as Nebraska
- 15 Missing Persons Day and May 19 as El-Hajj Malik El-Shabazz, Malcolm X
- 16 Day."

The McKinney motion to return prevailed with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1102.** The McKinney specific amendment, [AM2744](#), found in this day's Journal, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**MOTION(S) - Return LB1102 to Select File**

Senator Wayne moved to return LB1102 to Select File for the following specific amendment:

[FA294](#)

Strike Section 2.

Senator Wayne withdrew his motion to return.

The Wayne amendment, FA294, was not considered.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB130 to Select File**

Senator Dorn moved to return LB130 to Select File for his specific amendment, [AM3007](#), found on page 1039.

The Dorn motion to return prevailed with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 130.** The Dorn specific amendment, [AM3007](#), found on page 1039, was adopted with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 938 and 1104e.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 62.** Placed on Select File with amendment.

**[ER90](#)**

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 68-908, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 68-908 (1) The department shall administer the medical assistance  
 6 program.  
 7 (2) The department may (a) enter into contracts and interagency  
 8 agreements, (b) adopt and promulgate rules and regulations, (c) adopt fee  
 9 schedules, (d) apply for and implement waivers and managed care plans for  
 10 services for eligible recipients, including services under the Nebraska  
 11 Behavioral Health Services Act, and (e) perform such other activities as  
 12 necessary and appropriate to carry out its duties under the Medical  
 13 Assistance Act. A covered item or service as described in section 68-911  
 14 that is furnished through a school-based health center, furnished by a  
 15 provider, and furnished under a managed care plan pursuant to a waiver  
 16 does not require prior consultation or referral by a patient's primary  
 17 care physician to be covered. Any federally qualified health center  
 18 providing services as a sponsoring facility of a school-based health  
 19 center shall be reimbursed for such services provided at a school-based  
 20 health center at the federally qualified health center reimbursement  
 21 rate.  
 22 (3) The department shall maintain the confidentiality of information  
 23 regarding applicants for or recipients of medical assistance and such  
 24 information shall only be used for purposes related to administration of  
 25 the medical assistance program and the provision of such assistance or as  
 26 otherwise permitted by federal law.  
 27 (4) The department shall prepare an annual summary and analysis of  
 1 the medical assistance program for legislative and public review. The  
 2 department shall submit a report of such summary and analysis to the  
 3 Governor and the Legislature electronically no later than December 1 of  
 4 each year. The annual summary shall include, but not be limited to:  
 5 (a) The number and percentage of applications approved and denied;  
 6 (b) The number of eligibility determinations, including the number  
 7 and percentage of those individuals remaining enrolled, terminations, and  
 8 other determinations;  
 9 (c) The number of case closures in the medical assistance program  
 10 and the Children's Health Insurance Program and the specific reason for

11 the closure broken down by (i) eligibility category, including program  
 12 type, (ii) local public health district or other geographic area, and  
 13 (iii) race or ethnicity, if available;  
 14 (d) The number of medical assistance program and Children's Health  
 15 Insurance Program enrollees broken down by (i) eligibility category,  
 16 including program type, (ii) local public health district or other  
 17 geographic area, and (iii) race or ethnicity, if available;  
 18 (e) The number and percentage of redeterminations or renewals  
 19 processed ex parte, broken down by (i) eligibility category, including  
 20 program type and (ii) race or ethnicity, if available;  
 21 (f) The average number of days required to process applications for  
 22 the medical assistance program and Children's Health Insurance Program,  
 23 separating the data by applicants with modified adjusted gross income and  
 24 nonmodified adjusted gross income eligibility;  
 25 (g) The rate of re-enrollment within ninety days of termination and  
 26 within twelve months of termination, broken down by (i) eligibility  
 27 category, including program type, (ii) local public health district or  
 28 other geographic area, and (iii) race or ethnicity, if available;  
 29 (h) The average client call duration;  
 30 (i) The client call abandonment rate;  
 31 (j) The number of requests for a fair hearing separated by (i)  
 1 eligibility category and program type, (ii) outcome, and (iii) amount of  
 2 time until final disposition; and  
 3 (k) A link to the medical assistance program fair hearing decisions  
 4 that have been redacted to protect private and health information, which  
 5 shall be posted on the department's website.  
 6 Sec. 2. Section 68-911, Revised Statutes Supplement, 2023, is  
 7 amended to read:  
 8 68-911 (1) Medical assistance shall include coverage for health care  
 9 and related services as required under Title XIX of the federal Social  
 10 Security Act, including, but not limited to:  
 11 (a) Inpatient and outpatient hospital services;  
 12 (b) Laboratory and X-ray services;  
 13 (c) Nursing facility services;  
 14 (d) Home health services;  
 15 (e) Nursing services;  
 16 (f) Clinic services;  
 17 (g) Physician services;  
 18 (h) Medical and surgical services of a dentist;  
 19 (i) Nurse practitioner services;  
 20 (j) Nurse midwife services;  
 21 (k) Pregnancy-related services;  
 22 (l) Medical supplies;  
 23 (m) Mental health and substance abuse services;  
 24 (n) Early and periodic screening and diagnosis and treatment  
 25 services for children which shall include both physical and behavioral  
 26 health screening, diagnosis, and treatment services;  
 27 (o) Rural health clinic services; and  
 28 (p) Federally qualified health center services.  
 29 (2) In addition to coverage otherwise required under this section,  
 30 medical assistance may include coverage for health care and related  
 31 services as permitted but not required under Title XIX of the federal  
 1 Social Security Act, including, but not limited to:  
 2 (a) Prescribed drugs;  
 3 (b) Intermediate care facilities for persons with developmental  
 4 disabilities;  
 5 (c) Home and community-based services for aged persons and persons  
 6 with disabilities;  
 7 (d) Dental services;  
 8 (e) Rehabilitation services;



9 (f) Personal care services;  
10 (g) Durable medical equipment;  
11 (h) Medical transportation services;  
12 (i) Vision-related services;  
13 (j) Speech therapy services;  
14 (k) Physical therapy services;  
15 (l) Chiropractic services;  
16 (m) Occupational therapy services;  
17 (n) Optometric services;  
18 (o) Podiatric services;  
19 (p) Hospice services;  
20 (q) Mental health and substance abuse services;  
21 (r) Hearing screening services for newborn and infant children; and  
22 (s) Administrative expenses related to administrative activities,  
23 including outreach services, provided by school districts and educational  
24 service units to students who are eligible or potentially eligible for  
25 medical assistance.

26 (3) No later than July 1, 2009, the department shall submit a state  
27 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
28 Services to provide coverage under the medical assistance program for  
29 community-based secure residential and subacute behavioral health  
30 services for all eligible recipients, without regard to whether the  
31 recipient has been ordered by a mental health board under the Nebraska  
1 Mental Health Commitment Act to receive such services.

2 (4) On or before October 1, 2014, the department, after consultation  
3 with the State Department of Education, shall submit a state plan  
4 amendment to the federal Centers for Medicare and Medicaid Services, as  
5 necessary, to provide that the following are direct reimbursable services  
6 when provided by school districts as part of an individualized education  
7 program or an individualized family service plan: Early and periodic  
8 screening, diagnosis, and treatment services for children; medical  
9 transportation services; mental health services; nursing services;  
10 occupational therapy services; personal care services; physical therapy  
11 services; rehabilitation services; speech therapy and other services for  
12 individuals with speech, hearing, or language disorders; and vision-  
13 related services.

14 (5) No later than January 1, 2023, the department shall provide  
15 coverage for continuous glucose monitors under the medical assistance  
16 program for all eligible recipients who have a prescription for such  
17 device.

18 (6) On or before October 1, 2023, the department shall seek federal  
19 approval for federal matching funds from the federal Centers for Medicare  
20 and Medicaid Services through a state plan amendment or waiver to extend  
21 postpartum coverage for beneficiaries from sixty days to at least six  
22 months. Nothing in this subsection shall preclude the department from  
23 submitting a state plan amendment for twelve months.

24 (7)(a) No later than January 1, 2024, the department shall provide  
25 coverage, and reimbursement to providers, for all necessary translation  
26 and interpretation services for eligible recipients utilizing a medical  
27 assistance program service. The department shall take all actions  
28 necessary to maximize federal funding to carry out this subsection.

29 (b) The services described in subdivision (7)(a) of this section  
30 shall be funded by the Medicaid Managed Care Excess Profit Fund as  
31 described in section 68-996.

1 Sec. 3. Section 68-996, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:  
3 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
4 fund shall contain money returned to the State Treasurer pursuant to  
5 subdivision (3) of section 68-995. The fund shall first be used to offset  
6 any losses under subdivision (2) of section 68-995 and then to provide

7 for services addressing the health needs of adults and children under the  
 8 Medical Assistance Act, including filling service gaps, providing system  
 9 improvements, translation and interpretation services, and sustaining  
 10 access to care as determined by the Legislature. The fund shall only be  
 11 used for the purposes described in this section. Any money in the fund  
 12 available for investment shall be invested by the state investment  
 13 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
 14 State Funds Investment Act.

15 Sec. 4. The Department of Health and Human Services shall  
 16 electronically submit a report to the Health and Human Services Committee  
 17 of the Legislature by November 1 of each year on the current and  
 18 anticipated expenditures for the Temporary Assistance for Needy Families  
 19 program funds allocated pursuant to the federal Personal Responsibility  
 20 and Work Opportunity Reconciliation Act of 1996, Public Law 104-193. Such  
 21 report shall provide the committee with all necessary and appropriate  
 22 information to enable the committee to conduct a meaningful evaluation of  
 23 such expenditures. Such information shall include, but not be limited to:  
 24 (1) A clear description of programs and services currently funded by  
 25 the Temporary Assistance for Needy Families program;  
 26 (2) A clear explanation of each purpose met by such program or  
 27 service;  
 28 (3) For programs and services provided by entities other than the  
 29 state, a clear description of the recipient of Temporary Assistance to  
 30 Needy Families funds;  
 31 (4) For programs other than the aid to dependent children program, a  
 1 clear statement explaining how an expenditure for that program or service  
 2 is more likely to help families achieve economic mobility and self-  
 3 sufficiency than an increase in expenditures for the aid to dependent  
 4 children program;  
 5 (5) The number of persons served under each program or service; and  
 6 (6) All costs and expenditures associated with each program or  
 7 service.

8 Sec. 5. Original section 68-908, Reissue Revised Statutes of  
 9 Nebraska, section 68-996, Revised Statutes Cumulative Supplement, 2022,  
 10 and section 68-911, Revised Statutes Supplement, 2023, are repealed.  
 11 2. On page 1, strike beginning with "the" in line 1 through line 4  
 12 and insert "public health and welfare; to amend section 68-908, Reissue  
 13 Revised Statutes of Nebraska, section 68-996, Revised Statutes Cumulative  
 14 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023;  
 15 to change provisions relating to the annual summary and analysis of the  
 16 medical assistance program; to provide for coverage of translation and  
 17 interpretation services under the medical assistance program; to change  
 18 provisions relating to the Medicaid Managed Care Excess Profit Fund; to  
 19 require a report relating to the Temporary Assistance for Needy Families  
 20 program; and to repeal the original sections."

**LEGISLATIVE BILL 1169.** Placed on Select File.

**LEGISLATIVE BILL 932.** Placed on Select File with amendment.

[ER91](#)

1 1. On page 1, strike beginning with "Mental" in line 1 through line  
 2 4 and insert "Uniform Credentialing Act; to amend section 38-130, Reissue  
 3 Revised Statutes of Nebraska; to change a requirement relating to  
 4 applications for credentials under the Uniform Credentialing Act; and to  
 5 repeal the original section."

**LEGISLATIVE BILL 1069.** Placed on Select File with amendment.

[ER92](#)

1 1. On page 1, strike lines 2 through 13 and insert "28-1250,  
 2 81-520.01, 81-546, 81-547, 81-550, and 81-5,159, Reissue Revised Statutes  
 3 of Nebraska, and sections 81-502 and 81-5,172, Revised Statutes  
 4 Cumulative Supplement, 2022; to eliminate the Nebraska Fire Safety  
 5 Appeals Board; to change open burning permit requirements; to change and  
 6 provide enforcement, civil penalty, and appeals procedures under the  
 7 Nebraska Natural Gas Pipeline Safety Act of 1969; to change a pipeline  
 8 facility assessment under the Nebraska Natural Gas Pipeline Safety Cash  
 9 Fund; to change a renewal application deadline for a contractor  
 10 certificate relating to fire protection systems; to change exception  
 11 provisions under the Boiler Inspection Act; to eliminate obsolete  
 12 provisions; to harmonize provisions; to repeal the original sections; to  
 13 outright repeal section 81-502.01, Reissue Revised Statutes of Nebraska,  
 14 section 81-502.02, Revised Statutes Cumulative Supplement, 2022, and  
 15 section 81-502.03, Revised Statutes Supplement, 2023; and to declare an  
 16 emergency."  
 17 2. On page 4, line 20, strike "land owner" and insert "landowner".  
 18 3. On page 9, line 27, after "81-546," insert "81-547,".

(Signed) Beau Ballard, Chairperson

Judiciary

**LEGISLATIVE BILL 253.** Placed on General File with amendment.

[AM2978](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. For purposes of sections 1 to 7 of this act:  
 4 (1) Case plan means a set of goals, conditions, and programs that  
 5 is:  
 6 (a) Based on a professional risk and needs assessment;  
 7 (b) Tailored to the specific risks and needs of the veteran; and  
 8 (c) Developed in collaboration with the veteran;  
 9 (2) Condition from military service means substance-use disorder,  
 10 military sexual trauma, traumatic brain injury, post-traumatic stress  
 11 disorder, or another mental health condition that is related to an  
 12 individual's military service in some manner and includes psychological  
 13 effects from a veteran's time in service as well as from the period of  
 14 family separation related to deployment;  
 15 (3) Veteran means an individual who:  
 16 (a) Is serving in the United States Armed Forces, including any  
 17 reserve component or the National Guard;  
 18 (b) Has served in such armed forces and was discharged or released  
 19 from such service under conditions other than dishonorable; or  
 20 (c) Has served in such armed forces and received a dishonorable  
 21 discharge and such individual has been diagnosed with substance-use  
 22 disorder, military sexual trauma, traumatic brain injury, post-traumatic  
 23 stress disorder, or another mental health condition; and  
 24 (4) Veteran justice program means the program described in sections  
 25 2 to 5 of this act through which a veteran may request a court to defer  
 26 entry of judgment of conviction for an offense pending completion of the  
 27 program, and upon successful completion, avoid entry of judgment of  
 1 conviction.  
 2 Sec. 2. (1) The probation administrator shall create a veteran  
 3 justice program as provided in sections 2 to 5 of this act and subject to  
 4 the Supreme Court's rules. The program shall be available in every  
 5 district court and county court.  
 6 (2) A veteran justice program shall be operated by use of deferred  
 7 judgments under section 29-2292, except that subdivisions (2)(a), (b),

8 and (c) of such section shall not apply.

9 Sec. 3. (1) A veteran shall be eligible to participate in a veteran  
10 justice program if there is reason to believe that a condition from  
11 military service contributed to the offense.

12 (2)(a) There shall be a rebuttable presumption that a veteran  
13 eligible under subsection (1) of this section shall be allowed to  
14 participate in a veteran justice program.

15 (b) This presumption applies even though a veteran may have  
16 previously absconded from or violated pretrial release, probation,  
17 parole, supervised release, or another form of court-ordered supervision,  
18 including a violation arising from commission of a new offense or an  
19 offense committed while previously participating in a veteran justice  
20 program.

21 (c) The presumption shall only be overcome by a judicial finding,  
22 based upon an individualized assessment of the veteran and consideration  
23 of the supervision, treatment, and other programming available in the  
24 community, that participation in the veteran justice program will not  
25 reasonably ensure public safety.

26 Sec. 4. (1) A veteran justice program shall include the following  
27 elements:

28 (a) Evidence-based treatment tailored to address the specific  
29 challenges facing veterans, such as post-traumatic stress disorder,  
30 traumatic brain injury, military sexual trauma, or another condition from  
31 military service; and

1 (b) A case plan that:

2 (i) Is developed by the court with probation and appropriate  
3 experts;

4 (ii) Is based on a professional assessment of the veteran's specific  
5 risks and needs;

6 (iii) Is created in conjunction with input from the veteran;

7 (iv) Contains clear and individualized supervision and treatment  
8 goals, including guidelines that detail the program rules, consequences  
9 for violating the rules, and incentives for compliance; and

10 (v) Is communicated to the veteran at the start of the program.

11 (2) In the implementation of a veteran justice program, the district  
12 court or county court shall retain discretion in:

13 (a) Determining eligibility for participation, subject to section 3  
14 of this act;

15 (b) Establishing the conditions of the program, including the  
16 creation of the case plan;

17 (c) Setting the terms of successful program completion and release  
18 upon that successful completion; and

19 (d) Determining if the veteran has successfully completed the  
20 program at a final hearing.

21 (3) A victim of the veteran shall have the opportunity to be  
22 involved in the veteran justice program, including the opportunity to be  
23 heard or submit a written statement at the final hearing where program  
24 completion is determined.

25 (4) Upon successful completion of a veteran justice program, the  
26 veteran shall be entitled to the relief provided for a deferred judgment  
27 under section 29-2292.

28 Sec. 5. (1) When arraigning any defendant, the court shall offer the  
29 defendant the ability to communicate his or her veteran status through  
30 counsel or by other means. The court shall not require that the defendant  
31 self-identify as a veteran in open court.

1 (2) When sentencing a defendant who is a veteran for any offense,  
2 the court shall recognize the defendant's veteran status as a mitigating  
3 factor in determining the sentence.

4 (3) The court shall consider a defendant's veteran status as a  
5 mitigating factor in addition to any other mitigating factors provided by

6 law or considered by the court. The fact that a defendant may have  
7 suffered trauma unrelated to military service or veteran status shall not  
8 be used to deny the impact of any military trauma or condition of  
9 military service.  
10 (4) The court may take into consideration individual merit earned  
11 during military service, overseas deployment, exposure to danger, and  
12 service-connected disability ratings when considering sentencing  
13 mitigation. When considering multiple factors, a court should give  
14 additional credit for each factor.  
15 (5) Unless the court finds that imprisonment is necessary for the  
16 protection of the public, a sentence of imprisonment is inappropriate if  
17 a veteran can show:  
18 (a) A clear connection between the offense and a condition from  
19 military service; and  
20 (b) That the veteran has made progress in treating such condition.  
21 (6) The court shall not:  
22 (a) Use veteran status as an aggravating factor; or  
23 (b) Require a connection between the offense and a condition from  
24 military service in order to consider veteran status as a mitigating  
25 factor.  
26 (7) This section applies regardless of whether a veteran is eligible  
27 for participation in a veteran justice program.  
28 Sec. 6. (1) Law enforcement, court, and correctional personnel shall  
29 verify the veteran status of any individual being processed through the  
30 criminal justice system in order to identify individuals who may be  
31 eligible for participation in a veteran justice program or for sentencing  
1 mitigation as provided in section 5 of this act.  
2 (2) Law enforcement, court, and correctional personnel shall receive  
3 training designed to increase their understanding of cases involving  
4 veterans, including veterans' exposure to violence and trauma. Such  
5 training shall include attention on issues that disproportionately impact  
6 female veterans, such as military sexual trauma.  
7 Sec. 7. (1) The State Court Administrator shall compile information  
8 on the number of veterans receiving, successfully completing, declining,  
9 and denied participation in a veteran justice program and the sentencing  
10 mitigation described in section 5 of this act.  
11 (2) The State Court Administrator shall track outcomes among  
12 veterans who participate in a veteran justice program, including  
13 completion status, recidivism, and housing and employment status.  
14 (3) Data collected under this section shall be disaggregated by  
15 race, ethnicity, gender, age, military discharge characterization, and  
16 the offense involved.  
17 (4) On or before July 1, 2026, and on or before each July 1  
18 thereafter, the State Court Administrator shall electronically submit a  
19 report to the Judiciary Committee of the Legislature. The report shall  
20 contain de-identified data collected pursuant to this section and shall  
21 analyze the outcomes, successes, and areas for improvement of the veteran  
22 justice programs and the sentencing mitigation described in section 5 of  
23 this act.  
24 Sec. 8. This act becomes operative on July 1, 2025.

**LEGISLATIVE BILL 1220.** Placed on General File with amendment.  
[AM2915](#)

- 1 1. Strike original section 4.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 accordingly.

(Signed) Justin Wayne, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 2.** Placed on General File.  
**LEGISLATIVE RESOLUTION 286CA.** Placed on General File.

**LEGISLATIVE BILL 859.** Indefinitely postponed.

(Signed) Tom Brewer, Chairperson

**MOTION(S)- Print in Journal**

Senator Wayne filed the following motion:  
Reconsider the confirmation of the appointment of KC Belitz to the  
Nebraska Department of Economic Development.

Senator Slama filed the following motion to [LB325](#):  
[MO1264](#)  
Place LB325 on General File pursuant to Rule 3, Sec. 20(b).

Senator Slama filed the following motion to [LB341](#):  
[MO1265](#)  
Place LB341 on General File pursuant to Rule 3, Sec. 20(b).

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1169A.** Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to  
aid in carrying out the provisions of Legislative Bill 1169, One Hundred  
Eighth Legislature, Second Session, 2024.

**NOTICE OF COMMITTEE HEARING(S)**

Nebraska Retirement Systems  
Room 1525 12:00 PM

Tuesday, March 26, 2024  
Presentation of the Nebraska Public Employees Retirement System Annual  
Report to the Retirement Committee pursuant to section 84-1503(3)  
Presentation of the Nebraska Investment Council Annual Report to the  
Retirement Committee pursuant to section 72-1243(3)

(Signed) Mike McDonnell, Chairperson

**EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LBs 771e, 771Ae, 844, and 895.

(Signed) Raymond Aguilar

**SELECT FILE**

**LEGISLATIVE BILL 287.** [ER52](#), found on page 647, was offered.

ER52 was adopted.

Senator Conrad offered [AM2792](#), found on page 936.

The Conrad amendment was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Brewer offered [AM2890](#), found on page 981.

The Brewer amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Senator Brewer offered [AM2982](#), found on page 1020.

The Brewer amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Senator Linehan offered the following amendment:

[AM3004](#) is available in the Bill Room.

The Linehan amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1215.** [ER85](#), found on page 999, was offered.

ER85 was adopted.

Senator Blood offered the following amendment:

[AM3044](#) is available in the Bill Room.

The Blood amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Senator Blood offered the following amendment:

[AM3043](#) is available in the Bill Room.

The Blood amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Senator Day offered the following amendment:

[AM3045](#)

(Amendments to Standing Committee amendments, AM2549)

1 1. Insert the following new section:

2 Sec. 12. Section 68-911, Revised Statutes Supplement, 2023, is

3 amended to read:

4 68-911 (1) Medical assistance shall include coverage for health care

5 and related services as required under Title XIX of the federal Social

6 Security Act, including, but not limited to:

7 (a) Inpatient and outpatient hospital services;

8 (b) Laboratory and X-ray services;

9 (c) Nursing facility services;

10 (d) Home health services;

11 (e) Nursing services;

12 (f) Clinic services;

13 (g) Physician services;

14 (h) Medical and surgical services of a dentist;

15 (i) Nurse practitioner services;

16 (j) Nurse midwife services;

17 (k) Pregnancy-related services;

18 (l) Medical supplies;

19 (m) Mental health and substance abuse services;

20 (n) Early and periodic screening and diagnosis and treatment

21 services for children which shall include both physical and behavioral

22 health screening, diagnosis, and treatment services;

23 (o) Rural health clinic services; and

24 (p) Federally qualified health center services.

25 (2) In addition to coverage otherwise required under this section,

26 medical assistance may include coverage for health care and related

1 services as permitted but not required under Title XIX of the federal

2 Social Security Act, including, but not limited to:

3 (a) Prescribed drugs;

4 (b) Intermediate care facilities for persons with developmental

5 disabilities;

6 (c) Home and community-based services for aged persons and persons

7 with disabilities;

8 (d) Dental services;

9 (e) Rehabilitation services;

10 (f) Personal care services;

11 (g) Durable medical equipment;

12 (h) Medical transportation services;

13 (i) Vision-related services;

14 (j) Speech therapy services;

15 (k) Physical therapy services;

16 (l) Chiropractic services;

17 (m) Occupational therapy services;

18 (n) Optometric services;

19 (o) Podiatric services;

20 (p) Hospice services;

21 (q) Mental health and substance abuse services;

22 (r) Hearing screening services for newborn and infant children; and

23 (s) Administrative expenses related to administrative activities,

24 including outreach services, provided by school districts and educational

25 service units to students who are eligible or potentially eligible for

26 medical assistance.

27 (3) No later than July 1, 2009, the department shall submit a state

28 plan amendment or waiver to the federal Centers for Medicare and Medicaid

29 Services to provide coverage under the medical assistance program for

30 community-based secure residential and subacute behavioral health



31 services for all eligible recipients, without regard to whether the  
 1 recipient has been ordered by a mental health board under the Nebraska  
 2 Mental Health Commitment Act to receive such services.  
 3 (4) On or before October 1, 2014, the department, after consultation  
 4 with the State Department of Education, shall submit a state plan  
 5 amendment to the federal Centers for Medicare and Medicaid Services, as  
 6 necessary, to provide that the following are direct reimbursable services  
 7 when provided by school districts as part of an individualized education  
 8 program or an individualized family service plan: Early and periodic  
 9 screening, diagnosis, and treatment services for children; medical  
 10 transportation services; mental health services; nursing services;  
 11 occupational therapy services; personal care services; physical therapy  
 12 services; rehabilitation services; speech therapy and other services for  
 13 individuals with speech, hearing, or language disorders; and vision-  
 14 related services.

15 (5) No later than January 1, 2023, the department shall provide  
 16 coverage for continuous glucose monitors under the medical assistance  
 17 program for all eligible recipients who have a prescription for such  
 18 device.

19 (6) On or before October 1, 2023, the department shall seek federal  
 20 approval for federal matching funds from the federal Centers for Medicare  
 21 and Medicaid Services through a state plan amendment or waiver to extend  
 22 postpartum coverage for beneficiaries from sixty days to at least six  
 23 months. Nothing in this subsection shall preclude the department from  
 24 submitting a state plan amendment for twelve months.

25 (7)(a) No later than January 1, 2025, the department shall provide  
 26 coverage for an electric personal-use breast pump for every pregnant  
 27 woman covered under the medical assistance program, or child covered  
 28 under the medical assistance program if the pregnant woman is not  
 29 covered, beginning at thirty-six weeks gestation or the child's date of  
 30 birth, whichever is earlier. The electric personal-use breast pump shall  
 31 be capable of (i) sufficiently supporting milk supply, (ii) double and  
 1 single side pumping, and (iii) suction power ranging from zero mmHg to  
 2 two hundred fifty mmHg. No later than January 1, 2025, the department  
 3 shall provide coverage for a minimum of ten lactation consultation visits  
 4 for every mother covered under the medical assistance program or child  
 5 covered under the medical assistance program, if the mother is not  
 6 covered under such program.

7 (b) It is the intent of the Legislature that the appropriation for  
 8 lactation consultation visits shall be equal to an amount that is a one  
 9 hundred forty-five percent rate increase over the current lactation  
 10 consultation rate paid by the department.

11 2. Renumber the remaining sections and correct internal references  
 12 accordingly.

13 3. Correct the operative date and the repealer so that the section  
 14 added by this amendment becomes operative three calendar months after the  
 15 adjournment of this legislative session.

The Day amendment was adopted with 37 ayes, 0 nays, 8 present and not  
 voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1200.** [ER86](#), found on page 999, was offered.

ER86 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1204.** [ER79](#), found on page 1000, was offered.

ER79 was adopted.

Senator Hughes offered the following amendment:

[FA288](#)

Amend AM2640 on page 21, line 26, by striking "two hundred", and on line 27 strike "fifty" and insert "seventy-five".

The Hughes amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 262.** [ER84](#), found on page 1025, was offered.

ER84 was adopted.

Senator Ibach offered [AM2654](#), found on page 995.

The Ibach amendment was adopted with 29 ayes, 1 nay, 14 present and not voting, and 5 excused and not voting.

Senator Halloran offered [AM3015](#), found on page 1050.

The Halloran amendment was adopted with 34 ayes, 1 nay, 8 present and not voting, and 6 excused and not voting.

Senator Brandt offered the following amendment:

[AM2997](#)

(Amendments to Standing Committee amendments, AM719)

- 1 1. Strike section 20 and insert the following new sections:
- 2 Sec. 12. Section 2-3966, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 2-3966 For purposes of the Nebraska Milk Act, unless the context
- 5 otherwise requires:
- 6 (1) 3-A Sanitary Standards has the same meaning as in the Grade A
- 7 Pasteurized Milk Ordinance;
- 8 (2) Acceptable milk means milk that qualifies under sections 2-3979
- 9 to 2-3982 as to sight and odor and that is classified acceptable for
- 10 somatic cells, bacterial content, drug residues, and sediment content;
- 11 (3) Components of milk means whey, whey and milk protein
- 12 concentrate, whey cream, cream, butter, skim milk, condensed milk, ultra-
- 13 filtered milk, milk powder, dairy blends that are at least fifty-one
- 14 percent dairy components, and any similar milk byproduct;
- 15 (4) C-I-P or cleaned-in-place means the procedure by which sanitary
- 16 pipelines or pieces of dairy equipment are mechanically cleaned in place
- 17 by circulation;
- 18 (5) Dairy products means products allowed to be made from milk for
- 19 manufacturing purposes and not required to be of Grade A quality;
- 20 (6) Department means the Department of Agriculture;
- 21 (7) Director means the Director of Agriculture or his or her duly
- 22 authorized agent or designee;
- 23 (8) Field representative means an individual qualified and trained

24 in the sanitary methods of production and handling of milk as set forth  
 25 in the Nebraska Milk Act and who is generally employed by a processing or  
 26 manufacturing milk plant or cooperative for the purpose of quality  
 1 control work;  
 2 (9) First purchaser means a person who purchases raw milk directly  
 3 from the farm for processing or for resale to a processor, who purchases  
 4 milk products or components of milk for processing or resale to a  
 5 processor, or who utilizes milk from the first purchaser's own farm for  
 6 the manufacturing of milk products or dairy products;  
 7 (10) Grade A Pasteurized Milk Ordinance means the documents  
 8 delineated in subsection (3) of section 2-3965;  
 9 (11) Milk for manufacturing purposes means milk produced for  
 10 processing and manufacturing into products not required by law to be of  
 11 Grade A quality;  
 12 (12) Milk distributor means a person who distributes milk, fluid  
 13 milk, milk products, or dairy products whether or not the milk is shipped  
 14 within or into the state. The term does not include (a) a milk plant, a  
 15 bulk milk hauler/sampler, or a milk producer, as such terms are defined  
 16 in the Grade A Pasteurized Milk Ordinance, or (b) a food establishment,  
 17 as defined in the Nebraska Pure Food Act, or (c) a private home not  
 18 included in the definition of a food establishment in section  
 19 81-2,245.01;  
 20 (13) Probational milk means milk classified undergrade for somatic  
 21 cells, bacterial content, or sediment content that may be accepted by  
 22 plants for specific time periods; and  
 23 (14) Reject milk means milk that does not qualify under sections  
 24 2-3979 to 2-3982.  
 25 Sec. 21. Section 81-2,245.01, Revised Statutes Cumulative  
 26 Supplement, 2022, is amended to read:  
 27 81-2,245.01 Food establishment shall mean an operation that stores,  
 28 prepares, packages, serves, sells, vends, delivers, or otherwise provides  
 29 food for human consumption. The term does not include:  
 30 (1) An establishment or vending machine operation that offers only  
 31 prepackaged soft drinks, carbonated or noncarbonated; canned or bottled  
 1 fruit and vegetable juices; prepackaged ice; candy; chewing gum; potato  
 2 or corn chips; pretzels; cheese puffs and curls; crackers; popped  
 3 popcorn; nuts and edible seeds; and cookies, cakes, pies, and other  
 4 pastries, that are not time/temperature control for safety foods;  
 5 (2) A produce stand that only offers whole, uncut fresh fruits and  
 6 vegetables;  
 7 (3) A food processing plant;  
 8 (4) A salvage operation;  
 9 (5) A private home where food is prepared or served for personal  
 10 use, a small day care in the home, or a hunting lodge, guest ranch, or  
 11 other operation where no more than ten paying guests eat meals in the  
 12 home;  
 13 (6) A private home or other area where food that is not  
 14 time/temperature control for safety food is prepared for sale or service  
 15 at a religious, charitable, or fraternal organization's bake sale or  
 16 similar function;  
 17 (7) A private home ~~or other area where a producer of food that meets~~  
 18 ~~the requirements of section 81-2,280 is not time/temperature control for~~  
 19 ~~safety food is prepared for sale directly to the consumer including, but~~  
 20 ~~not limited to, at a farmers market, fair, festival, craft show, or other~~  
 21 ~~public event or for pick up at or delivery from such private home; or~~  
 22 ~~other area, if:~~  
 23 ~~(a) The consumer is informed by a clearly visible notification that~~  
 24 ~~the food was prepared in a kitchen that is not subject to regulation and~~  
 25 ~~inspection by the regulatory authority and may contain allergens. For~~  
 26 ~~sales conducted at a farmers market, fair, festival, craft show, or other~~  
 27 ~~public event, such notification shall be at the sale location. For sales~~  
 28 ~~conducted for pick up at or delivery from a private home or other area,~~  
 29 ~~such notification shall be at such private home or other area, on the~~  
 30 ~~producer's website if one exists, and in any print, radio, television, or~~

31 Internet advertisement for such sales;

1 (b) The name and address of the producer is provided to the consumer  
2 on the package or container label;

3 (c) Product delivery is made directly from the producer to the  
4 actual customer in a person-to-person transaction or by United States  
5 mail or a commercial mail delivery service;

6 (d) The producer follows any food safety and handling guidelines for  
7 sale at a farmers market, fair, festival, craft show, or other public  
8 event required by the county, city, or village where the food is sold;

9 (e) Prior to conducting any food sales, the producer, other than one  
10 selling directly to the consumer at a farmers market, has successfully  
11 completed (i) a nationally accredited food safety and handling education  
12 course that covers topics such as food safety issues, regulations, and  
13 techniques to maintain a food-safe environment or (ii) a certified food

14 safety and handling training course offered at a culinary school or as  
15 required by a county, city, or village to obtain a food handler permit;

16 (f) The producer, if using private well water to produce food sold  
17 under this subdivision (7), has had such well water tested for  
18 contamination by nitrates or bacteria prior to conducting any food  
19 production and sales; and

20 (g) The producer complies with section 81-2,280;

21 (8) A private home or other area where food is prepared for  
22 distribution at a fundraising event for a charitable purpose if the  
23 consumer is informed by a clearly visible placard at the serving location  
24 that the food was prepared in a kitchen that is not subject to regulation  
25 and inspection by the regulatory authority. This subdivision does not  
26 apply to a caterer or other establishment providing food for the event if  
27 the caterer or establishment receives compensation for providing the  
28 food;

29 (9) The location where food prepared by a caterer is served so long  
30 as the caterer only minimally handles the food at the serving location;

31 (10) Educational institutions, health care facilities, nursing  
1 homes, and governmental organizations which are inspected by a state  
2 agency or a political subdivision other than the regulatory authority for  
3 sanitation in the food preparation areas;

4 (11) A pharmacy as defined in section 71-425 if the pharmacy only  
5 sells prepackaged pharmaceutical, medicinal, or health supplement foods  
6 that are not time/temperature control for safety or foods described in  
7 subdivision (1) of this section; and

8 (12) An establishment which is not a commercial food establishment  
9 and which sells only commercially packaged foods that are not  
10 time/temperature control for safety foods.

11 Sec. 31. Section 81-2,280, Revised Statutes Cumulative Supplement,  
12 2022, is amended to read:

13 81-2,280 (1) A producer of food at a private home as described in  
14 subdivision (7) of section 81-2,245.01 shall meet the requirements of  
15 this section.

16 (2) Such producer shall only provide food that is not adulterated  
17 and is not any of the following types of time/temperature control for  
18 safety food:

19 (a) Any part of an animal, vertebrate or invertebrate, or animal by-  
20 product;

21 (b) Fluid milk or milk products as defined in the Grade A  
22 Pasteurized Milk Ordinance adopted by reference in the Nebraska Milk Act;

23 (c) Raw eggs;

24 (d) Unpasteurized juice;

25 (e) Infused oils or honey;

26 (f) Sprouts;

27 (g) Low-acid canned food and hermetically sealed acidified food;

28 (h) Tofu, tempeh, or similar meat substitutes; or

29 (i) Kimchi, kombucha, or similar fermented foods.

30 (3) Prior to conducting any food sales, the producer, other than a  
31 producer selling food that is not time/temperature control for safety  
1 food directly to the consumer at a farmers market, shall successfully

2 complete:

3 (a) A nationally accredited food safety and handling education  
 4 course that covers topics such as food safety issues, regulations, and  
 5 techniques to maintain a food-safe environment;  
 6 (b) A certified food safety and handling training course offered at  
 7 a culinary school or as required by a county, city, or village to obtain  
 8 a food handler permit; or  
 9 (c) A food safety and handling education course approved by the  
 10 department.  
 11 (4) The producer shall register with the department prior to  
 12 conducting any sales of food. The registration shall be made on forms  
 13 prescribed by the department and include (a) (1) the name, address, and  
 14 telephone number of the producer, (b) (2) the type of food safety and  
 15 handling education or training course taken pursuant to subsection (3) of  
 16 this section and the date of its successful completion, and (c) (3) proof  
 17 of private well water testing for contamination by nitrate or bacteria if  
 18 the producer uses private well water pursuant to subdivision (7)(f) of  
 19 section 81-2,245.01, if applicable. This subsection shall not  
 20 apply to a producer of food that is not time/temperature control for  
 21 safety food selling directly to the consumer at a farmers market.  
 22 (5)(a) The producer shall inform the consumer by a clearly visible  
 23 notification that the food:  
 24 (i) Was prepared in a kitchen that is not subject to regulation and  
 25 inspection by a regulatory authority; and  
 26 (ii) May contain allergens.  
 27 (b) For sales conducted at a farmers market, fair, festival, craft  
 28 show, or other public event, such notification shall be provided at the  
 29 sale location.  
 30 (c) For sales conducted for pickup or delivery, such notification  
 31 shall be provided at the producer's private home, on the producer's  
 1 website, if such website exists, and in any print, radio, television, or  
 2 Internet advertisement for such sales.  
 3 (6) The producer shall label the food so that the name and address  
 4 of the producer is provided to the consumer on the package or container  
 5 label. Food that is time/temperature control for safety food shall also  
 6 have labeling that includes ingredients in descending order of  
 7 predominance.  
 8 (7)(a) Food that is not time/temperature control for safety food may  
 9 be delivered by United States mail or a commercial mail delivery service.  
 10 (b) Food that is time/temperature control for safety food shall be  
 11 delivered only by the producer to the consumer in person. When  
 12 transported, such food shall be maintained at a temperature in accordance  
 13 with the Nebraska Pure Food Act and not be transported for longer than  
 14 two hours.  
 15 (8) The provisions of this section supersede and preempt any  
 16 ordinance, rule, regulation, or resolution regulating food safety and  
 17 handling adopted or enacted by a political subdivision that is not in  
 18 conformance with this section.  
 19 2. Renumber the remaining sections and correct the repealer and  
 20 internal references accordingly.

The Brandt amendment was adopted with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

Senator Albrecht offered the following amendment:

[AM3042](#)

(Amendments to Standing Committee amendments, AM719)

1 1. Insert the following new section:  
 2 Sec. 12. Section 2-3804, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 2-3804 Agricultural product or commodity shall include all products  
 5 resulting from the conduct of farming or ranching activities, dairying,

6 beekeeping, aquaculture, insect production, poultry or egg production, or  
 7 comparable activities, and any byproducts resulting from such activities.  
 8 2. Renumber the remaining sections and correct the repealer and  
 9 internal references accordingly.

The Albrecht amendment was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 867.** [ER88](#), found on page 1025, was offered.

ER88 was adopted.

Senator Albrecht offered the following amendment:

[AM3054](#)

(Amendments to Standing Committee amendments, AM2767)

1 1. Insert the following new section:  
 2 Sec. 12. (1) No county, city, village, or other political  
 3 subdivision of the state shall enact or implement any ordinance, code,  
 4 resolution, rule, regulation, or policy that restricts, prohibits, or has  
 5 the effect of restricting or prohibiting the types or fuel sources of  
 6 energy that may be used, delivered, converted, or supplied by the  
 7 following entities to serve customers that such entities are authorized  
 8 to serve:  
 9 (a) A natural gas utility;  
 10 (b) A natural gas transmission company; or  
 11 (c) A retail marketer or dispenser of propane.  
 12 (2) This section does not apply to ordinances, codes, resolutions,  
 13 rules, regulations, or policies:  
 14 (a) Governing a natural gas utility owned or operated and directly  
 15 controlled by a city or village; or  
 16 (b) Regulating a retail marketer or dispenser of propane.  
 17 2. On page 18, line 18, strike "and 13" and insert "12, and 14".  
 18 3. Renumber the remaining sections accordingly.

The Albrecht amendment was adopted with 32 ayes, 0 nays, 8 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

## COMMITTEE REPORT(S)

Judiciary

**LEGISLATIVE BILL 1092.** Placed on General File with amendment.

[AM2585](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Sections 1 to 5 of this act shall be known and may be  
 4 cited as the Online Age Verification Liability Act.  
 5 Sec. 2. For purposes of the Online Age Verification Liability Act:  
 6 (1) Commercial entity includes a corporation, limited liability  
 7 company, partnership, limited partnership, sole proprietorship, or other  
 8 legally recognized entity;  
 9 (2) Digitized identification card means a data file that contains

10 all of the data elements visible on the face and back of a government-  
11 issued operator's license or identification card and displays the current  
12 status of the license or card;  
13 (3) Distribute means to issue, sell, give, provide, deliver,  
14 transfer, transmute, circulate, or disseminate by any means;  
15 (4) Internet utility means an Internet service provider, a search  
16 engine, or a cloud service provider or an affiliate or subsidiary of any  
17 such provider or search engine;  
18 (5) Material harmful to minors means any material to which all of  
19 the following apply:  
20 (a) The average person, applying contemporary community standards,  
21 would find, taking the material as a whole and with respect to its  
22 consumption by minors, that such material is designed to appeal to or  
23 pander to the prurient interest;  
24 (b) The material is patently offensive to prevailing standards in  
25 the adult community as a whole with respect to its consumption by minors;  
26 and  
27 (c) The material taken as a whole lacks serious literary, artistic,  
1 political, or scientific value for minors;  
2 (6) Minor means any person under eighteen years of age;  
3 (7) News-gathering organization means any of the following:  
4 (a) A newspaper, news publication, or news source, printed or on an  
5 online or mobile platform, of current news and public interest, or any  
6 employee of such organization while acting within the scope of employment  
7 for such organization; or  
8 (b) A radio broadcast station, television broadcast station, cable  
9 television operator, or wire service operator, or any employee of such  
10 organization while acting within the scope of employment for such  
11 organization;  
12 (8) Publish means to communicate or make information available to  
13 another person or entity on a publicly available Internet website;  
14 (9) Reasonable age verification method means a process to verify  
15 that the person attempting to access the material is at least eighteen  
16 years of age or older through the use of (i) a digitized identification  
17 card, including a digital copy of a driver's license, (ii) a government-  
18 issued identification, (iii) a financial document or other document that  
19 is a reliable proxy for age, or (iv) any commercially reasonable method  
20 that relies on public or private transactional data to verify the age of  
21 the person attempting to access the material; and  
22 (10) Transactional data means a sequence of information that  
23 documents an exchange, agreement, or transfer between an individual,  
24 commercial entity, or third-party used for the purpose of satisfying a  
25 request or event and includes records from mortgage, education, and  
26 employment entities.  
27 Sec. 3. (1) A commercial entity shall not knowingly and  
28 intentionally publish or distribute material harmful to minors on the  
29 Internet on a website that is used in the regular course of business to  
30 create, host, or make available such material unless the entity uses a  
31 reasonable age verification method to verify the age of an individual  
1 attempting to access the material.  
2 (2) A commercial entity or third party that performs an age  
3 verification required by this section shall not retain any identifying  
4 information of the individual after access has been granted to the  
5 material.  
6 Sec. 4. (1) A person aggrieved by a violation of section 3 of this  
7 act may bring a civil action against the commercial entity or third party  
8 which engaged in that violation to recover such relief as may be  
9 appropriate.  
10 (2) In an action under this section, appropriate relief includes:  
11 (a) Such preliminary and other equitable or declaratory relief as

12 may be appropriate;

13 (b) Damages under subsection (3) of this section; and

14 (c) At the discretion of the court, reasonable attorney's fees and

15 other litigation costs reasonably incurred.

16 (3)(a) A minor or a parent or guardian of such minor aggrieved by a

17 violation of subsection (1) of section 3 of this act may recover actual

18 damages caused by such violation.

19 (b) An individual whose information was retained in violation of

20 subsection (2) of section 3 of this act may recover actual damages caused

21 by such violation.

22 Sec. 5. (1) The Online Age Verification Liability Act shall not

23 apply to any news-gathering organization or any bona fide news or public

24 interest broadcast, website video, or report.

25 (2) An Internet utility does not violate the Online Age Verification

26 Liability Act solely by providing access or connection to or from a

27 website or other information or content on the Internet or a facility,

28 system, or network not under the Internet utility's control, including

29 transmitting, downloading, or storing data or providing access, to the

30 extent that such Internet utility is not responsible for the creation of

31 the content that constitutes material harmful to minors.

(Signed) Justin Wayne, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB137](#):  
[AM2970](#) is available in the Bill Room.

Senator Clements filed the following amendment to [LB1027](#):  
[FA295](#)

Amend AM2440 by striking Section 1.

Senator Bostelman filed the following amendment to [LB1031](#):  
[AM2893](#)

(Amendments to Standing Committee amendments, AM2780)

1 1. Strike section 6 and insert the following new section:

2 Sec. 6. Section 86-577, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 86-577 (1) For purposes of this section:

5 (a) Enforceable commitment means a binding legal agreement between

6 an Internet service provider and the federal government or this state by

7 which the Internet service provider receives a grant of federal or state

8 funds in exchange for the Internet service provider deploying broadband

9 service infrastructure to one or more unserved locations and that

10 includes administrative or other penalties if the Internet service

11 provider fails to meet the terms of such agreement; and

12 (b) Unserved location means a location, as determined in accordance

13 with the Nebraska location fabric broadband access map created by the

14 Nebraska Broadband Office pursuant to section 86-333, where:

15 (i) Broadband is not available by fiber-optic technology or cable

16 modem or hybrid fiber-coaxial technology at speeds of at least one

17 hundred megabits per second for downloading and at least twenty megabits

18 per second for uploading with a latency sufficient to support real-time,

19 interactive applications; and

20 (ii) No Internet service provider has an enforceable commitment to

21 make broadband service available at speeds of at least one hundred

22 megabits per second for downloading and at least twenty megabits per



23 second for uploading with a latency sufficient to support real-time,  
24 interactive applications.

25 (a) ~~Served location means a location receiving, or at the time the~~  
26 ~~lease is filed with the Public Service Commission able to receive,~~  
1 ~~communications service at a minimum download speed of twenty-five~~  
2 ~~megabits per second and a minimum upload speed of three megabits per~~  
3 ~~second or higher speeds, as determined by the Public Service Commission;~~  
4 ~~and~~

5 (b) ~~Unserved location means a location not receiving, and at the~~  
6 ~~time the lease is filed with the Public Service Commission not able to~~  
7 ~~receive, communications service at a minimum download speed of twenty-~~  
8 ~~five megabits per second and a minimum upload speed of three megabits per~~  
9 ~~second or higher speeds, as determined by the Public Service Commission.~~

10 (2) Any agency or political subdivision of the state may lease or  
11 license its dark fiber and related infrastructure under such terms as  
12 determined by such agency or political subdivision pursuant to its duly  
13 adopted and promulgated rules and regulations, issued orders, written  
14 policies, enacted ordinances, or adopted resolutions if:

15 (a) The lessee or licensee is a certificated telecommunications  
16 common carrier or a permitted telecommunications contract carrier  
17 pursuant to section 86-128 or an Internet service provider;

18 (b) The lease or license terms are fair, reasonable, and  
19 nondiscriminatory; ~~and~~

20 (c) All locations where service will be made available pursuant to  
21 the lease or license are, at the time the lease or license is filed  
22 pursuant to subsection (3) of this section, unserved locations; and

23 (d) (e) The lease or license complies with this section.

24 (3)(a) Before a lease or license of dark fiber under this section  
25 becomes effective, it shall be filed by the lessee or licensee with the  
26 commission, ~~and the which shall expeditiously cause notice of the lease,~~  
27 ~~including lease rates, to be published.~~ (b)(i) ~~The lease or license shall~~  
28 ~~become effective upon such filing. The lease or license rate shall be~~  
29 ~~within or above the safe harbor range of market rates established~~  
30 ~~pursuant to subdivision (4)(a) of this section fourteen business days~~  
31 ~~after the date of the published notice unless a protest is filed with the~~  
1 ~~commission, in which event the commission shall consider the lease as a~~  
2 ~~contested matter and consider the contested lease according to the~~  
3 ~~commission's rules of procedure.~~

4 (b) Within five days after a lease or license is filed, the  
5 commission shall provide notice of the lease or license to all Internet  
6 service providers providing service in the counties where any unserved  
7 locations subject to the lease or license are located.

8 (c) Any Internet service provider may challenge a lease or license  
9 filed with the commission pursuant to this subsection alleging that such  
10 lease or license does not serve an unserved location in violation of  
11 subdivision (2)(c) of this section. A provider shall file such challenge  
12 with the commission within thirty days after receipt of the notice  
13 described in subdivision (b) of this subsection. The commission shall  
14 make a determination regarding such alleged violation within thirty days  
15 after the challenge is filed.

16 (d) If an Internet service provider files a challenge under  
17 subdivision (c) of this subsection alleging that a location is not an  
18 unserved location and the commission finds that it is an unserved  
19 location, the Internet service provider filing such challenge may be  
20 prohibited from filing any other challenge pursuant to subdivision (c) of  
21 this subsection for a period of two years from the date such challenge  
22 was filed.

23 (ii) ~~If the allocation of served location and unserved location in~~  
24 ~~the lease is contested, the commission shall determine such allocation~~  
25 ~~under the lease as a contested matter and consider the contested lease~~

26 according to the commission's rules of procedure.

27 ~~(4)(a) (4) For the lease or license of dark fiber under this~~  
 28 ~~section, the~~ ~~(a) The~~ commission shall establish a safe harbor range of  
 29 market rates for all dark fiber leases or licenses using a competitive  
 30 price determination comparison. When conducting a competitive price  
 31 determination comparison, the commission, in its discretion, shall use  
 1 rate schedules, interconnection agreements, or other documents within its  
 2 regulatory oversight and shall gather other market rate information as  
 3 deemed necessary. If a lease or license utilizes rates within or above  
 4 the safe harbor range, such rates shall be deemed approved. ~~Any other~~  
 5 ~~term of the lease may be contested pursuant to subdivision (3)(b) of this~~  
 6 ~~section; and~~

7 (b) ~~Revenue obtained by any agency or political subdivision from the~~  
 8 ~~lease or license of dark fiber under this section shall only be used for~~  
 9 ~~billing, construction, operation, and maintenance costs associated with~~  
 10 ~~the lease or license of such dark fiber or for any existing dark fiber or~~  
 11 ~~fiber-related infrastructure.~~

12 (c) ~~Revenue obtained by any agency or political subdivision from the~~  
 13 ~~sale or delivery of electricity shall not be used for billing,~~  
 14 ~~construction, operation, or maintenance costs associated with the lease~~  
 15 ~~or license of dark fiber under this section.~~

16 ~~Fifty percent of the profit earned by the agency or political~~  
 17 ~~subdivision under a lease of dark fiber leased to serve a served location~~  
 18 ~~shall be remitted to the State Treasurer for credit to the Nebraska~~  
 19 ~~Telecommunications Universal Service Fund. For purposes of this~~  
 20 ~~subdivision, profit earned by the agency or political subdivision means~~  
 21 ~~the lease price less the cost of infrastructure deployment. This~~  
 22 ~~subdivision does not apply to a lease or portion of a lease of dark fiber~~  
 23 ~~leased to exclusively serve unserved locations.~~

24 (5)(a) ~~If a dispute arises between an Internet service provider~~  
 25 ~~claiming an enforceable commitment for a location and an Internet service~~  
 26 ~~provider seeking to utilize a dark fiber lease or license to serve such~~  
 27 ~~location, either party may file a request with the state entity with~~  
 28 ~~which there is an enforceable commitment to verify the enforceable~~  
 29 ~~commitment. Upon the filing of the request, such state entity shall~~  
 30 ~~require, and the Internet service provider claiming the enforceable~~  
 31 ~~commitment shall provide, documentation related to the enforceable~~  
 1 ~~commitment. The state entity shall review the documentation and make a~~  
 2 ~~finding as to the Internet service provider's compliance with the~~  
 3 ~~enforceable commitment and the reasonable likelihood of meeting its~~  
 4 ~~deployment obligations under the enforceable commitment. All~~  
 5 ~~documentation submitted to the state entity under this subdivision shall~~  
 6 ~~be deemed confidential and not subject to public disclosure pursuant to~~  
 7 ~~sections 84-712 to 84-712.09.~~

8 (b) ~~There is no enforceable commitment and a location is considered~~  
 9 ~~an unserved location when:~~

10 (i) ~~A grant of federal or state funds is forfeited by the Internet~~  
 11 ~~service provider for such location;~~

12 (ii) ~~The Internet service provider is disqualified by the granting~~  
 13 ~~governmental entity from receiving a grant of federal or state funds to~~  
 14 ~~deploy broadband service infrastructure to such location; or~~

15 (iii) ~~After reviewing documentation submitted pursuant to this~~  
 16 ~~subsection, the state entity verifying the enforceable commitment finds~~  
 17 ~~that the Internet service provider is not in compliance with the~~  
 18 ~~enforceable commitment or will fail to meet the terms of the enforceable~~  
 19 ~~commitment for such location.~~

20 (5) ~~The lessee shall make every reasonable effort to activate the~~  
 21 ~~maximum amount of the leased fiber as is possible, within one year after~~  
 22 ~~entering into the lease, unless good cause is shown.~~

**MOTION(S) - Print in Journal**

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

[MO1263](#)

Indefinitely postpone.

Senator Clements filed the following motion to [LB1027](#):

[MO1266](#)

Bracket until April 11, 2024.

Senator Clements filed the following motion to [LB1027](#):

[MO1267](#)

Indefinitely postpone.

Senator Clements filed the following motion to [LB1027](#):

[MO1268](#)

Recommit to the Education Committee.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 330.** Introduced by Erdman, 47.

WHEREAS, Bridgeport Public Schools is one of only two schools in the State of Nebraska to be formally recognized and honored by Nebraskans for the Arts in 2024 for its outstanding and high quality arts education programs for all kindergarten through twelfth grade students, including general music, vocal music, instrumental music, visual arts, speech, theater, and digital media arts; and

WHEREAS, the Bridgeport Public Schools' vocal music program has earned gold ratings in choir competitions, gold in show choir competitions, superior ratings and consistent Outstanding Performance awards at the District Music Contest, and students are regularly selected for All-State Chorus and honor choirs; and

WHEREAS, the Bridgeport Public Schools' instrumental music program promotes the sixth grade pep band for character assemblies, performs in Class C All-State selections, and has earned superior ratings at the District Music Contest; and

WHEREAS, the Bridgeport Public Schools' kindergarten through sixth grade music department has implemented a new ukulele program; and

WHEREAS, the Bridgeport Public Schools' visual arts program has been a consistent category winner at multiple art display shows including: The West Nebraska Art Center's Visionaries show and the Western Nebraska Community College show; and

WHEREAS, the Bridgeport Public Schools' speech team has been consistent meet champions including at the Western Trails Conference, and most of the team's members competed at the Nebraska School Activities Association's State championships in 2023; and

WHEREAS, the Bridgeport Public Schools' theater program has been a consistent conference champion and for many years has qualified for the

Nebraska School Activities Association's State championships for Play Production; and

WHEREAS, Bridgeport Public Schools continues to fund the Missoula Children's Theater for students in kindergarten through eighth grade, which is an annual highlight in the community; and

WHEREAS, the Bridgeport Public Schools' digital marketing program has created professional-level sports reels for the school district's website and streaming platform as well as commercials shown at games; and

WHEREAS, Bridgeport Public Schools' outstanding arts and music education programs deserve honor and recognition for the support they give students and families in education.

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

1. That the Legislature celebrates the outstanding achievements in the fine arts and in the performing arts of the students of the Bridgeport Public Schools.

2. That copies of this resolution be sent to George Schlothauer, Superintendent of the Bridgeport Public Schools; Jason Blanco, Principal of the Bridgeport High School; James Simmons, Principal of the Bridgeport Elementary School; and Dr. Lance Nielsen, Executive Director of Nebraskans for the Arts.

Laid over.

#### **WITHDRAW - Cointroducer(s)**

Senator Brewer name withdrawn from LB951.

#### **VISITOR(S)**

Visitors to the Chamber were Reagan McIntosh, Syracuse; students from Mitchell Elementary, Mitchell; students, teachers, and sponsor from Umo<sup>o</sup>ho<sup>n</sup> (Omaha) Nation Public School, Macy; Issaih Rauert and Donella Sweazy, Kennard; students and teachers from Omaha Christian Academy, Omaha; Jan Bostelman; members of Spaces of Democracy from Creighton University.

The Doctor of the Day was Dr. Lane Handke of Pierce.

#### **ADJOURNMENT**

At 3:28 p.m., on a motion by Senator Hardin, the Legislature adjourned until 10:00 a.m., Monday, March 18, 2024.

Brandon Metzler  
Clerk of the Legislature

**FORTY-FIFTH DAY - MARCH 18, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, March 18, 2024

**PRAYER**

The prayer was offered by Father Brian Kane, Saint Gregory the Great Seminary, Seward.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Jacobson.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator Dorn presiding.

The roll was called and all members were present except Senators Kauth and Slama who were excused; and Senators Bostar, Conrad, Day, DeBoer, Dover, Riepe, Sanders, Vargas, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-fourth day was approved.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 15, 2024, at 3:45 p.m. were the following: LBs 61, 198e, 304, 771e, 771Ae, 844, 895, 938, and 1104e.

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

**COMMITTEE REPORT(S)**

Judiciary

**Judiciary Committee  
Executive Session Report  
February 13, 2024**



(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

\*Failed\*

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4. LB 7 (Blood) - Provide a statute of limitations for exposure to hazardous or toxic chemicals

Motion: To advance LB 7 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

\*Failed\*

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5. AM2854

Motion: To adopt AM 2854 to LB 18

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

- o LB 18 (Wayne) - Provide for motions for new trial based on newly discovered evidence

**No Vote (Due to AM2854 failed vote)**

\*Failed\*

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6. AM1469

Motion: To adopt AM 1469 to LB 42

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV								
Absent	X							

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>  
 (Absent = Senator Blood)<sup>1</sup>

- o LB 42 (Hansen, B.) - Change provisions relating to child abuse and neglect under the Child Protection and Family Safety Act and the Nebraska Juvenile Code

**No Vote (Due to AM1469 failed vote)**

\*Failed\*

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7. AM203

Motion: To adopt AM203 to LB 89

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X			X	X		
PNV								
Absent				X				

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, Holdcroft & Ibach)<sup>3</sup>  
 (Absent = Senator DeKay)<sup>1</sup>

- o LB 89 (Hunt) - Repeal provisions stating that surrogate parenthood contracts are void and unenforceable

**No Vote (Due to AM203 failed vote)**

\*Failed\*

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8. LB 341 (Halloran) - Adopt the State and Political Subdivisions Child Sexual Abuse Liability Act and exempt actions from the State Tort Claims Act and Political Subdivisions Tort Claims Act

Motion: To advance LB 341 to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney



	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV	X							
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>  
 (Present Not Voting = Senator Blood)<sup>1</sup>

**\*Failed\***

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9. LB 1109 (Riepe) - Provide an exception under the Preborn Child Protection Act to allow an abortion after twelve weeks in the case of a fatal fetal anomaly and change and eliminate certain penalty provisions relating to abortions

Motion: To advance LB 1109 to general file  
 Motion Made By: Sen. McKinney  
 Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No				X	X			
PNV	X	X				X		
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>  
 (No= Senators DeKay & Holdcroft)<sup>2</sup>  
 (Present Not Voting = Senator Blood, Bosn & Ibach)<sup>3</sup>

**\*Failed\***

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10. LR277CA (Sanders) - Constitutional amendment to require the Legislature to enact laws providing for life imprisonment for sex or labor trafficking of a minor and certain sex offenses involving minors

Motion: To indefinitely postpone LR277CA  
 Motion Made By: Sen. Blood  
 Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X						X	X
No		X		X	X	X		
PNV			X					
Absent								

(Yes= Senators Blood, McKinney & Wayne)<sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Present Not Voting = Senator DeBoer)<sup>1</sup>

**\*Failed\***

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11. LB 19 (Wayne) - Change dollar amount thresholds for criminal penalty classifications

Motion: To advance LB 19 to general file

Motion Made By: Sen. Blood

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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12. LB 22 (Wayne) - Decriminalize use and possession of marijuana

Motion: To advance LB 22 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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13. LB 60 (Cavanaugh, J.) - Change provisions relating to room confinement of juveniles and required reports

Motion: To advance LB 60 to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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14. LB 163 (McKinney) - Provide for various reforms to jails and prisons, provide certain protections for prisoners, prohibit construction or expansion of prisons and jails as prescribed, and provide for oversight of the Department of Correctional Services during an overcrowding emergency by the Judiciary Committee

Motion: To advance LB 163 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV								
Absent	X							

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Absent= Senator Blood)<sup>1</sup>

**\*Failed\***

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15. LB 169 (Hunt) - Prohibit discrimination based upon sexual orientation and gender identity

Motion: To advance LB 169 to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV								
Absent	X							

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Absent= Senator Blood)<sup>1</sup>

**\*Failed\***

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16. LB 182 (Cavanaugh, J.) - Change requirements for a report by the Supreme Court on eviction proceedings and change requirements for complaints for restitution of premises

Motion: To advance LB 182 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV								
Absent	X							

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Absent= Senator Blood)<sup>1</sup>

**\*Failed\***

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17. LB 187 (Cavanaugh, J.) - Require appointment of counsel for tenants in eviction proceedings in counties containing a city of the metropolitan class or primary class

Motion: To advance LB 187 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes							X	X
No		X		X	X	X		
PNV			X					
Absent	X							

(Yes= Senators McKinney & Wayne)<sup>2</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Present Not Voting= Senator DeBoer)<sup>1</sup>

(Absent= Senator Blood)<sup>1</sup>

**\*Failed\***

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18. LB 248 (Vargas) - Prohibit discrimination based on lawful source of income under the Nebraska Fair Housing Act and create the Landlord Guarantee Program

Motion: To advance LB 248 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV								
Absent	X							

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>  
 (Absent= Senator Blood)<sup>1</sup>

\*Failed\*

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19. AM2039

Motion: To adopt AM2039 to LB 271

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

- o LB 271 (McKinney) - Change reporting requirements for child abuse and neglect

**No Vote (Due to AM2039 failed vote)**

\*Failed\*

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20. AM2785

Motion: To adopt AM2785 to LB284

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes							X	X
No	X	X		X	X	X		
PNV			X					
Absent								

(Yes= Senators McKinney & Wayne)<sup>2</sup>  
 (No= Senators Blood, Bosn, DeKay, Holdcroft & Ibach)<sup>5</sup>  
 (Present Not Voting= Senator DeBoer)<sup>1</sup>

- o LB 284 (McKinney) - Adopt the Municipal Police Oversight Act, require maintenance of Brady and Giglio lists, restrict usage of no-knock warrants, prohibit collection of data on gang membership, require a bachelor's degree for law enforcement certification, change requirements on law enforcement records, and

eliminate the offense of unlawful membership recruitment into an organization

**No Vote (Due to AM2785 failed vote)**

**\*Failed\***

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- 21. LB 788 (Wayne) - Designate the Nebraska State Patrol as the agency to investigate criminal activity within Department of Correctional Services correctional facilities

Motion: To advance LB 788 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X						X	X
No		X		X	X	X		
PNV			X					
Absent								

(Yes= Senators Blood, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Present Not Voting= Senator DeBoer)<sup>1</sup>

**\*Failed\***

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- 22. LB 135 (Cavanaugh, J.) - Prohibit use of deception by peace officers in questioning juveniles

Motion: To advance LB 135 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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- 23. LB 846 (Hunt) - Adopt the Bed Bug Detection and Treatment Act

Motion: To advance LB 846 to general file (without the amendment)

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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24. AM2315

Motion: To adopt AM2315 to LB 846

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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25. LB 916 (Brewer) - Adopt the Controlled Substance Offenses Forfeiture Act and change provisions relating to forfeiture

Motion: To advance LB 916 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes		X	X				X	X
No	X	X		X	X	X		
PNV								
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Blood, Bosn, DeKay, Holdcroft & Ibach)<sup>5</sup>

**\*Failed\***

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26. LB 919 (McKinney) - Require the demolition of the Nebraska State Penitentiary

Motion: To advance LB 919 to general file

Motion Made By: Sen. McKinney  
 Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes							X	X
No		X		X	X	X		
PNV	X		X					
Absent								

(Yes= Senators McKinney & Wayne)<sup>2</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>  
 (Present Not Voting= Senators Blood & DeBoer)<sup>2</sup>

\*Failed\*

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- 27. LB 922 (McKinney) - Adopt the Parolee and Probationer Business Empowerment Act

Motion: To advance LB 922 to general file

Motion Made By: Sen. DeBoer  
 Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No				X	X	X		
PNV		X						
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators DeKay, Holdcroft & Ibach)<sup>3</sup>  
 (Present Not Voting= Senator Bosn)<sup>1</sup>

\*Failed\*

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- 28. LB 928 (Fredrickson) - Provide for the appointment of a mental health director for the Department of Correctional Services

Motion: To advance to LB 928 to general file

Motion Made By: Sen. Blood  
 Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No				X	X	X		
PNV		X						
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators DeKay, Holdcroft & Ibach)<sup>3</sup>  
 (Present Not Voting= Senator Bosn)<sup>1</sup>

\*Failed\*

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29. LB 980 (McKinney) - Change provisions relating to persons present when the death penalty is carried out

Motion: To advance LB 980 to general file

Motion Made By: Sen. Wayne

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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30. LB 983 (Cavanaugh, J.) - Provide for duties and procedures relating to plea agreements and sentencing

Motion: To advance LB 983 to general file

Motion Made By: Sen. Wayne

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X						X	X
No		X	X	X	X	X		
PNV								
Absent								

(Yes= Senators Blood, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeBoer, DeKay, Holdcroft & Ibach)<sup>5</sup>

**\*Failed\***

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31. LB 996 (Wayne) - Provide for the Department of Correctional Services to operate the county jails

Motion: To advance LB 996 to general file

Motion Made By: Sen. Wayne

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No	X	X		X	X	X		
PNV								
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Blood, Bosn, DeKay, Holdcroft & Ibach)<sup>5</sup>

**\*Failed\***

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32. LB 1044 (McKinney) - Create a task force to study reparations for slavery and change permitted uses of a tax imposed on marijuana

Motion: To advance LB 1044 to general file

Motion Made By: Sen. Wayne

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV	X							
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Present Not Voting= Senator Blood)<sup>1</sup>

**\*Failed\***

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33. LB 1045 (Cavanaugh, J.) - Prohibit use of peremptory challenges against jurors based on membership in certain groups

Motion: To advance LB 1045 to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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34. LB 1071 (Dungan) - Protect free speech rights of student journalists and student media advisers

Motion: To advance LB 1071 to general file

Motion Made By: Sen. Blood

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
Pass								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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35. LB 1119 (Dungan) - Provide restrictions on regulation by homeowner's associations and similar associations of solar energy and wind energy devices and provide for a civil cause of action

Motion: To advance LB 1119 to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. Blood

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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36. LB 1123 (Dungan) - Provide for postconviction relief for a claim of actual innocence and for exceptions from time limitations and procedural defaults

Motion: To advance LB 1123 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Blood

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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37. LB 1157 (McKinney) - Require hearings regarding juveniles in detention in certain counties and require payment of certain costs by the Office of Probation Administration

Motion: To advance LB 1157 to general file

Motion Made By: Sen. Wayne

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

**\*Failed\***

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**Judiciary Committee  
Executive Session Report  
March 6, 2024**

38. LB 1366 (Cavanaugh, J.) - Change provisions relating to the use of eminent domain

Motion: To advance LB 1366 to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. Wayne

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV	X							
Absent								

(Yes= Senators DeBoer, McKinney & Wayne)<sup>3</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

(Present Not Voting= Senator Blood)<sup>1</sup>

**\*Failed\***

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39. LR17CA (McKinney) - Constitutional amendment to prohibit the death penalty

Motion: To advance LR17CA to general file

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV	X							
Absent								

(Yes= Senators DeBoer, McKinney & Wayne) <sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>  
 (Present Not Voting= Senator Blood) <sup>1</sup>

\*Failed\*

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40. LR26CA (Day) - Constitutional amendment to remove provisions regarding marriage from the Constitution of Nebraska

Motion: To advance LR26CA to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

\*Failed\*

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41. LR27CA (McKinney) - Constitutional amendment to change provisions relating to pardons and the Board of Pardons and to create the Board of Commutation

Motion: To advance LR27CA to general file

Motion Made By: Sen. McKinney

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes			X				X	X
No		X		X	X	X		
PNV	X							
Absent								

(Yes= Senators DeBoer, McKinney & Wayne) <sup>3</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>  
 (Present Not Voting= Senator Blood) <sup>1</sup>

\*Failed\*

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42. LR280CA (Wayne) - Constitutional amendment to remove the Attorney General and the Secretary of State from the Board of Pardons

Motion: To advance LR280CA to general file

Motion Made By: Sen. Blood

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

**\*Failed\***

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43. AM410

Motion: To adopt AM410 to LB 557

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X		X		X	X
No		X		X		X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, Holdcroft, McKinney & Wayne) <sup>5</sup>

(No= Senators Bosn, DeKay & Ibach) <sup>3</sup>

- o LB 557 (Vargas) - Limit use of restrictive housing and solitary confinement

Motion: To advance LB 557 as amended to general file

Motion Made By: Sen. Blood

Seconded By: Sen. DeBoer

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>

(No= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>

**\*Failed\***

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44. AM2771

Motion: To adopt AM2771 to LB 1195

Motion Made By: Sen. DeBoer

Seconded By: Sen. McKinney

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X		X				X	X
No		X		X	X	X		
PNV								
Absent								

(Yes= Senators Blood, DeBoer, McKinney & Wayne)<sup>4</sup>  
 (No= Senators Bosn, DeKay, Holdcroft & Ibach)<sup>4</sup>

- LB 1195 (Conrad) - Change provisions relating to county attorneys, public defenders, and loan repayments for attorneys practicing in certain rural areas

**No Vote (Due to AM2771 failed vote)**

\*Failed\*

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45. AM2872

Motion: To adopt AM2872 to LB 162

Motion Made By: Sen. Bosn

Seconded By: Sen. DeKay

	Blood	Bosn	DeBoer	DeKay	Holdercroft	Ibach	McKinney	Wayne
Yes	X	X	X	X	X	X		X
No							X	
PNV								
Absent								

(Yes= Senators Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach & Wayne)<sup>7</sup>  
 (No= Senator McKinney)<sup>1</sup>

- LB 162 (McDonnell) - Prohibit tampering with electronic monitoring devices required by court order or as a condition of parole

Motion: To advance LB 162 as amended to general file

Motion Made By: Sen. Holdcroft

Seconded By: Sen. DeKay

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes		X		X	X	X		
No	X		X				X	X
PNV								
Absent								

(Yes= Senators Bosn, DeKay, Holdcroft & Ibach) <sup>4</sup>  
 (No= Senators Blood, DeBoer, McKinney & Wayne) <sup>4</sup>

\*Failed\*

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46. LB 371 (Murman) - Prohibit an individual under nineteen years of age or under twenty-one years of age from being present at a drag show as prescribed present at a drag show as prescribed

Motion: To advance LB 371 to general file

Motion Made By: Sen. DeKay

Seconded By: Sen. Holdcroft

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes				X				
No	X	X	X				X	X
PNV					X	X		
Absent								

(Yes= Senator DeKay) <sup>1</sup>  
 (No= Senators Blood, Bosn, DeBoer, McKinney & Wayne) <sup>5</sup>  
 (Present Not Voting= Senators Holdcroft & Ibach) <sup>2</sup>

\*Failed\*

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47. AM2585

Motion: To adopt AM2585 to LB 1092

Motion Made By: Sen. Dekay

Seconded By: Sen. Holdcroft

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes	X	X	X	X	X	X		X
No							X	
PNV								
Absent								

(Yes= Senators Blood, Bosn, DeBoer, DeKay, Holdcroft, Ibach & Wayne) <sup>7</sup>  
 (No= Senator McKinney) <sup>1</sup>

- LB 1092 (Murman) - Adopt the Online Age Verification Liability Act



Motion: To advance LB 1092 as amended to general file  
 Motion Made By: Sen. Dekay  
 Seconded By: Sen. Holdcroft

	Blood	Bosn	DeBoer	DeKay	Holdcroft	Ibach	McKinney	Wayne
Yes				X				X
No	X						X	
PNV		X	X		X	X		
Absent								

(Yes= Senators DeKay & Wayne) <sup>2</sup>

(No= Senators Blood & McKinney) <sup>2</sup>

(Present Not Voting= Senators Bosn, DeBoer, Holdcroft & Ibach) <sup>4</sup>

\*Failed\*

(Signed) Angenita Pierre-Louis, Committee Clerk

(Signed) Justin Wayne, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 137.** [ER72](#), found on page 893, was offered.

ER72 was adopted.

Senator M. Cavanaugh offered [MO1230](#), found on page 905, to bracket until April 11, 2024.

The M. Cavanaugh motion to bracket failed with 3 ayes, 23 nays, 14 present and not voting, and 9 excused and not voting.

Senator Bosn asked unanimous consent to withdraw [FA231](#), found on page 871, and replace it with substitute amendment, [AM2828](#), found on page 935.

Senator Wayne objected.

Senator Bosn offered the following motion:

[MO1269](#)

Withdraw FA231 and substitute AM2828.

Pending.

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 341.** Placed on General File.

**LEGISLATIVE BILL 974.** Placed on General File.

**LEGISLATIVE BILL 1096.** Placed on General File with amendment.[AM2741](#)

1 1. On page 5, line 13, after "distributes," insert "monetizes,  
 2 promotes,"; after line 27 insert the following new subdivision:  
 3 "(C) Promote means to use any mechanism or publication, or take any  
 4 action, that suggests, highlights, advertises, markets, curates,  
 5 backlinks, hashtags, or otherwise directs, attempts to direct, or  
 6 encourages traffic toward specific materials, including acts carried out  
 7 affirmatively, through automation, algorithmically, and via other  
 8 technical means both known and unknown at this time;"; and in line 28  
 9 strike "(C)" and insert "(D)".  
 10 2. On page 6, line 1, strike "(D)" and insert "(E)"; in line 2,  
 11 strike "(E)" and insert "(F)"; and in line 4, strike "(F)" and insert  
 12 "(G)".

(Signed) Justin Wayne, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Hardin filed the following amendment to [LB1120](#):

[AM3029](#)

(Amendments to E and R amendments, ER82)

1 1. On page 1, line 20, after the period insert "A violation of this  
 2 section shall not make any title or interest in land invalid or  
 3 unmarketable.".

Senator Lippincott filed the following amendment to [LB52A](#):

[AM3048](#)

(Amendments to Final Reading copy)

1 1. Strike the original section and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$152,793 from the  
 4 General Fund for FY2023-24 and (2) \$152,793 from the General Fund for  
 5 FY2024-25 to the Military Department, for Program 548, to aid in carrying  
 6 out the provisions of Legislative Bill 52, One Hundred Eighth  
 7 Legislature, Second Session, 2024.  
 8 There is included in the appropriation to this program for FY2023-24  
 9 \$152,793 General Funds for state aid, which shall only be used for such  
 10 purpose. There is included in the appropriation to this program for  
 11 FY2024-25 \$152,793 General Funds for state aid, which shall only be used  
 12 for such purpose.  
 13 No expenditures for permanent and temporary salaries and per diems  
 14 for state employees shall be made from funds appropriated in this  
 15 section.  
 16 Sec. 2. Since an emergency exists, this act takes effect when  
 17 passed and approved according to law.  
 18 2. On page 1, line 3, after "2024" insert "; and to declare an  
 19 emergency".

Senator McKinney filed the following amendment to [LB1413](#):

[AM3069](#)

(Amendments to Standing Committee amendments, AM2698)

1 1. On page 2, line 6, strike "\$20,000,000" and insert "\$12,500,000";  
 2 and in line 11 strike "\$5,000,000" and insert "\$12,500,000".

**VISITOR(S)**

Visitors to the Chamber were students from Gretna Elementary, Gretna; students and teachers from St. Joseph School, Lincoln.

**RECESS**

At 11:58 a.m., on a motion by Senator Day, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator DeBoer presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Kauth who was excused; and Senators Bostar, Bostelman, Conrad, Day, Fredrickson, Sanders, and Slama who were excused until they arrive.

**MESSAGE(S) FROM THE GOVERNOR**

March 13, 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 individuals are being reappointed as members of the Board of Public Roads Classifications and Standards:

Roger Figard, 8960 Sandhill Court, Lincoln, NE 68526, Municipal  
representative over 50,000  
Russell L Kreachbaum Jr, 2077 P Road, Central City, NE 68826, County  
representative - Class 2  
Steven Rames, 1900 Claycomb Road, Wayne, NE 68787, Municipal  
representative 2,500-50,000

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Ahern, Matt - Health Information Technology Board - Health and Human Services  
 Barger, Carleen - State Board of Health - Health and Human Services  
 Feller, Helen Abbott - State Racing and Gaming Commission - General Affairs  
 Hartman, Spencer - Commission of Industrial Relations - Business and Labor  
 Leckband, Paul - Nebraska Commission on Problem Gambling - General Affairs  
 Lindau, Brett - State Board of Health - Health and Human Services  
 Masek, Brenda R. - Nebraska Brand Committee - Agriculture  
 Mohrman, Larry - Nebraska Natural Resources Commission - Natural Resources  
 Petersen, Connie Lynn - State Board of Health - Health and Human Services  
 Shadle, John - Nebraska Natural Resources Commission - Natural Resources  
 Volnek, Dan - Nebraska Commission on Problem Gambling - General Affairs  
 Wienke, Jeffrey, Jr. - State Board of Health - Health and Human Services  
 Zohner, Todd - Nebraska Commission on Problem Gambling - General A

(Signed) Raymond Aguilar, Chairperson  
 Executive Board

**ANNOUNCEMENT**

Speaker Arch requested LB137 be passed over on Select File.

**SELECT FILE**

**LEGISLATIVE BILL 1313.** Senator Dover offered the following amendment:

**AM3077**

1 1. Strike the original section and insert the following new section:  
 2 Section 1. (1) A health benefit plan is not insurance and except as  
 3 provided in this section is not subject to any law regarding insurance  
 4 if:  
 5 (a) The health benefit plan provides health benefits under a self-  
 6 funded arrangement administered by an entity licensed as a third-party  
 7 administrator under the Third-Party Administrator Act; and  
 8 (b) The health benefit plan is sponsored by a nonprofit agricultural  
 9 organization or an affiliate of a nonprofit agricultural organization  
 10 that:  
 11 (i) Is domiciled in this state;  
 12 (ii) Was created primarily to promote programs for the development  
 13 of rural communities and the economic stability and sustainability of  
 14 farmers in this state pursuant to its articles of incorporation;

15 (iii) Provides membership opportunities for eligible persons in each  
16 county of this state;  
17 (iv) Collects annual dues from its members;  
18 (v) Holds regular meetings to further the purposes of its members;  
19 (vi) Provides its members with representation on its governing board  
20 and any committees of such board; and  
21 (vii) Contracts with the third-party administrator described in  
22 subdivision (a) of this subsection for administration of the health  
23 benefit plan.  
24 (2) Before providing health benefits under a self-funded plan, an  
25 organization shall file a certification with the Department of Insurance  
26 verifying that the organization meets the requirements of this section.  
27 Such certification shall be filed at a time and in a manner prescribed by  
1 the Department of Insurance.  
2 (3) The risk assumed by a health benefit plan under health care  
3 benefit coverage under this section may be reinsured by a company  
4 authorized to do business in this state.  
5 (4) Any health benefit plan application for coverage and any  
6 contract provided to a member shall prominently state the following:  
7 (a) The health benefit plan is not insurance;  
8 (b) The health benefit plan is not provided by an insurance company;  
9 (c) The health benefit plan is not subject to the laws and rules  
10 governing insurance; and  
11 (d) The health benefit plan is not subject to the jurisdiction of  
12 the Department of Insurance.

The Dover amendment was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1004.** [ER80](#), found on page 1025, was offered.

ER80 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 894.** [ER83](#), found on page 984, was offered.

ER83 was adopted.

Senator Ibach offered [AM2927](#), found on page 986.

Senator Wayne moved for a call of the house. The motion prevailed with 30 ayes, 4 nays, and 15 not voting.

The Ibach amendment was adopted with 25 ayes, 11 nays, 9 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 906.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 607.** [ER81](#), found on page 999, was offered.

ER81 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 839.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 834.** Advanced to Enrollment and Review for Engrossment.

#### GENERAL FILE

**LEGISLATIVE BILL 1393.** Title read. Considered.

#### SPEAKER ARCH PRESIDING

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

#### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 358A.** Placed on Final Reading.

**LEGISLATIVE BILL 685A.** Placed on Final Reading.

**LEGISLATIVE BILL 857A.** Placed on Final Reading.

**LEGISLATIVE BILL 905A.** Placed on Final Reading.

**LEGISLATIVE BILL 1035A.** Placed on Final Reading.

**LEGISLATIVE BILL 1087A.** Placed on Final Reading.

**LEGISLATIVE BILL 1412.** Placed on Select File with amendment.

#### [ER94](#)

1 1. On page 1, strike beginning with "21" in line 3 through "307" in  
2 line 7 and insert "21, 26, 52, 68, 71, 76, 78, 79, 83, 85, 87, 90, 91,  
3 94, 95, 97, 98, 101, 102, 103, 104, 105, 113, 115, 118, 119, 120, 121,  
4 122, 124, 130, 132, 133, 136, 165, 173, 198, 219, 221, 222, 223, 224,  
5 225, 226, 228, 229, 230, 232, 235, 236, 241, 254, 255, 267, 268, 280,  
6 285, 301, 302, 306, and 307".

**LEGISLATIVE BILL 1413.** Placed on Select File with amendment.

#### [ER93](#)

1 1. In the Jacobson amendment, FA286, on page 1, before "Strike"  
2 insert "1."; and after the period insert the following new amendment:  
3 "2. Renumber the remaining sections accordingly."  
4 2. In the M. Cavanaugh amendment, FA254, on page 1, before "On"  
5 insert "(c)".  
6 3. On page 1, strike beginning with "8-604" in line 1 through line  
7 10 and insert "48-621, 48-622.01, 58-703, and 59-1608.04, Reissue Revised  
8 Statutes of Nebraska, sections 55-901, 61-405, 68-996, 71-812, 79-810,

9 81-1201.21, 81-12,146, and 81-12,157, Revised Statutes Cumulative  
10 Supplement, 2022, and sections 37-1804, 48-622.02, 71-5328, 71-7611,  
11 72-819, 79-3501, 81-12,147, 81-12,221, 81-12,222, 81-12,243, 84-612, and  
12 86-324, Revised Statutes Supplement, 2023; to define and redefine terms;  
13 to provide for, change, and eliminate fund transfers; to create, rename,  
14 and change the use of certain funds; to provide powers for the Auditor of  
15 Public Accounts; to change provisions of the Shovel-Ready Capital  
16 Recovery and Investment Act and the Business Innovation Act relating to  
17 requests for grants; to change provisions relating to a museum and  
18 visitor center honoring Chief Standing Bear; to eliminate obsolete  
19 provisions; to harmonize provisions; to repeal the original sections; and  
20 to declare an emergency."

**LEGISLATIVE BILL 644A.** Placed on Select File.  
**LEGISLATIVE BILL 904A.** Placed on Select File.  
**LEGISLATIVE BILL 1204A.** Placed on Select File.  
**LEGISLATIVE BILL 926.** Placed on Select File.  
**LEGISLATIVE BILL 880.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

### MESSAGE(S) FROM THE GOVERNOR

March 18, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. Metzler:

Engrossed Legislative Bills 61, 198e, 304, 771e/771Ae, 844, 895, 938 and 1104e were received in my office on March 15, 2024 and signed on March 18, 2024.

These bills were delivered to the Secretary of State on March 18, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

### GENERAL FILE

**LEGISLATIVE BILL 1088.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1031.** Title read. Considered.

Committee [AM2780](#), found on page 931, was offered.

Senator Fredrickson offered [AM2905](#), found on page 1001, to the committee amendment.

The Fredrickson amendment, to the committee amendment, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Senator DeBoer offered [AM2956](#), found on page 1051, to the committee amendment.

The DeBoer amendment, to the committee amendment, was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Senator Bostelman offered [AM2893](#), found on page 1088, to the committee amendment.

The Bostelman amendment, to the committee amendment, was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

#### **AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to [LB137](#):  
[AM2790](#)

(Amendments to E and R amendments, ER72)

- 1 1. Insert the following new sections:
- 2 Sec. 2. (1) In order to educate students about the dangers posed by
- 3 the drug fentanyl and the risks of fentanyl poisoning, including
- 4 overdose, the Governor shall designate a week during the normal school
- 5 year to be known as Fentanyl Poisoning Awareness Week in public schools.
- 6 (2) Fentanyl Poisoning Awareness Week may include age-appropriate
- 7 instruction, including instruction on the prevention of the abuse of and
- 8 addiction to fentanyl, as determined by each school district.
- 9 Sec. 3. Beginning with school year 2025-26, each school district
- 10 shall annually provide research-based instruction related to fentanyl
- 11 abuse prevention and drug poisoning awareness to students in grades six
- 12 through twelve. The instruction required by this section must include
- 13 instruction concerning:
- 14 (1) Suicide prevention;
- 15 (2) Prevention of the abuse of and addiction to fentanyl;
- 16 (3) Awareness of local school and community resources and any
- 17 processes involved in accessing those resources;
- 18 (4) Methods of administering an opioid antagonist; and
- 19 (5) Health education that includes information about substance use
- 20 and abuse, including youth substance use and abuse.
- 21 2. Renumber the remaining section accordingly.



Senator Wayne filed the following amendment to [LB137](#):  
[AM3076](#) is available in the Bill Room.

Senator Hunt filed the following amendment to [LB137](#):  
[AM3084](#)

(Amendments to E&R amendments, ER72)

1 1. Insert the following new sections:  
2 Section 1. (1) The governing body of a municipality or county may  
3 authorize by ordinance or resolution a syringe services program to  
4 operate within the bounds of such municipality or county. A county  
5 ordinance or resolution shall not be effective within the corporate  
6 boundaries of any incorporated municipality located in whole or in part  
7 within the county.  
8 (2) Participation in a syringe services program authorized by this  
9 section shall be limited to persons eighteen years of age or older.  
10 (3) A syringe services program authorized by this section shall, at  
11 a minimum, offer or arrange for the provision of the following:  
12 (a) A needs assessment for program participants;  
13 (b) Access to sterile syringes, needles, and other items or  
14 equipment used to reduce the risk of disease transmission or other harm;  
15 (c) Safe disposal of used syringes, needles, and other items or  
16 equipment;  
17 (d) Referral information and educational materials regarding  
18 substance use disorder prevention and treatment;  
19 (e) Information to reduce injection and overdose risks;  
20 (f) Naloxone or information about where naloxone can be obtained at  
21 low or no cost; and  
22 (g) Referral information and educational materials regarding social  
23 services, mental health care, and other health care services.  
24 (4) A syringe services program authorized by this section shall not  
25 be located within five hundred feet of any:  
26 (a) Public or private: Child care facility; elementary, vocational,  
1 or secondary school; or youth center; or  
2 (b) Public: Community recreation center, library, or swimming pool.  
3 Sec. 3. Section 28-441, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 28-441 (1) It shall be unlawful for any person to use, or to possess  
6 with intent to use, drug paraphernalia to manufacture, inject, ingest,  
7 inhale, or otherwise introduce into the human body a controlled substance  
8 in violation of sections 28-101, 28-431, and 28-439 to 28-444.  
9 (2) Any person who violates this section shall be guilty of an  
10 infraction.  
11 (3) A person shall not be in violation of this section if section  
12 28-472 or 28-1701 applies.  
13 (4) This section does not apply to:  
14 (a) The staff of a syringe services program authorized by section 1  
15 of this act when such staff are engaged in the provision, retrieval, or  
16 disposal of syringes, needles, or other items or equipment in connection  
17 with the program; or  
18 (b) A participant in such a program when the participant is engaged  
19 in the retrieval or disposal of syringes, needles, or other items or  
20 equipment at or within the immediate vicinity of the program site or  
21 facility.  
22 Sec. 4. Section 28-442, Revised Statutes Cumulative Supplement,  
23 2022, is amended to read:  
24 28-442 (1) It shall be unlawful for any person to deliver, possess  
25 with intent to deliver, or manufacture with intent to deliver, drug  
26 paraphernalia, knowing, or under circumstances in which one reasonably  
27 should know, that it will be used to manufacture, inject, ingest, or

28 inhale or otherwise be used to introduce into the human body a controlled  
 29 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.  
 30 (2) This section shall not apply to:  
 31 (a) Pharmacies, pharmacists, pharmacist interns, pharmacy  
 1 technicians, and pharmacy clerks who sell hypodermic syringes or needles  
 2 for the prevention of the spread of infectious diseases; -  
 3 (b) The staff of a syringe services program authorized by section 1  
 4 of this act when such staff are engaged in the provision, retrieval, or  
 5 disposal of syringes, needles, or other items or equipment in connection  
 6 with the program; or  
 7 (c) A participant in such a program when the participant is engaged  
 8 in the retrieval or disposal of syringes, needles, or other items or  
 9 equipment at or within the immediate vicinity of the program site or  
 10 facility.  
 11 (3) Any person who violates this section shall be guilty of a Class  
 12 II misdemeanor.  
 13 2. Renumber the remaining sections and correct the repealer  
 14 accordingly.

Senator Hunt filed the following amendment to [LB137](#):  
[AM3089](#)

(Amendments to FA231)

1 1. Strike the matter on page 1 beginning with "Strike" through the  
 2 period and insert the following new amendments:  
 3 1. Insert the following new sections:  
 4 Section 1. (1) The governing body of a municipality or county may  
 5 authorize by ordinance or resolution a syringe services program to  
 6 operate within the bounds of such municipality or county. A county  
 7 ordinance or resolution shall not be effective within the corporate  
 8 boundaries of any incorporated municipality located in whole or in part  
 9 within the county.  
 10 (2) Participation in a syringe services program authorized by this  
 11 section shall be limited to persons eighteen years of age or older.  
 12 (3) A syringe services program authorized by this section shall, at  
 13 a minimum, offer or arrange for the provision of the following:  
 14 (a) A needs assessment for program participants;  
 15 (b) Access to sterile syringes, needles, and other items or  
 16 equipment used to reduce the risk of disease transmission or other harm;  
 17 (c) Safe disposal of used syringes, needles, and other items or  
 18 equipment;  
 19 (d) Referral information and educational materials regarding  
 20 substance use disorder prevention and treatment;  
 21 (e) Information to reduce injection and overdose risks;  
 22 (f) Naloxone or information about where naloxone can be obtained at  
 23 low or no cost; and  
 24 (g) Referral information and educational materials regarding social  
 25 services, mental health care, and other health care services.  
 26 (4) A syringe services program authorized by this section shall not  
 1 be located within five hundred feet of any:  
 2 (a) Public or private: Child care facility; elementary, vocational,  
 3 or secondary school; or youth center; or  
 4 (b) Public: Community recreation center, library, or swimming pool.  
 5 Sec. 3. Section 28-441, Revised Statutes Cumulative Supplement,  
 6 2022, is amended to read:  
 7 28-441 (1) It shall be unlawful for any person to use, or to possess  
 8 with intent to use, drug paraphernalia to manufacture, inject, ingest,  
 9 inhale, or otherwise introduce into the human body a controlled substance  
 10 in violation of sections 28-101, 28-431, and 28-439 to 28-444.  
 11 (2) Any person who violates this section shall be guilty of an  
 12 infraction.

13 (3) A person shall not be in violation of this section if section  
 14 28-472 or 28-1701 applies.  
 15 (4) This section does not apply to:  
 16 (a) The staff of a syringe services program authorized by section 1  
 17 of this act when such staff are engaged in the provision, retrieval, or  
 18 disposal of syringes, needles, or other items or equipment in connection  
 19 with the program; or  
 20 (b) A participant in such a program when the participant is engaged  
 21 in the retrieval or disposal of syringes, needles, or other items or  
 22 equipment at or within the immediate vicinity of the program site or  
 23 facility.  
 24 Sec. 4. Section 28-442, Revised Statutes Cumulative Supplement,  
 25 2022, is amended to read:  
 26 28-442 (1) It shall be unlawful for any person to deliver, possess  
 27 with intent to deliver, or manufacture with intent to deliver, drug  
 28 paraphernalia, knowing, or under circumstances in which one reasonably  
 29 should know, that it will be used to manufacture, inject, ingest, or  
 30 inhale or otherwise be used to introduce into the human body a controlled  
 31 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.  
 1 (2) This section shall not apply to:  
 2 (a) Pharmacies, pharmacists, pharmacist interns, pharmacy  
 3 technicians, and pharmacy clerks who sell hypodermic syringes or needles  
 4 for the prevention of the spread of infectious diseases; -  
 5 (b) The staff of a syringe services program authorized by section 1  
 6 of this act when such staff are engaged in the provision, retrieval, or  
 7 disposal of syringes, needles, or other items or equipment in connection  
 8 with the program; or  
 9 (c) A participant in such a program when the participant is engaged  
 10 in the retrieval or disposal of syringes, needles, or other items or  
 11 equipment at or within the immediate vicinity of the program site or  
 12 facility.  
 13 (3) Any person who violates this section shall be guilty of a Class  
 14 II misdemeanor.  
 15 2. Renumber the remaining sections and correct the repealer  
 16 accordingly.

Senator Hunt filed the following amendment to [LB137](#):  
[AM3039](#)

(Amendments to E&R amendments, ER72)

1 1. Insert the following new sections:  
 2 Section 1. (1) The governing body of a municipality or county may  
 3 authorize by ordinance or resolution a syringe services program to  
 4 operate within the bounds of such municipality or county. A county  
 5 ordinance or resolution shall not be effective within the corporate  
 6 boundaries of any incorporated municipality located in whole or in part  
 7 within the county.  
 8 (2) A syringe services program authorized by this section shall, at  
 9 a minimum, offer or arrange for the provision of the following:  
 10 (a) A needs assessment for program participants;  
 11 (b) Access to sterile syringes, needles, and other items or  
 12 equipment used to reduce the risk of disease transmission or other harm;  
 13 (c) Safe disposal of used syringes, needles, and other items or  
 14 equipment;  
 15 (d) Referral information and educational materials regarding  
 16 substance use disorder prevention and treatment;  
 17 (e) Information to reduce injection and overdose risks;  
 18 (f) Naloxone or information about where naloxone can be obtained at  
 19 low or no cost; and  
 20 (g) Referral information and educational materials regarding social  
 21 services, mental health care, and other health care services.

22 (3) A syringe services program authorized by this section shall not  
 23 be located within five hundred feet of any:

24 (a) Public or private: Child care facility; elementary, vocational,  
 25 or secondary school; or youth center; or

26 (b) Public: Community recreation center, library, or swimming pool.

1 Sec. 3. Section 28-441, Revised Statutes Cumulative Supplement,  
 2 2022, is amended to read:

3 28-441 (1) It shall be unlawful for any person to use, or to possess  
 4 with intent to use, drug paraphernalia to manufacture, inject, ingest,  
 5 inhale, or otherwise introduce into the human body a controlled substance  
 6 in violation of sections 28-101, 28-431, and 28-439 to 28-444.

7 (2) Any person who violates this section shall be guilty of an  
 8 infraction.

9 (3) A person shall not be in violation of this section if section  
 10 28-472 or 28-1701 applies.

11 (4) This section does not apply to:

12 (a) The staff of a syringe services program authorized by section 1  
 13 of this act when such staff are engaged in the provision, retrieval, or  
 14 disposal of syringes, needles, or other items or equipment in connection  
 15 with the program; or

16 (b) A participant of such a program when the participant is engaged  
 17 in the retrieval or disposal of syringes, needles, or other items or  
 18 equipment at or within the immediate vicinity of the program site or  
 19 facility.

20 Sec. 4. Section 28-442, Revised Statutes Cumulative Supplement,  
 21 2022, is amended to read:

22 28-442 (1) It shall be unlawful for any person to deliver, possess  
 23 with intent to deliver, or manufacture with intent to deliver, drug  
 24 paraphernalia, knowing, or under circumstances in which one reasonably  
 25 should know, that it will be used to manufacture, inject, ingest, or  
 26 inhale or otherwise be used to introduce into the human body a controlled  
 27 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.

28 (2) This section shall not apply to:

29 (a) Pharmacies, pharmacists, pharmacist interns, pharmacy  
 30 technicians, and pharmacy clerks who sell hypodermic syringes or needles  
 31 for the prevention of the spread of infectious diseases; -

1 (b) The staff of a syringe services program authorized by section 1  
 2 of this act when such staff are engaged in the provision, retrieval, or  
 3 disposal of syringes, needles, or other items or equipment in connection  
 4 with the program; or

5 (c) A participant of such a program when the participant is engaged  
 6 in the retrieval or disposal of syringes, needles, or other items or  
 7 equipment at or within the immediate vicinity of the program site or  
 8 facility.

9 (3) Any person who violates this section shall be guilty of a Class  
 10 II misdemeanor.

11 2. Renumber the remaining sections and correct the repealer  
 12 accordingly.

Senator Hunt filed the following amendment to [LB137](#):  
[AM3088](#)

(Amendments to AM2828)

1 1. Strike amendments 1, 2, and 3 and insert the following new  
 2 amendment:

3 1. Insert the following new sections:

4 Section 1. (1) The governing body of a municipality or county may  
 5 authorize by ordinance or resolution a syringe services program to  
 6 operate within the bounds of such municipality or county. A county  
 7 ordinance or resolution shall not be effective within the corporate  
 8 boundaries of any incorporated municipality located in whole or in part

9 within the county.

10 (2) Participation in a syringe services program authorized by this  
 11 section shall be limited to persons eighteen years of age or older.

12 (3) A syringe services program authorized by this section shall, at  
 13 a minimum, offer or arrange for the provision of the following:

14 (a) A needs assessment for program participants;

15 (b) Access to sterile syringes, needles, and other items or  
 16 equipment used to reduce the risk of disease transmission or other harm;

17 (c) Safe disposal of used syringes, needles, and other items or  
 18 equipment;

19 (d) Referral information and educational materials regarding  
 20 substance use disorder prevention and treatment;

21 (e) Information to reduce injection and overdose risks;

22 (f) Naloxone or information about where naloxone can be obtained at  
 23 low or no cost; and

24 (g) Referral information and educational materials regarding social  
 25 services, mental health care, and other health care services.

26 (4) A syringe services program authorized by this section shall not  
 1 be located within five hundred feet of any:

2 (a) Public or private: Child care facility; elementary, vocational,  
 3 or secondary school; or youth center; or

4 (b) Public: Community recreation center, library, or swimming pool.

5 Sec. 3, Section 28-441, Revised Statutes Cumulative Supplement,

6 2022, is amended to read:

7 28-441 (1) It shall be unlawful for any person to use, or to possess  
 8 with intent to use, drug paraphernalia to manufacture, inject, ingest,  
 9 inhale, or otherwise introduce into the human body a controlled substance  
 10 in violation of sections 28-101, 28-431, and 28-439 to 28-444.

11 (2) Any person who violates this section shall be guilty of an  
 12 infraction.

13 (3) A person shall not be in violation of this section if section  
 14 28-472 or 28-1701 applies.

15 (4) This section does not apply to:

16 (a) The staff of a syringe services program authorized by section 1  
 17 of this act when such staff are engaged in the provision, retrieval, or  
 18 disposal of syringes, needles, or other items or equipment in connection  
 19 with the program; or

20 (b) A participant in such a program when the participant is engaged  
 21 in the retrieval or disposal of syringes, needles, or other items or  
 22 equipment at or within the immediate vicinity of the program site or  
 23 facility.

24 Sec. 4, Section 28-442, Revised Statutes Cumulative Supplement,  
 25 2022, is amended to read:

26 28-442 (1) It shall be unlawful for any person to deliver, possess  
 27 with intent to deliver, or manufacture with intent to deliver, drug  
 28 paraphernalia, knowing, or under circumstances in which one reasonably  
 29 should know, that it will be used to manufacture, inject, ingest, or  
 30 inhale or otherwise be used to introduce into the human body a controlled  
 31 substance in violation of sections 28-101, 28-431, and 28-439 to 28-444.

1 (2) This section shall not apply to:

2 (a) Pharmacies, pharmacists, pharmacist interns, pharmacy  
 3 technicians, and pharmacy clerks who sell hypodermic syringes or needles  
 4 for the prevention of the spread of infectious diseases; -

5 (b) The staff of a syringe services program authorized by section 1  
 6 of this act when such staff are engaged in the provision, retrieval, or  
 7 disposal of syringes, needles, or other items or equipment in connection  
 8 with the program; or

9 (c) A participant in such a program when the participant is engaged  
 10 in the retrieval or disposal of syringes, needles, or other items or  
 11 equipment at or within the immediate vicinity of the program site or

12 facility.

13 (3) Any person who violates this section shall be guilty of a Class

14 II misdemeanor.

### **MOTION(S) - Print in Journal**

Senator Conrad filed the following motion to LB1393:

MO1271

Indefinitely postpone.

### **NOTICE OF COMMITTEE HEARING(S)**

Business and Labor

Room 2102 1:15 PM

Tuesday, March 26, 2024

Spencer Hartman - Commission of Industrial Relations

(Signed) Merv Riepe, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 441.** Title read. Considered.

Committee AM2789, found on page 931, was offered.

Senator Conrad offered the following motion:

MO1270

Bracket until April 18, 2024.

Pending.

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 130A.** Introduced by Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 130, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 867A.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 867, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to LB840:  
AM3092

(Amendments to Standing Committee amendments, AM2862)

- 1 1. On page 8, lines 24 through 26, strike the new matter and
- 2 reinstate the stricken matter.
- 3 2. On page 9, strike lines 10 through 16; in line 17 strike "(4)"
- 4 and insert "(3)"; and in line 23 strike "(5)" and insert "(4)".

Senator Blood filed the following amendment to LB876:  
AM2779

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Sections 1 to 4 of this act shall be known and may be
- 4 cited as the Newborn Safe Haven Act.
- 5 Sec. 2. For purposes of the Newborn Safe Haven Act:
- 6 (1) Approved drop-off location means a hospital or other health care
- 7 facility licensed by the State of Nebraska, staffed fire station, or
- 8 staffed law enforcement agency displaying a decal or placard as described
- 9 in section 4 of this act;
- 10 (2) Department means the Department of Health and Human Services;
- 11 (3) Emergency medical services provider means an individual licensed
- 12 in Nebraska to provide emergency medical services pursuant to the
- 13 Emergency Medical Services Practice Act; and
- 14 (4) Newborn infant means a child who is, or who appears to be,
- 15 ninety days old or younger.
- 16 Sec. 3. (1) A parent of a newborn infant may voluntarily release
- 17 custody of the newborn infant as follows:
- 18 (a) By surrendering physical custody of the newborn infant, without
- 19 expressing an intent to regain physical custody, at an approved drop-off
- 20 location or by authorizing another person to surrender physical custody
- 21 on the parent's behalf at an approved drop-off location;
- 22 (b) By surrendering physical custody of the newborn infant to
- 23 medical staff at a hospital or other health care facility displaying a
- 24 decal or placard as described in section 4 of this act, following
- 25 delivery of the newborn infant in the hospital or other health care
- 26 facility when the parent notifies the medical staff that the parent is
- 27 voluntarily surrendering physical custody of the newborn infant without
- 1 expressing an intent to regain physical custody; or
- 2 (c) By surrendering physical custody of the newborn infant, or by
- 3 authorizing another person to surrender physical custody on behalf of the
- 4 parent, to an emergency medical services provider without expressing an
- 5 intent to regain physical custody.
- 6 (2) In lieu of the procedure described in subsection (1) of this
- 7 section, a parent of a newborn infant or another person authorized to
- 8 surrender physical custody of the newborn infant on behalf of the parent,
- 9 may make telephone contact with a 911 service and surrender physical
- 10 custody of the newborn infant to an emergency medical services provider
- 11 responding to such 911 telephone call, without expressing an intent to
- 12 regain physical custody.
- 13 (3) For purposes of the Newborn Safe Haven Act and for any judicial
- 14 proceedings associated with the newborn infant, there shall be a
- 15 rebuttable presumption that the person who surrenders physical custody
- 16 pursuant to this section is the newborn infant's parent or has
- 17 surrendered physical custody with the parent's authorization.
- 18 (4)(a) Unless the parent or other person surrendering physical
- 19 custody of a newborn infant clearly expresses an intent to regain
- 20 physical custody of the newborn infant, any individual on duty at an

21 approved drop-off location, or the emergency medical services provider to  
22 whom physical custody of the newborn infant was surrendered pursuant to  
23 this section, shall take physical custody of the newborn infant. The  
24 individual on duty at the approved drop-off location, or the emergency  
25 medical services provider who takes physical custody of the newborn  
26 infant, shall make a reasonable attempt to obtain from the parent or  
27 other person the name of the parent or parents, the circumstances of the  
28 infant's birth, the medical history of the newborn infant, and the  
29 medical history of the newborn infant's parent or parents. However, the  
30 parent or other person is not required to provide the names or medical  
31 history information to comply with this section. The individual on duty  
1 or medical staff at the approved drop-off location or the emergency  
2 medical services provider who takes physical custody of the newborn  
3 infant may perform reasonable acts necessary to protect the physical  
4 health or safety of the newborn infant and is immune from criminal or  
5 civil liability for any acts or omissions made in good faith to comply  
6 with the requirements of this section.

7 (b) After the physical custody of a newborn infant is surrendered at  
8 an approved drop-off location other than a hospital or an emergency  
9 medical services provider, an appropriate staff person shall contact a  
10 911 service to have an emergency medical services provider transport the  
11 newborn infant to the nearest hospital. Such person shall provide any  
12 available parental identification and medical history to the hospital.

13 (5) After the physical custody of a newborn infant is released  
14 pursuant to this section, and after such infant is transported to a  
15 hospital, if applicable, the approved drop-off location or emergency  
16 medical provider shall notify the department as soon as possible.

17 Sec. 4. Subject to available funding, it is the intent of the  
18 Legislature to appropriate fifty thousand dollars to the department for  
19 fiscal year 2024-25 and ten thousand dollars each year thereafter, to  
20 develop, implement, and maintain a public information program to inform  
21 the general public of the Newborn Safe Haven Act. Components of the  
22 program shall include, but not be limited to:

23 (1) Creation and maintenance of a permanent, interactive website  
24 that provides pertinent information to the public about the Newborn Safe  
25 Haven Act, including authorized drop-off locations and a method that  
26 allows the parent of a newborn infant surrendered under the act, to  
27 anonymously provide information about the medical history of the infant  
28 and family. The website shall also provide a method for a parent to  
29 reconsider the surrender of a newborn infant and allow an individual to  
30 undergo paternity testing for the purpose of determining the paternity of  
31 a surrendered child;

1 (2) Distribution of literature at statewide locations, as determined  
2 by the department, including the toll-free telephone number of the  
3 National Safe Haven Alliance;

4 (3) Creation and distribution of decals and placards designating  
5 authorized drop-off locations and the toll-free telephone number of the  
6 National Safe Haven Alliance;

7 (4) Development of educational, promotional, and informational  
8 materials in print, audio, video, electronic, and other media formats to  
9 provide the toll-free telephone number of the National Safe Haven  
10 Alliance; and

11 (5) Training for emergency medical services providers, 911  
12 operators, hospital staff, firefighters, law enforcement officers, or any  
13 member of the public expressing an interest in such training.

14 Sec. 5. Section 29-121, Reissue Revised Statutes of Nebraska, is

15 amended to read:  
16 29-121 No person shall be prosecuted for any crime based solely upon  
17 the act of surrendering a newborn infant pursuant to the Newborn Safe  
18 Haven Act for any crime based solely upon the act of leaving a child



19 thirty days old or younger in the custody of an employee on duty at a  
20 hospital licensed by the State of Nebraska. The hospital shall promptly  
21 contact appropriate authorities to take custody of the child.  
22 Sec. 6. Original section 29-121, Reissue Revised Statutes of  
23 Nebraska, is repealed.

### EASE

The Legislature was at ease from 6:02 p.m. until 6:33 p.m.

### SENATOR DORN PRESIDING

### SENATOR DEBOER PRESIDING

### GENERAL FILE

**LEGISLATIVE BILL 441.** Committee [AM2789](#), found on page 931 and considered in this day's Journal, was renewed.

Senator Conrad renewed [MO1270](#), found and considered in this day's Journal, to bracket until April 18, 2024.

### SENATOR VON GILLERN PRESIDING

### SENATOR DEBOER PRESIDING

Pending.

### AMENDMENT(S) - Print in Journal

Senator Murman filed the following amendment to [LB1329](#):  
[AM3102](#) is available in the Bill Room.

### GENERAL FILE

**LEGISLATIVE BILL 441.** Committee [AM2789](#), found on page 931 and considered in this day's Journal, was renewed.

Senator Conrad renewed [MO1270](#), found and considered in this day's Journal, to bracket until April 18, 2024.

Pending.

### AMENDMENT(S) - Print in Journal

Senator Clements filed the following amendment to [LB1412](#):  
[AM3070](#) is available in the Bill Room.

Senator Clements filed the following amendment to [LB1413](#):  
[AM3071](#) is available in the Bill Room.

**VISITOR(S)**

Visitors to the Chamber were students and teachers from Hartington-Newcastle Band; students from St. John the Baptist Catholic School, Plattsmouth.

The Doctor of the Day was Dr. Patrick Hotovy of York.

**ADJOURNMENT**

At 8:00 p.m., on a motion by Senator Hunt, the Legislature adjourned until 9:00 a.m., Tuesday, March 19, 2024.

Brandon Metzler  
Clerk of the Legislature

**FORTY-SIXTH DAY - MARCH 19, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 19, 2024

**PRAYER**

The prayer was offered by Senator Erdman.

**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., Senator Fredrickson presiding.

The roll was called and all members were present except Senators Bosn, Bostar, Day, Hunt, Jacobson, McKinney, Raybould, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-fifth day was approved.

**POINT OF PERSONAL PRIVILEGE**

Senator Conrad took a point of personal privilege.

**MOTION - Overrule Speaker's Agenda**

Senator DeBoer moved to overrule the Speaker's agenda pursuant to Rule 1, Sec. 16.

Pending.

**POINT OF PERSONAL PRIVILEGE**

Senator M. Cavanaugh took a point of personal privilege.

**MOTION - Overrule Speaker's Agenda**

Senator DeBoer renewed her motion to overrule the Speaker's agenda pursuant to Rule 1, Sec. 16, found and considered in this day's Journal.

Senator DeBoer withdrew her motion to overrule the Speaker's agenda.

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 350.** Placed on General File.

**LEGISLATIVE BILL 937.** Placed on General File with amendment. [AM3001](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB1317](#): [AM3079](#) is available in the Bill Room.

Senator Vargas filed the following amendment to [LB1355](#): [AM3107](#) is available in the Bill Room.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 331.** Introduced by Kauth, 31; Albrecht, 17; Armendariz, 18; Ballard, 21; Bosn, 25; Bostelman, 23; Brandt, 32; Brewer, 43; Cavanaugh, J., 9; Clements, 2; Dorn, 30; Dover, 19; Dungan, 26; Erdman, 47; Halloran, 33; Hansen, 16; Hardin, 48; Hughes, 24; Jacobson, 42; Lippincott, 34; Lowe, 37; Meyer, 41; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; Wayne, 13.

WHEREAS, the Legislature recognizes the contributions of astronauts who push the limits of humanity to the stars; and

WHEREAS, achieving entry into the United States National Aeronautics and Space Administration Astronaut Corps is one of the most challenging and difficult achievements that can be attained anywhere in the world; and

WHEREAS, Jeanette Epps was first selected by the United States National Aeronautics and Space Administration as an astronaut in 2009 as one of nine members of the twentieth astronaut class; and

WHEREAS, Jeanette Epps was mentored by Nebraska astronaut Clayton Anderson for three years in spacewalk training, mission control center capsule communication, International Space Station systems, and operational procedure development; and

WHEREAS, Jeanette Epps' diligence and intelligence in successfully mastering the many and varied skills necessary to complete astronaut training and becoming the second African-American woman to fly long

duration on board the International Space Station has earned her well-deserved respect and recognition.

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

1. That the Legislature honors Jeanette Epps for her bravery in venturing into orbit around the earth.
2. That the Legislature congratulates astronaut Jeanette Epps on her many accomplishments and recognizes her as an exemplary citizen and a model to all, showing that with courage and dedication, anything is possible and there is nothing that cannot be achieved.
3. That a copy of this resolution be sent to Jeanette Epps.

Laid over.

#### SELECT FILE

**LEGISLATIVE BILL 1413.** [ER93](#), found on page 1118, was offered.

ER93 was adopted.

Senator Clements asked unanimous consent to withdraw [FA256](#), found on page 1006, and replace it with substitute amendment, [AM3071](#), found on page 1129.

Senator M. Cavanaugh objected.

Senator Clements offered the following motion:

[MO1272](#)

Withdraw FA256 and substitute AM3071.

Senator M. Cavanaugh offered the following motion:

[MO1273](#)

Bracket until April 18, 2024.

Pending.

#### SPEAKER ARCH PRESIDING

#### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR318 was adopted.

#### SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR318.

**SELECT FILE**

**LEGISLATIVE BILL 1413.** Senator Clements renewed [MO1272](#), found and considered in this day's Journal, to withdraw FA256 and substitute AM3071.

Senator M. Cavanaugh renewed [MO1273](#), found and considered in this day's Journal, to bracket until April 18, 2024.

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

**SENATOR FREDRICKSON PRESIDING**

The M. Cavanaugh motion to bracket failed with 4 ayes, 37 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1274](#)

Recommit to the Appropriations Committee.

The M. Cavanaugh motion to recommit to committee failed with 4 ayes, 33 nays, 9 present and not voting, and 3 excused and not voting.

The Clements motion to withdraw and substitute prevailed with 37 ayes, 1 nay, 8 present and not voting, and 3 excused and not voting.

Senator Clements offered [AM3071](#), found on page 1129.

The Clements amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Senator Clements withdrew [FA255](#), found on page 1006.

Senator Clements withdrew [FA257](#), found on page 1006.

Senator Jacobson withdrew [FA287](#), found on page 1031.

Senator McKinney offered [AM3069](#), found on page 1114.

Senator McKinney moved for a call of the house. The motion prevailed with 29 ayes, 4 nays, and 16 not voting.

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

Voting in the affirmative, 23:

Albrecht	Cavanaugh, J.	Dungan	McDonnell	von Gillern
Arch	Cavanaugh, M.	Fredrickson	McKinney	Walz
Ballard	Conrad	Hansen	Raybould	Wishart
Bostar	Day	Hunt	Riepe	
Brewer	DeBoer	Linehan	Sanders	

Voting in the negative, 21:

Aguilar	Clements	Halloran	Jacobson	Murman
Armendariz	DeKay	Hardin	Lippincott	
Bosn	Dorn	Holdcroft	Lowe	
Bostelman	Dover	Hughes	Meyer	
Brandt	Erdman	Ibach	Moser	

Present and not voting, 2:

Kauth            Wayne

Absent and not voting, 1:

Slama

Excused and not voting, 2:

Blood            Vargas

The McKinney amendment lost with 23 ayes, 21 nays, 2 present and not voting, 1 absent and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Wayne offered the following motion:

[MO1275](#)

Reconsider the vote on AM3069.

Pending.

#### **NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 12:00 PM

Thursday, March 28, 2024

Don F. Gerjevic - State Electrical Board

Michael M. Hunsberger - State Electrical Board

Jeanne Salerno - Nebraska Arts Council

(Signed) John Lowe, Chairperson

**VISITOR(S)**

Visitors to the Chamber were AmeriCorps members from ServeNebraska; students and teachers from Central Valley High School, Greeley; students from Ackerman Elementary, Omaha; members of Men of God Bible Study, Omaha; students, teachers, and sponsors from Trinity Lutheran, Fremont; students from Legacy School, Omaha.

**RECESS**

At 11:59 a.m., on a motion by Senator Hansen, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator DeBoer presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Albrecht, Armendariz, Blood, Bosn, Bostar, Conrad, Dover, Fredrickson, Hunt, Raybould, and Walz who were excused until they arrive.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1167.** Placed on Select File with amendment.

[ER96](#)

1 1. On page 1, strike lines 2 through 5 and insert "29-404.02,  
2 Revised Statutes Cumulative Supplement, 2022; to change provisions  
3 relating to individuals who are arrested without a warrant; and to repeal  
4 the original section."

**LEGISLATIVE BILL 1270.** Placed on Select File.

**LEGISLATIVE BILL 1095.** Placed on Select File.

**LEGISLATIVE BILL 484.** Placed on Select File with amendment.

[ER95](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 60-1401, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 60-1401 Sections 60-1401 to 60-1441 and sections 2 and 3 of this act  
6 shall be known and may be cited as the Motor Vehicle Industry Regulation  
7 Act.  
8 Any amendments to the act shall apply to franchises subject to the  
9 act which are entered into, amended, altered, modified, renewed, or  
10 extended after the date of the amendments to the act except as otherwise  
11 specifically provided in the act.  
12 All amendments to the act shall apply upon the issuance or renewal  
13 of a dealer's or manufacturer's license.  
14 Sec. 2. (1) Beginning January 1, 2026:



15 (a) Every person applying for an initial motor vehicle dealer's  
16 license shall have completed eight hours of continuing education  
17 authorized by the board within the twelve-month period immediately  
18 preceding the date of application; and  
19 (b) Every licensee applying for renewal of a motor vehicle dealer's  
20 license shall have completed four hours of continuing education  
21 authorized by the board within the twelve-month period immediately  
22 preceding the date of application.  
23 (2) Every application for the issuance or renewal of a motor vehicle  
24 dealer's license shall be accompanied by documentation, as prescribed by  
25 the board, of the completion of continuing education required under  
26 subsection (1) of this section.  
27 (3) The continuing education requirements of this section shall not  
1 apply to:  
2 (a) A motor vehicle dealer whose primary business is the sale of  
3 salvage vehicles on behalf of motor vehicle insurers;  
4 (b) A motor vehicle dealer that only buys and sells manufactured  
5 homes;  
6 (c) A motor vehicle dealer that only buys and sells trailers; or  
7 (d) A franchised new car dealer licensed by the board or any  
8 employee of such a franchised new car dealer.  
9 Sec. 3. (1) Any person may apply to the board for authorization to  
10 qualify an educational seminar for continuing education credit provided  
11 under section 2 of this act. The board shall require a complete and  
12 specific description of such educational seminar from the applicant prior  
13 to authorizing such educational seminar for continuing education credit.  
14 Such description shall include:  
15 (a) How the educational seminar will benefit a licensee in  
16 conducting business;  
17 (b) The length of time the educational seminar will be conducted;  
18 (c) A description of the method that will be used to record  
19 attendance during the educational seminar; and  
20 (d) Copies of any instructional materials that will be provided to  
21 attendees of the educational seminar.  
22 (2)(a) The board shall determine whether to approve or deny an  
23 application made under subsection (1) of this section. If authorization  
24 for continuing education credit is granted, the board shall also  
25 determine the number of continuing education credit hours authorized for  
26 the educational seminar.  
27 (b) Within ten days of receiving the application, the board shall  
28 notify the applicant of the board's decision to approve or deny such  
29 educational seminar for continuing education credit, and, if applicable,  
30 the number of continuing education credit hours authorized.  
31 Sec. 4. Section 60-1404, Reissue Revised Statutes of Nebraska, is  
1 amended to read:  
2 60-1404 The board shall have the authority to employ an executive  
3 director who shall direct and administer the affairs of the board and who  
4 shall keep a record of all proceedings, transactions, communications, and  
5 official acts of the board. He or she shall be custodian of all records  
6 of the board and perform such other duties as the board may require. The  
7 executive director shall call a meeting of the board at the direction of  
8 the chairperson thereof or upon a written request of two or more members  
9 thereof. The executive director, with the approval of the board, is  
10 authorized to employ an attorney at a minimum salary of six hundred  
11 dollars per month together with such other employees, including staff for  
12 its attorney, as may be necessary to properly carry out the Motor Vehicle  
13 Industry Regulation Act, to fix the salaries of such employees, and to  
14 make such other expenditures as are necessary to properly carry out the  
15 act. The office of the board shall be maintained in the State Capitol at  
16 Lincoln and all files, records, and property of the board shall at all

17 ~~times be and remain therein.~~ The executive director shall be the board's  
 18 representative in the administration of the act, and he or she shall  
 19 insure that the policies and directives of the board are carried out.  
 20 Sec. 5. Original sections 60-1401 and 60-1404, Reissue Revised  
 21 Statutes of Nebraska, are repealed.  
 22 2. On page 1, line 8, strike "to provide operative dates;".

**LEGISLATIVE BILL 852.** Placed on Select File with amendment.

[ER97](#)

1 1. On page 1, strike beginning with "to" in line 3 through line 6  
 2 and insert "to define terms; to change provisions relating to durable  
 3 medical equipment, prosthetics, orthotics, and supplies; to provide  
 4 certain requirements relating to individuals who are under sixty-five  
 5 years of age and qualify for medicare by reason of disability; to  
 6 harmonize provisions; to provide operative dates; and to repeal the  
 7 original sections."

(Signed) Beau Ballard, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 1413.** Senator Wayne renewed [MO1275](#), found and considered in this day's Journal, to reconsider the vote on AM3069.

Senator Wayne moved for a call of the house. The motion prevailed with 27 ayes, 4 nays, and 18 not voting.

Senator Wayne requested a roll call vote, in reverse order, on his motion to reconsider.

Voting in the affirmative, 26:

Arch	Conrad	Holdcroft	Raybould	Wayne
Ballard	Day	Hunt	Riepe	Wishart
Blood	DeBoer	Linehan	Sanders	
Bostar	Dungan	McDonnell	Vargas	
Cavanaugh, J.	Fredrickson	McKinney	von Gillern	
Cavanaugh, M.	Hansen	Meyer	Walz	

Voting in the negative, 21:

Aguilar	Brewer	Erdman	Kauth	Slama
Albrecht	Clements	Hardin	Lippincott	
Armendariz	DeKay	Hughes	Lowe	
Bostelman	Dorn	Ibach	Moser	
Brandt	Dover	Jacobson	Murman	

Excused and not voting, 2:

Bosn	Halloran
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The Wayne motion to reconsider prevailed with 26 ayes, 21 nays, and 2 excused and not voting.

The Chair declared the call raised.

Senator McKinney reoffered [AM3069](#), found on page 1114 and considered in this day's Journal.

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

The McKinney amendment was adopted with 25 ayes, 23 nays, and 1 excused and not voting.

Senator Hansen offered the following amendment:  
[AM3115](#) is available in the Bill Room.

The Hansen amendment was adopted with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

Senator Slama requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 42 ayes, 3 nays, 3 present and not voting, and 1 excused and not voting.

#### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 851.** Placed on Final Reading.  
**LEGISLATIVE BILL 877.** Placed on Final Reading.  
**LEGISLATIVE BILL 998.** Placed on Final Reading.  
**LEGISLATIVE BILL 1118.** Placed on Final Reading.  
**LEGISLATIVE BILL 1143.** Placed on Final Reading.  
**LEGISLATIVE BILL 1162.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Riepe filed the following amendment to [LB1188](#):  
[AM3113](#)

(Amendments to AM3018)

1 1. On page 3, after line 17 insert the following new paragraphs:  
2 "\$100,000.00 for Claim Number 2021-20575, against the State of  
3 Nebraska, pay to Carlson and Blakeman, LLP, 2002 Douglas Street, Suite  
4 100, Omaha, Nebraska 68102, on behalf of Abigail Comstock, out of the  
5 State Insurance Fund.  
6 \$100,000.00 for Claim Number 2021-20576, against the State of  
7 Nebraska, pay to Carlson and Blakeman, LLP, 2002 Douglas Street, Suite  
8 100, Omaha, Nebraska 68102, on behalf of Amy Comstock, out of the State  
9 Insurance Fund."; and in lines 25 and 26 strike "\$7,450,000.00" and  
10 insert "\$7,650,000.00".

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 332.** Introduced by Cavanaugh, J., 9; Brandt, 32; Ibach, 44.

**PURPOSE:** The purpose of this resolution is to propose an interim study to consider changes to Nebraska law relating to Legislative Bill 999, introduced in the One Hundred Eighth Legislature of Nebraska, Second Session, hemp, controlled substances, and related areas of the law. The study should also examine whether a regulatory framework of hemp-related retail businesses would be appropriate or justified.

Hemp, also called industrial hemp, is a plant and agricultural commodity cultivated for use in the production of a wide range of products. The federal Agriculture Improvement Act of 2018 became law on December 20, 2018, and categorizes hemp as an agricultural commodity and removes hemp and tetrahydrocannabinols in hemp from scheduled control under the federal Controlled Substances Act. The federal Agriculture Improvement Act of 2018 also modified and conformed the federal Controlled Substances Act to recognize hemp as a new commodity by expressly removing hemp from the definition of marijuana and exempted tetrahydrocannabinols in hemp from the definition of tetrahydrocannabinol.

Nebraska changed its laws in 2019 in order to be consistent with federal law and to provide for the production of hemp. In the time since the changes, many businesses that are involved in the hemp-marketing business have been established. At present, the hemp industry generates over one hundred million dollars annually in the Nebraska economy.

Nebraska does not have regulatory authority over the sale or marketing of hemp products and the Department of Agriculture only issues licenses for the growing and cultivation of hemp pursuant to the Nebraska Hemp Farming Act. However, the sale of hemp products or similar items may be subject to other state laws, such as food laws, controlled substances laws, or deceptive trade practice laws despite the lack of hemp-specific regulations or laws. This state of affairs has allowed for some flexibility for retailers.

Legislative Bill 999, introduced in the One Hundred Eighth Legislature, Second Session, would make significant changes to Nebraska law and the hemp retail market. The bill received a public hearing conducted by the Judiciary Committee of the Legislature and was opposed by the hemp and hemp-retail industry. However, opponents of the bill expressed a willingness to discuss state regulation of the hemp and hemp-retail industry to address the motivation for the bill.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**SELECT FILE**

**LEGISLATIVE BILL 1412.** [ER94](#), found on page 1118, was offered.

ER94 was adopted.

Senator Hughes asked unanimous consent to withdraw [AM2932](#), found on page 1005, and replace it with substitute amendment, [AM2986](#), found on page 1026. No objections. So ordered.

Senator Hughes offered [AM2986](#), found on page 1026.

The Hughes amendment lost with 4 ayes, 22 nays, 22 present and not voting, and 1 excused and not voting.

Senator Brewer withdrew [AM2954](#), found on page 1004.

Senator Holdcroft offered [AM2955](#), found on page 1005.

**SENATOR DEKAY PRESIDING**

The Holdcroft amendment lost with 7 ayes, 23 nays, 18 present and not voting, and 1 excused and not voting.

Senator Vargas asked unanimous consent to withdraw [AM2949](#), found on page 1005, and replace it with substitute amendment, [FA297](#). No objections. So ordered.

[FA297](#)

On page 44, after line 20, insert the following new paragraph: "It is the intent of the Legislature that all unutilized or unspent funds appropriated to Program 424, inclusive of, General Funds will be distributed at the end of each fiscal year in this order: to service providers for the needs of persons with developmental disabilities under subdivision (4)(f) of section 83-1216."

Senator Vargas offered [FA297](#), found in this day's Journal.

Senator Hunt moved for a call of the house. The motion prevailed with 28 ayes, 8 nays, and 13 not voting.

The Vargas amendment was adopted with 29 ayes, 18 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Clements asked unanimous consent to withdraw [FA258](#), found on page 1006, and replace it with substitute amendment, [AM3070](#), found on page 1129. No objections. So ordered.

Senator Clements offered [AM3070](#), found on page 1129.

Senator Fredrickson offered the following amendment to the Clements amendment:

[FA296](#)

Amend AM3070 on page 34, line 22, strike "70,382,211" and insert "82,382,211" and on line 27 strike "102,466,682" and insert "144,466,682"; on page 35, line 3, strike "\$70,382,211" and insert "\$82,382,211"; on page 41, line 30, strike "84,553,606" and insert "87,553,606"; and on page 42, line 6, strike "94,107,211" and insert "97,107,211".

Senator Fredrickson moved for a call of the house. The motion prevailed with 15 ayes, 4 nays, and 30 not voting.

Senator Fredrickson requested a roll call vote on his amendment to the Clements amendment.

Voting in the affirmative, 16:

Aguilar	Cavanaugh, J.	Dungan	McKinney
Blood	Conrad	Fredrickson	Vargas
Bostar	Day	Hunt	Walz
Brandt	DeBoer	McDonnell	Wayne

Voting in the negative, 23:

Albrecht	Clements	Halloran	Lippincott	Sanders
Arch	DeKay	Hardin	Lowe	Slama
Armendariz	Dorn	Holdcroft	Meyer	von Gillern
Bostelman	Dover	Ibach	Moser	
Brewer	Erdman	Kauth	Murman	

Present and not voting, 8:

Ballard	Cavanaugh, M.	Hughes	Riepe
Bosn	Hansen	Jacobson	Wishart

Excused and not voting, 2:

Linehan	Raybould
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The Fredrickson amendment, to the Clements amendment, lost with 16 ayes, 23 nays, 8 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1279](#)

Reconsider the vote on FA296.

**SENATOR DEBOER PRESIDING**

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 14 ayes, 3 nays, and 32 not voting.

The M. Cavanaugh motion to reconsider failed with 18 ayes, 24 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

The Clements amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Clements withdrew [FA259](#), found on page 1006.

Senator Clements withdrew [FA260](#), found on page 1006.

Senator Clements offered [AM2987](#), found on page 1027.

The Clements amendment was withdrawn.

Senator Hansen offered the following amendment:  
[AM3105](#) is available in the Bill Room.

The Hansen amendment was withdrawn.

Senator Ibach offered the following amendment:  
[AM3062](#) is available in the Bill Room.

The Ibach amendment was withdrawn.

Senator Clements offered [AM2950](#), found on page 1004.

The Clements amendment was withdrawn.

Senator Dungan withdrew [AM2945](#), found on page 1005.

Senator M. Cavanaugh withdrew [AM2969](#), found on page 1006.

Senator M. Cavanaugh withdrew [FA280](#), found on page 1027.

Senator M. Cavanaugh withdrew [FA281](#), found on page 1027.

Senator M. Cavanaugh withdrew [FA282](#), found on page 1027.

Senator M. Cavanaugh withdrew [FA283](#), found on page 1027.

Senator M. Cavanaugh withdrew [FA284](#), found on page 1027.

Senator Fredrickson withdrew [AM2983](#), found on page 1027.

Senator Brewer withdrew [AM3008](#), found on page 1040.

Senator Clements asked unanimous consent to withdraw the following motions:

[MO1251](#), found on page 1008, to recommit to committee.

[MO1252](#), found on page 1008, to bracket.

No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1344.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Education

**LEGISLATIVE BILL 231.** Placed on General File.

**LEGISLATIVE BILL 915.** Placed on General File.

**LEGISLATIVE BILL 1284.** Placed on General File with amendment.  
[AM3061](#) is available in the Bill Room.

(Signed) Dave Murman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Blood filed the following amendment to [LB399](#):

[AM3053](#)

(Amendments to Standing Committee amendments, AM2702)

1 1. Strike sections 3 and 4 and all amendments thereto and insert the  
2 following new sections:  
3 Sec. 3. Section 70-1014.02, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 70-1014.02 (1) The Legislature finds that:  
6 (a) Nebraska has the authority as a sovereign state to protect its  
7 land, natural resources, and cultural resources for economic and  
8 aesthetic purposes for the benefit of its residents and future  
9 generations by regulation of energy generation projects;  
10 (b) The unique terrain and ecology of the Nebraska Sandhills provide  
11 an irreplaceable habitat for millions of migratory birds and other  
12 wildlife every year and serve as the home to numerous ranchers and  
13 farmers;  
14 (c) The grasslands of the Nebraska Sandhills and other natural  
15 resources in Nebraska will become increasingly valuable, both  
16 economically and strategically, as the demand for food and energy  
17 increases; ~~and~~



18 (d) The Nebraska Sandhills are home to priceless archaeological  
19 sites of historical and cultural significance to American Indians; and -  
20 (e) Local control, as vested in the county board for each respective  
21 county, is the best mechanism for protecting local resources.  
22 (2) (2)(a) A privately developed renewable energy generation  
23 facility that meets the requirements of this section is exempt from  
24 sections 70-1012 to 70-1014.01 if, no less than thirty days prior to the  
25 commencement of construction, the owner of the facility notifies the  
26 board and the county board of the county with zoning jurisdiction over  
1 such facility : (i) Notifies the board in writing of the owner's its  
2 intent to commence construction of a privately developed renewable energy  
3 generation facility and apply for a conditional use permit or special  
4 exception if required by such county. ;  
5 (ii) Certifies to the board that the facility will meet the  
6 requirements for a privately developed renewable energy generation  
7 facility;  
8 (iii) Certifies to the board that the private electric supplier will  
9 (A) comply with any decommissioning requirements adopted by the local  
10 governmental entities having jurisdiction over the privately developed  
11 renewable energy generation facility and (B) except as otherwise provided  
12 in subdivision (b) of this subsection, submit a decommissioning plan to  
13 the board obligating the private electric supplier to bear all costs of  
14 decommissioning the privately developed renewable energy generation  
15 facility and requiring that the private electric supplier post a security  
16 bond or other instrument, no later than the tenth year following  
17 commercial operation, securing the costs of decommissioning the facility  
18 and provide a copy of the bond or instrument to the board;  
19 (iv) Certifies to the board that the private electric supplier has  
20 entered into or prior to commencing construction will enter into a joint  
21 transmission development agreement pursuant to subdivision (e) of this  
22 subsection with the electric supplier owning the transmission facilities  
23 of sixty thousand volts or greater to which the privately developed  
24 renewable energy generation facility will interconnect; and  
25 (v) Certifies to the board that the private electric supplier has  
26 consulted with the Game and Parks Commission to identify potential  
27 measures to avoid, minimize, and mitigate impacts to species identified  
28 under subsection (1) or (2) of section 37-806 during the project planning  
29 and design phases, if possible, but in no event later than the  
30 commencement of construction.  
31 (b) The board may bring an action in the name of the State of  
1 Nebraska for failure to comply with subdivision (a)(iii)(B) of this  
2 subsection. Subdivision (a)(iii)(B) of this subsection does not apply if  
3 a local government entity with the authority to create requirements for  
4 decommissioning has enacted decommissioning requirements for the  
5 applicable jurisdiction.  
6 (c) The joint transmission development agreement shall address  
7 construction, ownership, operation, and maintenance of such additions or  
8 upgrades to the transmission facilities as required for the privately  
9 developed renewable energy generation facility. The joint transmission  
10 development agreement shall be negotiated and executed contemporaneously  
11 with the generator interconnection agreement or other directives of the  
12 applicable regional transmission organization with jurisdiction over the  
13 addition or upgrade of transmission, upon terms consistent with prudent  
14 electric utility practices for the interconnection of renewable  
15 generation facilities, the electric supplier's reasonable transmission  
16 interconnection requirements, and applicable transmission design and  
17 construction standards. The electric supplier shall have the right to  
18 purchase and own transmission facilities as set forth in the joint  
19 transmission development agreement. The private electric supplier of the  
20 privately developed renewable energy generation facility shall have the

21 right to construct any necessary facilities or improvements set forth in  
 22 the joint transmission development agreement pursuant to the standards  
 23 set forth in the agreement at the private electric supplier's cost.  
 24 (3) Within ten days after receipt of a written notice complying with  
 25 subsection (2) of this section, the executive director of the board shall  
 26 issue a written acknowledgment that the privately developed renewable  
 27 energy generation facility is exempt from sections 70-1012 to 70-1014.01  
 28 if: -

29 (a) The privately developed renewable energy facility meets the  
 30 county's requirements for a conditional use permit or special exception;  
 31 or

1 (b) The county does not require a conditional use permit or special  
 2 exception for such privately developed renewable energy generation  
 3 facility.

4 (4) The exemption allowed under this section for a privately  
 5 developed renewable energy generation facility shall extend to and exempt  
 6 all private electric suppliers owning any interest in the facility,  
 7 including any successor private electric supplier which subsequently  
 8 acquires any interest in the facility.

9 (5) No property owned, used, or operated as part of a privately  
 10 developed renewable energy generation facility shall be subject to  
 11 eminent domain by a consumer-owned electric supplier operating in the  
 12 State of Nebraska. Nothing in this section shall be construed to grant  
 13 the power of eminent domain to a private electric supplier or limit the  
 14 rights of any entity to acquire any public, municipal, or utility right-  
 15 of-way across property owned, used, or operated as part of a privately  
 16 developed renewable energy generation facility as long as the right-of-  
 17 way does not prevent the operation of or access to the privately  
 18 developed renewable energy generation facility.

19 (6) Only a consumer-owned electric supplier operating in the State  
 20 of Nebraska may exercise eminent domain authority to acquire the land  
 21 rights necessary for the construction of transmission lines and related  
 22 facilities. There is a rebuttable presumption that the exercise of  
 23 eminent domain to provide needed transmission lines and related  
 24 facilities for a privately developed renewable energy generation facility  
 25 is a public use.

26 (7) Nothing in this section shall be construed to authorize a  
 27 private electric supplier to sell or deliver electricity at retail in  
 28 Nebraska.

29 (8) Nothing in this section shall be construed to limit the  
 30 authority of or require a consumer-owned electric supplier operating in  
 31 the State of Nebraska to enter into a joint agreement with a private  
 1 electric supplier to develop, construct, and jointly own a privately  
 2 developed renewable energy generation facility.

3 Sec. 4. Section 70-1015, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:

5 70-1015 ~~(1)~~ If any supplier violates Chapter 70, article 10, by (1)  
 6 either ~~(a)~~ commencing the construction or finalizing or attempting to  
 7 finalize the acquisition of any generation facilities, any transmission  
 8 lines, or any related facilities without either first providing notice  
 9 and meeting any county requirements for a conditional use permit or  
 10 special exception, or without first ~~or~~ obtaining board approval,  
 11 whichever is required, or (2) ~~(b)~~ serving or attempting to serve at  
 12 retail any customers located in Nebraska or any wholesale customers in  
 13 violation of section 70-1002.02, such construction, acquisition, or  
 14 service of such customers shall be enjoined in an action brought in the  
 15 name of the State of Nebraska until such supplier has complied with  
 16 Chapter 70, article 10.

17 (2) ~~If the executive director of the board determines that a private~~  
 18 ~~electric supplier commenced construction of a privately developed~~

19 renewable energy generation facility less than thirty days prior to  
 20 providing the notice required in subdivision (2)(a) of section  
 21 70-1014.02, the executive director shall send notice via certified mail  
 22 to the private electric supplier, informing it of the determination that  
 23 the private electric supplier is in violation of such subdivision and is  
 24 subject to a fine in the amount of five hundred dollars. The private  
 25 electric supplier shall have twenty days from the date on which the  
 26 notice is received in which to submit the notice described in such  
 27 subdivision and to pay the fine. Within ten days after the private  
 28 electric supplier submits a notice compliant with subsection (2) of  
 29 section 70-1014.02 and payment of the fine, the executive director of the  
 30 board shall issue the written acknowledgment described in subsection (3)  
 31 of section 70-1014.02. If the private electric supplier fails to submit a  
 1 notice compliant with subsection (2) of section 70-1014.02 and pay the  
 2 fine within twenty days after the date on which the private electric  
 3 supplier receives the notice from the executive director of the board,  
 4 the private electric supplier shall immediately cease construction or  
 5 operation of the privately developed renewable energy generation  
 6 facility.  
 7 (3) If the private electric supplier disputes that construction was  
 8 commenced less than thirty days prior to submitting the written notice  
 9 required by subdivision (2)(a) of section 70-1014.02, the private  
 10 electric supplier may request a hearing before the board. Such request  
 11 shall be submitted within twenty days after the private electric supplier  
 12 receives the notice sent by the executive director pursuant to subsection  
 13 (2) of this section. If the private electric supplier does not accept the  
 14 certified mail sent pursuant to such subsection, the executive director  
 15 shall send a second notice to the private electric supplier by first-  
 16 class United States mail. The private electric supplier may submit a  
 17 request for hearing within twenty days after the date on which the second  
 18 notice was mailed.  
 19 (4) Upon receipt of a request for hearing, the board shall set a  
 20 hearing date. Such hearing shall be held within sixty days after such  
 21 receipt. The board shall provide to the private electric supplier written  
 22 notice of the hearing at least twenty days prior to the date of the  
 23 hearing. The board or its hearing officer may grant continuances upon  
 24 good cause shown or upon the request of the private electric supplier.  
 25 Timely filing of a request for hearing by a private electric supplier  
 26 shall stay any further enforcement under this section until the board  
 27 issues an order pursuant to subsection (5) of this section or the request  
 28 for hearing is withdrawn.  
 29 (5) The board shall issue a written decision within sixty days after  
 30 conclusion of the hearing. All costs of the hearing shall be paid by the  
 31 private electric supplier if (a) the board determines that the private  
 1 electric supplier commenced construction of the privately developed  
 2 renewable energy generation facility less than thirty days prior to  
 3 submitting the written notice required pursuant to subsection (2) of  
 4 section 70-1014.02 or (b) the private electric supplier withdraws its  
 5 request for hearing prior to the board issuing its decision.  
 6 (6) A private electric supplier which the board finds to be in  
 7 violation of the requirements of subsection (2) of section 70-1014.02  
 8 shall either (a) pay the fine described in this section and submit a  
 9 notice compliant with subsection (2) of section 70-1014.02 or (b)  
 10 immediately cease construction or operation of the privately developed  
 11 renewable energy generation facility.  
 12 2. On page 14, line 1, strike "subsection (2) of section  
 13 70-1014.02".

Senator J. Cavanaugh filed the following amendment to [LB1204A](#):  
[AM3108](#)

1 1. Strike section 1 and insert the following new section:  
2 Section 1. There is hereby appropriated (1) \$482,013 from the  
3 Tobacco Products Administration Cash Fund for FY2024-25 and (2) \$166,130  
4 from the Tobacco Products Administration Cash Fund for FY2025-26 to the  
5 Department of Revenue, for Program 102, to aid in carrying out the  
6 provisions of Legislative Bill 1204, One Hundred Eighth Legislature,  
7 Second Session, 2024.  
8 Total expenditures for permanent and temporary salaries and per  
9 diems from funds appropriated in this section shall not exceed \$86,400  
10 for FY2024-25 or \$86,400 for FY2025-26.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 887A.** 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 887, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1052A.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1052, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1054A.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1054, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 62A.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 62, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 870A.** Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 870, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1115A.** Introduced by Dungan, 26.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1115, One Hundred Eighth Legislature, Second Session, 2024.

**GENERAL FILE**

**LEGISLATIVE BILL 441.** Committee [AM2789](#), found on page 931 and considered on pages 1126 and 1129, was renewed.

Senator Conrad renewed [MO1270](#), found on page 1126 and considered on pages 1126 and 1129, to bracket until April 18, 2024.

**SPEAKER ARCH PRESIDING**

**SENATOR VON GILLERN PRESIDING**

**SPEAKER ARCH PRESIDING**

Pending.

**EASE**

The Legislature was at ease from 5:59 p.m. until 6:29 p.m.

**SENATOR DEKAY PRESIDING**

**MESSAGE(S) FROM THE GOVERNOR**

March 19, 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 individuals are being appointed as members of the Environmental Quality Council:

Lynn Mayhew, 2003 W US Highway 34, Grand Island, NE 68801, Power  
Generating Industry  
James E Theiler, 2134 Bear Creek Road, Papillion, NE 68133, Professional  
Engineer  
Jill Becker, 2307 S 75th Street, Lincoln, NE 68506, Automotive/Petroleum  
Industry  
Timothy A Tesmer, MD, 3721 Doonbeg Road, Lincoln, NE 68520,  
Physician  
Lisa A Lunz, 86170 Highway 9, Wakefield, NE 68784, County Government

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

March 19, 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 individuals are being reappointed as members of the Environmental Quality Council:

Seth B. Harder, 54011 Hwy 20, Plainview, NE 68769, Chemical Industry  
Kurt Bogner, 1630 Hackberry Drive, Norfolk, NE 68701, Heavy Industry  
Marty Stange, 5910 West 17th Street, Juniata, NE 68955, Municipal  
Government

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

March 19, 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 individuals are being appointed as members of the Environmental Quality Council:

Allison Willis, 12700 West Dodge Road, Omaha, NE 68154, Agricultural  
Processing  
Brad Bird, 12018 County Road P30, Blair, NE 68008, Labor

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

March 19, 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  
reappointed to the Nebraska Public Employees Retirement Systems:

Janis Elliott, 1306 Lydia Circle, Papillion, NE 68133, School Representative

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

**AMENDMENT(S) - Print in Journal**

Senator Conrad filed the following amendment to LB1329:  
[AM3097](#)

(Amendments to Standing Committee amendments, AM2831)

1 1. Insert the following new section:  
2 Sec. 4. Section 79-209, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:  
4 79-209 (1) In all school districts in this state, any  
5 superintendent, principal, teacher, or member of the school board who  
6 knows of any violation of subsection (2) of section 79-201 shall within  
7 three days report such violation to the attendance officer of the school,  
8 who shall immediately investigate the case. When of his or her personal  
9 knowledge or by report or complaint from any resident of the district,  
10 the attendance officer believes that there is a violation of subsection  
11 (2) of section 79-201, the attendance officer shall immediately  
12 investigate such alleged violation.  
13 (2) All school boards shall have a written policy on attendance  
14 developed and annually reviewed in collaboration with the county attorney  
15 of the county in which the principal office of the school district is  
16 located. The policy shall include a provision indicating how the school  
17 district will handle cases in which excessive absences are due to  
18 illness. The policy shall also state the circumstances and number of  
19 absences or the hourly equivalent upon which the school shall render all

20 services to address barriers to attendance. Such services shall be  
 21 provided upon twenty days of absence, and shall include, but not be  
 22 limited to:  
 23 (a) ~~Written~~ Verbal or written communication by school officials with  
 24 the person or persons who have legal or actual charge or control of any  
 25 child; and  
 26 (b) One or more meetings between, at a minimum, a school attendance  
 1 officer, a school social worker, or a school administrator or his or her  
 2 designee, the person who has legal or actual charge or control of the  
 3 child, the person who is responsible for making educational decisions on  
 4 behalf of the child if that person is someone other than the person who  
 5 has legal or actual charge or control of the child, and the child, when  
 6 appropriate, ~~to attempt~~ to address the barriers to attendance. The result  
 7 of the meeting or meetings shall be to develop a collaborative plan to  
 8 reduce barriers identified to improve regular attendance. The plan shall  
 9 include, if agreed to by the person who is responsible for making  
 10 educational decisions on behalf of the child, an educational evaluation  
 11 to determine whether any intellectual, academic, physical, or social-  
 12 emotional barriers are contributing factors to the lack of attendance.  
 13 The plan shall also consider, but not be limited to:  
 14 (i) The physical, mental, or behavioral health of the child;  
 15 (ii) Educational counseling;  
 16 ~~(iii) Educational evaluation;~~  
 17 ~~(iii)~~ ~~(iv)~~ Referral to community agencies for economic services;  
 18 ~~(iv)~~ ~~(v)~~ Family or individual counseling;  
 19 ~~(v)~~ ~~(vi)~~ Assisting the family in working with other community  
 20 services; and  
 21 ~~(vi)~~ ~~(vii)~~ Referral to restorative justice practices or services.  
 22 (3) The school may report to the county attorney of the county in  
 23 which the person resides when the school has documented the efforts it  
 24 has made as required by subsection (2) of this section that the  
 25 collaborative plan to reduce barriers identified to improve regular  
 26 attendance has not been successful and that the child has been absent  
 27 more than twenty days per school year. The school shall notify the  
 28 child's family in writing prior to referring the child to the county  
 29 attorney. Failure by the school to document the efforts required by  
 30 subsection (2) of this section is a defense to prosecution under section  
 31 79-201 and adjudication for educational neglect under subdivision (3)(a)  
 1 of section 43-247 and habitual truancy under subdivision (3)(b) of  
 2 section 43-247. Illness that makes attendance impossible or impracticable  
 3 shall not be the basis for referral to the county attorney.  
 4 (4) Nothing in this section shall preclude a county attorney from  
 5 being involved at any stage in the process to address excessive  
 6 absenteeism.  
 7 2. Renumber the remaining sections and correct internal references  
 8 and the repealer accordingly.

Senator Ballard filed the following amendment to LB1329:  
AM3098

(Amendments to Standing Committee amendments, AM2831)

1 1. Insert the following new sections:  
 2 Sec. 4. Section 79-234, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 79-234 (1) An enrollment option program is hereby established to  
 5 enable any kindergarten through twelfth grade Nebraska student to attend  
 6 a school in a Nebraska public school district in which the student does  
 7 not reside subject to the limitations prescribed in section 79-238. The  
 8 option shall be available once during elementary school, once during  
 9 middle school or junior high school, and once during high school for a  
 10 total of three times only once to each student prior to graduation,



11 except that the option does not count toward such limitation if such  
12 option meets, or met at the time of the option, one of the following  
13 criteria: (a) The student relocates to a different resident school  
14 district, (b) the option school district merges with another district,  
15 (c) the student will have completed either the grades offered in the  
16 school building originally attended in the option school district or the  
17 grades immediately preceding the lowest grade offered in the school  
18 building for which a new option is sought, (d) the option would allow the  
19 student to continue current enrollment in a school district, (e) the  
20 option would allow the student to enroll in a school district in which  
21 the student was previously enrolled as a student, or (f) the student is  
22 an open enrollment option student. Sections 79-232 to 79-246 do not  
23 relieve a parent or guardian from the compulsory attendance requirements  
24 in section 79-201.

25 (2) The program shall not apply to any student who resides in a  
26 district which has entered into an annexation agreement pursuant to  
1 section 79-473, except that such student may transfer to another district  
2 which accepts option students.

3 Sec. 5. Section 79-237, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 79-237 (1) For a student to begin attendance as an option student in  
6 an option school district, the student's parent or legal guardian shall  
7 submit an application to the school board of the option school district  
8 between September 1 and March 15 for attendance during the following and  
9 subsequent school years. Except as provided in subsection (2) of this  
10 section, applications submitted after March 15 shall contain a release  
11 approval from the resident school district, or if the student is an  
12 option student at the time of such application and applying to become an  
13 option student at a subsequent option school district, a release approval  
14 from the option school district the student is attending at the time of  
15 such application, on the application form prescribed and furnished by the  
16 State Department of Education pursuant to subsection (8) of this section.  
17 A district may not accept or approve any applications submitted after  
18 such date without such a release approval. The option school district the  
19 student is applying to attend shall provide the resident school district,  
20 and if applicable, the option school district the student is attending at  
21 the time of such application, with the name of the applicant on or before  
22 April 1 or, in the case of an application submitted after March 15,  
23 within sixty days after submission. The option school district the  
24 student is applying to attend shall notify, in writing, the parent or  
25 legal guardian of the student and the resident school district, and, if  
26 applicable, the option school district the student is attending at the  
27 time of the application, whether the application is accepted or rejected  
28 on or before April 1 or, in the case of an application submitted after  
29 March 15, within sixty days after submission. An option school district  
30 that is a member of a learning community may not approve an application  
31 pursuant to this section for a student who resides in such learning  
1 community to attend prior to school year 2017-18.

2 (2) A student who relocates to a different resident school district  
3 after February 1 or whose option school district merges with another  
4 district effective after February 1 may submit an application to the  
5 school board of an option school district for attendance during the  
6 current or immediately following and subsequent school years unless the  
7 applicant is a resident of a learning community and the application is  
8 for attendance to begin prior to school year 2017-18 in an option school  
9 district that is also a member of such learning community. Such  
10 application does not require the release approval of the resident school  
11 district or the option school district the student is attending at the  
12 time of such application. The option school district the student is  
13 applying to attend shall accept or reject such application within forty-  
14 five days.

15 (3) A parent or guardian may provide information on the application  
16 for an option school district that is a member of a learning community  
17 regarding the applicant's potential qualification for free or reduced-

18 price lunches. Any such information provided shall be subject to  
 19 verification and shall only be used for the purposes of subsection (4) of  
 20 section 79-238. Nothing in this subsection requires a parent or guardian  
 21 to provide such information. Determinations about an applicant's  
 22 qualification for free or reduced-price lunches for purposes of  
 23 subsection (4) of section 79-238 shall be based on any verified  
 24 information provided on the application. If no such information is  
 25 provided, the student shall be presumed not to qualify for free or  
 26 reduced-price lunches for the purposes of subsection (4) of section  
 27 79-238.

28 (4) Applications for students who do not actually attend the option  
 29 school district that the student applied to attend may be withdrawn in  
 30 good standing upon mutual agreement by ~~both~~ the resident and option  
 31 school districts involved.

1 (5) No option student shall attend an option school district for  
 2 less than one school year unless the student relocates to a different  
 3 resident school district, completes requirements for graduation prior to  
 4 the end of his or her senior year, transfers to a private or parochial  
 5 school, or upon mutual agreement of the resident and option school  
 6 districts cancels the enrollment option and returns to the resident  
 7 school district or the previous option school district the student was  
 8 attending immediately prior.

9 (6) Except as provided in subsection (5) of this section or, for  
 10 open enrollment option students, in section 79-235.01, the option student  
 11 shall attend the option school district until graduation unless the  
 12 student relocates in a different resident school district, transfers to a  
 13 private or parochial school, ~~or~~ chooses to return to the resident school  
 14 district, or options into a subsequent option school district, except  
 15 that no student may use the enrollment option program other than as  
 16 provided in section 79-234.

17 (7) In each case of cancellation pursuant to subsections (5) and (6)  
 18 of this section, the student's parent or legal guardian shall provide  
 19 written notification to the school board of the option school district or  
 20 districts and the resident school district on forms prescribed and  
 21 furnished by the department under subsection (8) of this section in  
 22 advance of such cancellation.

23 (8) The application and cancellation forms shall be prescribed and  
 24 furnished by the State Department of Education.

25 (9) An option student who subsequently chooses to attend a private  
 26 or parochial school and who is not an open enrollment option student  
 27 shall be automatically accepted to return to either the resident school  
 28 district or option school district upon the completion of the grade  
 29 levels offered at the private or parochial school. If such student  
 30 chooses to return to the option school district, the student's parent or  
 31 legal guardian shall submit another application to the school board of  
 1 the option school district which shall be automatically accepted, and the  
 2 deadlines prescribed in this section shall be waived.

3 2. Renumber the remaining sections and correct internal references  
 4 and the repealer accordingly.

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1355A.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1355, One Hundred Eighth Legislature, Second Session, 2024.

**GENERAL FILE**

**LEGISLATIVE BILL 441.** Committee [AM2789](#), found on page 931 and considered on pages 1126 and 1129 and in this day's Journal, was renewed.

Senator Conrad renewed [MO1270](#), found on page 1126 and considered on pages 1126, 1129 and in this day's Journal, to bracket until April 18, 2024.

Senator Albrecht moved for a call of the house. The motion prevailed with 28 ayes, 8 nays, and 13 not voting.

Senator Conrad requested a roll call vote on her motion to bracket.

Voting in the affirmative, 12:

Blood	Conrad	Dungan	Vargas
Bostar	Day	Hunt	Walz
Cavanaugh, J.	DeBoer	McKinney	Wishart

Voting in the negative, 28:

Aguilar	Bostelman	Dover	Hughes	Meyer
Albrecht	Brandt	Erdman	Ibach	Moser
Arch	Brewer	Halloran	Kauth	Murman
Armendariz	Clements	Hansen	Linehan	von Gillern
Ballard	DeKay	Hardin	Lippincott	
Bosn	Dorn	Holdcroft	Lowe	

Present and not voting, 2:

Cavanaugh, M. Riepe

Absent and not voting, 1:

McDonnell

Excused and not voting, 6:

Fredrickson	Raybould	Slama
Jacobson	Sanders	Wayne

The Conrad motion to bracket failed with 12 ayes, 28 nays, 2 present and not voting, 1 absent and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1288](#)

Reconsider the vote on MO1270.

Pending.

**MOTION(S) - Print in Journal**

Senator Bosn filed the following motion to LB25:  
[MO1281](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Bosn filed the following motion to LB25:  
[MO1282](#)  
Bracket until April 11, 2024.

Senator Bosn filed the following motion to LB25:  
[MO1283](#)  
Recommit to the Judiciary Committee.

Senator Bosn filed the following motion to LB25:  
[MO1284](#)  
Bracket until April 11, 2024.

Senator Bosn filed the following motion to LB25:  
[MO1285](#)  
Recommit to the Judiciary Committee.

Senator Bosn filed the following motion to LB25:  
[MO1286](#)  
Indefinitely postpone.

Senator Bosn filed the following motion to LB25:  
[MO1287](#)  
Recommit to the Judiciary Committee.

**AMENDMENT(S) - Print in Journal**

Senator DeBoer filed the following amendment to LB1167:  
[AM3118](#)

(Amendments to Standing Committee amendments, AM2829)

1 1. On page 1, line 24, strike "for a first" and insert "in the  
2 county where the arrest occurred for an".

Senator Armendariz filed the following amendment to LB934:  
[AM3050](#)

(Amendments to Standing Committee amendments, AM2706)

1 1. Insert the following new amendments:

2 1. Insert the following new sections:

3 Sec. 4. Section 87-302, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 87-302 (a) A person engages in a deceptive trade practice when, in  
6 the course of his or her business, vocation, or occupation, he or she:

7 (1) Passes off goods or services as those of another;

8 (2) Causes likelihood of confusion or of misunderstanding as to the  
9 source, sponsorship, approval, or certification of goods or services;

10 (3) Causes likelihood of confusion or of misunderstanding as to  
11 affiliation, connection, or association with, or certification by,  
12 another;  
13 (4) Uses deceptive representations or designations of geographic  
14 origin in connection with goods or services;  
15 (5) Represents that goods or services have sponsorship, approval,  
16 characteristics, ingredients, uses, benefits, or quantities that they do  
17 not have or that a person has a sponsorship, approval, status,  
18 affiliation, or connection that he or she does not have;  
19 (6) Represents that goods or services do not have sponsorship,  
20 approval, characteristics, ingredients, uses, benefits, or quantities  
21 that they have or that a person does not have a sponsorship, approval,  
22 status, affiliation, or connection that he or she has;  
23 (7) Represents that goods are original or new if they are  
24 deteriorated, altered, reconditioned, reclaimed, used, or secondhand,  
25 except that sellers may repair damage to and make adjustments on or  
26 replace parts of otherwise new goods in an effort to place such goods in  
1 compliance with factory specifications;  
2 (8) Represents that goods or services are of a particular standard,  
3 quality, or grade, or that goods are of a particular style or model, if  
4 they are of another;  
5 (9) Disparages the goods, services, or business of another by false  
6 or misleading representation of fact;  
7 (10) Advertises goods or services with intent not to sell them as  
8 advertised or advertises the price in any manner calculated or tending to  
9 mislead or in any way deceive a person;  
10 (11) Advertises goods or services with intent not to supply  
11 reasonably expectable public demand, unless the advertisement discloses a  
12 limitation of quantity;  
13 (12) Makes false or misleading statements of fact concerning the  
14 reasons for, existence of, or amounts of price reductions;  
15 (13) Uses or promotes the use of or establishes, operates, or  
16 participates in a pyramid promotional scheme in connection with the  
17 solicitation of such scheme to members of the public. This subdivision  
18 shall not be construed to prohibit a plan or operation, or to define a  
19 plan or operation as a pyramid promotional scheme, based on the fact that  
20 participants in the plan or operation give consideration in return for  
21 the right to receive compensation based upon purchases of goods,  
22 services, or intangible property by participants for personal use,  
23 consumption, or resale so long as the plan or operation does not promote  
24 or induce inventory loading and the plan or operation implements an  
25 appropriate inventory repurchase program;  
26 (14) With respect to a sale or lease to a natural person of goods or  
27 services purchased or leased primarily for personal, family, household,  
28 or agricultural purposes, uses or employs any referral or chain referral  
29 sales technique, plan, arrangement, or agreement;  
30 (15) Knowingly makes a false or misleading statement in a privacy  
31 policy, published on the Internet or otherwise distributed or published,  
1 regarding the use of personal information submitted by members of the  
2 public;  
3 (16) Uses any scheme or device to defraud by means of:  
4 (i) Obtaining money or property by knowingly false or fraudulent  
5 pretenses, representations, or promises; or  
6 (ii) Selling, distributing, supplying, furnishing, or procuring any  
7 property for the purpose of furthering such scheme;  
8 (17) Offers an unsolicited check, through the mail or by other  
9 means, to promote goods or services if the cashing or depositing of the  
10 check obligates the endorser or payee identified on the check to pay for  
11 goods or services. This subdivision does not apply to an extension of  
12 credit or an offer to lend money;

13 (18) Mails or causes to be sent an unsolicited billing statement,  
 14 invoice, or other document that appears to obligate the consumer to make  
 15 a payment for services or merchandise he or she did not order;  
 16 (19)(i) Installs, offers to install, or makes available for  
 17 installation or download a covered file-sharing program on a computer not  
 18 owned by such person without providing clear and conspicuous notice to  
 19 the owner or authorized user of the computer that files on that computer  
 20 will be made available to the public and without requiring intentional  
 21 and affirmative activation of the file-sharing function of such covered  
 22 file-sharing program by the owner or authorized user of the computer; or  
 23 (ii) Prevents reasonable efforts to block the installation,  
 24 execution, or disabling of a covered file-sharing program;  
 25 (20) Violates any provision of the Nebraska Foreclosure Protection  
 26 Act;  
 27 (21) In connection with the solicitation of funds or other assets  
 28 for any charitable purpose, or in connection with any solicitation which  
 29 represents that funds or assets will be used for any charitable purpose,  
 30 uses or employs any deception, fraud, false pretense, false promise,  
 31 misrepresentation, unfair practice, or concealment, suppression, or  
 1 omission of any material fact; ~~or~~  
 2 (22)(i) ~~(22)~~ In the manufacture, production, importation,  
 3 distribution, promotion, display for sale, offer for sale, attempt to  
 4 sell, or sale of a substance:  
 5 (A) ~~(i)~~ Makes a deceptive or misleading representation or  
 6 designation, or omits material information, about a substance or fails to  
 7 identify the contents of the package or the nature of the substance  
 8 contained inside the package; or  
 9 (B) ~~(ii)~~ Causes confusion or misunderstanding as to the effects a  
 10 substance causes when ingested, injected, inhaled, or otherwise  
 11 introduced into the human body.  
 12 (ii) A person shall be deemed to have committed a violation of the  
 13 Uniform Deceptive Trade Practices Act for each individually packaged  
 14 product that is either manufactured, produced, imported, distributed,  
 15 promoted, displayed for sale, offered for sale, attempted to sell, or  
 16 sold in violation of this section. A violation under this subdivision (a)  
 17 (22) shall be treated as a separate and distinct violation from any other  
 18 offense arising out of acts alleged to have been committed while the  
 19 person was in violation of this section; ~~or -~~  
 20 (23)(i) Manufactures, produces, publishes, distributes, monetizes,  
 21 promotes, or otherwise makes publicly available any visual depiction of  
 22 sexually explicit conduct, any obscene material, or any material that is  
 23 harmful to minors in which any person depicted as a participant or  
 24 observer:  
 25 (A) Is under eighteen years of age;  
 26 (B) Is a trafficking victim;  
 27 (C) Has not expressly and voluntarily consented to such person's  
 28 depiction; or  
 29 (D) Participated in any act depicted without consent.  
 30 (ii) This subdivision (a)(23) does not apply to any  
 31 telecommunications service.  
 1 (iii) For purposes of this subdivision (a)(23):  
 2 (A) Harmful to minors has the same meaning as in 47 U.S.C. 254, as  
 3 such section existed on January 1, 2024;  
 4 (B) Obscene material has the same meaning as in section 28-807;  
 5 (C) Promote means to use any mechanism or publication, or take any  
 6 action, that suggests, highlights, advertises, markets, curates,  
 7 backlinks, hashtags, or otherwise directs, attempts to direct, or  
 8 encourages traffic toward specific materials, including acts carried out  
 9 affirmatively, through automation, algorithmically, and via other  
 10 technical means both known and unknown at this time;

11 (D) Publish means to communicate or make information available to  
 12 another person via an Internet website, regardless of whether the person  
 13 consuming, viewing, or receiving the material gives any consideration for  
 14 the published material;

15 (E) Trafficking victim has the same meaning as in section 28-830;

16 (F) Visual depiction of sexually explicit conduct has the same  
 17 meaning as in section 28-1463.02; and

18 (G) Without consent has the same meaning as in section 28-318.

19 (b) In order to prevail in an action under the Uniform Deceptive  
 20 Trade Practices Act, a complainant need not prove competition between the  
 21 parties.

22 (c) This section does not affect unfair trade practices otherwise  
 23 actionable at common law or under other statutes of this state.

24 Sec. 6. Section 87-303.11, Reissue Revised Statutes of Nebraska, is  
 25 amended to read:

26 87-303.11 (1) Any person who violates section 87-302 or 87-303.01

27 or who willfully violates the terms of an injunction or declaratory

28 judgment of a district court or the terms of a written assurance of

29 voluntary compliance entered into pursuant to the Uniform Deceptive Trade

30 Practices Act shall be subject to a civil penalty of not more than two

31 thousand dollars for each violation. The Attorney General, acting in the

1 name of the state, may seek recovery of such civil penalties in a civil

2 action.

3 (2) For purposes of this section, the district court which issues

4 any injunction shall retain jurisdiction and the cause shall be continued

5 while the Attorney General seeks the recovery of such civil penalties.

6 (3) Any civil penalties collected under this section shall be

7 remitted to the State Treasurer for distribution in accordance with

8 Article VII, section 5, of the Constitution of Nebraska.

9 6. Renumber the remaining sections, correct internal references, and

10 correct the repealer accordingly.

11 2. Renumber the remaining amendments accordingly.

Senator Albrecht filed the following amendment to LB441:

AM3091

(Amendments to Standing Committee amendments, AM2789)

1 1. Strike amendment 1 and insert the following new amendment:

2 1. Insert the following new section:

3 Section 1. Section 28-810, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 28-810 It shall be a defense to a prosecution under sections 28-808

6 and 28-809 that:

7 (1) Such person had reasonable cause to believe that the minor

8 involved was eighteen years of age or more, and that such reasonable

9 cause is based on but not limited to the presentation by the minor

10 exhibited to such person of a draft card, driver's license, birth

11 certificate, or other official or apparently official document purporting

12 to establish that such minor was eighteen years of age or more;

13 (2) The minor was accompanied by his parent or guardian and such

14 person had reasonable cause to believe that the person accompanying the

15 minor was the parent or guardian of that minor; or

16 ~~(3) Such person had reasonable cause to believe that the person was~~

17 ~~the parent or guardian of the minor; and~~

18 ~~(3) (4) Such person's activity falls within the defenses to a~~

19 prosecution contained in section 28-815.

Senator Holdcroft filed the following amendment to LB441:

AM3082

(Amendments to Standing Committee amendments, AM2789)

1 1. Insert the following new section:

2 Section 1. Section 28-394, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 28-394 (1) A person who causes the death of an unborn child  
5 unintentionally while engaged in the operation of a motor vehicle in  
6 violation of the law of the State of Nebraska or in violation of any city  
7 or village ordinance commits motor vehicle homicide of an unborn child.

8 (2) Except as provided in subsection (3) of this section, motor  
9 vehicle homicide of an unborn child is a Class I misdemeanor.

10 (3)(a) If the proximate cause of the death of an unborn child is the  
11 operation of a motor vehicle in violation of section 60-6,213 or  
12 60-6,214, motor vehicle homicide of an unborn child is a Class IIIA  
13 felony.

14 (b) Except as provided in subdivision (3)(c) of this section, if the  
15 proximate cause of the death of an unborn child is the operation of a  
16 motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
17 vehicle homicide of an unborn child is a Class ~~IIA~~ ~~IIIA~~ felony and the  
18 court shall, as part of the judgment of conviction, order the person not  
19 to drive any motor vehicle for any purpose for a period of at least sixty  
20 days and not more than fifteen years after the date ordered by the court  
21 and shall order that the operator's license of such person be revoked for  
22 the same period. The revocation shall not run concurrently with any jail  
23 term imposed.

24 (c) If the proximate cause of the death of an unborn child is the  
25 operation of a motor vehicle in violation of section 60-6,196 or  
26 60-6,197.06 and the defendant has a prior conviction for a violation of  
1 section 60-6,196 or a city or village ordinance enacted in conformance  
2 with section 60-6,196, motor vehicle homicide of an unborn child is a  
3 Class ~~II~~ ~~IIIA~~ felony and the court shall, as part of the judgment of  
4 conviction, order the person not to drive any motor vehicle for any  
5 purpose for a period of at least sixty days and not more than fifteen  
6 years after the date ordered by the court and shall order that the  
7 operator's license of such person be revoked for the same period. The  
8 revocation shall not run concurrently with any jail term imposed.

9 (4) The crime punishable under this section shall be treated as a  
10 separate and distinct offense from any other offense arising out of acts  
11 alleged to have been committed while the person was in violation of this  
12 section.

13 2. Renumber the remaining sections and correct the repealer  
14 accordingly.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 333.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine whether legislation similar to the model Hunger-Free Campus Bill is needed to address hunger and basic needs insecurity of Nebraska college students. This study should also determine the size and scope of hunger and basic needs insecurity of Nebraska college students, assess available resources to address hunger and basic needs insecurity of Nebraska college students, and research best practices other states utilize to address hunger and basic needs insecurity of college students.

Nationally, one in three college students face food insecurity and three in five college students face at least one form of basic needs insecurity. Basic needs include access to food, housing, health care, technology,



transportation, resources for personal hygiene, and child care and related needs. As students from diverse backgrounds are entering college with hopes of creating a better future, many are struggling to support themselves and finish their degrees. While additional forms of food assistance, such as local food pantries exist, many students do not know how to access these resources and the stigma of accessing such resources keeps students from using the resources.

The high cost of housing, transportation, textbooks, health care, and other living expenses, coupled with the rising cost of tuition, have created significant financial burdens for college students. These costs particularly impact students from low-income families, those who have children, first-generation and nontraditional college students, and former foster youth. Financial aid programs and scholarships designed for low-income students fail to cover the bulk of their needs and even if students work while in school the income from a job does not eliminate the threat of food and other basic needs insecurity.

Ten states have passed a version of the model Hunger-Free Campus Bill, which sends funding to public colleges to address student hunger. Any public college is eligible to access these funds if it meets certain criteria.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### **VISITOR(S)**

Visitors to the Chamber were students and teachers from St. Matthews Catholic School, Bellevue; Mary Jo Holdcroft, Bellevue; Arnold Tutorial Group, Arnold; Parker Jessen, Oshkosh; members of the Nebraska Library Association.

The Doctor of the Day was Dr. Sara Hoffschneider of Omaha.

#### **MOTION - Adjournment**

Speaker Arch moved to adjourn until 9:00 a.m., Wednesday, March 20, 2024.

Senator M. Cavanaugh moved for a call of the house. The motion failed with 14 ayes, 16 nays, and 19 not voting.

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

The Arch motion to adjourn prevailed with 32 ayes, 7 nays, 1 present and not voting, 2 absent and not voting, and 7 excused and not voting, and at 9:02 p.m., the Legislature adjourned until 9:00 a.m., Wednesday, March 20, 2024.

Brandon Metzler  
Clerk of the Legislature

**FORTY-SEVENTH DAY - MARCH 20, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FORTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 20, 2024

**PRAYER**

The prayer was offered by Senator Lowe.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lippincott.

**ROLL CALL**

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

The roll was called and all members were present except Senators Bostar, M. Cavanaugh, Day, DeBoer, Hunt, Jacobson, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-sixth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 441.** Committee [AM2789](#), found on page 931 and considered on pages 1126, 1129, 1149, and 1155, was renewed.

Senator M. Cavanaugh renewed [MO1288](#), found and considered on page 1155, to reconsider the vote on MO1270.

Senator Albrecht offered the following motion:

[MO1289](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Albrecht moved for a call of the house. The motion prevailed with 28 ayes, 2 nays, and 19 not voting.

Senator Albrecht requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 30:

Aguilar	Bostelman	Erdman	Kauth	Moser
Albrecht	Brewer	Halloran	Linehan	Murman
Arch	Clements	Hansen	Lippincott	Sanders
Armandariz	DeKay	Hardin	Lowe	Slama
Ballard	Dorn	Holdercroft	McDonnell	von Gillern
Bosn	Dover	Ibach	Meyer	Wayne

Voting in the negative, 17:

Blood	Cavanaugh, M.	Dungan	Raybould	Wishart
Bostar	Conrad	Fredrickson	Riepe	
Brandt	Day	Hughes	Vargas	
Cavanaugh, J.	DeBoer	McKinney	Walz	

Excused and not voting, 2:

Hunt            Jacobson

The Albrecht motion to invoke cloture failed with 30 ayes, 17 nays, and 2 excused and not voting.

The Chair declared the call raised.

### **COMMITTEE REPORT(S)** Nebraska Retirement Systems

**LEGISLATIVE BILL 196.** Placed on General File with amendment.

[AM3100](#)

- 1 1. Strike original sections 2, 3, 4, and 5 and insert the following
- 2 new section:
- 3 Sec. 2. Original section 81-2017, Revised Statutes Cumulative
- 4 Supplement, 2022, is repealed.
- 5 2. On page 2, lines 11, 16, and 20; and page 3, lines 10, 16, and
- 6 22, strike "2023" and insert "2024".
- 7 3. On page 2, line 22, strike "eight" and insert "ten".
- 8 4. On page 3, line 24, strike "twenty-five" and insert "twenty-
- 9 four".
- 10 5. Renumber the remaining section accordingly.

(Signed) Mike McDonnell, Chairperson

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Jeremy S. Borrell, Director - Aeronautics Division

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brandon B. Varilek - Board of Public Roads Classifications and Standards

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Moser, Chairperson

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 287A.** 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 287, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 334.** Introduced by Raybould, 28.

**PURPOSE:** The purpose of this resolution is to propose an interim study to consider strategies to ensure public access to the Nebraska State Capitol and adequate offstreet parking for state employees working in the State Capitol and state buildings within two blocks of the State Capitol.

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

- (1) The number of individuals working in the State Capitol and state buildings within two blocks of the State Capitol;
- (2) The number of offstreet parking spaces reasonably necessary to accommodate the parking needs of state employees working in the State Capitol and state buildings within two blocks of the State Capitol;
- (3) The number of offstreet parking spaces maintained by the State of Nebraska near the State Capitol and state buildings within two blocks of the State Capitol;
- (4) The effect of state employee use of onstreet parking near the State Capitol and state buildings within two blocks of the State Capitol on public

access to the State Capitol and state offices in state buildings within two blocks of the State Capitol;

(5) The management of onstreet parking by the city of Lincoln near the State Capitol and state buildings within two blocks of the State Capitol to provide public access to the State Capitol and state offices in state buildings within two blocks of the State Capitol;

(6) Options for the provision of offstreet parking for state employees working in the State Capitol or state buildings within two blocks of the State Capitol along with the costs and financing alternatives for each option;

(7) Cooperative agreements with the city of Lincoln for financing or construction of parking garages or other ways to meet offstreet parking needs for the State Capitol and state buildings within two blocks of the State Capitol;

(8) Future offstreet parking needs of state employees in the State Capitol and state buildings within two blocks of the State Capitol; and

(9) The process for monitoring and maintaining public access to the State Capitol and state buildings within two blocks of the State Capitol.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board 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(S) - Print in Journal**

Senator Raybould filed the following amendment to [LB1288](#):

[AM3106](#)

1 1. Insert the following new section:

2 Sec. 30. This act becomes operative on October 1, 2024.

3 2. On page 3, line 9, after "person" insert "who is a member of a

4 tribe or eligible for membership in a tribe, who is"; and in line 10

5 after "Nebraska" insert ", and".

6 3. On page 15, line 21, after "person" insert "who is a member of a

7 tribe or eligible for membership in a tribe, who is"; and in line 22

8 after "Nebraska" insert ", and".

9 4. On page 16, line 12, after the semicolon insert "and"; in line 16

10 strike the semicolon and insert an underscored period; and strike lines

11 17 through 23.

12 5. Renumber the remaining section accordingly.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1306.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 876.** Title read. Considered.

**SENATOR VON GILLERN PRESIDING**

Committee [AM2458](#), found on page 932, was offered.

Senator Blood offered the following motion:

[MO1290](#)

Bracket until April 11, 2024.

**SENATOR DORN PRESIDING**

**SPEAKER ARCH PRESIDING**

Pending.

**CEREMONIES**

The Speaker introduced a group from the Nebraska Association of Former State Legislators.

**COMMITTEE REPORT(S)**

Urban Affairs

**LEGISLATIVE BILL 947.** Placed on General File with amendment.

[AM2418](#)

1 1. On page 2, line 20, after "a" insert "residential"; and strike

2 lines 30 and 31 and insert the following new subsection:

3 "(3) Any state agency, county, city, or village that requires an

4 inspection as part of a building permit or structural scope of project

5 shall use an authorized inspector for such inspection. Any inspection

6 records from such inspection shall be made available to the public if the

7 structure for which the permit was requested or issued is standing at the

8 time of the request for such inspection records.".

9 2. On page 3, strike lines 1 through 3.

(Signed) Terrell McKinney, Chairperson

**VISITOR(S)**

Visitors to the Chamber were Jeff Aegerter, Seward; students from Cardinal Elementary, South Sioux City; members of the Nebraska Library Association/Nebraska School Librarians Association; Brooke Ritter, Kearney; students and teachers from St. Leonard School, Madison; students and teachers from Plainview Elementary, Plainview; Mary von Gillern, Omaha.

**RECESS**

At 11:44 a.m., on a motion by Senator Hansen, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Speaker Arch presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Bostar, Conrad, Dungan, Hughes, Linehan, Raybould, Riepe, Sanders, Slama, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1368A.** Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1368, One Hundred Eighth Legislature, Second Session, 2024.

**GENERAL FILE**

**LEGISLATIVE BILL 876.** Committee [AM2458](#), found on page 932 and considered in this day's Journal, was renewed.

Senator Blood renewed [MO1290](#), found and considered in this day's Journal, to bracket until April 11, 2024.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 12 ayes, 2 nays, and 35 not voting.

The Chair declared the call raised.

Senator Blood asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator Holdcroft withdrew [AM2953](#), found on page 1039, to the committee amendment.

The committee amendment lost with 0 ayes, 35 nays, 8 present and not voting, and 6 excused and not voting.

Senator Blood withdrew [AM2779](#), found on page 1127.



Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 1030.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 840.** Title read. Considered.

Committee [AM2862](#), found on page 965, was offered.

Senator McKinney offered [AM3092](#), found on page 1127, to the committee amendment.

### **SENATOR DEBOER PRESIDING**

Senator McKinney moved for a call of the house. The motion prevailed with 22 ayes, 4 nays, and 23 not voting.

The McKinney amendment, to the committee amendment, was adopted with 28 ayes, 10 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

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

The committee amendment, as amended, was adopted with 31 ayes, 12 nays, 2 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 11 nays, 4 present and not voting, and 4 excused and not voting.

### **POINT OF PERSONAL PRIVILEGE**

Senator M. Cavanaugh took a point of personal privilege.

### **POINT OF PERSONAL PRIVILEGE**

Senator Slama took a point of personal privilege.

### **COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 937.** Corrected amendment.

[AM3132](#) is available in the Bill Room.

**LEGISLATIVE BILL 1023.** Placed on General File with amendment. [AM3034](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Clements filed the following amendment to [LB1027](#):  
[AM3075](#)

(Amendments to Standing Committee amendments, AM2440)

1 1. Insert the following new section:  
2 Sec. 2. Section 79-1605, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:  
4 79-1605 (1) The superintendent of the school district in which any  
5 private, denominational, or parochial school is located, ~~which school is~~  
6 ~~not otherwise inspected by an area or diocesan representative holding a~~  
7 ~~Nebraska certificate to administer,~~ shall inspect such schools and report  
8 to the proper officers any evidence of failure to observe any of the  
9 provisions of sections 79-1601 to 79-1607. The Commissioner of Education,  
10 when in his or her judgment it is deemed advisable, may appoint a public  
11 school official other than such superintendent, including a member of the  
12 State Department of Education, for such inspections. Such appointee shall  
13 hold a Nebraska certificate to administer. The State Board of Education  
14 shall require the superintendents and appointed public school officials  
15 to make such inspections at least twice a year, and the school officers  
16 of such schools and the teachers giving instruction in such schools shall  
17 permit such inspection and assist and cooperate in the making of the  
18 same.  
19 (2) This section does not apply to (a) any private, denominational,  
20 or parochial school which elects not to meet accreditation or approval  
21 requirements pursuant to the procedures prescribed in subsections (2)  
22 through (6) of section 79-1601, or (b) a school inspected by an area or  
23 diocesan representative holding a Nebraska certificate to administer.  
24 2. Renumber the remaining section and correct the repealer  
25 accordingly.

**GENERAL FILE**

**LEGISLATIVE BILL 1329.** Senator M. Cavanaugh offered [MO1204](#), found on page 885, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Murman opened on his bill, LB1329.

Senator M. Cavanaugh opened on her motion, MO1204.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

No objections. So ordered.

Title read. Considered.

Committee [AM2831](#), found on page 1004, was offered.

Senator Brewer offered the following amendment to the committee amendment:

[AM3137](#)

(Amendments to Standing Committee amendments, AM2831)

1 1. On page 7, line 5, strike "subsection (3)" and insert  
2 "subdivision (3)(a)".  
3 2. On page 8, line 8, strike "(3)" and insert "(3)(a)"; and after  
4 line 14 insert the following new subdivision:  
5 "(b) The State Board of Education shall, in consultation with the  
6 Nebraska State Patrol, develop a model policy relating to the  
7 authorization of the carrying of firearms by authorized security  
8 personnel as described in subdivision (3)(a) of this section. The policy  
9 shall include, but need not be limited to, the appropriate number of  
10 training hours required of such security personnel.".

The Brewer amendment, to the committee amendment, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Murman offered [AM3102](#), found on page 1129, to the committee amendment.

The Murman amendment, to the committee amendment, was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Senator Conrad offered [AM3097](#), found on page 1151, to the committee amendment.

The Conrad amendment, to the committee amendment, was adopted with 32 ayes, 4 nays, 9 present and not voting, and 4 excused and not voting.

Senator Ballard offered [AM3098](#), found on page 1152, to the committee amendment.

The Ballard amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1205](#), found on page 885, to recommit to committee.

[MO1206](#), found on page 885, to bracket.

No objections. So ordered.

Senator Murman asked unanimous consent to withdraw the following motions:

[MO1209](#), found on page 885, to bracket.

[MO1210](#), found on page 885, to indefinitely postpone.

[MO1211](#), found on page 885, to recommit to committee.

No objections. So ordered.

Senator Murman withdrew [AM2475](#), found on page 720.

Senator Murman withdrew [FA241](#), found on page 886.

Senator Murman withdrew [FA242](#), found on page 886.

Senator Murman withdrew [FA267](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA268](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA269](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA270](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA271](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA272](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA273](#), found on page 1007, to the committee amendment.

Senator Murman withdrew [FA274](#), found on page 1007, to the committee amendment.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

#### **MOTION(S) - Return LB1413 to Select File**

Senator Hansen moved to return LB1413 to Select File for the following specific amendment:

[AM3136](#)

1. Strike the Hansen amendment, AM3115.

The Hansen motion to return prevailed with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1413.** The Hansen specific amendment, [AM3136](#), found in this day's Journal, was adopted with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

Readvanced to Enrollment and Review for Engrossment.

**AMENDMENT(S) - Print in Journal**

Senator von Gillern filed the following amendment to [LB948](#):

[FA298](#)

Strike the enacting clause.

Senator von Gillern filed the following amendment to [LB948](#):

[FA299](#)

On page 4, line 17, delete the words "prevailing rates," and replace them with "market rates"; and on lines 19, 20, and 21, delete the words beginning with "as determined" and ending with "code".

Senator von Gillern filed the following amendment to [LB948](#):

[FA300](#)

On page 4, line 25, delete the word "fifteen" and insert "zero".

Senator von Gillern filed the following amendment to [LB948](#):

[FA301](#)

On page 5, line 1, delete the word "four" and insert "zero".

Senator von Gillern filed the following amendment to [LB948](#):

[FA302](#)

On page 6, line 2, delete the words "26 U.S.C. 3131(e)(3)(B)" and insert the words "Associated Builders and Contractors and any community college trade programs".

Senator McKinney filed the following amendment to [LB1288](#):

[AM3096](#)

1 1. Insert the following new sections:

2 Section 1. Section 28-1202.03, Revised Statutes Supplement, 2023, is

3 amended to read:

4 28-1202.03 (1)(a) This section applies to a person who is not

5 otherwise prohibited by state law from possessing or carrying a concealed

6 handgun.

7 (b) This section does not apply to a qualified law enforcement

8 officer or qualified retired law enforcement officer carrying a concealed

9 handgun pursuant to 18 U.S.C. 926B or 926C, respectively, as such

10 sections existed on January 1, 2023.

11 (2) Except as provided in subsection (3) of this section, any time a

12 person is carrying a concealed handgun, such person shall also carry such

13 person's identification document. The person shall display the

14 identification document when asked to do so by a peace officer or by

15 emergency services personnel.

16 (3) A person is not required to comply with this section if:

17 (a) Such person is storing or transporting a handgun in a motor

18 vehicle for any lawful purpose or transporting a handgun directly to or

19 from a motor vehicle to or from any place where such handgun may be  
20 lawfully possessed or carried by such person; ~~and~~

21 (b) Such handgun is unloaded, kept separate from ammunition, and  
22 enclosed in a case.

23 (4) For purposes of this section:

24 (a) Emergency services personnel means a volunteer or paid  
25 firefighter or rescue squad member or a person licensed to provide  
26 emergency medical services pursuant to the Emergency Medical Services  
27 Practice Act or authorized to provide emergency medical services pursuant  
1 to the EMS Personnel Licensure Interstate Compact; and

2 (b) Identification document means a valid:

3 (i) Driver's or operator's license;

4 (ii) State identification card;

5 (iii) Military identification card;

6 (iv) Alien registration card; ~~or~~

7 (v) Passport; ~~or~~ -

8 (vi) Tribal enrollment card; and

9 (c) Tribal enrollment card means an identification document.

10 (i) Issued by a tribe which is recognized by a state or the federal  
11 government; and

12 (b) Which contains a photograph of the person identified and such  
13 person's date of birth.

14 (5) A violation of this section is a Class III misdemeanor for a  
15 first offense and a Class I misdemeanor for any second or subsequent  
16 offense.

17 Sec. 2. Section 53-167.02, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 53-167.02 (1) When any person licensed to sell alcoholic liquor at  
20 retail sells alcohol for consumption off the premises in a container with  
21 a liquid capacity of five or more gallons or eighteen and ninety-two  
22 hundredths or more liters, the seller shall record the date of the sale,  
23 the keg identification number, the purchaser's name and address, and the  
24 number of the purchaser's motor vehicle operator's license, state  
25 identification card, tribal enrollment card as defined in section  
26 28-1202.03, or military identification, if such military identification  
27 contains a picture of the purchaser, together with the purchaser's  
28 signature. Such record shall be on a form prescribed by the commission  
29 and shall be kept by the licensee at the retail establishment where the  
30 purchase was made for not less than six months.

31 (2) The commission shall adopt and promulgate rules and regulations  
1 which require the licensee to place a label on the alcohol container,  
2 which label shall at least contain a keg identification number and shall  
3 be on a form prescribed by the commission. Such label shall be placed on  
4 the keg at the time of retail sale. The licensee shall purchase the forms  
5 referred to in this section from the commission. The cost incurred to  
6 produce and distribute such forms shall be reasonable and shall not  
7 exceed the reasonable and necessary costs of producing and distributing  
8 the forms. Any money collected by the commission relating to the sale of  
9 such forms shall be credited to the Nebraska Liquor Control Commission  
10 Rule and Regulation Cash Fund.

11 (3) The keg identification number for each container shall be  
12 registered with the commission. The records kept pursuant to this section  
13 shall be available for inspection by any law enforcement officer during  
14 normal business hours or at any other reasonable time. Any person  
15 violating this section shall, upon conviction, be guilty of a Class III  
16 misdemeanor.

17 Sec. 3. Section 53-180.06, Reissue Revised Statutes of Nebraska, is  
18 amended to read:

19 53-180.06 (1) To establish proof of age for the purpose of  
20 purchasing or consuming alcoholic liquor, a person shall present or

21 display only a valid driver's or operator's license, state identification  
 22 card, military identification card, alien registration card, ~~or~~ passport,  
 23 or tribal enrollment card as defined in section 28-1202.03.

24 (2) Every holder of a retail license may maintain, in a separate  
 25 book, a record of each person who has furnished documentary proof of age  
 26 for the purpose of making any purchase of alcoholic liquor. The record  
 27 shall show the name and address of the purchaser, the date of the  
 28 purchase, and a description of the identification used and shall be  
 29 signed by the purchaser.

30 Sec. 4. Section 69-2404, Reissue Revised Statutes of Nebraska, is  
 31 amended to read:

1 69-2404 Any person desiring to purchase, lease, rent, or receive  
 2 transfer of a handgun shall apply with the chief of police or sheriff of  
 3 the applicant's place of residence for a certificate. The application may  
 4 be made in person or by mail. The application form and certificate shall  
 5 be made on forms approved by the Superintendent of Law Enforcement and  
 6 Public Safety. The application shall include the applicant's full name,  
 7 address, date of birth, and country of citizenship. If the applicant is  
 8 not a United States citizen, the application shall include the  
 9 applicant's place of birth and his or her alien or admission number. If  
 10 the application is made in person, the applicant shall also present a  
 11 current Nebraska motor vehicle operator's license, state identification  
 12 card, or military identification card, or tribal enrollment card as  
 13 defined in section 28-1202.03. ~~If ~~or~~ if the application is made by mail,~~  
 14 the application form shall describe the license or card used for  
 15 identification and be notarized by a notary public who has verified the  
 16 identification of the applicant through such a license or card. An  
 17 applicant shall receive a certificate if he or she is twenty-one years of  
 18 age or older and is not prohibited from purchasing or possessing a  
 19 handgun by 18 U.S.C. 922. A fee of five dollars shall be charged for each  
 20 application for a certificate to cover the cost of a criminal history  
 21 record check.

22 Sec. 5. Section 69-2430, Reissue Revised Statutes of Nebraska, is  
 23 amended to read:

24 69-2430 (1) Application for a permit to carry a concealed handgun  
 25 shall be made in person at any Nebraska State Patrol Troop Headquarters  
 26 or office provided by the patrol for purposes of accepting such an  
 27 application. The applicant shall present a current Nebraska motor vehicle  
 28 operator's license, Nebraska-issued state identification card, ~~or~~  
 29 military identification card, or tribal enrollment card as defined in  
 30 section 28-1202.03 and shall submit two legible sets of fingerprints for  
 31 a criminal history record information check pursuant to section 69-2431.

1 The application shall be made on a form prescribed by the Superintendent  
 2 of Law Enforcement and Public Safety. The application shall state the  
 3 applicant's full name; ~~;~~ motor vehicle operator's license number, ~~or~~  
 4 state identification card number, or tribal enrollment card number;  
 5 address; ~~;~~ and date of birth and contain the applicant's signature and  
 6 shall include space for the applicant to affirm that he or she meets each  
 7 and every one of the requirements set forth in section 69-2433. The  
 8 applicant shall attach to the application proof of training and proof of  
 9 vision as required in subdivision (3) of section 69-2433.

10 (2) A person applying for a permit to carry a concealed handgun who  
 11 gives false information or offers false evidence of his or her identity  
 12 is guilty of a Class IV felony.

13 ~~(3)(a) Until January 1, 2010, the permit to carry a concealed~~  
 14 ~~handgun shall be issued by the Nebraska State Patrol within five business~~  
 15 ~~days after completion of the applicant's criminal history record~~  
 16 ~~information check, if the applicant has complied with this section and~~  
 17 ~~has met all the requirements of section 69-2433.~~

18 ~~(3) The (b) Beginning January 1, 2010, the permit to carry a~~

19 concealed handgun shall be issued by the Nebraska State Patrol within  
20 forty-five days after the date an application for the permit has been  
21 made by the applicant if the applicant has complied with this section and  
22 has met all the requirements of section 69-2433.  
23 (4) An applicant denied a permit to carry a concealed handgun may  
24 appeal to the district court of the judicial district of the county in  
25 which he or she resides or the county in which he or she applied for the  
26 permit pursuant to the Administrative Procedure Act.  
27 2. Renumber the remaining sections and correct internal references  
28 and the repealer accordingly.

### **MOTION(S) - Print in Journal**

Senator von Gillern filed the following motion to [LB948](#):  
[MO1291](#)  
Bracket until April 18, 2024.

### **EASE**

The Legislature was at ease from 5:55 p.m. until 6:32 p.m.

### **SPEAKER ARCH PRESIDING**

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 335.** Introduced by Cavanaugh, M., 6;  
Slama, 1.

WHEREAS, during debate on Legislative Bill 441 during the evening of March 18, 2024, of the One Hundred Eighth Legislature, Second Session, the Senator from the 33rd Legislative District, Steve Halloran, engaged in conduct on the floor of the George W. Norris Legislative Chamber that rises to the level of harassment and hostility to fellow members of the Nebraska Legislature; and

WHEREAS, the Senator from the 6th Legislative District, Machaela Cavanaugh, formally accuses Senator Halloran of sexual harassment; and

WHEREAS, the conduct of Senator Halloran is unbecoming a member of the Nebraska Legislature and is contrary to senatorial traditions of decorum; and

WHEREAS, the conduct of Senator Halloran has brought the Legislature into disrespect and disrepute and has shaken the confidence of the people of the state in the Legislature; and

WHEREAS, it is the sense of the Legislature that this conduct should result in censure of Senator Halloran.

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

1. That Senator Steve Halloran of the 33rd Legislative District is hereby censured and condemned for conduct that rises to the level of harassment and hostility to fellow members of the Nebraska Legislature.

Laid over.



**SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Sec. 8, LR335 was referred to the Reference Committee.

**GENERAL FILE**

**LEGISLATIVE BILL 1074.** Title read. Considered.

Committee [AM2560](#), found on page 856, was offered.

Senator Dungan offered [AM2820](#), found on page 986, to the committee amendment.

The Dungan amendment, to the committee amendment, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1301.** Title read. Considered.

Committee [AM2594](#), found on page 984, was offered.

Senator DeKay offered [AM2919](#), found on page 986, to the committee amendment.

The DeKay amendment, to the committee amendment, was adopted with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment to the committee amendment:

[AM3095](#)

(Amendments to Standing Committee amendments, AM2594)

1 1. Insert the following new section:

2 Sec. 23. A corporation, hedge fund, or other business shall not

3 purchase single-family housing in Nebraska unless the corporation, hedge

4 fund, or other business is domiciled in Nebraska and the principal

5 members of the corporation, hedge fund, or other business are residents

6 of Nebraska.

7 2. Renumber the remaining sections accordingly.

The Wayne amendment, to the committee amendment, was withdrawn.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Senator DeKay withdrew [FA203](#), found on page 458.

Senator DeKay withdrew [FA204](#), found on page 458.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1368.** Title read. Considered.

Senator Ibach withdrew [AM2882](#), found on page 990.

Senator Ibach offered the following amendment:  
[AM3002](#) is available in the Bill Room.

#### **SENATOR DEKAY PRESIDING**

The Ibach amendment was adopted with 34 ayes, 0 nays, 7 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 126.** Title read. Considered.

#### **SPEAKER ARCH PRESIDING**

Committee [AM2941](#), found on page 1026, was offered.

Senator Holdcroft offered the following amendment to the committee amendment:

[AM3133](#)

(Amendments to Standing Committee amendments, AM2941)

1 1. Insert the following new section:

2 Section 1. Section 77-1613.02, Reissue Revised Statutes of Nebraska,

3 is amended to read:

4 77-1613.02 The county assessor or county clerk shall correct the

5 assessment and tax rolls after action of the county board of equalization

6 or final order of an applicable administrative body or court. Each

7 correction shall be made in triplicate, each set of triplicate forms

8 being consecutively numbered, and there shall be entered upon such form

9 all data pertaining to the assessment which is to be corrected. The

10 correction shall show all additions and reductions, the amount of tax

11 added or reduced, with the reason therefor, and the page or pages of the

12 tax rolls upon which such change is to be made. The original copy shall

13 be delivered to the county treasurer, the duplicate copy to the county

14 clerk, and the triplicate copy shall remain in the office of the county

15 assessor. The county assessor or county clerk shall provide upon demand a

16 listing showing each entry and sorted by tax year. The county treasurer

17 shall thereupon correct the tax roll to conform to the correction copy

18 and all changes shall be made in red ink, drawing a line through the

19 original or erroneous figures, but not erasing the same. No county

20 assessor shall reduce or increase the valuation of any property, real or

21 personal, without the approval of the county board of equalization or an

22 applicable administrative body or court, as provided for in this section.  
23 Any county assessor who shall willfully reduce or increase the valuation  
24 of any property, without the approval of the county board of equalization  
25 or an applicable administrative body or court, as provided in this  
26 section, shall be guilty of a misdemeanor and shall, upon conviction  
1 thereof, be fined not less than twenty dollars nor more than one hundred  
2 dollars.  
3 2. Renumber the remaining sections and correct internal references  
4 and the repealer accordingly.

The Holdcroft amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 1 present and not voting, and 8 excused and not voting.

The committee amendment, as amended, was adopted with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1027.** Title read. Considered.

Committee [AM2440](#), found on page 768, was offered.

Senator Clements asked unanimous consent to withdraw the following motions:

[MO1266](#), found on page 1091, to bracket.

[MO1267](#), found on page 1091, to indefinitely postpone.

[MO1268](#), found on page 1091, to recommit to committee.

No objections. So ordered.

Senator Conrad offered [AM2677](#), found on page 801, to the committee amendment.

The Conrad amendment, to the committee amendment, was adopted with 38 ayes, 0 nays, 3 present and not voting, and 8 excused and not voting.

Senator Clements offered [FA295](#), found on page 1088, to the committee amendment.

The Clements amendment, to the committee amendment, was withdrawn.

Senator Clements offered [AM3075](#), found in this day's Journal, to the committee amendment.

The Clements amendment, to the committee amendment, was adopted with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 4 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1051.** Title read. Considered.

Committee [AM2641](#), found on page 967, was offered.

The committee amendment was adopted with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 874.** Title read. Considered.

Committee [AM2803](#), found on page 984, was offered.

The committee amendment was adopted with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 2 present and not voting, and 9 excused and not voting.

#### ANNOUNCEMENT

Speaker Arch requested LB71 be passed over on General File.

#### GENERAL FILE

**LEGISLATIVE BILL 1335.** Title read. Considered.

Committee [AM2947](#), found on page 1026, was offered.

The committee amendment was adopted with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

Senator Conrad requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, and 10 excused and not voting.

**LEGISLATIVE BILL 20.** Title read. Considered.

Senator Wayne requested a roll call vote on the advancement of the bill.

Advanced to Enrollment and Review Initial with 34 ayes, 3 nays, 2 present and not voting, and 10 excused and not voting.

**COMMITTEE REPORT(S)**  
Nebraska Retirement Systems

**LEGISLATIVE BILL 686.** Placed on General File with amendment.  
[AM2984](#) is available in the Bill Room.

(Signed) Mike McDonnell, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB2.  
Senator Vargas name added to LB686.  
Senator Vargas name added to LB1082.  
Senator McDonnell name added to LB1284.

**VISITOR(S)**

Visitors to the Chamber were members of the Asia Community and Cultural Center; students from Elmwood Murdock Public Schools, Elmwood; Cathy Erdman, Bayard; Peggy Clements, Elmwood; Cory Steckler, New York; Riaz Mohammed, Maryland; JP Isabelle, Vermont; Jason Billick, Minnesota.

**ADJOURNMENT**

At 9:50 p.m., on a motion by Senator Raybould, the Legislature adjourned until 9:00 a.m., Thursday, March 21, 2024.

Brandon Metzler  
Clerk of the Legislature



**FORTY-EIGHTH DAY - MARCH 21, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FORTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 21, 2024

**PRAYER**

The prayer was offered by Pastor Mark Ashton, Christ Community Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senator Hughes who was excused; and Senators Bostar, Day, Dover, Dungan, Hansen, Hunt, Raybould, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-seventh day was approved.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 336.** Introduced by Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the method of funding for court interpreters and determine a stable or permanent funding arrangement to ensure Nebraska courts have qualified interpreters providing interpreting services. The study should also consider legislative or judicial policies that maintain and promote effective and professional interpreting services for courts and litigants in Nebraska.

It is a matter of fundamental fairness and due process of law that when a litigant, a witness, or a victim do not understand or speak English well enough to adequately comprehend or communicate in legal proceedings, a

qualified interpreter should be provided. In order to accommodate the rights of participants who do not speak English, the Nebraska Supreme Court, through the State Court Administrator, maintains a statewide register of interpreters consisting of certified and noncertified interpreters. All such interpreters must satisfy minimum requirements and be able to interpret simultaneously and consecutively and provide sight translation from English into the language of the non-English-speaking person and from the language of that person into English.

Interpreters are not employees of the Nebraska Supreme Court or the state. Instead, interpreters are paid an hourly rate set by the State Court Administrator. The rate is higher for certified interpreters than for non-certified. The hourly rates have not permanently changed since 2004, despite numerous attempts to increase the rates. In 2023, the Legislature appropriated funds to the Nebraska Supreme Court budget to increase the number of certified and non-certified interpreters and to provide for an automatic annual increase. Governor Jim Pillen vetoed this increase and the Legislature did not override the veto. As a consequence, many interpreters refused to work in Nebraska courts, opting to work in other legal interpreting services, such as in federal court or for courts in neighboring states, or in other interpreting services not related to law. Ultimately, the State Court Administrator was able to use residual money in its budget to increase the payment rate for interpreters on a temporary basis in order that interpreters would work in Nebraska courts.

Legislative Bill 864 was introduced in the One Hundred Eighth Legislature of Nebraska, Second Session, to continue the temporary increase arranged by the State Court Administrator. This appropriation, if signed into law, would only extend through the end of fiscal year 2024-25.

On January 25, 2024, in his State of the Judiciary to the Legislature, Chief Justice Mike Heavican of the Nebraska Supreme Court noted the historic increase in interpreter demand, not simply in the increased numbers of those who need interpreting services, but also the increase in the diversity of interpreted languages. The Chief Justice also stated that the Nebraska Supreme Court anticipates that the number of limited English proficient, deaf, and hard of hearing court and probation users to steadily increase in the coming years and that increased funding for language-access initiatives, including interpreters, is necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.



**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

**LB/LR Committee**  
LR335 Executive Board

Becker, Jill - Environmental Quality Council - Natural Resources  
Bird, Brad - Environmental Quality Council - Natural Resources  
Bogner, Kurt - Environmental Quality Council - Natural Resources  
Elliott, Janis - Public Employees Retirement Board - Nebraska Retirement Systems  
Figard, Roger - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Harder, Seth B. - Environmental Quality Council - Natural Resources  
Krechbaum, Russell L., Jr. - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Lunz, Lisa A. - Environmental Quality Council - Natural Resources  
Mayhew, Lynn - Environmental Quality Council - Natural Resources  
Rames, Steven - Board of Public Roads Classifications and Standards - Transportation and Telecommunications  
Stange, Marty - Environmental Quality Council - Natural Resources  
Tesmer, Timothy A. - Environmental Quality Council - Natural Resources  
Theiler, James E. - Environmental Quality Council - Natural Resources  
Willis, Allison - Environmental Quality Council - Natural Resources

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**REPORTS**

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

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 20, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Kelley Plucker, LLC  
American Communications, Inc.  
Mueller Robak  
Omaha Housing Authority  
Nebraska Strategies  
American Communications, Inc.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 322, 323, and 326 were adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 322, 323, and 326.

**GENERAL FILE**

**LEGISLATIVE BILL 130A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 287A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, 2 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 867A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 6 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1169A.** Title read. Considered.

Senator Erdman offered the following motion:

[MO1296](#)

Indefinitely postpone.

The Erdman motion to indefinitely postpone prevailed with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1355A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 644A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1204A.** Senator J. Cavanaugh offered [AM3108](#), found on page 1147.

The J. Cavanaugh amendment was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**MOTION(S) - Recommit LB43 to Committee**

Senator Conrad offered the following motion to LB43:

[MO1295](#)

Recommit to the Government, Military and Veterans Affairs Committee.

Senator Conrad asked unanimous consent to withdraw her motion to recommit to committee.

No objections. So ordered.

**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 LB43 with 37 ayes, 3 nays, 3 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 43.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 84-712, 84-712.01, and 84-712.07, Reissue Revised Statutes of Nebraska, and sections 84-712.03, 84-712.05, 84-920, and 84-1412, Revised Statutes Cumulative Supplement, 2022; to adopt the First Freedom Act; to authorize wearing of tribal regalia by students as prescribed; to change public records provisions relating to residents, nonresidents, fees, duties, and remedies; to allow certain records relating to cybersecurity to be withheld from the public as prescribed; to provide a duty for the Nebraska Information Technology Commission; to provide requirements regarding the interpretation of statutes, rules, and regulations as prescribed; to prohibit state agencies from imposing annual filing and reporting requirements on charitable organizations as prescribed; to state intent; to adopt the Personal Privacy Protection Act; to define terms; to change provisions relating to public meetings; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; 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, 39:

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

Voting in the negative, 0.

Present and not voting, 4:

Blood            Cavanaugh, J.    Cavanaugh, M.    McKinney

Excused and not voting, 6:

Brewer	Dungan	Hunt
Day	Hughes	Raybould

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 bills were read and put upon final passage:

**LEGISLATIVE BILL 905.**

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-428, Reissue Revised Statutes of Nebraska, section 68-996, Revised Statutes Cumulative Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023; to require the Department of Health and Human Services to submit a medicaid waiver or state plan amendment for medical respite care as prescribed; to change provisions relating to the Medicaid Managed Care Excess Profit Fund; to redefine a term under the Health Care Facility Licensure Act; and to repeal the original sections.

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

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Excused and not voting, 6:

Brewer	Dungan	Hunt
Day	Hughes	Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 905A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 905, One Hundred Eighth Legislature, Second Session, 2024.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Dungan	Hughes	Hunt	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 1087.** With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend section 71-1798, Revised Statutes Supplement, 2023; to adopt the Hospital Quality Assurance and Access Assessment Act; to provide duties for the Nebraska Center for Nursing; 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, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Hansen

Excused and not voting, 3:

Dungan      Hughes      Hunt

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

**LEGISLATIVE BILL 1087A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1087, One Hundred Eighth Legislature, Second Session, 2024; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 1:

Hansen

Excused and not voting, 2:

Dungan        Hughes

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

#### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1031A.** Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1031, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

#### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 43e, 905, 905A, 1087e, and 1087Ae.

#### **GENERAL FILE**

**LEGISLATIVE BILL 71.** Senator Hunt asked unanimous consent to withdraw the following motions:

[MO229](#), found on page 927, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO230](#), found on page 928, First Session, 2023, to recommit to committee.

[MO231](#), found on page 928, First Session, 2023, to bracket.

No objections. So ordered.

Title read. Considered.

### SENATOR DORN PRESIDING

Committee [AM833](#), found on page 808, First Session, 2023, was offered.

Senator Conrad offered [AM2589](#), found on page 771, to the committee amendment.

The Conrad amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Senator Murman offered the following amendment to the committee amendment:

[AM3020](#)

(Amendments to Standing Committee amendments, AM833)

1 1. Strike amendment 1 and insert the following new amendment:  
 2 1. Strike the original sections and insert the following new  
 3 sections:  
 4 Section 1. Section 79-530, Reissue Revised Statutes of Nebraska, is  
 5 amended to read:  
 6 79-530 (1) For purposes of sections 79-530 to 79-533 and sections 5  
 7 to 9 of this act, educational decisionmaker means a person designated or  
 8 ordered by a court to make educational decisions on behalf of a child.  
 9 (2) The Legislature finds and declares:  
 10 (a) (1) That parental involvement of parents, guardians, and  
 11 educational decisionmakers is a key factor in the education of children;  
 12 (b) (2) That such individuals parents need to be informed of the  
 13 educational practices affecting their children; and  
 14 (c) (3) That public schools should foster and facilitate access by  
 15 such individuals to parental information about and involvement in  
 16 educational practices affecting their children.  
 17 (3) It is the intent of the Legislature, through the enactment of  
 18 sections 79-531 to 79-533 and sections 5 to 9 of this act, to strengthen  
 19 the level of parental involvement and participation by parents,  
 20 guardians, and educational decisionmakers in the public school system of  
 21 the state.  
 22 Sec. 2. Section 79-531, Reissue Revised Statutes of Nebraska, is  
 23 amended to read:  
 24 79-531 (1) On or before July 1, 2025 1995, each public school  
 25 district in the state shall develop and adopt a policy stating how the  
 26 district will seek to involve parents, guardians, or educational  
 1 decisionmakers in the education of their children schools and the rights  
 2 of each parent, guardian, or educational decisionmaker to: what parents'  
 3 rights shall be relating to access to the schools;  
 4 (a) Access testing information; and curriculum; and matters-  
 5 (b) Request that a child be excused from specific instruction or  
 6 activities.  
 7 (2) The policy of each public school district relating to how the  
 8 district will seek to involve parents in the schools and what rights  
 9 parents have relating to access to schools that is in effect prior to the



10 effective date of this act shall remain in effect until a new policy is  
 11 developed and adopted on or before July 1, 2025, pursuant to subsection  
 12 (1) of this section.

13 Sec. 3. Section 79-532, Reissue Revised Statutes of Nebraska, is  
 14 amended to read:

15 79-532 (1) The policy required by section 79-531 shall include, but  
 16 need not be limited to, the following:

17 (a) (1) How the school district will provide access to parents,  
 18 guardians, or educational decisionmakers concerning textbooks; tests;  
 19 activities information; digital materials; websites or applications used  
 20 for learning; training materials for teachers, administrators, and staff;  
 21 procedures for the review and approval of training materials, learning  
 22 materials, and activities; and other curriculum materials used in the  
 23 school district;

24 (b) (2) How the school district will accommodate ~~handle~~ requests by  
 25 parents, guardians, or educational decisionmakers to attend and monitor  
 26 courses, assemblies, counseling sessions, and other instructional  
 27 activities;

28 (c) (3) Under what circumstances parents, guardians, or educational  
 29 decisionmakers may ask that their children be excused from testing,  
 30 classroom instruction, learning materials, activities, guest speaker  
 31 events, and other school experiences the parents, guardians, or  
 1 educational decisionmakers may find objectionable;

2 (d) (4) How the school district will provide access to records of  
 3 students;

4 (e) (5) What the school district's testing policy will be; and

5 (f) (6) How the school district participates in surveys of students  
 6 and the right of parents, guardians, or educational decisionmakers to  
 7 remove their children from such surveys.

8 (2) Nothing in this section shall be construed to require disclosure  
 9 of information in violation of the federal Family Educational Rights and  
 10 Privacy Act of 1974, as amended, 20 U.S.C. 1232g, or any federal  
 11 regulations and applicable guidelines adopted in accordance with such  
 12 act, as such act, regulations, and guidelines existed on January 1, 2024.

13 Sec. 4. Section 79-533, Reissue Revised Statutes of Nebraska, is  
 14 amended to read:

15 79-533 The policy required by section 79-531 shall be developed with  
 16 ~~parental~~ input from parents, guardians, and educational decisionmakers  
 17 and shall be the subject of a public hearing before the school board or  
 18 board of education of the school district before adoption by the board.  
 19 The policy shall be reviewed annually and either altered and adopted as  
 20 altered or reaffirmed by the board following a public hearing. Any public  
 21 hearing under this section shall include a reasonable opportunity for  
 22 public comments.

23 Sec. 5. By August 1, 2025, each school district shall make the  
 24 policy required by section 79-531 accessible on the school district's  
 25 public website. The policy shall be accessible by a prominently displayed  
 26 link on such website. If the policy is altered, the new version of the  
 27 policy shall be made accessible within a reasonable time thereafter.

28 Sec. 6. To the extent practicable, each public school district  
 29 shall make a reasonable effort to make any learning materials, including  
 30 original materials, available for inspection by a parent, guardian, or  
 31 educational decisionmaker upon request.

1 Sec. 7. (1) On or before August 1, 2026, each school district shall  
 2 make a list of library books offered for checkout available as a  
 3 downloadable list on the school district's website.

4 (2) Unless waived by the parent, guardian, or educational  
 5 decisionmaker as prescribed in subdivision (d) of this subsection, a  
 6 school district using digital library check-out software shall provide to  
 7 each parent, guardian, or educational decisionmaker of a student an email

8 communication when such student checks out a book. Such email  
 9 notification shall include:

10 (a) The book's title;

11 (b) The author of the book;

12 (c) The date the book is due to be returned to the school district's  
 13 library; and

14 (d) The ability to waive receipt of further email notifications  
 15 pursuant to this section.

16 Sec. 8. (1) Beginning with the 2026-27 school year, each school  
 17 district shall allow any student attending such school district or any  
 18 parent, guardian, or educational decisionmaker of a student attending  
 19 such school district to request the opportunity to provide a presentation  
 20 at one meeting of the school board regarding any book in the school  
 21 district's library or any material owned, possessed, or used by the  
 22 school district and have such book or material reviewed.

23 (2) Following any presentation and review described in subsection  
 24 (1) of this section, the school board shall make a determination relating  
 25 to the availability or use of such book or material. The school district  
 26 shall:

27 (a) Provide public notice relating to the book or material  
 28 presentation and review with the public notice of the meeting at least  
 29 one week before the meeting, including the time, date, and location of  
 30 the meeting;

31 (b) Provide public notice detailing how a student, parent, guardian,  
 1 or educational decisionmaker may have a request pursuant to this section  
 2 facilitated; and

3 (c) Specify that following the presentation and review the school  
 4 board shall make a determination relating to the availability or use of  
 5 such book or material.

6 Sec. 9. If the Commissioner of Education determines that any school  
 7 district has intentionally refused, in a material manner, to comply with  
 8 sections 79-530 to 79-533 and sections 5 to 8 of this act, the  
 9 commissioner shall notify the school district of such determination of  
 10 noncompliance and allow the school district a reasonable time to comply.  
 11 If the commissioner determines, after such time has elapsed, that the  
 12 school district is not in compliance and has not made a good faith  
 13 attempt to comply, the commissioner shall take appropriate remedial  
 14 action within the commissioner's authority, up to and including finding  
 15 such noncompliance as a violation of the rules and regulations for the  
 16 accreditation of schools.

17 Sec. 10. Original sections 79-530, 79-531, 79-532, and 79-533,

18 Reissue Revised Statutes of Nebraska, are repealed.

The Murman amendment, to the committee amendment, was withdrawn.

The committee amendment, as amended, was adopted with 44 ayes, 0 nays,  
 3 present and not voting, and 2 excused and not voting.

Senator Murman withdrew [AM252](#), found on page 468, First Session, 2023.

Senator Murman withdrew [AM253](#), found on page 468, First Session, 2023.

Senator Murman withdrew [AM254](#), found on page 468, First Session, 2023.

Senator Murman withdrew [AM255](#), found on page 468, First Session, 2023.

Senator Murman withdrew [AM256](#), found on page 468, First Session, 2023.

Senator Murman withdrew [AM257](#), found on page 468, First Session, 2023.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1284.** Title read. Considered.

Committee [AM3061](#), found on page 1144, was offered.

Senator Wayne moved for a call of the house. The motion prevailed with 26 ayes, 5 nays, and 18 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the committee amendment.

Voting in the affirmative, 25:

Arch	Cavanaugh, M.	Hansen	Meyer	Vargas
Ballard	Conrad	Hunt	Murman	von Gillern
Blood	DeBoer	Linehan	Raybould	Walz
Bostar	Dorn	McDonnell	Sanders	Wayne
Brandt	Fredrickson	McKinney	Slama	Wishart

Voting in the negative, 18:

Albrecht	Brewer	Halloran	Jacobson	Moser
Armendariz	Clements	Hardin	Kauth	Riepe
Bosn	Dover	Holdcroft	Lippincott	
Bostelman	Erdman	Ibach	Lowe	

Excused and not voting, 6:

Aguilar	Day	Dungan
Cavanaugh, J.	DeKay	Hughes

The committee amendment was adopted with 25 ayes, 18 nays, and 6 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 28 ayes, 10 nays, 5 present and not voting, and 6 excused and not voting.

#### **AMENDMENT(S) - Print in Journal**

Senator Bosn filed the following amendment to [LB934](#):

[FA307](#)

Remove the comma after "paper" in line 5 on page 6.

Senator Bosn filed the following amendment to [LB934](#):  
[FA308](#)

Remove the comma after "account" in line 3 on page 6.

Senator Bosn filed the following amendment to [LB934](#):  
[FA309](#)

Remove the comma after "offer" in line 29 on page 5.

Senator Bosn filed the following amendment to [LB934](#):  
[FA310](#)

Remove the comma after "offer" in line 29 on page 5.

Senator Bosn filed the following amendment to [LB934](#):  
[FA311](#)

Insert the following new section: Since an emergency exists, this act takes effect when passed and approved according to law.

#### **MOTION(S) - Print in Journal**

Senator Bosn filed the following motion to [LB934](#):  
[MO1298](#)

Recommit to the Judiciary Committee.

Senator Bosn filed the following motion to [LB934](#):  
[MO1299](#)

Bracket until April 12, 2024.

Senator Bosn filed the following motion to [LB934](#):  
[MO1300](#)

Indefinitely postpone.

Senator Bosn filed the following motion to [LB934](#):  
[MO1302](#)

Recommit to the Judiciary Committee.

#### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 262A.** Introduced by Halloran, 33.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 262, One Hundred Eighth Legislature, Second Session, 2024.

#### **NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 12:00 PM

Tuesday, April 2, 2024

Dan Volnek - Nebraska Commission on Problem Gambling  
Paul Leckband - Nebraska Commission on Problem Gambling  
Stephen M. Farrington - State Electrical Board  
Todd Zohner - Nebraska Commission on Problem Gambling

(Signed) John Lowe, Chairperson

Transportation and Telecommunications  
Room 1113 12:00 PM

Thursday, April 4, 2024

Roger Figard - Board of Public Roads Classifications and Standards  
Russell L., Jr. Kreachbaum - Board of Public Roads Classifications and Standards  
Steven Rames - Board of Public Roads Classifications and Standards

(Signed) Mike Moser, Chairperson

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 21, 2024, at 10:59 a.m. were the following: LBs 43e, 905, 905A, 1087e, and 1087Ae.

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

### **GENERAL FILE**

**LEGISLATIVE BILL 934.** Title read. Considered.

Committee [AM2706](#), found on page 934, was offered.

Senator Armendariz offered [AM3050](#), found on page 1156, to the committee amendment.

The Armendariz amendment, to the committee amendment, was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 1023.** Title read. Considered.

Committee [AM3034](#), found on page 1170, was offered.

The committee amendment was adopted with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

Senator von Gillern offered [AM2150](#), found on page 533.

The von Gillern amendment was adopted with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1370.** Title read. Considered.

#### **SPEAKER ARCH PRESIDING**

Committee [AM2863](#), found on page 948, was offered.

The committee amendment was adopted with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 11 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1017.** Title read. Considered.

Committee [AM2683](#), found on page 821, was offered.

Senator McDonnell withdrew [AM2769](#), found on page 875, to the committee amendment.

The committee amendment was adopted with 26 ayes, 0 nays, 15 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 1 nay, 11 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 253.** Title read. Considered.

Committee [AM2978](#), found on page 1075, was offered.

Senator Lowe offered the following amendment to the committee amendment:  
[AM3160](#)

(Amendments to Standing Committee amendments, AM2978)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. For purposes of sections 1 to 6 of this act:

4 (1) Case plan means a set of goals, conditions, and programs that

5 is:

6 (a) Based on a professional risk and needs assessment;

7 (b) Tailored to the specific risks and needs of the veteran; and

8 (c) Developed in collaboration with the veteran;  
9 (2) Condition from military service means substance-use disorder,  
10 military sexual trauma, traumatic brain injury, post-traumatic stress  
11 disorder, or another mental health condition that is related to an  
12 individual's military service in some manner and includes psychological  
13 effects from a veteran's time in service as well as from the period of  
14 family separation related to deployment;  
15 (3) Veteran means an individual who:  
16 (a) Is serving in the United States Armed Forces, including any  
17 reserve component or the National Guard;  
18 (b) Has served in such armed forces and was discharged or released  
19 from such service under conditions other than dishonorable; or  
20 (c) Has served in such armed forces and received a dishonorable  
21 discharge and such individual has been diagnosed with substance-use  
22 disorder, military sexual trauma, traumatic brain injury, post-traumatic  
23 stress disorder, or another mental health condition; and  
24 (4) Veteran justice program means the program described in sections  
25 2 to 4 of this act through which a veteran may request a court to defer  
26 entry of judgment of conviction for an offense pending completion of the  
1 program, and upon successful completion, avoid entry of judgment of  
2 conviction.  
3 Sec. 2. (1) A veteran justice program shall be operated by use of  
4 deferred judgments under section 29-2292, except as otherwise provided in  
5 this section or the rules established by the Supreme Court.  
6 (2) The Supreme Court shall establish rules for the creation and  
7 operation of veteran justice programs. Such rules shall provide for the  
8 following:  
9 (a) Eligibility for participation, subject to subsection (3) of this  
10 section;  
11 (b) Screening and referral of eligible veterans;  
12 (c) Establishing the conditions of the program, including the  
13 creation of case plans;  
14 (d) Establishing procedures for imposing sanctions or termination  
15 from the program;  
16 (e) Setting the terms of successful program completion and release  
17 upon that successful completion; and  
18 (f) Determining whether the veteran has successfully completed the  
19 program at a final hearing.  
20 (3) A veteran shall not be eligible for participation if any offense  
21 charged:  
22 (a) Is in violation of section 60-6,196 or 60-6,197 or a city or  
23 village ordinance enacted in conformance with section 60-6,196 or  
24 60-6,197 and such veteran does not hold a commercial driver's license or  
25 a CLP-commercial learner's permit;  
26 (b) Is a violation of any state or local traffic control law, except  
27 a parking, vehicle weight, or vehicle defect violation, and such veteran  
28 holds a commercial driver's license or a CLP-commercial learner's permit;  
29 (c) Involves a victim who is an intimate partner as defined in  
30 section 28-323;  
31 (d) Includes an element of sexual contact or sexual penetration as  
1 such terms are defined in section 28-318; or  
2 (e) Is not eligible for probation.  
3 (4) Prior to establishing the rules provided for in this section,  
4 the Supreme Court shall establish an advisory committee to make  
5 recommendations. The committee shall consist of the following members,  
6 appointed by the Supreme Court:  
7 (a) Three county attorneys;  
8 (b) Three criminal defense attorneys;  
9 (c) Three members of the Legislature; and  
10 (d) Three members of the public who have prior military experience.  
11 (5) Upon finalization of the rules, the probation office in each  
12 judicial district shall establish a veteran justice program for such  
13 district.  
14 Sec. 3. (1) Subject to section 2 of this act, a veteran shall be

15 eligible to participate in a veteran justice program if the court finds  
16 that the veteran has shown, by a preponderance of the evidence, that a  
17 condition from military service contributed to the offense.  
18 (2)(a) There shall be a rebuttable presumption that a veteran  
19 eligible under subsection (1) of this section and the rules established  
20 under section 2 of this act shall be allowed to participate in a veteran  
21 justice program.  
22 (b) This presumption applies even though a veteran may have  
23 previously absconded from or violated pretrial release, probation,  
24 parole, supervised release, or another form of court-ordered supervision,  
25 including a violation arising from commission of a new offense or an  
26 offense committed while previously participating in a veteran justice  
27 program.  
28 (c) The presumption shall only be overcome by a procedure set forth  
29 in the rules established under section 2 of this act.  
30 Sec. 4. (1) A veteran justice program shall include the following  
31 elements:  
1 (a) Evidence-based treatment tailored to address the specific  
2 challenges facing veterans, such as post-traumatic stress disorder,  
3 traumatic brain injury, military sexual trauma, or another condition from  
4 military service; and  
5 (b) A case plan that:  
6 (i) Is developed by the court with probation and appropriate  
7 experts;  
8 (ii) Is based on a professional assessment of the veteran's specific  
9 risks and needs;  
10 (iii) Is created in conjunction with input from the veteran;  
11 (iv) Contains clear and individualized supervision and treatment  
12 goals, including guidelines that detail the program rules, consequences  
13 for violating the rules, and incentives for compliance; and  
14 (v) Is communicated to the veteran at the start of the program.  
15 (2) In the implementation of a veteran justice program, the district  
16 court or county court shall retain discretion in:  
17 (a) Determining eligibility for participation, subject to sections 2  
18 and 3 of this act;  
19 (b) Establishing the conditions of the program, including the  
20 creation of the case plan;  
21 (c) Setting the terms of successful program completion and release  
22 upon that successful completion; and  
23 (d) Determining whether the veteran has successfully completed the  
24 program at a final hearing.  
25 (3) A victim of the veteran shall be notified of the veteran's  
26 participation in the program and shall have the opportunity to be  
27 involved in the veteran justice program, including the opportunity to be  
28 heard or submit a written statement at the final hearing where program  
29 completion is determined. The victim shall be notified at least fifteen  
30 days prior to such final hearing. If the victim is not present at the  
31 hearing, probation shall notify the court of any known objections to  
1 dismissal by the victim. The judge shall consider the victim's statement,  
2 harm caused to the victim, and potential future harm to the victim or  
3 community when determining program completion.  
4 (4) Upon successful completion of a veteran justice program, the  
5 veteran shall be entitled to the relief provided for a deferred judgment  
6 under section 29-2292.  
7 Sec. 5. (1) Law enforcement, court, and correctional personnel shall  
8 verify the veteran status of any individual being processed through the  
9 criminal justice system in order to identify individuals who may be  
10 eligible for participation in a veteran justice program.  
11 (2) Law enforcement, court, and correctional personnel shall receive  
12 training designed to increase their understanding of cases involving  
13 veterans, including veterans' exposure to violence and trauma. Such  
14 training shall include attention to issues that disproportionately impact  
15 female veterans, such as military sexual trauma.  
16 Sec. 6. (1) The State Court Administrator shall compile information



17 on the number of veterans receiving, successfully completing, declining,  
18 and denied participation in a veteran justice program.

19 (2) The State Court Administrator shall track outcomes among  
20 veterans who participate in a veteran justice program, including  
21 completion status, recidivism, and housing and employment status.

22 (3) Data collected under this section shall be disaggregated by  
23 race, ethnicity, gender, age, military discharge characterization, and  
24 the offense involved.

25 (4) On or before July 1, 2026, and on or before each July 1  
26 thereafter, the State Court Administrator shall electronically submit a  
27 report to the Judiciary Committee of the Legislature. The report shall  
28 contain de-identified data collected pursuant to this section and shall  
29 analyze the outcomes, successes, and areas for improvement of the veteran  
30 justice programs.

31 Sec. 7. Section 29-2260, Reissue Revised Statutes of Nebraska, is  
1 amended to read:

2 29-2260 (1) Whenever a person is adjudicated to be as described in  
3 subdivision (1), (2), (3)(b), or (4) of section 43-247, his or her  
4 disposition shall be governed by the Nebraska Juvenile Code.

5 (2) Whenever a court considers sentence for an offender convicted of  
6 either a misdemeanor or a felony for which mandatory or mandatory minimum  
7 imprisonment is not specifically required, the court may withhold  
8 sentence of imprisonment unless, having regard to the nature and  
9 circumstances of the crime and the history, character, and condition of  
10 the offender, the court finds that imprisonment of the offender is  
11 necessary for protection of the public because:

12 (a) The risk is substantial that during the period of probation the  
13 offender will engage in additional criminal conduct;

14 (b) The offender is in need of correctional treatment that can be  
15 provided most effectively by commitment to a correctional facility; or

16 (c) A lesser sentence will depreciate the seriousness of the  
17 offender's crime or promote disrespect for law.

18 (3) The following grounds, while not controlling the discretion of  
19 the court, shall be accorded weight in favor of withholding sentence of  
20 imprisonment:

21 (a) The crime neither caused nor threatened serious harm;

22 (b) The offender did not contemplate that his or her crime would  
23 cause or threaten serious harm;

24 (c) The offender acted under strong provocation;

25 (d) Substantial grounds were present tending to excuse or justify  
26 the crime, though failing to establish a defense;

27 (e) The victim of the crime induced or facilitated commission of the  
28 crime;

29 (f) The offender has compensated or will compensate the victim of  
30 his or her crime for the damage or injury the victim sustained;

31 (g) The offender has no history of prior delinquency or criminal  
1 activity and has led a law-abiding life for a substantial period of time  
2 before the commission of the crime;

3 (h) The crime was the result of circumstances unlikely to recur;

4 (i) The character and attitudes of the offender indicate that he or  
5 she is unlikely to commit another crime;

6 (j) The offender is likely to respond affirmatively to probationary  
7 treatment; ~~and~~

8 (k) Imprisonment of the offender would entail excessive hardship to  
9 his or her dependents; ~~and~~ :

10 (l) The offender's prior military service and any service-related  
11 trauma.

12 (4) When an offender who has been convicted of a crime is not  
13 sentenced to imprisonment, the court may sentence him or her to  
14 probation.

15 Sec. 8. This act becomes operative on July 1, 2025.

16 Sec. 9. Original section 29-2260, Reissue Revised Statutes of  
17 Nebraska, is repealed.

The Lowe amendment, to the committee amendment, was withdrawn.

The committee amendment was adopted with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

Senator Wayne withdrew [AM2534](#), found on page 754.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 4 present and not voting, and 7 excused and not voting.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1412.** Placed on Final Reading.

**LEGISLATIVE BILL 1413.** Placed on Final Reading.

[ST54](#)

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

1. In the E&R amendments, ER93, on page 1, line 7, "2-1507, 45-930," has been inserted before "48-621"; in line 11 "79-3501" has been struck and "79-1054" inserted; and in line 18 "to require prioritization of certain grant applications under the Water Sustainability Fund;" has been inserted after the semicolon.

(Signed) Beau Ballard, Chairperson

Revenue

**LEGISLATIVE BILL 1356.** Placed on General File with amendment.  
[AM3109](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

**MOTION(S) - Print in Journal**

Senator Murman filed the following motion to [LB1092](#):  
[MO1292](#)  
Bracket until April 18, 2024.

Senator Murman filed the following motion to [LB1092](#):  
[MO1293](#)  
Recommit to the Judiciary Committee.

Senator Murman filed the following motion to [LB1092](#):  
[MO1294](#)  
Indefinitely postpone.

**AMENDMENT(S) - Print in Journal**

Senator Murman filed the following amendment to [LB1092](#):  
[FA304](#)  
Strike Section 1.

Senator Murman filed the following amendment to LB1092:

[FA305](#)

Strike Section 1.

Senator Murman filed the following amendment to LB1092:

[FA306](#)

Strike Section 2.

Senator Walz filed the following amendment to LB1329:

[AM3150](#)

(Amendments to Standing Committee amendments, AM2831)

1 1. Insert the following new sections:

2 Sec. 4. Section 79-262.01, Revised Statutes Supplement, 2023, is

3 amended to read:

4 79-262.01 (1) On or before July 1, 2025, the State Department of  
5 Education shall develop and adopt a model policy relating to behavioral  
6 intervention, behavioral management, classroom management, and removal of  
7 a student from a classroom in school. The model policy shall include  
8 appropriate training for school employees on behavioral intervention,  
9 behavioral management, classroom management, and removal of a student  
10 from a classroom in schools and how frequently such training shall be  
11 required. The length of such training shall be a reasonable amount as  
12 determined by each school board.

13 (2) On or before August 1, 2025, each school district shall develop  
14 and adopt a policy consistent with or comparable to the model policy  
15 developed by the State Department of Education pursuant to subsection (1)  
16 of this section, which shall be a requirement for accreditation in  
17 accordance with section 79-703. Such policy shall be filed with the  
18 Commissioner of Education. The policy developed and adopted by a school  
19 district pursuant to this subsection shall be included with any  
20 notifications required under the Student Discipline Act.

21 (3)(a) Beginning in school year 2026-27, each school district shall  
22 ensure that any school employee who has behavioral management  
23 responsibilities participates in behavioral awareness and intervention  
24 training consistent with the school district policy developed and adopted  
25 in accordance with subsection (2) of this section. Such training shall be  
26 provided by the school district or such school district's educational  
1 service unit. The length of such training shall be a reasonable amount as  
2 determined by the school board.

3 (b) Each school district shall, either independently, or through the  
4 educational service unit of which such school district is a member,  
5 develop and provide behavioral awareness and intervention training to  
6 employees from such school who have behavioral management  
7 responsibilities. If such training is provided by the educational service  
8 unit, such training shall be available to any educational service unit  
9 employee and any member school district employee that works in a school  
10 and has behavioral management responsibilities. Such training shall be  
11 consistent with the model policy developed by the State Department of  
12 Education pursuant to subsection (1) of this section.

13 (4) The State Board of Education may adopt and promulgate rules and  
14 regulations to carry out this section.

15 Sec. 5. Section 79-2,141, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-2,141 (1) On or before March 1, 2010, the department shall  
18 develop and adopt a model dating violence policy to assist school  
19 districts in developing policies for dating violence.

20 (2) On or before July 1, 2010, each school district shall develop  
21 and adopt a specific policy to address incidents of dating violence  
22 involving students at school, which shall be made a part of the  
23 requirements for accreditation in accordance with section 79-703. Such

24 policy shall include a statement that dating violence will not be  
25 tolerated.

26 (3) To ensure notice of a school district's dating violence policy,  
27 the policy shall be published in any school district handbook, manual, or  
28 similar publication that sets forth the comprehensive rules, procedures,  
29 and standards of conduct for students at school.

30 (4) Each school district shall provide dating violence training to  
31 staff deemed appropriate by a school district's administration. The  
1 dating violence training shall include, but not be limited to, basic  
2 awareness of dating violence, warning signs of dating violence, and the  
3 school district's dating violence policy. The dating violence training  
4 may be provided by any school district or combination of school  
5 districts, an educational service unit, or any combination of educational  
6 service units. The length of such training shall be a reasonable amount  
7 as determined by each school board.

8 (5) Each school district shall inform the students' parents or legal  
9 guardians of the school district's dating violence policy. If requested,  
10 the school district shall provide the parents or legal guardians a copy  
11 of the school district's dating violence policy and relevant information.

12 (6) This section does not prevent a victim of dating violence from  
13 seeking redress under any other available law, either civil or criminal,  
14 and does not create or alter any existing tort liability.

15 Sec. 6. Section 79-2,145, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-2,145 The State Board of Education, based on the recommendations  
18 of the state school security director appointed pursuant to section  
19 79-2,143, may adopt and promulgate rules and regulations establishing  
20 minimum school security standards on or before July 1, 2016. Any rules or  
21 regulations that create a training requirement shall ensure that such  
22 training requirement shall be reasonable in length.

23 Sec. 7. Section 79-2,146, Revised Statutes Supplement, 2023, is  
24 amended to read:

25 79-2,146 (1) Beginning in school year 2023-24, all public school  
26 employees who interact with students and any other appropriate personnel,  
27 as determined by the school superintendent, shall receive ~~at least one~~  
28 ~~hour of~~ behavioral and mental health training with a focus on suicide  
29 awareness and prevention training each year. The length of such training  
30 shall be a reasonable amount as determined by each school board. Such  
31 training may include, but need not be limited to, topics such as  
1 identification of early warning signs and symptoms of behavioral and  
2 mental health issues in students, appropriate and effective responses for  
3 educators to student behavioral and mental health issues, trauma-informed  
4 care, and procedures for making students and parents and guardians aware  
5 of services and supports for behavioral and mental health issues. This  
6 training shall be provided within the framework of existing inservice  
7 training programs offered by the State Department of Education or as part  
8 of required professional development activities.

9 (2) The department, in consultation with organizations including,  
10 but not limited to, the Nebraska State Suicide Prevention Coalition, the  
11 Nebraska chapter of the American Foundation for Suicide Prevention, the  
12 Behavioral Health Education Center of Nebraska, the National Alliance on  
13 Mental Illness Nebraska, and other organizations and professionals with  
14 expertise in behavioral and mental health and suicide prevention, shall  
15 develop a list of approved training materials to fulfill the requirements  
16 of subsection (1) of this section. Such materials shall include training  
17 on how to identify appropriate mental health services, both within the  
18 school and also within the larger community, and when and how to refer  
19 youth and their families to those services. Such materials may include  
20 programs that can be completed through self-review of suitable behavioral  
21 and mental health and suicide prevention materials.

22 (3) The department may adopt and promulgate rules and regulations to  
23 carry out this section.

24 Sec. 12. Section 79-3105, Revised Statutes Cumulative Supplement,  
25 2022, is amended to read:

26 79-3105 The department shall provide training for the members of any  
27 threat assessment team serving a public or nonpublic school. Such  
28 training shall provide the knowledge and skill to allow threat assessment  
29 teams to work collaboratively to conduct threat assessments, engage in  
30 crisis intervention, increase awareness of concerning behavior among  
31 school staff, students, and the public, and interrupt violence in the  
1 planning stage to thwart potential harm to persons and property. Such  
2 training shall be reasonable in length.

3 Sec. 14. Section 79-3602, Revised Statutes Supplement, 2023, is  
4 amended to read:

5 79-3602 (1)(a) Beginning in school year 2024-25, the Educational  
6 Service Unit Coordinating Council shall (i) ensure annual behavioral  
7 awareness training is available statewide and (ii) develop, implement,  
8 and administer an ongoing statewide teacher support system.  
9 (b) Beginning in school year 2026-27, each school district shall  
10 ensure that each administrator, teacher, paraprofessional, school nurse,  
11 and counselor receives behavioral awareness training. The length of such  
12 training shall be a reasonable amount as determined by each school board.

13 Each administrator, teacher, paraprofessional, school nurse, and  
14 counselor who has received such training shall receive a behavioral  
15 awareness training review at least once every three years. Each school  
16 district may offer such training, or similar training, to any other  
17 school employees at the discretion of the school district. In addition,  
18 all school employees shall have a basic awareness of the goals,  
19 strategies, and schoolwide plans included in such training.

20 (c) Behavioral awareness training shall include, but not be limited  
21 to, evidence-based training on a continuum that includes:

22 (i) Recognition of detrimental factors impacting student behavior,  
23 including, but not limited to, signs of trauma;

24 (ii) Positive behavior support and proactive teaching strategies,  
25 including, but not limited to, expectations and boundaries; and  
26 (iii) Verbal intervention and de-escalation techniques.

27 (2)(a) On or before July 1, 2025, and on or before July 1 of each  
28 year thereafter, each school district shall submit a behavioral awareness  
29 training report to the Educational Service Unit Coordinating Council.  
30 Such report shall include the school district behavioral awareness  
31 training plan and summarize how such plan fulfills the requirements of  
1 this section.

2 (b) On or before December 31, 2025, and each December 31 thereafter,  
3 the Educational Service Unit Coordinating Council shall submit a report  
4 electronically to the Education Committee of the Legislature summarizing  
5 the behavioral awareness training reports received by school districts,  
6 the various trainings provided across the state, the teacher support  
7 system, and a financial report of funding received and expended in  
8 accordance with the Behavioral Intervention Training and Teacher Support  
9 Act.

10 (3)(a) Behavioral awareness training and the teacher support system  
11 required pursuant to this section shall be funded from the Behavioral  
12 Training Cash Fund.

13 (b) Any funding received by a school district for behavioral  
14 awareness training under the Behavioral Intervention Training and Teacher  
15 Support Act shall be considered special grant funds under section  
16 79-1003.

17 Sec. 15. Section 79-3603, Revised Statutes Supplement, 2023, is  
18 amended to read:

19 79-3603 (1) Each school district shall designate one or more school  
20 employees as a behavioral awareness point of contact for each school  
21 building or other division as determined by such school district. Each  
22 behavioral awareness point of contact shall be trained in behavioral  
23 awareness and shall have knowledge of community service providers and  
24 other resources that are available for the students and families in such  
25 school district. The length of such training shall be a reasonable amount  
26 as determined by the school board.

27 (2) Each school district shall maintain or have access to a registry

28 of local mental health and counseling resources. The registry shall  
 29 include resource services that can be accessed by families and  
 30 individuals outside of school. Each behavioral awareness point of contact  
 31 shall coordinate access to support services for students whenever  
 1 possible. Except as provided in section 43-2101, if information for an  
 2 external support service is provided to an individual student, school  
 3 personnel shall notify a parent or guardian of such student in writing  
 4 unless such recommendation involves law enforcement or child protective  
 5 services. Each school district shall indicate each behavioral awareness  
 6 point of contact for such school district on the website of the school  
 7 district and in any school directory for the school that the behavioral  
 8 awareness point of contact serves.  
 9 2. Renumber the remaining sections and correct internal references  
 10 and the repealer accordingly.

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 635A.** Introduced by Albrecht, 17.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 635, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

### **NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
 Room 1525 12:15 PM

Tuesday, April 2, 2024

Marty Stange - Environmental Quality Council  
 Timothy A. Tesmer - Environmental Quality Council  
 Lisa A. Lunz - Environmental Quality Council

Room 1507 12:15 PM

Wednesday, April 3, 2024

Allison Willis - Environmental Quality Council  
 Jill Becker - Environmental Quality Council

(Signed) Bruce Bostelman, Chairperson

Executive Board  
 Room 1524 3:00 PM

Thursday, March 28, 2024

LR335

Note: Invited Testimony Only

(Signed) Raymond Aguilar, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Dover name added to LB71.  
Senator Vargas name added to LB126.  
Senator J. Cavanaugh name added to LB840.  
Senator Vargas name added to LB905.  
Senator Blood name added to LB1023.  
Senator Dover name added to LB1092.  
Senator Dover name added to LB1096.  
Senator Vargas name added to LB1284.  
Senator Blood name added to LB1284.

**VISITOR(S)**

Visitors to the Chamber were Gale Pohlmann, Plymouth; members of Nebraska Association of Behavioral Health Organizations; John and Tyler Wolfe, Omaha; Jill Johnson, Lincoln; students and teachers from Immanuel Lutheran, Columbus; students, teacher, and sponsor from Millard West High School, Millard; students and teachers from Southwest High School, Bartley; Leadership Washington County; students from Aurora Public Schools, Aurora; Alexis and Lucas Linehan, Aurora.

**ADJOURNMENT**

At 1:57 p.m., on a motion by Senator Fredrickson, the Legislature adjourned until 10:00 a.m., Monday, March 25, 2024.

Brandon Metzler  
Clerk of the Legislature





**FORTY-NINTH DAY - MARCH 25, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FORTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, March 25, 2024

**PRAYER**

The prayer was offered by Senator Lippincott.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator McDonnell.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator von Gillern presiding.

The roll was called and all members were present except Senator Jacobson who was excused; and Senators Aguilar, Armendariz, Bostar, Brandt, Dover, Hughes, Hunt, Linehan, Raybould, Sanders, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-eighth day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 12:15 PM

Tuesday, April 2, 2024  
Brad Bird - Environmental Quality Council  
Larry Mohrman - Nebraska Natural Resources Commission

Room 1507 12:15 PM

Wednesday, April 3, 2024

James E. Theiler - Environmental Quality Council  
Lynn Mayhew - Environmental Quality Council  
Kurt Bogner - Environmental Quality Council

(Signed) Bruce Bostelman, Chairperson

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 484A.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 484, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1301A.** Introduced by DeKay, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1301, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1023A.** Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1023, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 164A.** Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 164, One Hundred Eighth Legislature, Second Session, 2024.

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 337.** Introduced by Hansen, 16.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine public assistance programs in Nebraska in order to determine whether program structures could be improved to better reward work and allow forward momentum for program participants.

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

(1) The eligibility thresholds of public assistance programs and the effect these thresholds have on the ability of program participants to increase their earnings or take new employment;

(2) The methods other states have utilized to address the limitations of public assistance programs created by eligibility thresholds; and

(3) Potential ways to improve public assistance programs in order to reward work and allow program participants to move off of public assistance programs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 338.** Introduced by Riepe, 12.

PURPOSE: The purpose of this resolution is to propose an interim study to examine health care delivery systems situated in rural areas, defined as all counties except Douglas, Lancaster, and Sarpy. This study shall focus on, but need not be limited to:

(1) Identifying legal barriers and operational impediments within the statutory framework governing health care delivery systems in rural areas;

(2) Assessing emerging technologies, procedures, and protocols to enhance operational efficiency of health care delivery systems in rural areas;

(3) Analyzing census figures, utilization rates, and identifying potential or ongoing shortages to inform strategic decision-making for health care delivery systems in rural areas;

(4) Staffing and education needs of health care delivery systems in rural areas;

(5) Funding of health care delivery systems in rural areas including medical assistance program utilization; and

(6) Any other areas of interest as deemed necessary by the committee.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 339.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to consider reforms to the parole process. This study should include, but need not be limited to, an examination of the following potential reforms:

- (1) Early release from parole for those who are compliant with conditions;
- (2) A good-time calculation for the terms of parolees;
- (3) Statutory changes to limit parole revocations to serious violations of parole rather than technical or minor violations; and
- (4) Any other potential reforms.

Nebraska's prison population, anticipated growth of such population, and the state's current needs for facility construction have all been recently examined by the state. In 2021 and 2022, state officials partnered with the Crime and Justice Institute to examine trends in Nebraska's criminal justice system and various policies and operations relating to the Nebraska Criminal Code and prison population. The Crime and Justice Institute Working Group produced data-driven policy reforms to reduce the state's projected prison population growth while promoting public safety and reducing recidivism. There were seven general policy priorities, and one of those policies was directly related to enhancing parole supervision for people reentering society.

One of the suggested reforms identified by the Crime and Justice Institute was to better utilize the parole process. In 2020, only fifty-eight percent of eligible offenders were placed on parole. Trends going back to 2011 showed fewer people being granted parole and when released, they had been in prison longer. The Crime and Justice Institute recommended a number of reforms to parole, all of which recommended greater use of parole.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 340.** 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 the state. Since reinstatement, Nebraska has only carried out one execution. This study should examine, but need not be limited to, the utility of the death penalty as well as the following subjects:

- (1) The method of execution available to Nebraska and what other death penalty states have for execution methodology;
- (2) The availability of execution drugs necessary to effectuate the lethal injection method that Nebraska presently 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) The 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, SECOND 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 341.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine the scope and use by school districts of a ban and bar action, banning and barring individuals from school property. This study should include an examination of whether the purported authority for such bans is appropriate and what statutory reforms are necessary to protect parents' rights to be involved in their child's education and to contest, appeal, or otherwise challenge a ban and bar action.

School districts for Nebraska public schools are utilizing a ban and bar process by which school districts prohibit students and family members from school property with the threat of police enforcement should an individual violate a ban. There are no regulations related to the appropriate use of a ban, the length of a ban, or to whom and when a ban may be applied. There have been instances of school districts instituting bans against students and family members who have disagreed with staff or administrators regarding the educational needs of the student, even though there was no evidence of a threat by the student or family member, and some school districts have even implemented four-year bans. There is no due process or appeal mechanism by which a student or family member can allege that a ban and bar is unreasonable or retaliatory.

The only authority for a school district to utilize a ban and bar arises from section 79-405, which states, in part, that every school district is a body corporate that possesses all the usual powers of a corporation for public purposes, may sue and be sued, and may purchase, hold, and sell such personal and real estate as the law allows. School districts have implemented ban and bar actions through the general right of corporations to prohibit trespass.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**MOTION(S) - Confirmation Report(s)**

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 968:

Department of Health and Human Services  
Steven L. Corsi, Chief Executive Officer

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

Senator Erdman moved for a call of the house. The motion prevailed with 32 ayes, 2 nays, and 15 not voting.

The motion to cease debate prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator M. Cavanaugh requested a roll call vote on the confirmation report.

Voting in the affirmative, 28:

Albrecht	Brewer	Halloran	Linehan	Murman
Arch	Clements	Hansen	Lippincott	Riepe
Armendariz	DeKay	Hardin	Lowe	Slama
Ballard	Dorn	Hughes	McDonnell	von Gillern
Bosn	Dover	Ibach	Meyer	
Bostelman	Erdman	Kauth	Moser	

Voting in the negative, 8:

Blood	Cavanaugh, M.	Day	Vargas
Cavanaugh, J.	Conrad	McKinney	Wayne

Present and not voting, 6:

DeBoer	Fredrickson	Raybould
Dungan	Hunt	Walz

Excused and not voting, 7:

Aguilar	Brandt	Jacobson	Wishart
Bostar	Holdcroft	Sanders	

The appointment was confirmed with 28 ayes, 8 nays, 6 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 130.** Placed on Final Reading Second.

**LEGISLATIVE BILL 287.** Placed on Final Reading.

[ST49](#)

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

1. The Conrad amendment, AM2792, has been incorporated into the Brewer amendment, AM2890, as follows:

a. Sections 51 and 56 have been inserted as sections 73 and 81 and the remaining sections have been renumbered accordingly; and

b. On page 103, line 8, "74, and 76" has been struck and "73, 75, 77, and 81" inserted; in line 10 "77" has been struck and "78" inserted; in line 11 "78" has been struck and "79" inserted; and in line 15 "84-217," has been inserted after "49-1499.03,".

2. On page 1, the matter beginning with "the" in line 1 through line 4 and all amendments thereto have been struck and "law; to amend sections 2-3213, 2-3214, 16-202, 18-2518, 25-1274, 32-233, 32-564, 32-565, 32-569, 32-613, 32-617, 32-630, 32-632, 32-713, 32-1205, 32-1301, 32-1304, 32-1308, 32-1546, 49-1499.03, 58-230, 58-817, 60-483, 60-484.02, 84-217, and 85-1514, Reissue Revised Statutes of Nebraska, sections 31-727.02, 32-304, 32-320.01, 32-330, 32-404, 32-405, 32-552, 32-553, 32-570, 32-606, 32-607, 32-608, 32-615, 32-716, 32-802, 32-808.01, 32-903, 32-947, 32-950.01, 32-1203, 32-1303, 32-1305, 32-1306, 32-1405, 32-1407, 32-1524, 32-1525, 70-663, 79-1218, and 84-1411, Revised Statutes Cumulative Supplement, 2022, and sections 32-101, 32-103, 32-123, 32-202.01, 32-308, 32-318.01, 32-912.01, 32-912.02, 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115, Revised Statutes Supplement, 2023; to eliminate obsolete provisions relating to adjusting certain boundaries after the federal decennial census and charter amendment procedures for certain public power districts; to change provisions relating to remonstrance petitions in the sale and conveyance of real estate owned by a city of the first class; to change certain petition requirements; to change provisions relating to the Election Act; to provide and change penalty provisions; to change provisions relating to conflicts of interest by certain officeholders and public employees; to change the distribution of certain fees imposed by the Department of Motor Vehicles; to change provisions relating to state identification cards; to provide for release of digital images by the Department of Motor Vehicles; to change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act; to eliminate provisions relating to opinions of the Attorney General regarding the unconstitutionality of legislative bills; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 84-215, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.

**LEGISLATIVE BILL 644A.** Placed on Final Reading.

**LEGISLATIVE BILL 1102.** Placed on Final Reading Second.

**LEGISLATIVE BILL 1204A.** Placed on Final Reading.

**LEGISLATIVE BILL 130A.** Placed on Select File.

**LEGISLATIVE BILL 287A.** Placed on Select File.

**LEGISLATIVE BILL 867A.** Placed on Select File.

**LEGISLATIVE BILL 1355A.** Placed on Select File.

**LEGISLATIVE BILL 1197.** Placed on Select File with amendment.

**ER98**

1 1. On page 1, strike beginning with "the" in line 1 through line 6  
2 and insert "economic development; to amend section 13-3101, Reissue  
3 Revised Statutes of Nebraska, and sections 13-3102, 13-3103, 13-3104,  
4 13-3108, and 82-335, Revised Statutes Supplement, 2023; to define and  
5 redefine terms and change provisions relating to the use of state  
6 assistance, applications, and certain limitations on state assistance  
7 under the Sports Arena Facility Financing Assistance Act; to change  
8 provisions relating to a competitive grant program established by the  
9 Nebraska Arts Council; to harmonize provisions; and to repeal the  
10 original sections."

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to LB1374:

AM2957 is available in the Bill Room.

Senator McKinney filed the following amendment to LB164:

AM3104 is available in the Bill Room.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1284A.** Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to transfer and appropriate funds to aid in carrying out the provisions of Legislative Bill 1284, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 876A.** Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 876, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 126A.** Introduced by Day, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 126, One Hundred Eighth Legislature, Second Session, 2024.



**RESOLUTION(S)****LEGISLATIVE RESOLUTION 342.** Introduced by Bosn, 25.

**PURPOSE:** The purpose of this resolution is to propose an interim study to consider changes to the juvenile justice system to address impacted juveniles who have mental health and substance use diagnoses.

Sufficient and available mental health services are presently lacking for many Nebraskans, including for youth and adolescents. Behavioral health and mental health services are especially needed for system-involved youth and those youth who are subject to any filing under the Nebraska Juvenile Code, particularly those youth who are subject to potential liberty restriction or secure detention.

This study should examine potential investments and funding to provide for mental health treatment professionals, programs, and facilities to meet the needs of Nebraska youth, adolescents, and adults through community-based services and accessible residential and inpatient care. The study should also determine how the state can provide assistance in supporting measures to improve mental health care in Nebraska communities. The study should also examine any statutory changes necessary to effectuate providing services to system-involved youth in need of behavioral health services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 343.** Introduced by Bosn, 25.

WHEREAS, the 2024 Nebraska School Activities Association Class C-1 Girls State Basketball Championship was held on March 2, 2024, at Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the Lincoln Christian High School girls basketball team won the 2024 Class C-1 Girls State Basketball Championship; and

WHEREAS, the Lincoln Christian Crusaders defeated the Sidney High School Red Raiders in the championship game by a score of 38-26; and

WHEREAS, Lincoln Christian finished the season with twenty-five wins and two losses; and

WHEREAS, this is the third state title overall for Lincoln Christian and the first since 2017; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Lincoln Christian High School girls basketball team and its coaches on winning the 2024 Class C-1 Girls State Basketball Championship.

2. That copies of this resolution be sent to the Lincoln Christian High School girls basketball team and Head Coach Scott Klein.

Laid over.

**LEGISLATIVE RESOLUTION 344.** Introduced by Lowe, 37.

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

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

1. That the General 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 345.** Introduced by Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine all licenses issued by the State Racing and Gaming Commission. This study shall be conducted to fulfill the requirements of section 84-948 and the Occupational Board Reform Act.

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

1. That the General 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 346.** Introduced by DeBoer, 10; Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review landlord-tenant law to determine whether legislative reforms can be enacted to further protect and empower victims and survivors of domestic or sexual violence and their dependents.

Laws 2021, LB320, provided rental protections for tenants who are experiencing domestic or sexual violence. The legislation expanded protections from eviction for survivors of domestic or sexual violence and facilitated the ability for a survivor to terminate a lease early if the survivor needs to move away from an abuser or because the abuser is no longer contributing to rent. The study shall evaluate additional reforms to landlord-tenant law which shall include, but need not be not limited to:

(1) Extending protection for survivors of domestic or sexual violence to apply to notices to tenants for noncompliance pursuant to subsection (1) of section 76-1431;

(2) Providing additional legislative directives to qualified third parties that certify domestic violence activities under subdivision (5)(a)(iii) of section 76-1431;

(3) Providing additional legislative directives to the entities authorized to certify domestic violence activities under section 76-1431 and considering whether the Nebraska Supreme Court or Administrative Office of the Courts could provide a list of such entities; and

(4) Any other possible reforms.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 347.** Introduced by Dungan, 26.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the frequency of claims brought under the Political Subdivisions Torts Claims Act and the State Tort Claims Act and the frequency of tort claims brought against other states.

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

(1) The number of claims brought against the State of Nebraska or its political subdivisions for intentional torts committed by employees of the state or its political subdivisions or individuals in the custody or care of the state or its political subdivisions prior to September 1, 2020;

(2) The costs associated with claims brought against the State of Nebraska or its political subdivisions for intentional torts committed by employees of the state or its political subdivisions or individuals in the custody or care of the state or its political subdivisions prior to September 1, 2020;

(3) The number of claims brought against other states or political subdivisions of other states for intentional torts committed by employees of other states or political subdivisions of other states; and

(4) The frequency or number of criminal charges filed for abuse or neglect against employees of the State of Nebraska or its political subdivisions or individuals in the care or custody of the state or its political subdivisions since September 1, 2020.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 348.** Introduced by Dungan, 26.

**PURPOSE:** This resolution proposes an interim study on a respondent's right to a trial by jury under the Uniform Residential Landlord and Tenant Act. That act requires that actions for possession be tried by the court without a jury. Neb. Rev. Stat. § 76-1446. In a recent case from the Nebraska Supreme Court, three Justices joined a concurring opinion which raised the possibility that this may violate the constitutional right to a jury trial, stating that this "bench trial provision may rest on constitutionally fragile ground." NP Dodge Mgmt. Co. v. Holcomb, 314 Neb. 748, 993 N.W.2d 105 (2023) (Papik, J., concurring).

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

(1) How many states allow for a jury trial for residential eviction proceedings;

(2) How many cases in Nebraska went to a jury trial before repealing the right;

(3) Potential violations of constitutional rights; and

(4) The likely outcome if Nebraska does not allow for a right to a trial by jury under the Uniform Residential Landlord and Tenant Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 349.** Introduced by Linehan, 39.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the funding sources, including tax incentives and other methods, used for early childhood education programs in Nebraska. This study should include, but not be limited to, an examination of the following:

- (1) What resources the State of Nebraska invests into early childhood education;
- (2) The history of early childhood education and its funding in Nebraska;
- (3) What local and community partners the State of Nebraska works with for early childhood education; and
- (4) Early child care needs in Nebraska.

Upon conclusion of the study, the committee should also send the report of its findings to the Appropriations Committee of the Legislature and the Education Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 350.** Introduced by Blood, 3.

WHEREAS, the 2024 Nebraska School Activities Association Boys State Basketball Championships were held from March 6 through March 9 in Lincoln, Nebraska; and

WHEREAS, the Bellevue West High School Thunderbirds boys basketball team competed for the 2024 Class A Boys State Basketball Championship; and

WHEREAS, the first seed Thunderbirds were victorious over Millard North High School Mustangs by a score of 57 to 48 with fellow Thunderbird, Jaden Jackson scoring a game high 21 points, helping the team escape a 25 to 18 halftime deficit; and

WHEREAS, the Thunderbirds have now played in the past five State Championship games, winning three titles and have now won back to back championships; and

WHEREAS, the Thunderbirds are recognized as one of the most dominant teams in Nebraska High School Boys Basketball history and exemplify consistency, competitiveness, toughness, and teamwork; and

WHEREAS, the Thunderbirds were able to win this championship thanks to the support of community members, parents, teachers, classmates, and administrators; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Bellevue West Thunderbirds boys basketball team on winning the 2024 Class A Boys State Basketball Championship.

2. That copies of this resolution be sent to Coach Steve Klein and the Bellevue West boys basketball team.

Laid over.

**LEGISLATIVE RESOLUTION 351.** Introduced by Raybould, 28.

PURPOSE: The purpose of this resolution is to propose an interim study on the safe storage of firearms. The study should include an examination of best practices, policies, and laws regarding the safe storage of firearms in homes, schools, and workplaces. Additionally, the study should examine and compare laws from neighboring states regarding the safe storage of firearms.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 352.** Introduced by Raybould, 28.

PURPOSE: The purpose of this resolution is to propose an interim study to assess identified improvement projects for clean water and drinking water systems in Nebraska. This study should examine the funding needs and potential funding sources for such projects. Identification of projects may come from, but need not be limited to, the 2024 Intended Use Plan for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund for State Fiscal Year 2024.

The Intended Use Plan includes projects with total needs of just over two billion eight hundred ten million dollars. Such projects work to improve and

maintain aging infrastructure to provide clean water and drinking water and work to create alternative water sources for contamination mitigation. Currently, the state provides funds to meet roughly fifteen percent of such needs through the Drinking Water State Revolving Fund which leaves the large majority of projects in need of funding.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 353.** Introduced by Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the pricing and taxation of alcohol in Nebraska.

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

1. That the General 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 354.** Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to assess state-led programs pertaining to the Nebraska workforce. It is challenging for employers to navigate and understand all available resources and qualifications to access such resources, such as worker training, job training, workforce development, customized job training, apprenticeships, and other programs and grants.

The study shall analyze state funding, policies, and initiatives addressing workforce needs and shortages and examine the accessibility of current programs offered by the Department of Labor, Department of Economic Development, Department of Health and Human Services, and State Department of Education and whether they are meeting the growing workforce needs in Nebraska.

The study shall further examine how to coordinate and increase opportunities for all Nebraskans to enter and advance in these programs,

how to align and expand education and training, and how to strengthen the capacity, diversity, development, and retention of the Nebraska workforce.

The study shall also include, but not be limited to, an examination of the following:

- (1) Existing pathway programs and educational initiatives that train or upskill workers in Nebraska;
- (2) Current state funding sources and programs that invest in the workforce in Nebraska, including worker training, workforce development, worker retention and recruitment, and career and technical education;
- (3) How programs are marketed and applications are sought;
- (4) How funds are distributed and how applications are scored, including the application approval rates and whether those denied have opportunity to receive technical assistance and appeal;
- (5) Opportunities to align or improve systems that support Nebraska's workforce in underserved and high-need communities across the state;
- (6) Alternative paths for public-private partnerships to address future workforce needs and requirements; and
- (7) The following issues relating to the State Unemployment Insurance Trust Fund:
  - (a) How the fund is used for workforce programs;
  - (b) Whether excess funds should be directed to additional workforce training and development purposes;
  - (c) What constitutes an adequate level of funding;
  - (d) Alternative legislative paths to establish a trust fund cap and redirect excess funds or dissolve the trust fund and identify alternative sources for the worker training; and
  - (e) Current legal parameters for the use of the fund.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 355.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine and compare the processes for adopting, promulgating, and eliminating rules and regulations in Nebraska and other states, to explore updates, improvements, and cleanup of the Administrative Procedure Act to make the act more transparent and accessible to the public and the Legislature, and to explore and compare different means of oversight employed nationwide by legislative bodies over administrative agencies.



NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### **EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LBs 43e, 905, 905A, 1087e, and 1087Ac.

(Signed) Jana Hughes

#### **MOTION(S) - Print in Journal**

Senator Hunt filed the following motion:

Reconsider the confirmation of the appointment of Steven L. Corsi to the Department of Health and Human Services

#### **VISITOR(S)**

Visitors to the Chamber were collegiate members of the Nebraska Music Education Association; students from St. Wenceslaus Elementary, Wahoo; students from Cody Elementary, Omaha.

#### **RECESS**

At 12:05 p.m., on a motion by Senator Hunt, the Legislature recessed until 1:30 p.m.

#### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator DeBoer presiding.

#### **ROLL CALL**

The roll was called and all members were present except Senator Jacobson who was excused; and Senators Armendariz, Conrad, Dorn, Fredrickson, Hardin, Hughes, Hunt, Linehan, Sanders, Walz, and Wishart who were excused until they arrive.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1188.** Title read. Considered.

Committee [AM2923](#), found on page 981, was offered.

The committee amendment lost with 0 ayes, 35 nays, 6 present and not voting, and 8 excused and not voting.

Senator Riepe offered [AM3018](#), found on page 1045.

Senator Riepe offered [AM3113](#), found on page 1139, to his amendment.

The Riepe amendment, to his amendment, was adopted with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

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

Senator Wayne offered the following amendment:

[AM3196](#)

(Amendments to Standing Committee amendments, AM2923)

1 1. Insert the following new sections:

2 Section 1. Sections 1 to 6 of this act shall be known and may be  
3 cited as the State and Political Subdivisions Child Sexual Abuse  
4 Liability Act.

5 Sec. 2. The Legislature hereby declares that the state, state  
6 agencies, and political subdivisions shall be liable in a similar manner  
7 and to a similar extent as a private individual or entity under like  
8 circumstances for tort claims arising out of child sexual abuse.

9 Sec. 3. For purposes of the State and Political Subdivisions Child  
10 Sexual Abuse Liability Act:

11 (1) Child sexual abuse means conduct that amounts to a violation of  
12 section 28-319.01 or 28-320.01;

13 (2)(a) Employee, with reference to a political subdivision, has the  
14 same meaning as in section 13-903.

15 (b) Employee, with reference to a state agency, has the same meaning  
16 as in section 81-8,210;

17 (3) Political subdivision has the same meaning as in section 13-903;

18 (4) State agency has the same meaning as in section 81-8,210; and

19 (5) Tort claim means any claim against a political subdivision or  
20 state agency for money only on account of personal injury or death,  
21 caused by the negligent or wrongful act or omission of any official or  
22 employee of the political subdivision or state agency, while acting  
23 within the scope of his or her office or employment, under circumstances  
24 in which the political subdivision or state agency, if a private person,  
25 would be liable to the claimant for such injury or death.

26 Sec. 4. An individual who is a victim of child sexual abuse may  
1 bring a tort claim arising from such child sexual abuse against a  
2 political subdivision or a state agency.

3 Sec. 5. The State and Political Subdivisions Child Sexual Abuse  
4 Liability Act constitutes a waiver of the sovereign immunity of the state  
5 and all political subdivisions, and an action under the act is not  
6 subject to the State Tort Claims Act or the Political Subdivisions Tort  
7 Claims Act or the limitations or requirements in such acts, including,  
8 but not limited to, limits on recoverable damages, limits on the  
9 availability of a jury trial, notice requirements, and statutes of  
10 limitations.

11 Sec. 6. (1) Criminal prosecution under section 28-319.01 or

12 28-320.01 is not required to maintain a civil action under the State and  
 13 Political Subdivisions Child Sexual Abuse Liability Act.  
 14 (2) The remedy provided in the State and Political Subdivisions  
 15 Child Sexual Abuse Liability Act is cumulative and shall be in addition  
 16 to any other remedies provided by law.  
 17 (3) No writ of execution shall issue against the state, a state  
 18 agency, or a political subdivision for a tort claim under the State and  
 19 Political Subdivisions Child Sexual Abuse Liability Act.  
 20 Sec. 7. Section 13-901, Reissue Revised Statutes of Nebraska, is  
 21 amended to read:  
 22 13-901 Sections 13-901 to 13-928 and section 8 of this act shall be  
 23 known and may be cited as the Political Subdivisions Tort Claims Act.  
 24 Sec. 8. An action under the State and Political Subdivisions Child  
 25 Sexual Abuse Liability Act is not subject to the Political Subdivisions  
 26 Tort Claims Act.  
 27 Sec. 9. Section 25-228, Revised Statutes Cumulative Supplement,  
 28 2022, is amended to read:  
 29 25-228 (1) ~~Notwithstanding any other provision of law:~~  
 30 (1) (a) There shall not be any time limitation for an action against  
 31 the individual or individuals directly causing an injury or injuries  
 1 suffered by a plaintiff when the plaintiff was a victim of a violation of  
 2 section 28-319.01 or 28-320.01 if such violation occurred (a) (i) on or  
 3 after August 24, 2017, or (b) (ii) prior to August 24, 2017, if such  
 4 action was not previously time barred, ~~and~~  
 5 (2) (b) An action against any person or entity other than the  
 6 individual directly causing an injury or injuries suffered by a plaintiff  
 7 when the plaintiff was a victim of a violation of section 28-319.01 or  
 8 28-320.01, including an action under the State and Political Subdivisions  
 9 Child Sexual Abuse Liability Act, may only be brought within twelve years  
 10 after the plaintiff's twenty-first birthday.  
 11 (3) (2) Criminal prosecution of a defendant under section 28-319.01  
 12 or 28-320.01 is not required to maintain a civil action for violation of  
 13 such sections.  
 14 Sec. 10. Section 81-8,235, Reissue Revised Statutes of Nebraska, is  
 15 amended to read:  
 16 81-8,235 Sections 81-8,209 to 81-8,235 and section 11 of this act  
 17 shall be known and may be cited as the State Tort Claims Act.  
 18 Sec. 11. An action under the State and Political Subdivisions Child  
 19 Sexual Abuse Liability Act is not subject to the State Tort Claims Act.  
 20 Sec. 16. Original sections 13-901 and 81-8,235, Reissue Revised  
 21 Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative  
 22 Supplement, 2022, are repealed.  
 23 2. Renumber the remaining sections accordingly.

The Wayne amendment was withdrawn.

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

### UNANIMOUS CONSENT - Expedite LB1188

Speaker Arch asked unanimous consent to expedite LB1188. No objections. So ordered.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 348A.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 348, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1126A.** Introduced by Bosn, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1126, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1200A.** Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to amend sections 64 and 65, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to reduce appropriations to aid in carrying out the provisions of Legislative Bill 1200, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 196A.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 196, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**LEGISLATIVE BILL 1356A.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1356, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1067A.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1067, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**LEGISLATIVE BILL 1027A.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1027, One Hundred Eighth Legislature, Second Session, 2024.

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 356.** Introduced by von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to examine State Capitol building improvements for senators. This study shall include, but need not be limited to, an examination of the following:

- (1) Parking security and capacity;
- (2) Senator's expenditures relating to device use with personal phones, laptops, cell plans, and wireless fidelity;
- (3) Expenditures relating to use of home offices;
- (4) Reimbursements;
- (5) Current mileage allocations; and
- (6) Any other matters pertaining to senators' materials, technology, and functional aspects of their positions to improve efficiency, determine costs, and improve accessibility.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the board 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 357.** Introduced by Holdcroft, 36; Halloran, 33; Lowe, 37; von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to determine to what extent, if any, there is a necessity to bolster election security in the State of Nebraska.

In order to carry out the purpose of this resolution, the committee shall hold a hearing, with invited testimony only, to ascertain the necessity of improved election security or increased election security for upcoming elections in the State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 358.** Introduced by Slama, 1.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the causes of increasing commercial insurance premiums and the impacts on Nebraska businesses.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 359.** Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to review the concept of property development in the State of Nebraska. The study shall examine how property is developed, what is currently working or not working for successful property development, and any possible areas of opportunity for property development.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 360.** Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to review the Middle Income Workforce Housing Investment Act. The study shall specifically examine how the act is functioning, who is receiving grant funds under the act, and any possible changes to the act that may need to be addressed.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 361.** Introduced by Cavanaugh, M., 6.

**PURPOSE:** The purpose of this study is to conduct a review of the fees that fund Nebraska's cash funds. This study will examine each fee and related cash fund by gathering the following data and information and may include further related information to complete the review:

- (1) The amount of each individual fee and how it is paid;
- (2) The amount of revenue collected by the fee;
- (3) The balance of the cash fund to which the fee is credited;
- (4) The allowable usages of the cash funds to which the fees are credited;
- (5) Any other information related to the fees and usage to help guide the Legislature in determining whether the current fees are operating as intended;
- (6) A determination of whether the fees are generating enough revenue to sustain the cash fund and fulfill its purpose;
- (7) A determination of whether the fees are generating more revenue than is needed to fulfill the purpose of the fund;
- (8) Whether the agency or entity responsible for implementing the purposes of the cash fund is spending the funds as intended by the Legislature; and
- (9) Any agency recommendations for fee amounts based upon the findings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 362.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the dangers posed by artificial intelligence for elections. The committee may seek the participation and input of interested parties and other committees of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 363.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the credentialing requirements for water-based fire protection system contractors 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, SECOND 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 364.** Introduced by Brewer, 43.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the credentialing requirements for private detectives, private detective agencies, and plain clothes investigators 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, SECOND 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 365.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study examining school guidelines and policies relating to LGBTQ bullying prevention. Currently, Nebraska's bullying statutes are governed by section 79-2,137, which directs school districts to develop and adopt policies concerning bullying prevention and education for all students. By reviewing school policies and practices and resources available to school districts, the Legislature can identify the challenges and areas for improvement to ensure that all students are protected from bullying in a school setting.

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

(1) A review of available data on the prevalence of school bullying in Nebraska;

(2) A state-by-state review of bullying laws, and the progression of how best practices surrounding bullying has evolved;

(3) A state-by-state review of school nondiscrimination laws, including whether the state has guidance on the treatment of LGBTQ students; and

(4) Input from school districts, parents, and other stakeholders regarding recommendations and strategies to enhance and strengthen school policies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 366.** Introduced by Day, 49.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine opportunities under the medical assistance program to improve state beneficiaries' social determinants of health by allowing coverage of clinically appropriate interventions that address enrollees' health-related social needs.

The Centers for Medicare and Medicaid Services recognize the important links between health-related social needs, health coverage, and health outcomes. Health-related social needs are an individual's unmet adverse social conditions that contribute to poor health such as food insecurity, unemployment, and housing instability. These needs can account for as much as fifty percent of health outcomes, drive health disparities, and increase costs.

The Centers for Medicare and Medicaid have demonstrated commitment to supporting states in efforts to improve population health, reduce disability, and lower overall health care costs through coverage of health-related social needs. A study of state medicaid programs that integrate health-related social needs services is appropriate to understand the potential outcomes of adopting this type of program in Nebraska.

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

(1) Research on how social determinants of health and health-related social needs affect health services utilization, health care costs, health disparities, and health outcomes;

(2) Eligible populations and covered services in states that have integrated health-related social needs services into medicaid state plans;

(3) The results of integrating health-related social needs services into medicaid state plans in other states, including health outcomes, access, equity, cost savings, and cost-effectiveness of health care services and interventions;

(4) What the most appropriate medicaid authority is for health-related social needs services;

(5) How to align health-related social needs services with existing assistance programs available to the target populations; and

(6) Service delivery requirements, fiscal policies, and other federally mandated conditions for health-related social needs services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 367.** Introduced by Day, 49.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine mechanisms to slow the rise of property tax valuations during periods of rapid property value increases. While the dramatic increase in home prices over the past ten years has shown the strength of our state's housing market, it has also created challenges for homeowners, as increasing property taxes have strained family budgets. This study should explore whether there are ways to flatten valuation increases so that homeowners could have more predictability in their year-to-year property tax bills.

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

- (1) A review of available data on the increases in home valuations in Nebraska;
- (2) A state-by-state comparison of methods used to slow the growth of property tax valuations;
- (3) A review of county board of equalization methods of complying with the uniformity clause of the Constitution of Nebraska;
- (4) A comparison of assessment and equalization methods across counties in determining actual value, including the sales comparison approach, the income approach, and the cost approach; and
- (5) A consideration of potential changes the Legislature could adopt to address challenges that homeowners face from rising home valuations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 368.** Introduced by Day, 49.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the process for school districts to change the boundaries of individual schools within their districts. Given that many families move specifically to be near a certain school within a greater school district, the decision to change boundaries can upend planning for families and affect numerous relationships between students, teachers, and staff. Boundary changes involve a decision-making process that can be difficult; however,

changes are often necessary to facilitate growth within a school district. Parents should have the opportunity to voice their concerns and have full transparency regarding the process for changing school boundaries within a school district that determines which school their children will attend.

Currently, the process for school district boundary changes is governed by section 79-413. This interim study is meant to evaluate whether some of the process for school district boundary changes, such as notification to parents, should be replicated in school boundary changes within a district.

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

- (1) The processes that school districts in Nebraska use for interdistrict school boundary changes;
- (2) Statutes in other states relating to school boundary changes within a single school district;
- (3) Ways to facilitate communication between parents and school districts when school boundary changes are being considered;
- (4) How much advanced communication should be given to parents;
- (5) Strategies to increase transparency for school boundary changes; and
- (6) Public meeting laws in Nebraska, and whether school boundary changes should require an opportunity for public comment.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 369.** Introduced by Day, 49.

**PURPOSE:** The purpose of this legislative resolution is to propose an interim study to examine the barriers to voting and equal representation for Native Americans in Nebraska. In 2021, the federal Interagency Steering Group on Native American Voting Rights was created by Executive Order 14019. The goal of this executive order was to research the barriers Native Americans face in achieving full access to participate in United States elections, and to recommend ways to mitigate or eliminate these barriers. While this has yielded broad federal recommendations, further research into the challenges unique to Nebraska is warranted.

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

- (1) A review and analysis of data on voter registration and voting on tribal lands in Nebraska;
- (2) Identification of barriers to voting for Native Americans in Nebraska;
- (3) Collaboration with stakeholders, including nonprofit organizations, faith-based institutions, and city, county, and tribal government officials to

evaluate and develop strategies and solutions to increase election accessibility;

(4) An evaluation of the effectiveness of policies, procedures, and programs implemented by other states directed toward Native American populations as they relate to election accessibility on tribal lands;

(5) An evaluation of the adequacy of policy coordination between counties and tribes; and

(6) Any recommendations for changes to policies, procedures, and programs to address the barriers to voting for Native Americans in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 370.** Introduced by Day, 49.

**PURPOSE:** The purpose of this interim study is to examine the rise of retailers moving to digital-only transactions. A number of Nebraskans prefer to use cash, including individuals with concerns about the privacy of digital transactions, and individuals that do not have bank accounts or easy access to a bank account. As a result, several municipalities have adopted requirements that cash be an accepted option in all retail transactions that are not online. Federal legislation has been introduced that would require cash options for transactions under two thousand dollars. A study on cashless transactions can ensure access to goods and services, while working to protect the rights and interests of businesses in Nebraska.

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

(1) A determination of how many Nebraskans rely primarily on cash for their purchases;

(2) The effect of requiring an option to use a cash-payment on businesses in Nebraska;

(3) The effect that widespread digital-only transactions would have on partners trying to leave relationships with joint finances;

(4) A consideration of exemptions for a cashless ban;

(5) Options to protect consumer privacy in cash and cashless transactions; and

(6) Ways to increase accessibility of digital payments for individuals without bank accounts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 371.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to examine the status of laws relating to consent and campus sexual assault in Nebraska. Under current Nebraska statutes, an absence of consent to sexual activity can be shown when the victim is compelled to submit by force, the threat of force, coercion, or deception; and a lack of consent can be expressed through words or conduct of the victim.

According to the Association of American Universities, nationwide, thirteen percent of all students have experienced sexual assault, and nearly twenty-five percent of undergraduate women have experienced some form of sexual assault. Given the pervasive occurrence of sexual violence on college campuses, in recent years some states have adjusted their laws governing consent to make it clear that consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. This interim study is meant to examine whether Nebraska's consent laws are sufficient to address campus sexual assault.

The interim study shall include, but not be limited to, an examination of:

(1) The law governing consent in Nebraska, including both statutes and case law;

(2) A review of such laws in other states and the evolution of such laws;

(3) Statutory reforms that may be necessary to ensure the safety of students on campus;

(4) Campus sexual assault policies in Nebraska and nationally; and

(5) Strategies that have been effective in reducing sexual assault on college campuses.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 372.** Introduced by Day, 49.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine Nebraska's policies relating to the Board of Nursing and the Board of Advanced Practice Registered Nurses and to evaluate the effectiveness and usefulness of the Board of Advanced Practice Registered Nurses.

The nursing field has changed greatly since the statutory requirements for each of these boards were constituted. To accommodate all interested parties, it is essential to study the needs of the workplace in the field of nursing. Additionally, Nebraska is currently the only state with a Board of Advanced Practice Registered Nurses, which represents certified registered nurse anesthetists, certified nurse midwives, nurse practitioners, and clinical nurse specialists.

Ensuring that Nebraska prioritizes the special role advanced practice registered nurses have in the state's health care system will make Nebraska a more appealing state for advance practice registered nurses to practice, thus dissipating some of the shortages in the state's health care system. An evaluation of the state's policies for these boards might help determine if combining the Board of Nursing with the Board of Advanced Practice Registered Nurses will effectively represent all registered nursing interests in the state.

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

(1) The current requirements for members of the Board of Nursing compared to what would more accurately represent the nursing field in Nebraska;

(2) The current requirements for members of the Board of Advanced Practice Registered Nurses compared to what would more accurately represent the field of advanced practice registered nursing in Nebraska;

(3) The proportions of different types of nurses in the state, including, but not limited to, advanced practice registered nurses and licensed practical nurses;

(4) The percentage of registered nurses and advanced practice registered nurses practicing in primarily rural communities versus urban communities; and

(5) What the makeup of a potential combined Board of Nursing and Board of Advanced Practice Registered Nurses should be.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 373.** Introduced by Ibach, 44.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals to practice dentistry in Nebraska.

The availability of qualified dental professionals is essential for maintaining the oral health of Nebraska communities. However, recruiting and retaining dentists, especially in underserved areas, presents significant challenges. Colleges of dentistry play a crucial role in providing advanced training, enhancing skills, and fostering the development of dental professionals. Enhancing these programs can contribute to addressing workforce shortages and improving access to dental care in the state.

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

(1) Analyzing opportunities and challenges related to enhancing dentistry training programs offered by the University of Nebraska Medical Center and Creighton University, including potential avenues to increase the recruitment and retention of dental residents and qualified faculty members in Nebraska; and

(2) Any other issues related to improving the workforce development pipeline of dentists in Nebraska, especially as it relates to underserved areas and underserved patient populations.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 374.** Introduced by Ibach, 44.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the availability of healthy and affordable food choices in Nebraska communities. This study shall review research articles and other literature on the topic of availability of healthy and affordable food choices in Nebraska communities to evaluate overall food access in Nebraska and to inform public policy discussions on this topic. The study shall also identify potential public policy interventions that would increase access to and utilization of healthy food choices.

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

(1) Reviewing alternative methodologies for defining low-grocery-access areas, as the United States Department of Agriculture definition of low-income and low-access areas, also known as food deserts, does not accurately identify the need for more food choices in every community, especially in rural areas;



- (2) Analyzing federal, state, and local efforts to provide healthy and affordable food to low-income and low-access areas;
- (3) Identifying resources and incentives the state may use to combat low access to food;
- (4) Identifying factors that limit access to healthy and affordable food choices within rural and urban communities and demographic groups;
- (5) Analyzing barriers and challenges for small locally owned grocery stores to provide healthy food options;
- (6) Reviewing current economic development policies that enable food retailers to improve or expand healthy food options and identify any gaps in access to healthy food options;
- (7) Evaluating mechanisms to develop markets and distribution of locally produced foods to meet the need for healthy and affordable food;
- (8) Evaluating how food insecurity affects Nebraska families; and
- (9) Evaluating the benefits of access to healthy and affordable food.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 375.** Introduced by Ibach, 44.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals who practice production animal veterinary services in Nebraska. This study shall include, but not need be limited to:

- (1) Exploring the need for establishing a new college of production animal veterinary medicine at the University of Nebraska-Lincoln;
- (2) Analyzing opportunities and challenges related to expanding veterinary training programs offered by the School of Veterinary Medicine and Biomedical Sciences at the University of Nebraska-Lincoln, the Nebraska College of Technical Agriculture at Curtis, and Northeast Community College; and
- (3) Framing unique solutions tailored to Nebraska to increase the number of practitioners in production animal veterinary services, especially in rural areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 376.** Introduced by Moser, 22.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Transportation and Telecommunications 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, SECOND 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 377.** Introduced by von Gillern, 4.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the components of the State of Nebraska's public health registry data collection and the release of that data to appropriate research entities. This study should examine all public health registry information collected by the state through health registries and vital records and how that information is maintained and released for research purposes given the confidentiality and privacy parameters imposed by state and federal law, including criteria used by the Department of Health and Human Services in decisionmaking.

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

(1) Identifying the public health data of all Nebraskans that is currently collected by the state related to health diagnoses, treatments, and outcomes by geographical location;

(2) Reviewing how other states collect and release health data and how those processes compare to Nebraska;

(3) Reviewing potential changes to the current data collection and release statutes, including criteria used by the Department of Health and Human Services in decisionmaking that would provide responsiveness to research data requests; and

(4) Examining potential ways to consolidate the Nebraska statutes relating to public health data.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510 12:00 PM

Tuesday, April 2, 2024

Dan Volnek - Nebraska Commission on Problem Gambling  
Paul Leckband - Nebraska Commission on Problem Gambling  
Stephen M. Farrington - State Electrical Board  
Todd Zohner - Nebraska Commission on Problem Gambling  
Helen Abbott Feller - State Racing and Gaming Commission

(Signed) John Lowe, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 1355.** [ER74](#), found on page 893, was offered.

ER74 was adopted.

Senator Vargas withdrew [AM3107](#), found on page 1132.

Senator Vargas offered the following amendment:  
[AM3194](#) is available in the Bill Room.

Senator Vargas offered the following amendment to his amendment:  
[FA312](#)

Amend AM3194 on page 4, line 29, strike "or" and on line 31, strike "and including" and insert "(d) support".

The Vargas amendment, to his amendment, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

The Vargas amendment, as amended, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Senator Bosn offered the following amendment:  
[AM3153](#) is available in the Bill Room.

Senator Conrad requested a ruling of the Chair on whether the Bosn amendment is germane to the bill.

Senator Conrad withdrew her request for a ruling from the Chair.

The Bosn amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1120.** [ER82](#), found on page 1023, was offered.

ER82 was adopted.

Senator Hardin withdrew [AM2952](#), found on page 1039.

Senator Hardin offered [AM3029](#), found on page 1114.

The Hardin amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1108.** [ER89](#), found on page 1028, was offered.

ER89 was adopted.

Senator Dorn offered [AM2943](#), found on page 1019.

The Dorn amendment was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1169.** Senator Conrad offered the following amendment:

[AM2944](#)

1 1. On page 12, line 18, strike "and"; in line 21 strike the  
2 underscored period and insert "; and"; and after line 21 insert the  
3 following new subdivision:  
4 "(11) Shall ensure that the study, assemblage, maintenance, and  
5 presentation of exhibits, objects, manuscripts, and other items of  
6 historical materials are performed in such a manner that stimulates,  
7 encourages, and protects the freedom of expression and academic freedom  
8 essential for the appreciation and understanding of the history of  
9 Nebraska."

**SPEAKER ARCH PRESIDING**

**SENATOR DEBOER PRESIDING**

The Conrad amendment was adopted with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1188.** Placed on Select File with amendment. [ER103](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB1402](#):  
[AM3016](#)

(Amendments to Standing Committee amendments, AM2679)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. (1) The Legislature finds that:
- 4 (a) Funds appropriated for the education of students in kindergarten
- 5 through twelfth grade are for a fundamental public purpose of state
- 6 government and constitute an ordinary expense of state government;
- 7 (b) Enabling the greatest number of parents and legal guardians to
- 8 choose among quality educational opportunities for children will improve
- 9 the quality of education available to all children;
- 10 (c) Privately operated elementary and secondary schools in Nebraska
- 11 satisfy the state's requirements for legal operation and provide quality
- 12 educational opportunities for children;
- 13 (d) Parents and legal guardians of limited means are less able to
- 14 choose among quality educational opportunities for their children; and
- 15 (e) Making it possible for more parents and legal guardians to be
- 16 able to choose privately operated schools benefits Nebraska parents and
- 17 taxpayers.
- 18 (2) For purposes of this section:
- 19 (a) Education scholarship means a financial grant-in-aid to be used
- 20 to pay all or part of the cost to educate an eligible student attending a
- 21 qualified school;
- 22 (b) Eligible student means a resident of Nebraska who:
- 23 (i) Is receiving an education scholarship for the first time and is
- 24 (A) entering kindergarten or ninth grade in a qualified school or the
- 25 first grade level offered by the qualified school, (B) transferring from
- 26 a public school at which the student was enrolled for at least one
- 1 semester immediately preceding the first semester for which the student
- 2 receives an education scholarship to a qualified school and is entering
- 3 any of grades kindergarten through twelve, or (C) a member of an active
- 4 duty or reserve military family transferring into Nebraska from another
- 5 state or another country and is entering any of grades kindergarten
- 6 through twelve in a qualified school;
- 7 (ii) Has previously received an education scholarship under this
- 8 section and is continuing education at a qualified school until such
- 9 student graduates from high school or reaches twenty-one years of age.

10 whichever comes first;

11 (iii) Has previously received an education scholarship under the  
12 Opportunity Scholarships Act and is continuing education at a qualified  
13 school until such student graduates from high school or reaches twenty-  
14 one years of age, whichever comes first;

15 (iv) Is the sibling of a student who is receiving an education  
16 scholarship and resides in the same household as such student; or  
17 (v) Is currently enrolled in a qualified school and is a member of a  
18 family whose household income is no more than two hundred thirteen  
19 percent of the federal poverty level; and

20 (c) Qualified school means any nongovernmental, privately operated  
21 elementary or secondary school located in this state that (i) is operated  
22 not for profit, (ii) complies with the antidiscrimination provisions of  
23 42 U.S.C. 1981, as such section existed on January 1, 2024, (iii)  
24 complies with all health and life safety laws or codes that apply to  
25 privately operated schools, and (iv) fulfills the applicable  
26 accreditation or approval requirements established by the State Board of  
27 Education pursuant to section 79-318.

28 (3) The State Treasurer shall establish a program to provide  
29 education scholarships to eligible students to pay the costs associated  
30 with attending a qualified school. Under such program, the State  
31 Treasurer shall:

1 (a) Establish a priority system for awarding education scholarships  
2 under the program. Such priority system shall:

3 (i) Give first priority to:

4 (A) Eligible students who received an education scholarship under  
5 this section or under the Opportunity Scholarships Act during the  
6 previous school year; and

7 (B) The sibling of a student who is receiving an education  
8 scholarship, so long as the sibling resides in the same household as such  
9 student;

10 (ii) Give second priority to:

11 (A) Eligible students whose household income levels do not exceed  
12 one hundred eighty-five percent of the federal poverty level;

13 (B) Eligible students whose application for the enrollment option  
14 program established in section 79-234 has been denied;

15 (C) Eligible students who have an individualized education program;

16 (D) Eligible students who are experiencing bullying, harassment,  
17 hazing, assault, battery, kidnapping, robbery, sexual offenses, threat or  
18 intimidation, or fighting at school;

19 (E) Eligible students who are in foster care; and

20 (F) Eligible students who are in a family with a parent or guardian  
21 in an active duty role in a branch of the armed forces of the United  
22 States or in the National Guard, or whose parent or guardian was killed  
23 -serving in the line of duty;

24 (iii) Give third priority to eligible students whose household  
25 income levels exceed one hundred eighty-five percent of the federal  
26 poverty level but do not exceed two hundred thirteen percent of the  
27 federal poverty level; and

28 (iv) Give fourth priority to eligible students whose household  
29 income levels exceed two hundred thirteen percent of the federal poverty  
30 level but do not exceed three hundred percent of the income indicated in  
31 the income eligibility guidelines for reduced price meals under the  
1 National School Lunch Program in 7 C.F.R. part 210;

2 (b) Limit the maximum scholarship amount awarded to any eligible  
3 student to the cost necessary to educate the eligible student at the  
4 qualified school such student attends; and

5 (c) Limit scholarship amounts awarded to eligible students in a  
6 manner that assures that the average of the scholarship amounts awarded  
7 per student does not exceed seventy-five percent of the statewide average  
8 general fund operating expenditures per formula student for the most  
9 recently available complete data year as such terms are defined in  
10 section 79-1003.

11 (4) The annual limit on the total amount of education scholarships

12 awarded under this section for fiscal year 2024-25 shall be twenty-five  
 13 million dollars. The annual limit on the total amount of education  
 14 scholarships awarded under this section for fiscal year 2025-26 and each  
 15 fiscal year thereafter shall be calculated by taking the annual limit  
 16 from the prior fiscal year and then multiplying such amount by (a) one  
 17 hundred twenty-five percent if the total amount of education scholarships  
 18 awarded in the prior fiscal year exceeded ninety percent of the annual  
 19 limit applicable to that fiscal year or (b) one hundred percent if the  
 20 total amount of education scholarships awarded in the prior fiscal year  
 21 did not exceed ninety percent of the annual limit applicable to that  
 22 fiscal year. The annual limit may be increased as provided in this  
 23 subsection until it reaches one hundred million dollars. Thereafter, no  
 24 further increases shall be allowed.  
 25 (5) On or before December 1, 2025, and on or before December 1 of  
 26 each year thereafter, the State Treasurer shall electronically submit a  
 27 report to the Governor and the Legislature that includes the following:  
 28 (a) A summary description of the State Treasurer's policies and  
 29 procedures for awarding education scholarships;  
 30 (b) The number of eligible students receiving education scholarships  
 31 in the most recent fiscal year;  
 1 (c) The total amount of education scholarships awarded in the most  
 2 recent fiscal year;  
 3 (d) The number of eligible students currently wait-listed or denied  
 4 from receiving an education scholarship and the reason for the wait-  
 5 listing or denial; and  
 6 (e) The demographic information of eligible students receiving  
 7 education scholarships, including, but not limited to:  
 8 (i) Income level;  
 9 (ii) Grade level; and  
 10 (iii) Geographic location.  
 11 (6) The State Treasurer may enter into contracts with up to three  
 12 program managers for the purposes of carrying out the education  
 13 scholarship program described in this section.  
 14 (7)(a) It is the intent of the Legislature to appropriate twenty-  
 15 five million dollars from the General Fund for fiscal year 2024-25 to the  
 16 State Treasurer for the purpose of providing education scholarships as  
 17 provided in this section.  
 18 (b) It is the intent of the Legislature to appropriate the maximum  
 19 amount of education scholarships allowed under subsection (4) of this  
 20 section for fiscal year 2025-26 and each fiscal year thereafter from the  
 21 General Fund to the State Treasurer for the purpose of providing  
 22 education scholarships as provided in this section.  
 23 (8) Up to seven and one-half percent of the funds appropriated for  
 24 purposes of this section may be used by the State Treasurer, or by the  
 25 program managers with which the State Treasurer contracts, for  
 26 administrative expenses.  
 27 (9) This section shall not be construed as granting any expanded or  
 28 additional authority to the State of Nebraska to control or influence the  
 29 governance or policies of any qualified school due to the fact that the  
 30 qualified school admits and enrolls students who receive education  
 31 scholarships or as requiring any such qualified school to admit or, once  
 1 admitted, to continue the enrollment of any student receiving an  
 2 education scholarship.  
 3 Sec. 2. Since an emergency exists, this act takes effect when  
 4 passed and approved according to law.

### BILLS ON FIRST READING

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

**LEGISLATIVE BILL 1306A.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 56; to change and eliminate appropriations to aid in carrying out the provisions of Legislative Bill 1306, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original section; to outright repeal section 16, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**LEGISLATIVE BILL 1329A.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to amend section 106, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1329, One Hundred Eighth Legislature, Second Session, 2024; to change appropriations; and to repeal the original section.

**LEGISLATIVE BILL 1416A.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1416, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1300A.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1300, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**LEGISLATIVE BILL 233A.** Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 233, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 937A.** Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 937, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1074A.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1074, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**LEGISLATIVE BILL 1073A.** Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1073, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.



**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 378.** Introduced by Murman, 38; Albrecht, 17; Conrad, 46; Dover, 19; Erdman, 47; Halloran, 33; Linehan, 39; Meyer, 41; Wayne, 13.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the viability of selling land managed by the Board of Educational Lands and Funds. This study shall include, but need not be limited to, an examination of the following:

- (1) Whether the land managed by the Board of Educational Lands and Funds is presently providing the most effective rate of return to Nebraska schools;
- (2) Whether the funds gained from the sale of land managed by the Board of Educational Lands and Funds could lead to a greater return;
- (3) How such a sale could be handled in the most fiduciarily responsible manner possible;
- (4) The constitutionality of such a sale;
- (5) The potential for property tax relief from such a sale; and
- (6) The public support for such a sale.

In order to carry out the purpose of this resolution, the committee shall consider the input of interested individuals, public officials, and such entities as the committee deems necessary and beneficial.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 379.** Introduced by Bostar, 29.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the role of health insurance for biomarker testing and the use of biomarker testing in public and private payor markets. The study should also examine the barriers faced by Nebraska patients in accessing biomarker testing which can inform and personalize treatments for diseases and conditions such as cancer.

Health data shows that currently sixty percent of medical treatments in preclinical development rely on biomarker data. Biomarker testing includes, but is not limited to, single-analyte tests, multiplex tests, protein expression, and whole exome, whole genome, and whole transcriptome sequencing.

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

- (1) The awareness of patients, providers, and insurers about precision medicine and biomarker testing in Nebraska;
- (2) When available, the effectiveness of biomarker testing and related treatment and how biomarker testing is being used for an increasing range of conditions and diseases;
- (3) Barriers to appropriate patient access and utilization of biomarker testing; and
- (4) Current insurance coverage in both the public and private sectors.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 380.** Introduced by DeBoer, 10.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine issues regarding affordable broadband in Nebraska.

The Affordable Connectivity Program, a federal benefit program to provide affordable broadband to households, announced that in February of 2024 it would no longer be able to enroll new households, and that by April of 2024 funding for the program will likely lapse. In Nebraska, approximately ninety-six thousand households have enrolled in the federal program. Nebraska is investing unprecedented amounts of money into providing broadband to areas that are currently unserved or underserved. It is vitally important that households are able to afford the broadband provided in such areas.

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

- (1) Prices currently offered by Internet service providers to customers in service territories, including, but not limited to, available discounts and the cost of any devices required by the Internet service provider for broadband service, the speed of broadband service provided at each price point, the type of broadband service available in such areas, and any data caps related to customer plans offered;
- (2) Anticipated prices by Internet service providers in areas that are currently unserved or underserved who have received or who have applied to receive state or federal funds to provide Internet services in such areas, including the type of broadband service expected to be provided;
- (3) Government-led efforts to provide or encourage affordable broadband services, including, but not limited to, ways to coordinate efforts between the Legislature, the Public Service Commission, the Nebraska Broadband

Office, Internet service providers, and the federal government to encourage and support affordable broadband;

(4) Long-term issues relating to broadband deployment in high-cost, low-density areas, including, but not limited to, maintenance costs, legal obligations to continually provide service, consumer price variability, and new and emerging technologies; and

(5) Any other issues relating to the affordability and reliability of broadband services in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 381.** Introduced by DeBoer, 10.

**PURPOSE:** The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of court fees as a funding source for the court system and the judicial branch. In Nebraska, fees are assessed as part of the court costs for most, if not all, civil and criminal cases, including those related to traffic citations.

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

(1) Whether fees should be assessed on all cases or only certain types of cases;

(2) How court costs and fees in Nebraska compare to other states;

(3) The appropriateness and effectiveness of court fees as a means of providing funds for the court system or other agencies;

(4) The prioritization of fees collected and effectiveness of such fees to provide the court with sufficient resources and an analysis of the fees currently collected, the cost of each fee to court users, and how the fees are disbursed;

(5) Court fees and other ancillary expenses assessed to juveniles and their guardians, including, but not limited to, amounts collected yearly, any specific use of fees assessed to juveniles, and further examination of issues related to Legislative Bill 1089, introduced in the One Hundred Eighth Legislature, Second Session; and

(6) How much political subdivisions pay in court fees and whether any adjustments should be made.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 382.** Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the governance and representation of the Board of Regents of the University of Nebraska. The study shall include, but need not be limited to, an examination of the following:

- (1) Potentially increasing the total number of regents on the board to eleven, of which the three additional regents shall be appointed by the Governor, one from each congressional district;
- (2) Potentially adjusting the language relating to the board's nonvoting student representatives from each campus to include the student body president of the University of Nebraska at Kearney; and
- (3) How the board presently functions and operates as compared to the original intent for the board.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 383.** Introduced by Hughes, 24.

PURPOSE: The purpose of this resolution is to propose an interim study to examine improvements to the Tax Equity and Educational Opportunities Support Act and potential alternative funding mechanisms for Nebraska public schools.

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

- (1) Potential changes to the Tax Equity and Educational Opportunities Support Act that would provide for more equitable property tax levies between public school districts;
- (2) Potential changes to the Tax Equity and Educational Opportunities Support Act that would simplify state aid calculations for public school districts; and
- (3) Proposals to leverage state resources, including the Board of Education Land and Funds, to provide additional funding to public school districts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 384.** Introduced by Linehan, 39.

**PURPOSE:** The purpose of this resolution is to study nonprofit organizations, their nonprofit status, the ways in which such organizations use their nontaxable income, and the ways in which such organizations use their nontaxable income for political purposes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 385.** Introduced by Linehan, 39.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine state standardized testing required in elementary and secondary public schools in Nebraska and the Accountability for a Quality Education System, Today and Tomorrow (AQuESTT) system used to classify schools under the Quality Education Accountability Act.

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

- (1) The benefits and value of Nebraska's standardized assessment system developed by the State Board of Education compared to adopting norm-referenced, nationally accepted, standardized testing requirements;
- (2) The history of standardized testing in Nebraska and how Nebraska came to develop and adopt its own standardized assessments; and
- (3) How the AQuESTT system was developed for the statewide assessment and reporting system as required pursuant to section 79-760.01, and if classifying schools in the manner outlined in such system is beneficial to Nebraska schools.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 386.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the scope of practice for behavior analysts in the State of Nebraska. The work of applied behavior analysts, occupational therapists, physical therapists, and speech therapists complement each other and result in well-rounded patient care. The services provided by behavior analysts in the educational and human resources spheres are essential to Nebraskans of all ages. Further study is required on how the scope of practice for behavior analysts can work in concert with the practice of occupational therapists, physical therapists, and speech therapists and can complement and enhance the services provided by those professions.

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

- (1) How the scope of practice of behavior analysts is defined by the Department of Health and Human Services; and
- (2) The scope of practice language of behavior analysts as compared to the scope of practice of occupational therapists, physical therapists, and speech therapists.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 387.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine payment rates and methodology used by the Department of Health and Human Services for child and adolescent behavioral health care, child welfare, and juvenile service providers.

Nebraska is facing a crisis in access to adequate and appropriate behavioral health care, child welfare, and juvenile services. Rising costs for providers have exacerbated this issue and raised questions regarding current provider rates.

In order to determine if legislation is needed to ensure that providers are adequately funded, this study shall examine the current rates paid to providers and whether the Department of Health and Human Services payment methodology reflects legislative intent.

Upon completion of this study, a report shall be made that includes any suggested statutory changes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 388.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine what funding and appropriations are necessary to address the parking shortage for state employees and members of the public in the State Capitol environs and provide possible funding solutions to eliminate such shortage.

The citizens and employees of the State of Nebraska are keenly aware of the shortage of parking available in the area around the State Capitol. A parking study was completed in 2019 by the Department of Administrative Services, which identified issues that should be addressed in the determination of possible solutions to the parking problems in the State Capitol environs. Previously, issues and potential solutions were laid out in the Department of Administrative Services' Capital Campus Area 20-Year Master Plan, which was completed in 2017.

Since 2019, the number of state employees working in the State Capitol environs has increased and parking remains an issue for both employees as well as members of the public. This study shall also look into the effects that the ongoing heating, ventilation, and air conditioning project at the State Capitol has on the availability of parking as well as the potential impact of future projects in the surrounding areas. There also exists the possibility for a partnership with the city of Lincoln or private entities to address the shortage of available parking.

The committee shall examine the extent of the parking shortage for state employees and members of the public, provide possible solutions to eliminate such shortage, provide an update on the proposed changes in the 2019 Department of Administrative Services study, discuss a possible partnership with the city of Lincoln to address this issue, and examine the potential for cost savings through deployment of state-owned office space within the State Capitol environs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 389.** Introduced by Clements, 2.

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

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 390.** Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether the Nebraska statutes should be changed to accommodate official recognition of customary adoptions. The study should also focus on whether changes to the Nebraska statutes or regulations are necessary to ensure that customary adoptions are regarded in the same manner as standard adoptions.

Some native and indigenous communities have a tradition of customary adoptions, or an adoption process that is recognized by the community and tribe which gives a child a permanent parent-child relationship with someone other than the child's birth parents. Many customary adoptions do not require termination or relinquishment of the rights of birth parents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 391.** Introduced by von Gillern, 4; Erdman, 47; Walz, 15.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine State Capitol building improvements. This study shall include, but need not be limited to, an examination of the following:

- (1) State building codes and whether the State Capitol building environment is a safe and productive workplace;
- (2) The feasibility of improving the lighting system throughout the building;
- (3) The ergonomics of chairs, desks, and workstations;
- (4) The feasibility and need for updated restroom sanitation and plumbing devices to protect public health;
- (5) Improved safety of building exits, specifically door spaces and staircases; and
- (6) Any other health, support, safety, and occupational concerns.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board 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 1288.** [ER75](#), found on page 940, was offered.

ER75 was adopted.

Senator Albrecht offered the following motion:

[MO1305](#)

Bracket until April 18, 2024.

#### SPEAKER ARCH PRESIDING

Pending.

**BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1331A.** Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1331, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 392.** Introduced by Hansen, 16.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the costs and frequency of rebasing provider rates and to develop a methodology for rebasing such rates. The types of providers to be examined shall include, but not be limited to, child welfare, developmental disabilities, nursing facilities, assisted-living facilities, behavioral health, and hospitals. The study shall focus on developing a permanent rebasing methodology for provider rates in order to (1) maintain quality of services, (2) meet the needs of providers and their workforce, and (3) ensure fair rates for all providers. The study shall include, but not be limited to, a review of:

1. The factors used in determining current provider rates;
2. The factors causing the frequency of rebasing;
3. Cost reports from providers;
4. Projected state revenue;
5. Inflation rates;
6. The amount of Medicaid reimbursement to providers;
7. The types of providers, rates, and comparison within each type;
8. Comparison of Nebraska provider rates with other states; and
9. New technologies, services, and provider types that require a payment methodology or rate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 393.** Introduced by DeBoer, 10; Lowe, 37.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine safety and accessibility issues for the State Capitol building. This study shall include, but need not be limited to:

(1) Methods to improve the safety and accessibility of the State Capitol as it relates to a safe workplace for state employees while respecting restrictions on physical modifications of a building designated as a National Historic Landmark; and

(2) Ensuring any such methods do not limit the public's access to elected officials and state agencies that operate in the State Capitol.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the board 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.

### EASE

The Legislature was at ease from 5:56 p.m. until 6:34 p.m.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 1393.** Placed on Select File with amendment.

#### [ER100](#)

- 1 1. On page 1, strike lines 4 through 7 and insert "to define a term;
- 2 to change provisions relating to name, image, or likeness rights,
- 3 limitations, contracts or agreements, and civil actions; to provide
- 4 certain immunity from liability; to harmonize provisions; to provide
- 5 severability; to repeal the original sections; and to declare an
- 6 emergency."
- 7 2. On page 5, line 1, strike "athletics" and insert "athletic".

**LEGISLATIVE BILL 1088.** Placed on Select File.

**LEGISLATIVE BILL 1031.** Placed on Select File with amendment.

[ER101](#) is available in the Bill Room.

**LEGISLATIVE BILL 1306.** Placed on Select File.

**LEGISLATIVE BILL 876.** Placed on Select File.

**LEGISLATIVE BILL 1030.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Slama filed the following amendment to [LB1073](#):  
[AM3085](#) is available in the Bill Room.

Senator Clements filed the following amendment to [LB196](#):  
[AM3195](#)

(Amendments to Standing Committee amendments, AM3100)

1 1. On page 1, line 7, strike "ten" and insert "twelve"; and in lines

2 8 and 9 strike "twenty-four" and insert "twenty-two".

**SELECT FILE**

**LEGISLATIVE BILL 1288.** Senator Albrecht renewed [MO1305](#), found and considered in this day's Journal, to bracket until April 18, 2024.

Senator Albrecht asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator Raybould offered [AM3106](#), found on page 1166.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

The Raybould amendment lost with 22 ayes, 0 nays, 22 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1306](#)

Reconsider the vote on AM3106.

The M. Cavanaugh motion to reconsider prevailed with 26 ayes, 7 nays, 12 present and not voting, and 4 excused and not voting.

Senator Raybould reoffered [AM3106](#), found on page 1166 and considered in this day's Journal.

The Raybould amendment was adopted with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

Senator McKinney offered [AM3096](#), found on page 1173.

The McKinney amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Blood offered the following amendment:

[AM3114](#)

1 1. Insert the following new sections:  
 2 Section 1. Section 43-1501, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 43-1501 Sections 43-1501 to 43-1517 and section 2 of this act shall  
 5 be known and may be cited as the Nebraska Indian Child Welfare Act.  
 6 Sec. 2. (1) On or before December 1, 2025, the department shall  
 7 ensure records are kept on each case under the Nebraska Indian Child  
 8 Welfare Act. The department shall ensure that such records are complete,  
 9 accurate, and sufficiently detailed to prepare the report required by  
 10 this section. Such records shall delineate:  
 11 (a) Whether a child is a member of, eligible for membership in, or  
 12 affiliated with an Indian tribe and, if so, indicate all such Indian  
 13 tribes; and  
 14 (b) Whether the federal Indian Child Welfare Act and the Nebraska  
 15 Indian Child Welfare Act apply to the child and, if so, indicate:  
 16 (i) The date that the state Title IV-E agency first had reason to  
 17 know either such act may apply or the date on the return receipt of the  
 18 notice sent under subsection (1) of section 43-1505;  
 19 (ii) The following regarding the qualified expert witness:  
 20 (A) Whether oral or written testimony was provided; and  
 21 (B) Under which portion of subdivision (15) of section 43-1503 the  
 22 person is considered a qualified expert witness;  
 23 (iii) Whether any tribe has intervened in the case and the date of  
 24 such intervention;  
 25 (iv) Whether the case was transferred to the tribe and, if so, who  
 26 requested the transfer and the reason;  
 27 (v) A description of all active efforts made under each provision of  
 1 subdivisions (1)(a) through (h) of section 43-1503 and any other active  
 2 efforts made;  
 3 (vi) For each active effort described under subdivision (1)(b)(v) of  
 4 this section, the date the department was provided with the tribal  
 5 affiliation, if any, of each provider of services, extended family  
 6 member, or tribal government representative; and  
 7 (vii) The Indian child's placement pursuant to section 43-1508 and  
 8 the reasoning.  
 9 (2) On or before December 1, 2025, and on or before each December 1  
 10 thereafter, the department shall provide a report of deidentified data  
 11 collected under this section to the Commission on Indian Affairs.  
 12 2. Renumber the remaining sections, correct internal references, and  
 13 correct the repealer accordingly.

The Blood amendment was withdrawn.

Senator Blood offered the following amendment:

[AM3209](#)

1 1. Insert the following new sections:  
 2 Section 1. Section 43-1501, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 43-1501 Sections 43-1501 to 43-1517 and section 2 of this act shall  
 5 be known and may be cited as the Nebraska Indian Child Welfare Act.  
 6 Sec. 2. (1) On or before December 1, 2025, the department shall  
 7 ensure records are kept on each case under the Nebraska Indian Child  
 8 Welfare Act and ensure that such records allow for analysis of related  
 9 data and delineate:  
 10 (a) Whether a child is an Indian child under the federal Indian  
 11 Child Welfare Act and Nebraska Indian Child Welfare Act;  
 12 (b) Whether a child is a member of, eligible for membership in, or

13 affiliated with, an Indian tribe and if so, indicate all such Indian  
 14 tribes; and  
 15 (c) Whether the federal Indian Child Welfare Act applies to the  
 16 child and, if so, indicate:  
 17 (i) The date that the state Title IV-E agency was notified by the  
 18 Indian tribe or state or tribal court that the federal Indian Child  
 19 Welfare Act applies or the date on the return receipt of the notice sent  
 20 under subsection (1) of section 43-1505;  
 21 (ii) The following regarding the qualified expert witness:  
 22 (A) Whether testimony was provided; and  
 23 (B) Under which portion of subdivision (15) of section 43-1503 the  
 24 person is considered a qualified expert witness;  
 25 (iii) Whether any tribe has intervened in the case and the date of  
 26 such intervention;  
 27 (iv) Whether the case was transferred to the tribe and, if so, who  
 1 requested the transfer and the reason;  
 2 (v) The active efforts made with Indian custodians under subsection  
 3 (4) of section 43-1505; and  
 4 (vi) The Indian child's placement pursuant to section 43-1508 and  
 5 the reasoning.  
 6 (2) On or before December 1, 2025, and on or before each December 1  
 7 thereafter, the department shall provide a report of deidentified data  
 8 collected under this section to the Commission on Indian Affairs.  
 9 2. Renumber the remaining sections, correct internal references, and  
 10 correct the repealer accordingly.

Senator Blood moved for a call of the house. The motion prevailed with 29 ayes, 3 nays, and 17 not voting.

The Blood amendment lost with 23 ayes, 0 nays, 22 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

### **COMMITTEE REPORT(S)** Enrollment and Review

**LEGISLATIVE BILL 262.** Placed on Final Reading.

#### **ST50**

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

1. In the Albrecht amendment, AM3042, section 12 has been renumbered as section 19.
2. In the Brandt amendment, AM2997, sections 12, 21, and 31 have been renumbered as sections 20, 31, and 40.
3. In the Halloran amendment, AM3015:
  - a. Sections 9, 14, 38, 39, and 41 have been renumbered as sections 22, 27, 48, 49, and 52; and
  - b. On page 13, line 12, "8, 9, 14, 39, and 41" has been struck and "21, 22, 27, 49, and 52" inserted; and in line 25 a comma has been inserted after "81-2,242.03".
4. In the Ibach amendment, AM2654, sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 have been renumbered as sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18.
5. In the E & R amendments, ER84, on page 1, line 3, "24, and 25" has been struck and "35, and 36" inserted.
6. In the Standing Committee amendments, AM719, on page 56, line 17, "2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, 2-3635, 2-3804, 2-3966," has been inserted after "sections"; and in line 22 "81-2,280," has been inserted after "81-2,271,".

7. On page 1, the matter beginning with "the" in line 1 through line 13 and all amendments thereto have been struck and "agriculture; to amend sections 2-501, 2-503, 2-505, 2-509, 2-515, 2-518, 2-958, 2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, 2-3635, 2-3804, 2-3966, 75-902, 75-903, 75-903.02, 81-2,251.03, 88-526, 88-527, 88-528.01, 88-541, and 88-549, Reissue Revised Statutes of Nebraska, sections 28-401, 28-476, 75-156, 81-2,162.27, 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,263, 81-2,270, 81-2,271, 81-2,280, 81-2,281, and 88-530, Revised Statutes Cumulative Supplement, 2022, and sections 81-2,239 and 81-2,240, Revised Statutes Supplement, 2023; to change and eliminate provisions of the Nebraska Hemp Farming Act and the Uniform Controlled Substances Act relating to hemp; to change provisions relating to the Nebraska Corn Resources Act, the Nebraska Agricultural Products Marketing Act, warehouse operators, the Grain Dealer Act, the Nebraska Pure Food Act, and the Grain Warehouse Act; to eliminate provisions relating to hemp, the Nebraska Corn Resources Act, and the Nebraska Pure Food Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 2-502, 2-504, 2-506, 2-507, 2-508, 2-510, 2-511, 2-512, 2-513, 2-514, 2-516, 2-517, 2-519, 2-3616, 2-3627, 2-3628, 2-5701, 81-2,242.03, and 81-2,251.02, Reissue Revised Statutes of Nebraska, and sections 81-2,245, 81-2,251.01, and 81-2,272.31, Revised Statutes Cumulative Supplement, 2022." inserted.

**LEGISLATIVE BILL 607.** Placed on Final Reading.

**LEGISLATIVE BILL 834.** Placed on Final Reading.

**LEGISLATIVE BILL 839.** Placed on Final Reading.

**LEGISLATIVE BILL 867.** Placed on Final Reading.

[ST48](#)

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

1. In the E&R amendments, ER88, on page 1, line 12, "to prohibit restrictions on the provision of certain energy services;" has been inserted after the semicolon.

**LEGISLATIVE BILL 894.** Placed on Final Reading.

[ST52](#)

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

1. The E&R amendments, ER83, have been struck.  
 2. On page 1, the matter beginning with "county" in line 1 through line 4 has been struck and "county sheriffs; to amend sections 23-1701, 23-1701.01, and 32-520, Reissue Revised Statutes of Nebraska, and section 32-604, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to election, appointment, qualification, and training of county sheriffs; to harmonize provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 906.** Placed on Final Reading.

**LEGISLATIVE BILL 1004.** Placed on Final Reading.

**LEGISLATIVE BILL 1200.** Placed on Final Reading.

**LEGISLATIVE BILL 1204.** Placed on Final Reading.

**LEGISLATIVE BILL 1215.** Placed on Final Reading.

[ST51](#)

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

1. In the Day amendment, AM3045, section 12 has been renumbered as section 20.
2. In the Blood amendment, AM3043:
  - a. Sections 2, 3, and 4 have been renumbered as section 5, 11, and 12, respectively;
  - b. On page 29, line 17, "a dietitian," has been inserted after the comma; and
  - c. On page 30, line 24, "4" has been struck and "12" inserted.
3. In the Blood amendment, AM3044:
  - a. Section 2 has been struck;
  - b. Sections 3, 4, and 5 have been renumbered as sections 8, 9, and 10, respectively; and
  - c. On page 32, line 11, "4" has been struck and "9" inserted.
4. In the Standing Committee amendment, AM2549:

a. Section 30 and all amendments thereto have been struck and the following new sections inserted: Sec. 39. Sections 1, 2, 5, 8, 9, 10, 11, 12, and 42 of this act become operative on January 1, 2025. Sections 3, 4, 6, 7, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 40 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date. Sec. 42. Original section 38-2001, Revised Statutes Cumulative Supplement, 2022, and sections 38-131, 38-1801, and 38-1812, Revised Statutes Supplement, 2023, are repealed.

b. On page 9, line 5, "6" has been struck and "14" inserted; and

c. On page 39, line 22, "68-911," has been inserted after the first comma.

5. On page 1, the matter beginning with "the" in line 1 through line 8 and all amendments thereto have been struck and "public health and welfare; to amend sections 38-142, 38-2854, 38-2890, 38-28,104, 42-371.01, 71-211, 71-212, 71-217, 71-220, 71-222.01, 71-223, 71-434, 71-601.01, 71-3608, 71-3610, 71-3613, and 71-3614, Reissue Revised Statutes of Nebraska, sections 28-410, 28-414, 38-1,146, 38-2001, 38-2847, 71-605, 71-2454, 71-2478, and 71-8505, Revised Statutes Cumulative Supplement, 2022, and sections 38-131, 38-1801, 38-1812, 38-2801, 68-911, 71-612, and 71-2479, Revised Statutes Supplement, 2023; to adopt the Dietitian Licensure Compact and the Physician Assistant (PA) Licensure Compact; to change requirements relating to pharmacy inventories and prescriptions for controlled substances; to provide and change requirements relating to issuance and renewal of certain credentials under the Uniform Credentialing Act; to provide requirements for self-inspection of pharmacies; to provide verification requirements for pharmacists and pharmacy technicians; to change an age requirement for pharmacy interns; to change registration requirements for pharmacy technicians; to change prescription requirements for certain legend drugs; to provide for coverage under the medical assistance program for certain breast pumps and lactation visits; to change an examination requirement for barbers; to eliminate a fee under the Health Care Facility Licensure Act; to define a term; to change the standard form for death certificates; to provide for the use of abstracts of death as prescribed; to change a requirement for prescription drug monitoring; to change a requirement for persons with communicable tuberculosis; to change powers and duties of the Department of Health and Human Services relating to the care, maintenance, and treatment of persons with communicable tuberculosis; to change a requirement relating to telehealth consultations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 1313.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Hughes filed the following amendment to LB686:

FA313

Strike Section 16 and renumber the remaining sections in AM2984.

Senator Blood filed the following amendment to LB932:

LB3149 is available in the Bill Room.

Senator Wayne filed the following amendment to LB1344:

AM3191 is available in the Bill Room.

Senator Murman filed the following amendment to LB1092:

AM3198

(Amendments to Standing Committee amendments, AM2585)

1 1. Strike section 3 and insert the following new section:

2 Sec. 3. (1) A commercial entity shall not knowingly and

3 intentionally publish or distribute material harmful to minors on the



4 Internet on a website that contains a substantial portion of such  
 5 material unless the entity uses a reasonable age verification method to  
 6 verify the age of an individual attempting to access the material.  
 7 (2) A commercial entity or third party that performs an age  
 8 verification required by this section shall not retain any identifying  
 9 information of the individual after access has been granted to the  
 10 material.  
 11 2. On page 2, line 21, strike "and"; after line 21 insert the  
 12 following new subdivision:  
 13 "~~(10) Substantial portion means an amount which is more than one-~~  
 14 ~~third of the total material on a website; and"; and in line 22, strike~~  
 15 ~~"(10)" and insert "(11)".~~

### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 1402A.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1402, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 394.** Introduced by Holdcroft, 36.

**PURPOSE:** The purpose of this resolution is to propose an interim study to identify and review all programs and services enacted by the Legislature which result or may result in an increase in expenditures of funds by counties and county governments assigned to perform or provide such programs and services. A review of the impact of unfunded and underfunded mandates on counties and county governments is appropriate as Nebraska seeks continued property tax reform. The committee may seek the participation and input of other committees of the Legislature.

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

- (1) Any and all statutes which presently impose unfunded or underfunded mandate obligations on counties;
- (2) Any corresponding increases in property taxes by counties to meet the requirements of unfunded or underfunded mandates;
- (3) Mandated but unfunded or underfunded programs or services which could be changed, eliminated, or repealed;
- (4) The impact on county finances of fees set by statute and whether such fees are appropriate; and
- (5) The impact of inadequate fees on property taxes by counties.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 395.** Introduced by Bosn, 25; DeBoer, 10.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the tax and surcharge burden imposed on telecommunications services.

Nebraska has one of the highest rates of taxation on telecommunications consumers in the nation with a rate averaging nearly twenty-five percent for many wireline services. A disproportionate part of this tax burden results from universal service surcharges. While not technically classified as tax, this assessment is a surcharge that ultimately imposes the same financial burden on consumers as a tax. Originally conceived as a tool to help make rural telephone service available and affordable by adding a small charge to all Nebraska telephone customers, Nebraska's universal service surcharge has grown to be among the highest in the nation, and results in increasing the cost for wireline and wireless telephone services in Nebraska.

Broad consensus exists that every Nebraska home and small business should have access to robust broadband infrastructure and service. What is less clear is how to fund the goal of deploying broadband infrastructure most equitably and efficiently to every remaining unserved location in the state.

With approximately five hundred million dollars of promised support now in the pipeline for broadband deployment from the Broadband Bridge Program created under the Nebraska Broadband Bridge Act, the federal Broadband Equity, Access, and Deployment Program, and the federal Universal Service Fund, it is an opportune time to examine and understand the extent to which Nebraska's surcharge for the Nebraska Telecommunications Universal Service Fund, currently the second-highest surcharge in the nation, can be reformed and targeted to avoid placing a disproportionate and unfair burden for any remaining broadband deployment needed in the state on one class of customers, the customers of telephone service, or whether there are more equitable funding sources available to meet these needs.

This interim study should focus on these and other taxes and surcharges imposed on telecommunications services in Nebraska and determine ways the state can maintain and advance the efficiency and availability of telecommunications services in the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 396.** Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; 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 arise during the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 397.** Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

**PURPOSE:** The purpose of this resolution is to examine the structure and processes of the credentialing review process known as the "407 process." The 407 process reviews a health profession's proposal for licensure or change in scope of practice. This study shall include, but not be limited to, a review of:

- 1) The scope of practice criteria;
- 2) The role of the technical review committee;
- 3) Application requirements;
- 4) Funding mechanisms; and
- 5) The coverage of health professions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 398.** Introduced by Halloran, 33.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the development and use of messenger RNA vaccines in livestock. This study is intended to inform any potential legislative discussions relating to the use of messenger RNA vaccines in livestock by compiling information regarding:

- (1) The mechanisms of messenger RNA vaccine efficacy;
- (2) The various messenger RNA vaccines that are in use or under development;
- (3) The benefits and risks of messenger RNA vaccines in relation to other types of vaccines in widespread use;
- (4) The regulatory infrastructure governing research, development, and commercial introduction of messenger RNA vaccines; and
- (5) Scientific literature that relates the safety of foods derived from messenger RNA vaccine treated animals.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 399.** Introduced by Halloran, 33.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review occupational regulations under the Nebraska Potato Development Act and the Plant Protection and Plant Pest Act for purposes of the Occupational Board Reform Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 400.** 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 in the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 401.** Introduced by DeBoer, 10; Blood, 3; Bosn, 25; DeKay, 40; Holdcroft, 36; Ibach, 44; McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of Nebraska's county jails. This study shall include, but need not be limited to, an examination of the following:

- (1) Policies and procedures relating to county jails housing state prisoners, including, but not limited to, reimbursement provided to the county jails, such reimbursement's sufficiency, and the availability of programming to state prisoners in county jails;
- (2) Statutory provisions relating to jails, including, but not limited to, analyzing statutory differences between prisons and jails;
- (3) Staffing needs and requirements for safe and full operation of county jails, including, but not limited to, salary and benefits offered, hours, and safety of staff inside the facility;
- (4) Out-of-cell time provided to inmates in county jails;
- (5) Medical and mental health care provided to inmates in county jails and costs associated with such care;
- (6) Maintenance needs of jails and adequacy of county jails to house inmates and state prisoners;
- (7) Issues related to distances between jails and courthouses and efforts undertaken to ensure proper administration of justice and respect for constitutional rights;
- (8) State aid provided to county jails, such aid's sufficiency, and how to lessen the reliance of jails on property taxes;
- (9) The average length of time spent by inmates in jail before being moved to prison; and
- (10) The efficiency of keeping inmates in jail after being sentenced to serve the remainder of their sentence as compared to moving such inmates into a prison to serve the remainder of their sentence.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 402.** Introduced by DeBoer, 10; Bosn, 25.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine and monitor broadband expansion in Nebraska. This study shall include, but need not be limited to, an examination of the following:

- (1) Projects being undertaken as a part of Nebraska's Broadband Bridge Program, the Nebraska Telecommunications Universal Service Fund, the National Telecommunications and Information Administration's Broadband Equity and Access Deployment Program, the United States Department of Agriculture's ReConnect Program, the Federal Communications Commission's Alternative Connect America Cost Model and Enhanced Alternative Connect America Cost Model, and any other state or federal efforts for the expansion of broadband availability in Nebraska and whether funding through any of these programs will be sufficient to overcome any inflationary pressures affecting broadband expansion;
- (2) State and federal resources allocated for maintenance and upkeep of current communications service providers as well as projected maintenance and upkeep needs of projects under development or soon to be under development; and
- (3) Any other issues related to the expansion of broadband in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 403.** Introduced by DeBoer, 10; Fredrickson, 20.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine telecommunications and issues discussed during the hearing on Legislative Bill 1256, introduced in the One Hundred Eighth Legislature,

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

- (1) Information sharing, including, but not be limited to, the sharing of proprietary information with the Public Service Commission during outages of 911 services;
- (2) State oversight over communication service providers as it relates to 911 services;
- (3) State and federal regulations as they relate to outages of 911 services to find areas for improvement; and
- (4) Any other issues as they relate to outages of 911 services in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 404.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the impact of the services provided to eligible recipients of Temporary Assistance for Needy Families program funds and the most effective way to utilize such funds to provide services and cash assistance to Nebraskans receiving aid from the aid to dependent children program while living in poverty.

The aid to dependent children program, which provides time-limited direct cash assistance to families with children in deep poverty, is paid for by Temporary Assistance for Needy Families program funds. Over the last few decades, national data show that the number of families participating in the aid to dependent children program has dropped significantly but this does not mean there is a lack of need for such program, as the poverty data shows. Current participation in the aid to dependent children program is proportionately low in part because of administrative barriers, difficulty for participants to navigate a sanction-based program, a very low standard of need formula used for determining eligibility, and benefit levels which have not been updated in many years.

In 2020, more than ninety percent of Nebraskans who applied for the aid to dependent children program were denied. Nebraska is among the top five states with in number of denials for those applying to participate in the program. This study should focus on whether this trend can be reversed with use of existing funds like Temporary Assistance for Needy Families program rainy day funds.

This study should also focus on what changes to law or policy could be made to ensure needy families receive necessary assistance from the aid to

dependent children program, such as adjustments in calculations for the aid to dependent children program's standard of need formula and maximum benefit levels or changes in how child support is considered for recipients of the Aid to Dependent Children program.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 405.** Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the process the Department of Health and Human Services uses in selecting a provider to service a foster home and the similarities and differences between agency supported foster homes, relative homes, and kinship homes.

Historically, the state has defined agency supported foster care and pre-adoptive care services to mean agency supported foster homes, relative homes, and kinship homes despite significant differences between the categories including resource needs, initial and ongoing training and licensing requirements, initial and ongoing staff training requirements, support for both the home and the child, transportation, pre-adoption support services, and other matters that effect foster children. The additional responsibility placed on other family members in relative homes and kinship homes often substantially impacts the other family members' capacity to welcome additional children into their homes along with other issues that impact all involved.

The demands on the child welfare provider community differ between the placement services for agency supported foster homes, relative homes, and kinship homes relating to the requirements and expectations outlined by the Department of Health and Human Services. In addition, the process used to select a provider to service a foster home can be disruptive to foster children and confusing to the provider community.

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

(1) The differences between agency-supported foster homes, relative homes, and kinship homes and the impact those differences have on foster children, families, and providers;

(2) The financial impact to both providers and the Department of Health and Human Services of serving agency-supported foster homes, relative homes, and kinship homes;



(3) The difference in requirements and expectations the Department of Health and Human Services has of providers for agency-supported foster homes, relative homes, and kinship homes; and

(4) The process the Department of Health and Human Services uses in selecting a provider to support relative homes and kinship homes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 406.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this resolution is to propose an interim study to explore the development of an institution dedicated to providing instruction, orientation, and ongoing professional development specifically tailored for elected officials and office holders in Nebraska. The potential institute shall aim to enhance governance through improved collaboration, leadership, and informed decisionmaking among Nebraska's public servants.

This study shall include, but not be limited to, collaboration with the following entities:

(1) Current and former elected officials at various levels of government within Nebraska;

(2) Academic institutions with public administration, political science, and leadership programs;

(3) Private sector leaders with experience in governance and leadership training;

(4) Nonprofit organizations focused on government accountability and transparency; and

(5) Public and private funding entities interested in supporting governance and leadership development.

The study should also explore the following:

(1) The feasibility of establishing an institute for collaboration and leadership for elected officials and office holders in Nebraska, including potential governance structures and locations;

(2) The core curriculum and orientation programs that would address the unique needs and challenges faced by elected officials and office holders, including ethical governance, public policy formulation, and constituent services;

(3) Potential public and private funding sources and models to ensure the institute's sustainability and accessibility to all elected officials and office holders in Nebraska;

(4) Best practices from similar institutions in other states or countries, including lessons learned and key success factors; and

(5) The potential impact of such an institute on enhancing the effectiveness, efficiency, and collaboration of Nebraska's public servants.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**NOTICE OF COMMITTEE HEARING(S)**

Nebraska Retirement Systems  
Room 1524 1:00 PM

Tuesday, April 2, 2024

Janis Elliott - Public Employees Retirement Board

(Signed) Mike McDonnell, Chairperson

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Vargas name added to LB253.

Senator Blood name added to LB686.

Senator Day name added to LB807.

**VISITOR(S)**

Visitors to the Chamber were students from Sunny Slope Elementary, Omaha; students from Wilber-Clatonia High School; students and teachers from Western Hills Elementary, Omaha.

**ADJOURNMENT**

At 7:31 p.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Tuesday, March 26, 2024.

Brandon Metzler  
Clerk of the Legislature

**FIFTIETH DAY - MARCH 26, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 26, 2024

**PRAYER**

The prayer was offered by Michael Davis, United Methodist, Gretna.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Colonel Ben "Felix" Ungerman, Airforce Combat Veteran, Bellevue.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senators Day, Hunt, Jacobson, Slama, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-ninth day was approved.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 407.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the City of Omaha Employees' Retirement System for Omaha's civilian employees and the City of Omaha Police and Fire Retirement System for Omaha's police and fire employees. The study shall include an examination of the contribution rates for the city of Omaha and its employees and any city charter provisions that might impact such contributions. The study shall also examine potential sources of funding for contributions for the systems.

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

1. That the Nebraska Retirement Systems 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 408.** Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the Nebraska Public Employees Retirement Systems administered by the Public Employees Retirement Board, including the State Employees Retirement System of the State of Nebraska, the Retirement System for Nebraska Counties, the School Employees Retirement System of the State of Nebraska, the Nebraska State Patrol Retirement System, and the Nebraska Judges Retirement System. The study may also examine the retirement system administered under the Class V School Employees Retirement Act. The study shall examine issues as they relate to the funding needs, benefits, contributions, and the administration of each retirement system.

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

1. That the Nebraska Retirement Systems 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 409.** Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to carry out the provisions of section 13-2402, which requires the Nebraska Retirement Systems Committee to monitor underfunded defined benefit plans administered by political subdivisions. The study shall include a public hearing for the presentation of reports by political subdivisions with underfunded defined benefit plans.

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

1. That the Nebraska Retirement Systems 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.

#### **WITHDRAW - Amendments to LB1412**

Senator Clements withdrew [FA261](#), found on page 1006, to LB1412.

Senator Clements withdrew [FA262](#), found on page 1006, to LB1412.

Senator Clements withdrew [FA263](#), found on page 1006, to LB1412.

#### **MOTION(S) - Return LB1412 to Select File**

Senator M. Cavanaugh moved to return LB1412 to Select File for the following specific amendment:

[FA314](#)

Strike the enacting clause.

Pending.

#### **RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 327, 328, 329, 330, and 331 were adopted.

#### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 327, 328, 329, 330, and 331.

#### **MOTION(S) - Return LB1412 to Select File**

Senator M. Cavanaugh renewed her motion, found and considered in this day's Journal, to return LB1412 to Select File for her specific amendment, [FA314](#), found in this day's Journal.

The M. Cavanaugh motion to return failed with 4 ayes, 28 nays, 12 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh offered the following motion:

[MO1307](#)

Reconsider the vote on FA314.

Speaker Arch offered the following motion:

[MO1309](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator M. Cavanaugh requested a roll call vote on the motion to invoke cloture.

The Arch motion to invoke cloture prevailed with 37 ayes, 5 nays, 6 present and not voting, and 1 excused and not voting.

The M. Cavanaugh motion to reconsider failed with 5 ayes, 39 nays, 4 present and not voting, and 1 excused and not voting.

The M. Cavanaugh amendment, FA314, was not considered.

### **BILL 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 LB1412 with 41 ayes, 3 nays, 4 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1412.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB243A, section 2; Laws 2023, LB583A, section 1; and Laws 2023, LB814, sections 21, 26, 52, 68, 71, 76, 78, 79, 83, 85, 87, 90, 91, 94, 95, 97, 98, 101, 102, 103, 104, 105, 113, 115, 118, 119, 120, 121, 122, 124, 130, 132, 133, 136, 165, 173, 198, 219, 221, 222, 223, 224, 225, 226, 228, 229, 230, 232, 235, 236, 241, 254, 255, 267, 268, 280, 285, 301, 302, 306, and 307; to define terms; to provide, change, and eliminate appropriations for operation of state government, postsecondary education, state aid, and capital construction; to provide, change, and eliminate appropriations of funds allocated to the State of Nebraska from the federal American Rescue Plan Act of 2021, 42 U.S.C. 802, as amended; to repeal the original sections; and to declare an emergency.

Senator M. Cavanaugh requested a roll call vote.

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

Voting in the negative, 6:

Cavanaugh, J.	Day	McKinney
Cavanaugh, M.	Dungan	Wayne

Excused and not voting, 1:

Hunt

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

#### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1412e.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1344A.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1344, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 71A.** 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 71, One Hundred Eighth Legislature, Second Session, 2024.

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 410.** Introduced by Dorn, 30.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the long-term fiscal sustainability of and how to best direct funding and appropriations towards sustaining a strong health care workforce in Nebraska, especially in rural communities.

The health care industry plays a crucial role in ensuring the well-being of Nebraska residents and the vitality of Nebraska communities. Hospitals across Nebraska face significant challenges in recruiting and retaining qualified health care professionals, including, but not limited to, physicians, nurses, allied health professionals, and support staff. The shortage of health care workers poses a threat to the quality and accessibility of health care services provided to Nebraskans, particularly in rural and underserved areas.

Addressing these workforce challenges requires a collaborative and multi-faceted approach involving health care organizations, educational institutions, government agencies, and other stakeholders. It is imperative for the Legislature to recognize and support efforts to mitigate the impact of these challenges and ensure the continued provision of high-quality health care services to all Nebraskans.

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

- (1) The funding streams and potential new sources of money for sustaining the health care workforce;
- (2) Grants and funding opportunities to assist in training costs for the health care workforce;
- (3) Current data on the significant workforce challenges facing hospitals and health care facilities across the state and the impact of housing and child care shortages on the health care industry;
- (4) Partnerships between health care organizations, educational institutions, and government agencies to address such challenges and develop innovative solutions;
- (5) Programs and initiatives aimed at recruiting and retaining health care professionals, especially in rural and underserved areas;
- (6) Funding and resources for health care workforce development programs, scholarships, loan repayment programs, and other incentives to attract and retain health care professionals in Nebraska;
- (7) Collaborations between government agencies, health care organizations, and educational institutions for identifying barriers to workforce development and implementing strategies to overcome workforce challenges;
- (8) Relevant stakeholders to prioritize the expansion of health care education and training programs, with a focus on meeting the evolving needs of Nebraska's health care employees; and
- (9) The progress of efforts to address hospital workforce challenges and exploring additional legislative measures as needed to support such efforts.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 411.** Introduced by Dungan, 26.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review Legislative Bill 1072, introduced in the One Hundred Eighth Legislature, Second Session, and to research the topic of sustainable aviation fuel. Sustainable aviation fuel is an alternative fuel made from non-petroleum feedstocks that reduces emissions from air transportation. Sustainable aviation fuel can be blended at different levels with limits between ten and fifty percent depending on the feedstock and how the fuel is produced. According to the International Civil Aviation Organization, over three hundred sixty thousand commercial flights have used sustainable aviation fuel at forty-six airports, mainly in the United States and Europe. The demand for sustainable aviation fuel is presently greater than the available supply.

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

- (1) How many airports and airlines require sustainable aviation fuel to be used instead of traditional jet fuel;
- (2) What the environmental impact of sustainable aviation fuel is compared to traditional jet fuel;
- (3) What existing infrastructure Nebraska has to support sustainable aviation fuel production;
- (4) The economic impact increased use of sustainable aviation fuel would have on Nebraska;
- (5) What policies Nebraska needs to enact to attract sustainable aviation fuel producers; and
- (6) What other states have implemented to help increase sustainable aviation fuel production.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 412.** Introduced by Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine possible changes to state law regarding the use of artificial

intelligence in political campaigns. Generative artificial intelligence technology has rapidly developed in recent years and audio and visual depictions of public figures created using artificial intelligence are becoming more common.

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

(1) Concerns related to the First Amendment of the Constitution of the United States and free speech regarding the regulation of political speech and artificial intelligence;

(2) Laws in other states regarding the use of artificial intelligence and disclosure in political advertisements and the penalties for violation of such laws;

(3) Federal laws and regulations regarding the use of artificial intelligence in political campaigns;

(4) Possible enforcement mechanisms under the Nebraska Political Accountability and Disclosure Act regarding use of artificial intelligence;

(5) Potential civil remedies regarding use of artificial intelligence; and

(6) Input from broadcasters, election officials, experts on artificial intelligence, and the public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 413.** Introduced by Cavanaugh, J., 9.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine Nebraska laws regarding theft with the intent to sell the stolen goods as scrap metal. As catalytic converter thefts continue to be a problem for many residents of Nebraska, this study shall examine criminal laws related to theft, verification processes for scrap metal recyclers, the status of local ordinances addressing catalytic converter theft, and current data regarding theft offenses in Nebraska.

This study shall engage local law enforcement, prosecutors, defense attorneys, and the public in examining possible legislative solutions to prevent or curtail the number of incidents of theft in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 414.** Introduced by Meyer, 41; Albrecht, 17; Dover, 19; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Sanders, 45; von Gillern, 4.

**PURPOSE:** The purpose of this resolution is to propose an interim study to determine the feasibility of having the state run all property assessment in Nebraska, merging county assessors with another office, or having county assessors be an appointed position.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 415.** Introduced by Cavanaugh, M., 6.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the historic unwind of the federal COVID-19 Medicaid continuous coverage requirements as implemented by the Department of Health and Human Services. In March 2020, Congress passed a law responding to the COVID-19 pandemic that generally required states to keep most people enrolled in Medicaid coverage regardless of changes, such as a change in income. Nearly three hundred ninety thousand Nebraskans had been relying on Medicaid coverage for their health needs during the pandemic. The federal protections ended in March 2023. The department began the unwinding process and restarted terminations, the first of which were effective April 1, 2023. The unwinding is an unprecedented health coverage disenrollment event. Between April 2023 and February 2024, more than ninety-four thousand Nebraskans were terminated from Medicaid coverage during the unwinding period. The department has been tracking data throughout the unwinding process, which is projected to continue through summer 2024.

This study will examine the practices utilized by the department during the Medicaid unwind and related health coverage outcomes for Nebraskans. This study shall include, but not be limited to, data collection and information gathering regarding:

(1) Eligibility, enrollment, application, renewal, and redetermination policies and practices for the medical assistance program and the Children's Health Insurance Program during the unwinding period;

(2) Lessons learned from continuous coverage and unwinding; and

(3) Opportunities and plans to improve the systems utilized in eligibility, enrollment, application, renewal, and redetermination processes for the medical assistance program and the Children's Health Insurance Program.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 416.** Introduced by Dover, 19.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine what funding options and appropriations may be necessary to improve the return on investment of housing incentives offered by the State of Nebraska. The study may include, but need not be limited to, an examination of the following:

(1) Existing state law and funding available for housing, including, but not limited to, tax increment financing, the documentary stamp tax, the Affordable Housing Trust Fund, the Rural Workforce Housing Fund, the Middle Income Workforce Housing Investment Fund, and any other state funding for housing;

(2) The return on investment that housing provides individuals, families, businesses, communities, and the state;

(3) The tax revenue benefits that housing incentives create for municipalities, counties, and the state and the overall return on investment of the various housing incentives;

(4) The benefits that home ownership has on Nebraska's workforce, economy, and state and local budgets;

(5) Housing statistics of those individuals and entities using state housing incentives compared to those individuals and entities not using such incentives, separated by class of city, including, but not limited to, the following statistics:

(a) Housing starts;

(b) Cost per square foot, taking into consideration initial land cost, lot size, style of home, and basement finish; and

(c) Land cost per square foot and the impact of incentives offered, including tax increment financing;

(6) The various housing funding models used by nonprofit organizations; and

(7) Laws and funding methods used in other states related to housing and where Nebraska ranks in comparison.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 417.** Introduced by Dover, 19; Albrecht, 17; Blood, 3; Bosn, 25; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Holdcroft, 36; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Murman, 38; Raybould, 28; Riepe, 12; Vargas, 7; Walz, 15; Wayne, 13.

**PURPOSE:** The purpose of this resolution is to propose a study that includes a comprehensive examination of the funding structure of Nebraska's transportation system and to identify possible alternatives to supplement or replace traditional methods and strategies that have historically been employed to fund highway maintenance and construction. The study shall include a reevaluation and update of the results of the LR152 in 2009, including the impact of subsequent legislation such as the Build Nebraska Act (Laws 2011, LB84), the Transportation Innovation Act (Laws 2016, LB960) and changes to the fuel tax in Laws 2015, LB610.

The needs of Nebraska's transportation system have continually outpaced revenue with the annual twenty year needs rising an estimated fifteen percent to a record sixteen billion seven hundred million dollars in 2023. While revenue has remained steady, with influxes from sources other than the traditional fuel tax, such as the Build Nebraska Act's one-quarter of one percent of sales tax and the increase of federal funds under the current surface transportation reauthorization, known as the federal Infrastructure Investment and Jobs Act, highway construction costs continue to increase through inflationary factors and global demand for resources. This study aims to understand the buying power of the annual budget of the Department of Transportation and examine potential revenue sources that have been employed in other states as a way to combat decreasing revenue due to more fuel-efficient vehicles.

This study shall examine several factors surrounding the state of highways in Nebraska, including, but not limited to:

(1) An analysis of the current funding for highways and streets in Nebraska and the emphasis on user fees;

(2) An analysis of the overall effectiveness of the fuel tax in today's economic environment, including factors such as increased vehicle fuel efficiency and electric vehicles;

(3) An analysis of construction inflation in recent years, increasing the cost of business;

(4) An analysis of how local governments have fared under the state's highway revenue structure; and

(5) A review of other states' alternative methods of funding and financing highways, including, but not limited to, bonding, financing, implementing a vehicle miles traveled (VMT) system, tolling, using public-private partnerships, the federal Transportation Infrastructure Finance and Innovation Act program, and redistributing current state revenue.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 418.** Introduced by Dover, 19; Albrecht, 17; Blood, 3; Bosn, 25; Cavanaugh, M., 6; Clements, 2; Conrad, 46; Day, 49; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Erdman, 47; Fredrickson, 20; Halloran, 33; Hansen, 16; Holdcroft, 36; Hughes, 24; Ibach, 44; Linehan, 39; Lippincott, 34; Raybould, 28; Riepe, 12; Vargas, 7; Wayne, 13.

**PURPOSE:** The purpose of this resolution is to study the current property tax valuation process. The study shall examine the different classes of real property, including residential, commercial, and agricultural, to ascertain if there is a more equitable process to determine property valuation that will result in a property tax that more clearly reflects the taxpayer's ability to pay based on the revenue produced by that real property, when possible.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 419.** Introduced by Hughes, 24.

PURPOSE: The purpose of this resolution is to propose an interim study to examine school meal programs in Nebraska, barriers to participation in school meal programs, and potential strategies to maximize the role of school meal programs in addressing child hunger. The committee shall consult with the State Department of Education for this study.

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

(1) How the adoption of the community eligibility provision impacts the funding under the Tax Equity and Educational Opportunities Support Act of participating schools or school districts;

(2) The adequacy and appropriateness of using free and reduced-price lunch data and data collected by the Internal Revenue Service to calculate the poverty allowance within the funding formula under the Tax Equity and Educational Opportunities Support Act;

(3) The adequacy and appropriateness of the state's current community eligibility provision multiplier which is used to determine funding under the Tax Equity and Educational Opportunities Support Act for schools and school districts and which is based on a school's or school district's direct certification population;

(4) How past, current, and projected future funding under the Tax Equity and Educational Opportunities Support Act impacts schools and school districts participating in or eligible for the community eligibility provision using the existing community eligibility provision multiplier and other options, with consideration for schools and school districts with large enrollments versus schools and school districts with smaller enrollments;

(5) Recommendations for adjusting the community eligibility provision multiplier;

(6) Recommendations for adjusting relevant state statutes to support continued and additional school and school district participation in the community eligibility provision; and

(7) Any other related topics the committee deems appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 420.** Introduced by Fredrickson, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the budget needs of and funding sources for regional behavioral health authorities.

In 1974, the Legislature established the six behavioral health regions to address the diverse populations, resources, and needs of the state. State statutes set out the responsibility of each behavioral health region to plan, coordinate, develop, and evaluate the publicly funded behavioral health service system by addressing needs, gaps, and barriers and contracting with community-based service organizations to provide behavioral health treatment, rehabilitation, recovery, and prevention activities. Behavioral health regions are local units of government that the Division of Behavioral Health of the Department of Health and Human Services contracts with to engage in planning and service implementation.

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

- (1) The funding historically provided to the regions;
- (2) The impact of recent reductions in funding to the Division of Behavioral Health, as well as the impact of the unfunded provider rate increase, including program reductions across behavioral health regions;
- (3) Challenges faced by behavioral health regions and partner providers in dispersing funding, including the medical assistance program unwinding and continuing staff shortages;
- (4) The Lincoln Regional Center's staffing needs and challenges; and
- (5) Opioid settlement funding updates.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 421.** Introduced by Fredrickson, 20.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine addiction with an emphasis on the examination of opioid addiction and a focus on evaluating effective primary prevention strategies, intervention methods, and robust recovery support systems. The study shall develop actionable recommendations for legislative initiatives aimed at enhancing the efficacy and accessibility of primary prevention, intervention, and recovery supports, to ultimately foster healthier communities and individuals.

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

- (1) Primary prevention strategies to prevent substance use disorders, including a review of how other states structure and fund primary prevention efforts;



- (2) Gaps, challenges, and opportunities to better support current primary prevention policies and programs;
- (3) Evidence-based practices in primary prevention;
- (4) Funding sources for addiction-related services; and
- (5) Harm reduction strategies and the funding sources and evidence-based strategies available for harm reduction programs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 422.** Introduced by Fredrickson, 20.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the needs, successes, and challenges relating to behavioral health in Nebraska, including the regional behavioral health authorities.

In 1974, the Legislature established the six behavioral health regions to address the diverse populations, resources, and needs of the state. State statutes set out the responsibility of each behavioral health region to plan, coordinate, develop, and evaluate the publicly funded behavioral health service system by addressing needs, gaps, and barriers and contracting with community-based service organizations to provide behavioral health treatment, rehabilitation, recovery, and prevention activities. Behavioral health regions are local units of government that the Division of Behavioral Health of the Department of Health and Human Services contracts with to engage in planning and service implementation.

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

- (1) Behavioral health needs and challenges throughout the state, particularly in rural Nebraska;
- (2) Services provided by the behavioral health regions and partner providers;
- (3) Challenges to funding utilization, including, but not limited to, the medical assistance program unwinding, COVID-19 pandemic policies, and staffing shortages;
- (4) The current and historical capacity of the Lincoln Regional Center;
- (5) The documented lack of flexibility and slow-walking of approval of new projects by the Division of Behavioral Health; and
- (6) Opioid settlement projects and funds disbursement.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 423.** Introduced by Hansen, 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine child care providers in the state and the shortage of child care options in rural Nebraska. With the overwhelming request from parents for more access to child care options, this study is intended to find what hinders private providers from being able to serve in rural Nebraska and consider what barriers could be removed. The licensing procedures for child care providers should be processes that allow for capable, safe, and trusted members of rural communities to care for children.

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

- (1) Staff-to-child ratios of child care providers;
- (2) State statutes, rules, and regulations relating to child care;
- (3) Staff shortages for child care providers;
- (4) Inspection procedures for child care providers;
- (5) The number of child care facilities in rural areas in Nebraska; and
- (6) A comparison of Nebraska laws relating to child care with the laws of other states relating to child care.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 424.** Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine occupation taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 425.** Introduced by Murman, 38; Albrecht, 17; Conrad, 46; Linehan, 39; Meyer, 41; Sanders, 45; Walz, 15; Wayne, 13.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the challenges faced by families with special needs students in enrolling such students as option students in other school districts under the enrollment option program and how the Legislature can better provide guidance and resources to facilitate the best outcomes for families. In order to carry out the purpose of this resolution, the committee shall consider the input of families, school officials, and other entities as the committee deems necessary and beneficial.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 426.** Introduced by Conrad, 46.

**PURPOSE:** The purpose of this resolution is to propose an interim study relating to public records requests to determine whether reports of the resistance of government entities to public record requests are representative or isolated. The study should determine whether any additional statutory reforms beyond Laws 2023, LB43, are justified in response to the Supreme Court's opinion in Nebraska Journalism Trust v. Dept. of Env't. & Energy, 316 Neb. 174 (2024), to ensure that the purposes of sections 84-712 to 84-712.09 are being met and that Nebraskans have prompt, unfettered, and robust access to open government.

Subdivision (1)(b) of section 84-712.03 allows for any person who is denied access to public records to petition the Attorney General for assistance in obtaining the requested records. This study should look to see how such requests are made by the public to the Attorney General and whether there is an online portal or some similar means to effectuate assistance. The study should also determine how many such requests have been accommodated or responded to by the Attorney General. The study should also determine what the Attorney General did in response to such

requests, what the resolutions of the requests were, and how many such requests were made and served in the last several years.

Additionally, body-worn camera footage is presumed to be a public record, but is regularly withheld or released solely at the whim of police agencies. Legislative Bill 366, introduced in the One Hundred Eighth Legislature, First Session, would provide a very narrow expansion mandating release of body-worn camera footage in custody deaths after the conclusion of the statutorily required grand jury process. This component of Legislative Bill 366 was strongly resisted by law enforcement and prosecutors despite the strong public interest in accessing such footage and law enforcement and prosecutors contradicted their position regarding body-worn camera footage more broadly as an accountability tool in news stories and legislative testimony during the hearing before the Judiciary Committee on Legislative Bill 1185, introduced in the One Hundred Eighth Legislature, Second Session. This study should also focus on what statutory reforms are necessary to provide for the public's right to access to police body-worn camera footage in instances in which the public interest is strong or when law enforcement releases such footage in part themselves.

In order to complete the purpose of this study, the committee shall obtain input from the public and impacted individuals regarding the subject matter of the study.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 427.** Introduced by Fredrickson, 20; Hughes, 24; Ibach, 44; Linehan, 39.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the use of the child care subsidy program in section 68-1206 as an incentive to recruit and retain employees in the child care industry.

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

(1) The available workforce data on the Nebraska child care industry, including historical trends;

(2) The effects of child care workforce shortages and child care availability on the overall Nebraska workforce;

(3) Child care subsidy programs implemented in Kentucky, Iowa, Rhode Island, and other states to recruit and retain the child care workforce in such states, including program structure, cost, and impact.

- (4) Potential statutory and administrative changes necessary to implement a child care subsidy program for child care employees in Nebraska;
- (5) The anticipated cost of implementing a child care subsidy program for child care employees in Nebraska; and
- (6) The anticipated outcomes should Nebraska implement a child care subsidy program for child care employees.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 428.** Introduced by Hardin, 48; Bostelman, 23.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review how the State of Nebraska can ensure it has effective emergency medical services in rural communities.

Access to emergency medical care is vital to the health of rural communities across the United States. Emergency medical services play a critical role in this care for rural areas. Ambulance services face increasing difficulty in responding to emergencies in the rural United States due to workforce shortages and financial crises.

About one-third of rural emergency medical services agencies in the United States are in immediate operational jeopardy because the agencies cannot cover costs, largely due to insufficient medicaid and medicare reimbursements. These reimbursements cover, on average, about one-third of the actual costs to maintain equipment, stock medications, and pay for insurance and other fixed expenses.

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

- (1) Exploring rural emergency medical services funding streams and researching potential new sources of funding;
- (2) Exploring how to maintain and replace expensive ambulance and emergency medical equipment for rural emergency medical services;
- (3) Exploring grants and funding opportunities to assist in training and certification costs for rural emergency medical services providers;
- (4) Researching how other states with similar demographics to Nebraska fund rural emergency medical services;
- (5) Examining ways to remove barriers for emergency medical technicians and paramedics in rural Nebraska and ensure they are working at the top of their scope;

(6) Assessing the current state of emergency medical services infrastructure, resources, and capabilities across Nebraska, in both urban and rural areas;

(7) Evaluating response times, transport protocols, and coordination of health care providers and emergency response agencies;

(8) Examining workforce challenges, training requirements, and opportunities for professional development within the emergency medical services sector;

(9) Reviewing funding mechanisms, reimbursement models, and financial sustainability of emergency medical services agencies and providers; and

(10) Analyzing best practices, innovations, and evidence-based approaches to improve the quality, efficiency, and patient outcomes of emergency medical services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 429.** Introduced by Hardin, 48.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the Child Care Licensing Act and the availability and affordability of liability insurance for licensed child care providers in Nebraska. To become licensed and maintain licensure, section 71-1911.03 requires child care providers to obtain liability insurance coverage in the event of legal defense costs or damages as a result of accidents or injuries. In recent years, many licensed child care providers have faced significant barriers due to discontinued coverage, significantly increased premiums, and more stringent policy terms.

To assess the breadth and scope of barriers to obtaining liability insurance as a requirement of child care provider licensing, to identify causes to the increasing difficulty in maintaining liability insurance coverage, and to provide legislative recommendations, this study shall include, but need not be limited to:

(1) A review of the purpose and legislative history of requiring liability insurance coverage as a condition of child care provider licensure;

(2) An assessment of historical and current costs, availability, and typical liability insurance policies and determinations for licensed child care providers and the associated impact on the cost of child care;

(3) An examination of liability insurance licensing requirements in other states, as well as access and affordability; and

(4) Legislative recommendations to improve access to and affordability of liability insurance for child care providers to ensure compliance with licensure requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 430.** Introduced by Bostar, 29.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the impact of artificial intelligence on Nebraska's private and public sectors, including the technology and insurance sectors.

Artificial intelligence technologies have emerged as transformative tools with the potential to significantly impact workforce dynamics, operational efficiencies, and technological advancements. Nationally, state governments are recognizing the importance of understanding and adapting to the implications of artificial intelligence adoption to ensure effective governance and service delivery.

Given the potential impact of artificial intelligence on the public and private sectors, a comprehensive examination of the effects of artificial intelligence on Nebraska's workforce, operational efficiencies, and technological landscape is essential for informed decisionmaking and strategic planning. It is imperative to assess how artificial intelligence adoption can enhance productivity, improve service quality, and foster innovation, while also addressing potential challenges related to workforce displacement, skill gaps, and equitable access to technological resources.

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

(1) The current and potential impact of artificial intelligence adoption on the state economy, including changes in job roles, skill requirements, and workforce development needs;

(2) The extent to which artificial intelligence technologies can enhance operational efficiencies, streamline processes, and optimize resource allocation;

(3) The role of artificial intelligence in driving technological advancements and innovation within Nebraska, including influence of artificial intelligence on digital transformation initiatives and emerging technologies;

(4) Key challenges and opportunities associated with artificial intelligence integration, such as workforce reskilling, data security, ethical considerations, and stakeholder engagement; and

(5) Potential recommendations for policies, regulations, and investment strategies to support responsible artificial intelligence adoption, to promote workforce resilience, and to harness the full potential of artificial intelligence technologies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 431.** Introduced by Jacobson, 42.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the roles of various entities in the pharmaceutical supply chain, including pharmaceutical manufacturers, wholesalers, distributors, pharmacies, pharmacy benefit managers, insurers, and private and public health plans. Further, the interim study should also consider whether additional oversight or regulation is needed for some or all of these entities to safeguard consumer access to safe, effective, and timely pharmaceuticals, ensure fair business practices within the pharmaceutical supply chain, decrease the costs to consumers to access both pharmaceuticals and health insurance coverage, and reduce barriers to patient-friendly cost-saving measures within the pharmaceutical supply chain. The study shall include an examination of issues raised in Legislative Bills 778, 984, and 990, introduced in the One Hundred Eighth Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 432.** Introduced by Jacobson, 42.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the impact of digital asset data mining on Nebraska public power districts, electric ratepayers, and communities.

The study shall include an examination of the following:



(1) Whether Nebraska's existing electric infrastructure is sufficient to support increased usage demands required for expanded digital asset data mining and, if not, the scope of the structural and financial investment necessary to meet such demand;

(2) The effect on existing electric ratepayers, particularly industrial and agricultural ratepayers, of expanded digital asset data mining operations in Nebraska;

(3) The existence, efficacy, and prudence of laws and regulations adopted by other states or localities to regulate digital asset data mining operations; and

(4) A cost-benefit analysis of digital asset data mining operations for Nebraska communities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 433.** Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the availability and access to data regarding maternal and infant health care in Nebraska. Such data is a critical component to ensuring that policy makers are aware of the health status of mothers and babies so that solutions may be directed to interventions that successfully support this vulnerable population.

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

(1) A review of available data regarding maternal and infant health in Nebraska and how the data is collected and shared with those working to improve the health of Nebraskans and the general public;

(2) A review of information regarding what such data reveals regarding the health status of mothers and babies in Nebraska;

(3) Comparisons of the status of maternal and infant health in Nebraska with other states;

(4) A review of the timeliness, thoroughness, and accuracy of data reports relating to maternal and infant health provided in compliance with state statute;

(5) A review of barriers to access of maternal and infant health data for the general public and for organizations performing child health quality improvement and research; and

(6) Consideration of the development of a maternal and child health dashboard to assist in the improvement of health outcomes in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 434.** Introduced by Brandt, 32.

PURPOSE: The purpose of this resolution is to propose an interim study to examine tourism, including agritourism, in the State of Nebraska. This study shall include, but need not be limited to, an examination of the following:

(1) The current state of agritourism activities in Nebraska, including the types of activities offered, visitor demographics, and economic impact;

(2) The regulatory and permitting processes governing agritourism operations in the state and recommendations for streamlining and improving such processes;

(3) Best practices and successful models of agritourism from other states and countries that could be adapted for use in Nebraska;

(4) Marketing and promotional efforts aimed at promoting agritourism in Nebraska and recommendations for enhancing such efforts to attract more visitors; and

(5) Opportunities for collaboration between agritourism operators, local communities, and state agencies to support and promote agritourism initiatives.

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

1. That the Government, Military and Veteran 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 435.** Introduced by Raybould, 28.

PURPOSE: The purpose of this resolution is to propose an interim study to assess the loss of funding to Nebraska counties as a result of an elimination of the Nebraska inheritance tax and to identify potential state funding sources to replace lost revenue to Nebraska counties as a result of an elimination of the Nebraska inheritance tax.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 436.** Introduced by Hansen, 16.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the initiative and referendum petition processes in the twenty-six states in which such a process exists. This study shall include, but need not be limited to, an examination of the following:

- (1) Recent proposed statutory or constitutional changes to initiative and referendum petition processes including changes to signature requirements, circulation periods, initiative content, circulator requirements, signer requirements, petition requirements, ballot language, election requirements, withdrawing signatures, and campaign finance requirements;
- (2) Whether all Nebraskans, including individuals in low-population areas, are fairly and properly represented in the initiative petition process; and
- (3) Spending on initiative petition measures in Nebraska over the last fifteen years including names of funding entities, dollar amounts, and where such entities are located.

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

1. That the Government, Military and Veteran 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.

**NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1525 12:15 PM

Tuesday, April 2, 2024  
John Shadle - Nebraska Natural Resources Commission

(Signed) Bruce Bostelman, Chairperson

**WITHDRAW - Amendments to LB1413**

Senator Clements withdrew [FA264](#), found on page 1006, to LB1413.

Senator Clements withdrew [FA265](#), found on page 1007, to LB1413.

Senator Clements withdrew [FA266](#), found on page 1007, to LB1413.

**MOTION(S) - Return LB1413 to Select File**

Senator M. Cavanaugh moved to return LB1413 to Select File for the following specific amendment:

[FA315](#)

Strike the enacting clause.

Pending.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 437.** Introduced by Urban Affairs Committee: McKinney, 11, Chairperson; Blood, 3; Cavanaugh, J., 9; Day, 49; Hardin, 48; Lowe, 37.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Urban Affairs 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, SECOND 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 438.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to review the occupational regulations for fire alarm inspectors. Such a review is required by section 84-948, and this study fulfills the requirements of the Occupational Board Reform Act. The study shall include an examination of the guidelines issued by the State Fire Marshal to determine qualifications for fire alarm inspectors pursuant to section 28-1251.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 439.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to explore whether the size of school districts has contributed to historical student underachievement within the Class V school district. This study should seek to understand whether the school district's size contributes to the success or lack thereof of students.

This study should include, but need not be limited to, answers to the following questions:

(1) What are the prevailing trends in student performance and academic outcomes over the past decade in the Class V school district?

(2) How do such trends compare to regional, state, and national benchmarks?

(3) What is the total student population of the Class V school district?

(4) What percentage of students in the Class V school district are classified as living below the poverty line?

(5) What is the racial and ethnic composition of the student body in the Class V school district?

(6) What is the socioeconomic status distribution among the student population in the Class V school district?

(7) How many schools are within the Class V school district?

(8) What is the geographical size of the Class V school district?

(9) What is the student-to-teacher ratio in the Class V school district?

(10) How many administrators are employed in the Class V school district?

(11) How many administrators in the Class V school district have teaching certificates but do not teach?

(12) What are the average test scores for students in the Class V school district?

(13) What is the graduation rate of students in the Class V school district?

(14) How do student outcomes in the Class V school district compare to state and national averages?

(15) Are there significant achievement gaps among different demographic groups within the Class V school district?

(16) What percentage of students are on track to graduate on time in the Class V school district?

(17) What is the annual turnover rate for teachers within the Class V school district?

(18) What factors are cited by teachers as causing them to leave their positions in the Class V school district?

(19) How does teacher turnover in the Class V school district compare to neighboring districts and national averages?

(20) Are there specific schools within the Class V school district experiencing higher turnover rates? If so, where are the schools located?

(21) What resources are available to schools within the Class V school district?

(22) How are resources allocated among schools in the Class V school district?

(23) What professional development opportunities are provided to teachers within the Class V school district?

(24) What support services are available to students from disadvantaged backgrounds in the Class V school district?

(25) What support services are available to teachers in the Class V school district?

(26) What policies and practices regarding curriculum, assessment, and instruction are in place that cause undue hardship to students in the Class V school district?

(27) How are decisions made regarding budget allocation and resource distribution for the Class V school district?

(28) Are there specific initiatives or programs implemented to address the needs of students from low-income backgrounds in the Class V school district?

(29) How does the Class V school district support teacher retention and professional growth?

(30) What level of involvement do parents and community members have in the Class V school district?

(31) Are there partnerships with local organizations or businesses to support educational initiatives in the Class V school district?

(32) How do the Class V school district communicate with parents and community stakeholders about school policies and initiatives?

(33) Are there barriers to parental involvement in the Class V school district, particularly among families facing socioeconomic challenges?

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 440.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine how to close the educational achievement gap in the Class V school district. This study shall include, but need not be limited to, an examination of the following:

(1) The demographic composition of the Class V school district, including racial and ethnic breakdowns, socioeconomic status, English language proficiency, and any other relevant factors that could influence educational outcomes;

(2) The existing educational policies, curricula, teaching methods, and support systems to identify any biases or inequities that may be perpetuating the educational achievement gap;

(3) The quality of teacher training and ongoing professional development opportunities in the Class V school district and whether teachers are equipped with culturally responsive teaching practices and strategies to effectively support diverse learners;

(4) School, family, and community engagement and the communication, involvement, and support for families in need in the Class V school district;

(5) What can be done to promote collaboration among educators, administrators, students, families, and stakeholders to foster continuous improvement through reflection, feedback, and evidence-based strategies;

(6) The resource distribution across the Class V school district's schools to see if there is equity for marginalized students;

(7) The Class V school district's partnerships with community organizations and businesses that provide additional support services or could;

(8) The African American Achievement Council's status and engagement with the Class V school district board and administration;

(9) Whether students have access to rigorous academic programs, advanced coursework, extracurricular activities, and support services, such as counseling and special education, in the Class V school district to see if there is equitable access for all students, regardless of background;

(10) The availability and effectiveness of programs aimed at addressing the social and emotional needs of students in the Class V school district, including mental health services, counseling, and conflict resolution programs;

(11) Data analytics that track student performance in the Class V school district to identify patterns of underachievement and student progress over time;

(12) Possible accountability measures that would help ensure that interventions are implemented effectively and outcomes are improving in the Class V school district;

(13) The curriculum of the Class V school district to see if the curriculum reflects the diversity of students' backgrounds and experiences;

(14) What culturally relevant content and teaching materials would enhance engagement and academic success in the Class V school district;

(15) The availability and effectiveness of early childhood education programs in the Class V school district, including pre-kindergarten and kindergarten readiness initiatives, that are supposed to ensure all students have a strong foundation for academic success;

(16) The Class V school district board's role in promoting educational equity through policy, resource allocation, and oversight;

(17) The Class V school district board's community engagement and advocacy efforts for underserved populations;

(18) The monitoring of student progress in the Class V school district and Class V school district leadership accountability; and

(19) The collaboration of Class V school district board members with district leadership on equity initiatives to close the achievement gap.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 441.** Introduced by Armendariz, 18.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the impact of local housing regulations on Nebraska's housing supply. Nebraska has been experiencing a severe shortage of housing options for its residents across the state and at all income levels. Residents of Nebraska are faced with skyrocketing rents and home prices. Despite the Legislature appropriating funds for a variety of housing grants, including for the rural workforce and middle income workforce, more needs to be done. In recent years, states across the country have explored and passed bipartisan legislation addressing the regulatory matters deemed necessary to help increase housing affordability and supply.

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

(1) Local zoning regulations that may impede the quantity of new housing being built;

(2) Local building codes that may increase the costs of new housing being built;

(3) Local permitting and planning processes in place that may impact the cost and time for new housing being built; and

(4) Potential ways to incentivize municipalities to reduce the regulatory burdens imposed on new housing being built.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.



**VISITOR(S)**

Visitors to the Chamber were Janet Davis, Gretna; students from Rohwer Elementary, Omaha.

**RECESS**

At 11:58 a.m., on a motion by Senator Murman, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Speaker Arch presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Armendariz, Bostar, Conrad, Hunt, Kauth, McKinney, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

**AMENDMENT(S) - Print in Journal**

Senator Ibach filed the following amendment to [LB1368](#):

[AM3202](#)

(Amendments to Standing Committee amendments, AM3002)

- 1 1. On page 2, line 28, strike "shall" and insert "may".
- 2 2. On page 3, line 8, strike "shall" and insert "may".

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 442.** Introduced by Ballard, 21.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the scope and function of the Nebraska Health Information Initiative and its affiliates in Nebraska.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

**COMMITTEE REPORT(S)**

## Revenue

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

Sarah Scott, Property Tax Administrator - Department of Revenue

Aye: 8. Albrecht, Bostar, Dungan, Kauth, Linehan, Meyer, Murman, von Gillern. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Lou Ann Linehan, Chairperson

**MOTION(S) - Return LB1413 to Select File**

Senator M. Cavanaugh renewed her motion, found and considered in this day's Journal, to return LB1413 to Select File for her specific amendment, [FA315](#), found in this day's Journal.

Senator M. Cavanaugh withdrew her motion to return.

The M. Cavanaugh amendment, [FA315](#), was not considered.

Senator M. Cavanaugh moved to return LB1413 to Select File for the following specific amendment:

[FA316](#)

Strike Section 1.

Senator M. Cavanaugh withdrew her motion to return.

The M. Cavanaugh amendment, [FA316](#), was not considered.

Senator M. Cavanaugh moved to return LB1413 to Select File for the following specific amendment:

[FA317](#)

Strike Section 2.

Senator M. Cavanaugh withdrew her motion to return.

The M. Cavanaugh amendment, [FA317](#), was not considered.

Senator M. Cavanaugh moved to return LB1413 to Select File for the following specific amendment:

[FA318](#)

Strike Section 3.

Speaker Arch offered the following motion:

[MO1310](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

The Arch motion to invoke cloture prevailed with 35 ayes, 7 nays, 5 present and not voting, and 2 excused and not voting.

The M. Cavanaugh motion to return failed with 1 aye, 40 nays, 7 present and not voting, and 1 excused and not voting.

The M. Cavanaugh amendment, FA318, was not considered.

### **BILL 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 LB1413 with 37 ayes, 6 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1413.** With Emergency Clause.

A BILL FOR AN ACT relating to funds; to amend sections 2-1507, 45-930, 48-621, 48-622.01, 58-703, and 59-1608.04, Reissue Revised Statutes of Nebraska, sections 55-901, 61-405, 68-996, 71-812, 79-810, 81-1201.21, 81-12,146, and 81-12,157, Revised Statutes Cumulative Supplement, 2022, and sections 37-1804, 48-622.02, 71-5328, 71-7611, 72-819, 79-1054, 81-12,147, 81-12,221, 81-12,222, 81-12,243, 84-612, and 86-324, Revised Statutes Supplement, 2023; to define and redefine terms; to provide for, change, and eliminate fund transfers; to create, rename, and change the use of certain funds; to provide powers for the Auditor of Public Accounts; to change provisions of the Shovel-Ready Capital Recovery and Investment Act and the Business Innovation Act relating to requests for grants; to change provisions relating to a museum and visitor center honoring Chief Standing Bear; to require prioritization of certain grant applications under the Water Sustainability Fund; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; 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, 37:

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

Voting in the negative, 8:

Cavanaugh, J.	Day	Dungan	McKinney
Cavanaugh, M.	DeBoer	Fredrickson	Slama

Present and not voting, 3:

Hunt	Riepe	Wayne
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Excused and not voting, 1:

Raybould

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

#### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB1413e.

#### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 840.** Placed on Select File with amendment. [ER102](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

Business and Labor

**LEGISLATIVE BILL 1408.** Placed on General File with amendment. [AM3190](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 81-1430, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 81-1430 (1) A task force is hereby established within the Nebraska  
 6 Commission on Law Enforcement and Criminal Justice for the purposes of  
 7 investigating and studying human trafficking, the methods for advertising

8 human trafficking services, and the victimization of individuals coerced  
9 to participate in human trafficking.

10 (2) The task force shall examine the extent to which human  
11 trafficking is prevalent in this state, the scope of efforts being taken  
12 to prevent human trafficking from occurring, and the services available  
13 to victims of human trafficking in this state. The task force shall  
14 utilize information and research available from the Innocence Lost  
15 National Initiative. The task force shall research and recommend a model  
16 of rehabilitative services for victims of human trafficking that includes  
17 input from the areas of law enforcement, social services, the legal  
18 profession, the judiciary, mental health, and immigration. The task force  
19 shall also investigate the limitations upon victims who wish to come  
20 forward and seek medical attention; investigate the potential to stop  
21 human trafficking; and investigate the potential to promote recovery, to  
22 protect families and children who may be profoundly impacted by such  
23 abuse, and to save lives.

24 (3)(a) The Department of Labor shall work with the task force to  
25 develop or select informational posters for placement around the state.  
26 The posters shall be in English, Spanish, and any other language deemed  
27 appropriate by the task force. The posters shall include a toll-free  
1 telephone number a person may call for assistance, preferably the  
2 National Human Trafficking Resource Center Hotline ~~(888) 373-7888~~ (888)  
3 373-7888.

4 (b) Posters shall be placed in rest stops, strip clubs, ~~and~~ casinos,  
5 ~~and hotels and similar public lodging establishments~~. The task force  
6 shall work with local businesses and nonprofit entities associated with  
7 the prevention of human trafficking to voluntarily place additional signs  
8 in high schools, postsecondary educational institutions, gas stations,  
9 ~~hotels~~, hospitals, health care clinics, urgent care centers, airports,  
10 train stations, bus stations, and other locations around the state deemed  
11 appropriate by the task force.

12 (4) The task force shall consist of the following members:

13 (a) The Attorney General or his or her designee;

14 (b) The executive director of the Nebraska Commission on Law  
15 Enforcement and Criminal Justice;

16 (c) The Superintendent of Law Enforcement and Public Safety or his  
17 or her designee;

18 (d) The Director of Correctional Services or his or her designee;

19 (e) The chief of police or director of public safety of a city of  
20 two hundred thousand inhabitants or more as determined by the most recent  
21 federal decennial census or the most recent revised certified count by  
22 the United States Bureau of the Census;

23 (f) The chief of police or director of public safety of a city of  
24 less than two hundred thousand inhabitants as determined by the most  
25 recent federal decennial census or the most recent revised certified  
26 count by the United States Bureau of the Census;

27 (g) A county sheriff;

28 (h) A county attorney;

29 (i) A county commissioner;

30 (j) A mayor or city manager;

31 (k) A person involved with the control or prevention of juvenile  
1 delinquency;

2 (l) A person involved with the control or prevention of child abuse;

3 (m) The Commissioner of Education or his or her designee;

4 (n) The director of the Commission on Latino-Americans or his or her  
5 designee; and

6 (o) Six members, at least three of whom shall be women, from the  
7 public at large.

8 (5) The Governor shall appoint the members of the task force listed  
9 in subdivisions (4)(e) through (l) and (o) of this section for terms as

10 provided in subsection (6) of this section. The membership of the task  
 11 force shall represent varying geographic areas and large and small  
 12 political subdivisions. One member from the public at large shall be a  
 13 professional representing child welfare, and one member of the public at  
 14 large shall represent juvenile pretrial diversion programs.

15 (6) The members of the task force appointed by the Governor shall  
 16 serve six-year terms, except that of the members first appointed, four  
 17 shall serve initial two-year terms, four shall serve initial four-year  
 18 terms, and six shall serve initial six-year terms from January 1 next  
 19 succeeding their appointments. Thereafter, all members shall serve six-  
 20 year terms. A member may be reappointed at the expiration of his or her  
 21 term. Any vacancy occurring otherwise than by expiration of a term shall  
 22 be filled for the balance of the unexpired term in the same manner as the  
 23 original appointment.

24 (7) No member shall serve beyond the time when he or she holds the  
 25 office, employment, or status by reason of which he or she was initially  
 26 eligible for appointment. Any member of the task force appointed by the  
 27 Governor may be removed from the task force for cause upon notice and an  
 28 opportunity to be heard at a public hearing. One of the causes for  
 29 removal shall be absence from three regularly scheduled meetings of the  
 30 task force during any six-month period when the member has failed to  
 31 advise the task force in advance of such meeting that he or she will be  
 1 absent and stating a reason therefor.

2 (8) The chairperson of the task force shall be designated by the  
 3 Governor to serve at the pleasure of the Governor. The chairperson shall  
 4 be the chief executive officer of the task force but may delegate such of  
 5 his or her duties to other members of the task force as may be authorized  
 6 by the task force.

7 (9) Notwithstanding any provision of law, ordinance, or charter  
 8 provision to the contrary, membership on the task force shall not  
 9 disqualify any member from holding any other public office or employment  
 10 or cause the forfeiture thereof.

11 (10) The members of the task force shall serve on the task force  
 12 without compensation, but they shall be entitled to receive reimbursement  
 13 for expenses incurred incident to such service as provided in sections  
 14 81-1174 to 81-1177.

15 (11) Eleven members of the task force shall constitute a quorum for  
 16 the transaction of any business or the exercise of any power of the task  
 17 force. The task force shall have the power to act by a majority of the  
 18 members present at any meeting at which a quorum is in attendance.

19 (12) Every July 1 and December 1, the task force shall report  
 20 electronically to the Clerk of the Legislature the results of its  
 21 investigation and study and its recommendations, if any, together with  
 22 drafts of legislation necessary to carry its recommendations into effect  
 23 by filing the report with the clerk.

24 Sec. 2. Section 81-1431, Reissue Revised Statutes of Nebraska, is  
 25 amended to read:

26 81-1431 (1) It is the intent of the Legislature that law enforcement  
 27 agencies, prosecutors, public defenders, judges, juvenile detention  
 28 center staff, and others involved in the juvenile justice system and the  
 29 criminal justice system and other relevant officials be provided  
 30 mandatory training regarding issues in human trafficking. The task force  
 31 established in section 81-1430 shall work with such agencies, persons,  
 1 and staff to develop a proper curriculum for the training and to  
 2 determine how the training should be provided. ~~The determination and~~  
 3 ~~accompanying legislative recommendations shall be made by December 1,~~  
 4 ~~2012.~~ Such training shall focus on:

- 5 (a) State and federal law regarding human trafficking;
- 6 (b) Methods used in identifying victims of human trafficking who are  
 7 United States citizens and foreign nationals, including preliminary

8 interview techniques and appropriate questioning methods;  
9 (c) Methods for prosecuting human traffickers;  
10 (d) Methods of increasing effective collaboration with  
11 nongovernmental organizations and other relevant social service  
12 organizations in the course of investigating and prosecuting a human  
13 trafficking case;  
14 (e) Methods for protecting the rights of victims of human  
15 trafficking, taking into account the need to consider human rights and  
16 the special needs of women and minor victims;  
17 (f) The necessity of treating victims of human trafficking as crime  
18 victims rather than as criminals; and  
19 (g) Methods for promoting the safety and well-being of all victims  
20 of human trafficking.  
21 (2) Employees of hotels and similar public lodging establishments  
22 may be provided training regarding issues in human trafficking. The task  
23 force established in section 81-1430 may work with the Department of  
24 Labor and hotels and similar public lodging establishments to approve  
25 such training and determine how such training should be provided. Such  
26 training may include:  
27 (a) The definition of human trafficking and the commercial  
28 exploitation of children;  
29 (b) Guidance on how to identify individuals at risk for human  
30 trafficking;  
31 (c) Guidance on how to identify the signs of human trafficking and  
1 any individual potentially engaged in human trafficking;  
2 (d) Differences between labor trafficking and sex trafficking,  
3 specific to the hotel and public lodging sector;  
4 (e) Guidance on the role of hospitality employees in reporting and  
5 responding to potential or suspected human trafficking; and  
6 (f) The contact information for the National Human Trafficking  
7 Resource Center Hotline toll-free telephone number and text line and  
8 contact information for local law enforcement.  
9 (3) (2) The task force shall also seek the input and participation  
10 of appropriate nongovernmental organizations and other relevant  
11 organizations regarding the provision, preparation, and presentation of  
12 the training called for in this section.  
13 Sec. 3. (1) For purposes of this section:  
14 (a) Hotel means any facility in which the public may, for a  
15 consideration, obtain sleeping accommodations. Hotel includes hotels,  
16 motels, tourist homes, campgrounds, courts, lodging houses, inns, state-  
17 operated hotels, and nonprofit hotels but does not include hospitals,  
18 sanitariums, nursing homes, long-term care facilities, or dormitories or  
19 facilities operated by an educational institution and regularly used to  
20 house students; and  
21 (b) Human trafficking means labor trafficking, labor trafficking of  
22 a minor, sex trafficking, or sex trafficking of a minor as those terms  
23 are defined in section 28-830.  
24 (2) Any person, firm, or corporation that owns or operates a hotel  
25 or similar public lodging establishment may:  
26 (a) Provide to all employees of such hotel or public lodging  
27 establishment within the State of Nebraska training on human trafficking  
28 that has been approved pursuant to subsection (2) of section 81-1431  
29 within one hundred eighty days of being employed at such hotel or public  
30 lodging establishment;  
31 (b) Implement procedures for the reporting of suspected human  
1 trafficking to the National Human Trafficking Resource Center Hotline or  
2 to a local enforcement agency; and  
3 (c) Implement a human trafficking prevention policy for employees of  
4 the hotel or establishment within the State of Nebraska.  
5 (3) An owner, operator, or employee of a hotel or similar public

6 lodging establishment who implements the training and policies as  
7 prescribed in subsection (2) of this section shall not be liable for any  
8 act or omission arising out of or related to human trafficking committed  
9 by a third party occurring at such hotel or establishment unless the  
10 owner, operator, or employee of the hotel or establishment knowingly  
11 assists in the commission of human trafficking.  
12 (4) The Department of Labor may adopt and promulgate rules and  
13 regulations to carry out this section.  
14 Sec. 4. Original section 81-1431, Reissue Revised Statutes of  
15 Nebraska, and section 81-1430, Revised Statutes Cumulative Supplement,  
16 2022, are repealed.

(Signed) Merv Riepe, Chairperson

Revenue

**LEGISLATIVE BILL 388.** Placed on General File with amendment.  
[AM3203](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1317A.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1317, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 388A.** Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 388, One Hundred Eighth Legislature, Second Session, 2024.

**LEGISLATIVE BILL 1363A.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1363, One Hundred Eighth Legislature, Second Session, 2024.

### **NOTICE OF COMMITTEE HEARING(S)**

Natural Resources  
Room 1507 12:15 PM

Wednesday, April 3, 2024

Seth B. Harder - Environmental Quality Council

(Signed) Bruce Bostelman, Chairperson



**AMENDMENT(S) - Print in Journal**

Senator Holdcroft filed the following amendment to LB876:  
AM3211

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 and 2 of this act and section 29-121 shall be  
4 known and may be cited as the Newborn Safe Haven Act.  
5 Sec. 2. (1) Subject to available funding, it is the intent of the  
6 Legislature to appropriate sixty-five thousand dollars to the Department  
7 of Health and Human Services for fiscal year 2024-25 and ten thousand  
8 dollars each fiscal year thereafter, to develop, implement, and maintain  
9 a public information program to inform the general public of the Newborn  
10 Safe Haven Act.  
11 (2) Components of the program shall include, but not be limited to:  
12 (a) Creation and maintenance of a permanent, interactive website  
13 that provides information to the public about the Newborn Safe Haven Act,  
14 including authorized drop-off locations;  
15 (b) Distribution of literature at statewide locations, as determined  
16 by the department, including the toll-free telephone number of the  
17 National Safe Haven Alliance;  
18 (c) Development of educational, promotional, and informational  
19 materials in print, audio, video, electronic, and other media formats  
20 which includes the toll-free telephone number of the National Safe Haven  
21 Alliance; and  
22 (d) Training to carry out the provisions of the Newborn Safe Haven  
23 Act for emergency care providers, 911 operators, hospital staff,  
24 firefighters, law enforcement officers, or any member of the public  
25 expressing an interest in such training.  
26 Sec. 3. Section 29-121, Reissue Revised Statutes of Nebraska, is  
27 amended to read:  
1 29-121 (1) No person shall be prosecuted for any crime based solely  
2 upon the act of leaving a child ~~ninety~~ <sup>thirty</sup> days old or younger in the  
3 custody of an employee on duty at: (a) ~~A~~ a hospital licensed by the State  
4 of Nebraska; (b) a staffed fire station; (c) a staffed law enforcement  
5 agency; or (d) an emergency care provider.  
6 (2) The hospital, staffed fire station, staffed law enforcement  
7 agency, or emergency care provider shall promptly contact appropriate  
8 authorities to take custody of the child.  
9 Sec. 4. Original section 29-121, Reissue Revised Statutes of  
10 Nebraska, is repealed.

**SENATOR DORN PRESIDING**

**SELECT FILE**

**LEGISLATIVE BILL 1188.** ER103, found on page 1245, was offered.

ER103 was adopted.

Advanced to Enrollment and Review for Engrossment.

**UNANIMOUS CONSENT - Expedite LB1188**

Speaker Arch asked unanimous consent to expedite LB1188. No objections.  
So ordered.

**GENERAL FILE**

**LEGISLATIVE BILL 20A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 126A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 262A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 484A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 876A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1023A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1027A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1031A.** Title read. Considered.

**SENATOR DEBOER PRESIDING**

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1074A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1200A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1284A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1301A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1306A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1329A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1368A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 26, 2024, at 3:40 p.m. were the following: LBs 1412e and 1413e.

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

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 443.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine assisted-living facility reimbursement rates at different facilities throughout Nebraska.

Assisted-living facilities provide crucial care to members of the community as they age, from those with minor health risks to those with severe memory loss. Nebraska currently provides different medicaid reimbursement rates based on a facility's urban or rural location. Presently,

the rural reimbursement rate is higher than the urban reimbursement rate due to the higher staffing shortages in rural communities. However, the reimbursement rate for memory-care facilities and assisted-living facilities, regardless of location, remains the same, despite memory-care facilities offering more secure and constant care. Further study is required for how memory-care reimbursement rates may be structured differently, based on the type of care provided and the staffing services required.

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

(1) How reimbursement rates for assisted-living facilities in rural and urban communities compare;

(2) What reimbursement rates for memory-care facilities would be comparable to the rates for assisted-living facilities, based on percentage of reimbursement;

(3) The benefits provided to assisted-living facility residents and their families, memory-care facility residents and their families, assisted-living facilities, and memory-care facilities, in both urban and rural communities, when reimbursement rates are adjusted;

(4) The benefits and further services insurance companies are able to provide when reimbursement rates differ between memory-care facilities and assisted-living facilities; and

(5) The prevalence of medicaid waiver assisted-living services across Nebraska specific to memory care.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 444.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine the oversight of staffing agencies, including health care staffing agencies, in Nebraska.

Health care staffing agencies play a crucial part in Nebraska's health care system by directing people to jobs required for the system to operate. With widespread shortages throughout the state in every section of health care, the roles of staffing agencies are more pronounced than ever. However, the oversight provided to staffing agencies is limited. Requiring health care staffing agencies to register with the Department of Health and Human Services, confirm insurance-holder status, and verify that staff meet requirements would provide guardrails beneficial not only to the state but to

the health of Nebraska residents. Further study is required of how such requirements would benefit the overall health care system of Nebraska.

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

(1) The requirements health care staffing agencies should have regarding the agencies' insurance certificates or policies;

(2) The requirements health care staffing agencies should have regarding verification of qualifications, certifications, and requirements of staff;

(3) How a database of registered health care staffing agencies operated by the Department of Health and Human Services would benefit Nebraska's health care system as a whole;

(4) The potential benefits of creating a system that the public could use to report complaints about health care staffing agencies; and

(5) The requirements health care staffing agencies should have regarding annual registration with the Department of Health and Human Services and what information should be provided along with such registration.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### SELECT FILE

**LEGISLATIVE BILL 130A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 204A.** Senator Riepe withdrew [AM2844](#), found on page 888.

Senator Riepe withdrew [AM2871](#), found on page 938.

Senator Riepe offered the following amendment:  
[AM3222](#) is available in the Bill Room.

The Riepe amendment was adopted with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 926.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 880.** Advanced to Enrollment and Review for Engrossment.

**SPEAKER ARCH PRESIDING**

**LEGISLATIVE BILL 1167.** [ER96](#), found on page 1136, was offered.

ER96 was adopted.

Senator DeBoer offered [AM3118](#), found on page 1156.

The DeBoer amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1270.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1095.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 484.** [ER95](#), found on page 1136, was offered.

ER95 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 932.** [ER91](#), found on page 1074, was offered.

ER91 was adopted.

Senator Blood offered [AM3149](#), found on page 1264.

The Blood amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1069.** [ER92](#), found on page 1074, was offered.

ER92 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1344.** Senator Wayne offered [AM3191](#), found on page 1264.

**SENATOR DEBOER PRESIDING**

Senator Wayne offered the following amendment to his amendment:

[AM3232](#)

(Amendments to AM3191)

- 1 1. On page 3, line 31, strike "The activities described in" and insert an underscored semicolon.
- 3 2. On page 4, strike lines 1 through 3.
- 4 3. On page 13, line 6, after the period insert "The maximum amount of credits per program or project shall not exceed one hundred fifty thousand dollars per year for the first congressional district and one hundred fifty thousand dollars per year for the third congressional district".
- 8 4. On page 24, line 12, strike "three" and insert "five".

The Wayne amendment, to his amendment, was adopted with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

The Wayne amendment, as amended, was adopted with 30 ayes, 3 nays, 11 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment:

[FA320](#)

Strike subsection (d) on page 10, line 2 through 10, starting with "contribution of services" ending with "provided;".

The Wayne amendment was adopted with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**GENERAL FILE**

**LEGISLATIVE BILL 164.** Committee [AM2105](#), found on page 441 and considered on page 507, was renewed.

Senator Wayne withdrew [AM2175](#), found and considered on page 507, to the committee amendment.

Senator McKinney offered [AM3104](#), found on page 1216, to the committee amendment.

**SPEAKER ARCH PRESIDING**

Pending.

**EASE**

The Legislature was at ease from 6:03 p.m. until 6:35 p.m.

**SENATOR DORN PRESIDING**

**AMENDMENT(S) - Print in Journal**

Senator Holdcroft filed the following amendment to [LB876](#):  
[AM3224](#)

(Amendments to AM3211)

1 1. Insert the following new section:  
 2 Section 1. Section 28-394, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 28-394 (1) A person who causes the death of an unborn child  
 5 unintentionally while engaged in the operation of a motor vehicle in  
 6 violation of the law of the State of Nebraska or in violation of any city  
 7 or village ordinance commits motor vehicle homicide of an unborn child.  
 8 (2) Except as provided in subsection (3) of this section, motor  
 9 vehicle homicide of an unborn child is a Class I misdemeanor.  
 10 (3)(a) If the proximate cause of the death of an unborn child is the  
 11 operation of a motor vehicle in violation of section 60-6,213 or  
 12 60-6,214, motor vehicle homicide of an unborn child is a Class IIIA  
 13 felony.  
 14 (b) Except as provided in subdivision (3)(c) of this section, if the  
 15 proximate cause of the death of an unborn child is the operation of a  
 16 motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
 17 vehicle homicide of an unborn child is a Class IIA HA felony and the  
 18 court shall, as part of the judgment of conviction, order the person not  
 19 to drive any motor vehicle for any purpose for a period of at least sixty  
 20 days and not more than fifteen years after the date ordered by the court  
 21 and shall order that the operator's license of such person be revoked for  
 22 the same period. The revocation shall not run concurrently with any jail  
 23 term imposed.  
 24 (c) If the proximate cause of the death of an unborn child is the  
 25 operation of a motor vehicle in violation of section 60-6,196 or  
 26 60-6,197.06 and the defendant has a prior conviction for a violation of  
 1 section 60-6,196 or a city or village ordinance enacted in conformance  
 2 with section 60-6,196, motor vehicle homicide of an unborn child is a  
 3 Class II HA felony and the court shall, as part of the judgment of  
 4 conviction, order the person not to drive any motor vehicle for any  
 5 purpose for a period of at least sixty days and not more than fifteen  
 6 years after the date ordered by the court and shall order that the  
 7 operator's license of such person be revoked for the same period. The  
 8 revocation shall not run concurrently with any jail term imposed.  
 9 (4) The crime punishable under this section shall be treated as a  
 10 separate and distinct offense from any other offense arising out of acts  
 11 alleged to have been committed while the person was in violation of this  
 12 section.  
 13 2. Renumber the remaining sections, correct internal references, and  
 14 correct the repealer accordingly.

**COMMITTEE REPORT(S)**  
 Enrollment and Review

**LEGISLATIVE BILL 1188.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 164.** Committee [AM2105](#), found on page 441 and considered on page 507 and in this day's Journal, was renewed.



Senator McKinney renewed [AM3104](#), found on page 1216 and considered in this day's Journal, to the committee amendment.

Senator McKinney moved for a call of the house. The motion prevailed with 17 ayes, 1 nays, and 31 not voting.

#### **SENATOR FREDRICKSON PRESIDING**

The McKinney amendment, to the committee amendment, was adopted with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

The committee amendment, as amended, was adopted with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator McKinney withdrew [AM2075](#), found on page 328.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 164A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 13 present and not voting, and 10 excused and not voting.

**LEGISLATIVE BILL 1092.** Title read. Considered.

Committee [AM2585](#), found on page 1086, was offered.

Senator Murman asked unanimous to withdraw the following motions:

[MO1292](#), found on page 1202, to bracket.

[MO1293](#), found on page 1202, to recommit to committee.

[MO1294](#), found on page 1202, to indefinitely postpone.

No objections. So ordered.

Senator Murman withdrew [FA305](#), found on page 1203, to the committee amendment.

Senator Murman offered [FA306](#), found on page 1203, to the committee amendment.

Senator M. Cavanaugh offered the following motion:

[MO1312](#)

Bracket until April 11, 2024.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 15 ayes, 1 nay, and 33 not voting.

The M. Cavanaugh motion to bracket failed with 5 ayes, 29 nays, 7 present and not voting, and 8 excused and not voting.

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1329.** Placed on Select File with amendment. [ER105](#) is available in the Bill Room.

**LEGISLATIVE BILL 1074.** Placed on Select File with amendment. [ER99](#) is available in the Bill Room.

**LEGISLATIVE BILL 1301.** Placed on Select File with amendment. [ER104](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB1092](#):  
[MO1314](#)  
Reconsider the vote on MO1312.

Senator M. Cavanaugh filed the following motion to [LB1092](#):  
[MO1313](#)  
Recommit to the Judiciary Committee.

Senator M. Cavanaugh filed the following motion to [LB1092](#):  
[MO1311](#)  
Indefinitely postpone.

**ANNOUNCEMENT**

Senator Linehan announced the Revenue Committee will be holding a briefing on the LB388 tax package Wednesday, March 27, 2024, at 8:15 a.m., in Room 1524.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Dungan name added to LR336.

**VISITOR(S)**

The Doctor of the Day was Dr. Christi Keim of Lincoln.

**ADJOURNMENT**

At 8:58 p.m., on a motion by Senator Lowe, the Legislature adjourned until 9:00 a.m., Wednesday, March 27, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTY-FIRST DAY - MARCH 27, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, March 27, 2024

**PRAYER**

The prayer was offered by Bill Ferrero, Church of Christ, Bayard.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Corporal Dustin J. Guzman, Marine Corps, Omaha.

**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 Bosn, Bostar, Conrad, Day, Dungan, Hansen, Raybould, Slama, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fiftieth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 71A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 6 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1344A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

**LEGISLATIVE BILL 1092.** Committee [AM2585](#), found on page 1086 and considered on page 1321, was renewed.

Senator M. Cavanaugh offered [MO1314](#), found on page 1322, to reconsider the vote on MO1312.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Senator Murman offered [AM3198](#), found on page 1264, to the committee amendment.

The Murman amendment was adopted with 30 ayes, 1 nay, 12 present and not voting, and 6 excused and not voting.

The committee amendment, as amended, was adopted with 34 ayes, 1 nay, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

#### **NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services

Room 1510 1:00 PM

Wednesday, April 3, 2024

Brett Lindau - State Board of Health

Connie Lynn Petersen - State Board of Health

Jeffrey Wienke, Jr. - State Board of Health

Matt Ahern - Health Information Technology Board

(Signed) Ben Hansen, Chairperson

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 445.** Introduced by Lowe, 37.

WHEREAS, the 2024 Nebraska School Activities Association Boys Basketball State Championships were held from March 6 through March 9, 2024; and

WHEREAS, the Shelton High School Bulldogs boys basketball team were seeking their first State Basketball Championship since 1919; and

WHEREAS, the Bulldogs took the lead early in the game and never lost it, defeating the Maywood-Hayes Center High School Wolves by a score of 54-42; and

WHEREAS, the Bulldogs went on a 10-0 scoring run in the second quarter securing their consistent lead over the Wolves into the fourth quarter; and

WHEREAS, the Bulldogs' coach Will Reutzel was thankful for the team's dedication to waking up in the face of a late start; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Shelton High School Bulldogs boys basketball team on winning the Class D-2 Boys Basketball Championship.

2. That a copies of this resolution be sent to Coach Will Reutzel and Shelton High School.

Laid over.

### **VISITOR(S)**

Visitors to the Chamber were students from Milford Elementary, Milford; Eric Martin from the American Legion; Cathy Erdman, Bayard; Trevor Towey and Chris Wicker, Omaha; students, teachers and sponsor from Northwest High School, Lincoln; students and teachers from Verdigre Public Schools, Verdigre; students from St. Patrick's Catholic School, Lincoln; Lauren Micek Vargas, Omaha.

### **RECESS**

At 11:56 a.m., on a motion by Senator Holdcroft, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

### **ROLL CALL**

The roll was called and all members were present except Senators Blood, Dorn, Hunt, McKinney, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 484A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

### **GENERAL FILE**

**LEGISLATIVE BILL 937.** Senator M. Cavanaugh offered [MO1261](#), found on page 1037, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Bostar opened on his bill, LB937.

Senator M. Cavanaugh opened on her motion, MO1261.

**SENATOR DEBOER PRESIDING**

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1368.** Placed on Select File with amendment.

[ER109](#)

1 1. In the Ibach amendment, AM3002, on page 2, line 28, strike  
2 "department" and insert "Department of Natural Resources".  
3 2. On page 1, strike beginning with "fertilizer" in line 1 through  
4 line 2 and insert "agriculture; to amend section 84-612, Revised Statutes  
5 Supplement, 2023; to adopt the Nitrogen Reduction Incentive Act; to  
6 provide for a transfer from the Cash Reserve Fund; and to repeal the  
7 original section."

**LEGISLATIVE BILL 126A.** Placed on Select File.  
**LEGISLATIVE BILL 1027A.** Placed on Select File.  
**LEGISLATIVE BILL 20A.** Placed on Select File.  
**LEGISLATIVE BILL 262A.** Placed on Select File.  
**LEGISLATIVE BILL 876A.** Placed on Select File.  
**LEGISLATIVE BILL 1023A.** Placed on Select File.  
**LEGISLATIVE BILL 1031A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 1300.** Placed on General File with amendment.

[AM3227](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

Business and Labor

The Business and Labor Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Steven Bley - Boiler Safety Code Advisory Board

Aye: 6. Blood, Halloran, Hansen, Hunt, Ibach, Riepe. Nay: 0. Absent: 0.  
Present and not voting: 1. McKinney.



The Business and Labor Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Spencer Hartman - Commission of Industrial Relations

Aye: 6. Blood, Halloran, Hansen, Hunt, Ibach, Riepe. Nay: 0. Absent: 0.  
Present and not voting: 1. McKinney.

(Signed) Merv Riepe, Chairperson

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

J. Paul Cook - State Board of Health

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

David Owens - Stem Cell Research Advisory Committee  
Dennis Roop - Stem Cell Research Advisory Committee  
Rui Yi - Stem Cell Research Advisory Committee

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Daniel J. Rosenthal - State Board of Health

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Bostar filed the following amendment to LB937:

[AM3187](#)

(Amendments to Standing Committee amendments, AM3132)

1 1. Strike sections 25, 26, and 27 and insert the following new  
2 sections:  
3 Sec. 25. The Legislature finds and declares that:  
4 (1) Organizations in the State of Nebraska that provide under-  
5 supported pregnant women with services, free of charge, that are crucial  
6 for their physical, emotional, and familial well-being, including  
7 pregnancy testing, pregnancy and prenatal care education, counseling,  
8 food, clothing, housing, transportation, parenting and life skills  
9 classes, child care, licensed medical care, and referrals to additional  
10 community services and material help;  
11 (2) These organizations also provide personal relationships and a  
12 strong local support network for such women and their families that  
13 cannot be replicated by even the best and most effective government  
14 programs; and  
15 (3) It shall be the policy of the State of Nebraska, through the  
16 creation of the Nebraska Pregnancy Help Act, to encourage and celebrate  
17 organizations that support pregnant women and new parents in this state  
18 and to incentivize private donations for the furtherance of their good  
19 work through the creation of a tax credit.  
20 Sec. 26. For purposes of the Nebraska Pregnancy Help Act:  
21 (1) Department means the Department of Revenue; and  
22 (2) Eligible charitable organization means an organization that:  
23 (a) Is exempt from federal income taxation under section 501(c)(3)  
24 of the Internal Revenue Code of 1986, as amended;  
25 (b) Does not receive more than seventy-five percent of its total  
26 annual revenue from federal, state, or local governmental grants or  
1 sources, either directly or as a contractor, with the exception of  
2 organizations that provide services or shelter to victims of domestic  
3 violence or human trafficking;  
4 (c) Is an organization that:  
5 (i) Regularly answers a dedicated telephone number for clients;  
6 (ii) Maintains its physical office, clinic, or maternity home in the  
7 State of Nebraska;  
8 (iii) Offers services at no cost to the client for the express  
9 purposes of providing assistance to women in order to support their  
10 pregnancies, encourage and enable parenting or adoption, and promote  
11 healthy childbirths; and  
12 (iv) Utilizes licensed medical professionals for any medical  
13 services offered;  
14 (d) Does not provide, pay for, or provide coverage of abortions and  
15 does not financially support any entity that provides, pays for, or  
16 provides coverage of abortions, including nonsurgical abortions; and  
17 (e) Is approved by the department pursuant to section 27 of this  
18 act.  
19 Sec. 27. (1) An organization seeking to become an eligible  
20 charitable organization shall provide the department with a written  
21 certification that it meets all criteria to be considered an eligible  
22 charitable organization. The certification must be signed by an officer  
23 of the organization under penalty of perjury. The certification shall  
24 include the following:  
25 (a) Verification of the organization's status under section 501(c)  
26 (3) of the Internal Revenue Code of 1986, as amended;  
27 (b) A statement that the organization does not receive more than  
28 seventy-five percent of its total annual revenue from federal, state, or  
29 local governmental grants or sources, either directly or as a contractor,  
30 unless such organization provides services or shelter to victims of  
31 domestic violence or human trafficking;  
1 (c) A statement that the organization maintains its physical office,  
2 clinic, or maternity home in the State of Nebraska; and  
3 (d) A statement that the organization does not provide, pay for, or  
4 provide coverage of abortions and does not financially support any entity  
5 that provides, pays for, or provides coverage of abortions, including  
6 nonsurgical abortions.  
7 (2) The department shall review each written certification and

8 determine whether the organization meets all of the criteria to be  
9 considered an eligible charitable organization and shall notify the  
10 organization of its determination. Any organization whose certification  
11 is approved under this section shall be considered an eligible charitable  
12 organization.  
13 (3) An organization shall notify the department within sixty days of  
14 any changes that may affect its status as an eligible charitable  
15 organization.  
16 (4) The department may periodically request recertification from an  
17 organization that was previously approved as an eligible charitable  
18 organization under this section.  
19 (5) The department shall compile and make available to the public a  
20 list of eligible charitable organizations that have been approved under  
21 this section.

Senator Brandt filed the following amendment to [LB937](#):  
[AM3260](#) is available in the Bill Room.

Senator Ibach filed the following amendment to [LB1317](#):  
[AM3135](#) is available in the Bill Room.

### GENERAL FILE

**LEGISLATIVE BILL 388.** Senator M. Cavanaugh offered [MO550](#), found on page 958, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Linehan opened on her bill, LB388.

Senator M. Cavanaugh opened on her motion, MO550.

### SENATOR FREDRICKSON PRESIDING

Pending.

### MESSAGE(S) FROM THE GOVERNOR

March 27, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 43e, 905/905A, 1087e/1087Ae were received in my office on March 21, 2024, and signed on March 27, 2024.

These bills were delivered to the Secretary of State on March 27, 2024.

(Signed) Sincerely,  
Jim Pillen  
Governor

**COMMITTEE REPORT(S)**  
Urban Affairs

**LEGISLATIVE BILL 1359.** Placed on General File.

(Signed) Terrell McKinney, Chairperson

Enrollment and Review

**LEGISLATIVE BILL 1368A.** Placed on Select File.

**LEGISLATIVE BILL 1200A.** Placed on Select File.

**LEGISLATIVE BILL 1074A.** Placed on Select File.

**LEGISLATIVE BILL 1284A.** Placed on Select File.

**LEGISLATIVE BILL 1301A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Conrad filed the following amendment to [LB1329](#):  
[AM3235](#)

(Amendments to E&R amendments, ER105)

- 1 1. Insert the following new section:
- 2 Sec. 10. Section 79-201, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 79-201 (1) For purposes of this section, a child is of mandatory
- 5 attendance age if the child (a) will reach six years of age prior to
- 6 January 1 of the then-current school year and (b) has not reached
- 7 eighteen years of age.
- 8 (2) Except as provided in subsection (3) of this section, every
- 9 person residing in a school district within the State of Nebraska who has
- 10 legal or actual charge or control of any child who is of mandatory
- 11 attendance age or is enrolled in a public school shall cause such child
- 12 to enroll in, if such child is not enrolled, and attend regularly a
- 13 public, private, denominational, or parochial day school which meets the
- 14 requirements for legal operation prescribed in Chapter 79, or a school
- 15 which elects pursuant to section 79-1601 not to meet accreditation or
- 16 approval requirements, each day that such school is open and in session,
- 17 except when excused by school authorities or when mental or physical
- 18 illness or severe weather conditions make attendance impossible or
- 19 impracticable.
- 20 (3) Subsection (2) of this section does not apply in the case of any
- 21 child who:
- 22 (a) Has obtained a high school diploma by meeting the graduation
- 23 requirements established in section 79-729;
- 24 (b) Has completed the program of instruction offered by a school
- 25 which elects pursuant to section 79-1601 not to meet accreditation or
- 26 approval requirements;
- 1 (c) Has reached sixteen years of age and has been withdrawn from
- 2 school pursuant to section 79-202;
- 3 (d)(i) Will reach six years of age prior to January 1 of the then-
- 4 current school year, but will not reach seven years of age prior to
- 5 January 1 of such school year, (ii) such child's parent or guardian has
- 6 signed an affidavit stating that the child is participating in an

7 education program that the parent or guardian believes will prepare the  
8 child to enter grade one for the following school year, and (iii) such  
9 affidavit has been filed by the parent or guardian with the school  
10 district in which the child resides;  
11 (e)(i) Will reach six years of age prior to January 1 of the then-  
12 current school year but has not reached seven years of age, (ii) such  
13 child's parent or guardian has signed an affidavit stating that the  
14 parent or guardian intends for the child to participate in a school which  
15 has elected or will elect pursuant to section 79-1601 not to meet  
16 accreditation or approval requirements and the parent or guardian intends  
17 to provide the Commissioner of Education with a statement pursuant to  
18 subsection (3) of section 79-1601 on or before the child's seventh  
19 birthday, and (iii) such affidavit has been filed by the parent or  
20 guardian with the school district in which the child resides; or  
21 (f) Will not reach six years of age prior to January 1 of the then-  
22 current school year and such child was enrolled in a public school and  
23 has discontinued the enrollment according to the policy of the school  
24 board adopted pursuant to subsection (4) of this section.  
25 (4) The board shall adopt policies allowing discontinuation of the  
26 enrollment of students who will not reach six years of age prior to  
27 January 1 of the then-current school year and specifying the procedures  
28 therefor.  
29 (5) Each school district that is a member of a learning community  
30 shall report to the learning community coordinating council on or before  
31 September 1 of each year for the immediately preceding school year the  
1 following information:  
2 (a) All reports of violations of this section made to the attendance  
3 officer of any school in the district pursuant to section 79-209;  
4 (b) The results of all investigations conducted pursuant to section  
5 79-209, including the attendance record that is the subject of the  
6 investigation and a list of services rendered in the case;  
7 (c) The district's policy on excessive absenteeism; and  
8 (d) Records of all notices served and reports filed pursuant to  
9 section 79-209 and the district's policy on habitual truancy.  
10 2. Renumber the remaining sections and correct internal references  
11 and the repealer accordingly.

Senator Fredrickson filed the following amendment to [LB253](#):  
[AM3226](#)

(Amendments to Standing Committee amendments, AM2978)

1 1. Insert the following new sections:  
2 Sec. 8. Section 83-4,153, Reissue Revised Statutes of Nebraska, is  
3 amended to read:  
4 83-4,153 Sections 83-4,153 to 83-4,165 and sections 10 and 11 of  
5 this act shall be known and may be cited as the Nebraska Correctional  
6 Health Care Services Act.  
7 Sec. 9. Section 83-4,157, Revised Statutes Cumulative Supplement,  
8 2022, is amended to read:  
9 83-4,157 The medical director shall:  
10 (1) Coordinate all clinical services;  
11 (2) Participate in the selection and supervision of all clinical  
12 staff employed by or under contract with the department, including  
13 medical doctors, physician assistants, pharmacists, pharmacy technicians,  
14 registered nurses, licensed practical nurses, advanced practice  
15 registered nurses practicing under and in accordance with their  
16 respective certification acts, mental health practitioners, alcohol and  
17 drug counselors, laboratory technicians, physical therapists,  
18 optometrists, audiologists, dentists, dental assistants, and dental  
19 hygienists;  
20 (3) Maintain and preserve the medical records of health care

21 services;

22 (4) Approve the purchasing of all necessary medical supplies and  
23 medical equipment for the department;

24 (5) Recommend all necessary programs for the preservice, inservice,  
25 and continuing medical training and education of the health care staff  
26 and other relevant staff of the department, including training

1 specifically designed to promote prompt and effective responses by all  
2 staff of the department to medical emergencies;

3 (6) Develop and implement condition-specific medical treatment  
4 protocols that ensure compatibility with a community standard of health  
5 care, including protocols addressing the: (a) Treatment of  
6 gastrointestinal bleeds; (b) detection and treatment of all communicable  
7 diseases; (c) treatment of gender-specific problems; (d) treatment of  
8 diabetes; (e) treatment of hypertension; (f) treatment of headaches; (g)

9 utilization of surgical procedures; (h) control of infection; (i)  
10 provision of dental care; (j) provision of age-specific and gender-  
11 specific routine health maintenance; (k) means by which inmates obtain  
12 access to health care services; (l) use of prescribed drugs, devices, or  
13 biologicals for the purpose of pain management; (m) referral of patients  
14 to medical specialists not in the employ of the department; and (n)

15 initiation, observance, and termination of do not resuscitate orders  
16 initiated pursuant to the Rights of the Terminally Ill Act;  
17 (7) Develop and implement a system of general discharge planning for  
18 the health care services to be received by inmates who are soon to be  
19 released from the custody of the department and who have chronic health  
20 care problems, including establishment of a protocol to determine whether  
21 or not an inmate soon to be released should be prescribed and dispensed a  
22 medication-assisted treatment that could assist in reducing or  
23 eliminating the inmate's use of opiates;

24 (8) Develop and implement a comprehensive health care services plan;  
25 (9) Develop and implement an internal credentialing program for the  
26 employment and retention of the health care staff of the department based  
27 on a community standard of health care; ~~and~~

28 (10) Develop and implement an internal peer review and quality  
29 assurance program based upon a community standard of health care; ~~and~~ -

30 (11) Work in collaboration with the mental health director on the  
31 coordination of all mental health services.

1 Sec. 10. The Director of Correctional Services shall appoint a  
2 mental health director for the department who shall have relevant mental  
3 health experience and be licensed by the State of Nebraska as a physician  
4 or mental health practitioner, including, but not limited to, a  
5 psychiatrist, psychologist, social worker, or licensed independent mental  
6 health practitioner. The mental health director shall be a full-time  
7 position under the sole immediate supervision of the director.

8 Sec. 11. The Director of Correctional Services shall designate  
9 duties for the mental health director which shall include, but not be  
10 limited to:

11 (1) Working in collaboration with the medical director on the  
12 coordination and collaboration of mental and behavioral health care  
13 services;

14 (2) Recommending all necessary programs for mental and behavioral  
15 health care services to ensure inmates receive required programming;

16 (3) Collaborating with community mental health providers, as  
17 appropriate, to ensure services within the facilities and continuity of  
18 mental and behavioral health care services upon inmate reentry into  
19 communities;

20 (4) Ensuring mental and behavioral health care is provided to  
21 inmates; and

22 (5) Training and education of mental health care staff and other  
23 relevant staff of the department, including training specifically

24 designed to promote prompt and effective responses to inmate mental and  
 25 behavioral health care needs.  
 26 2. Correct the operative date section so that the sections added by  
 27 this amendment become operative on January 1, 2026.  
 28 3. Renumber the remaining section and correct the repealer  
 29 accordingly.

Senator Murman filed the following amendment to LB1329:

[FA322](#)

Strike Section 1.

Senator Murman filed the following amendment to LB1329:

[FA323](#)

Strike Section 2.

Senator Meyer filed the following amendment to LB388:

[AM3252](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. On page 20, line 3, strike "storage and" and show as stricken.  
 2 2. On page 38, line 3, strike "and"; in line 5 strike the period and  
 3 insert "; and"; and after line 5 insert the following new subdivision:  
 4 "(j) The gross income received for storage services."

Senator Dungan filed the following amendment to LB388:

[AM3242](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. Strike section 31.  
 2 2. On page 32, lines 21 through 30, strike the new matter and  
 3 reinstate the stricken matter.  
 4 3. On page 33, line 2, strike "(e)" and reinstate the stricken  
 5 "(5)"; in line 6 after the semicolon insert "and"; in line 7 strike  
 6 beginning with "(f)" through "2025," and insert "(6) Commencing July 1,  
 7 2024"; in line 9 strike "(i)" and insert "(a)"; in line 11 strike "(ii)"  
 8 and insert "(b)"; in line 12 strike "(iii)" and insert "(c)"; in line 14  
 9 strike the semicolon and insert an underscored period; and strike lines  
 10 15 through 31.  
 11 4. On page 34, strike lines 1 through 22.  
 12 5. Renumber the remaining sections and correct the repealer  
 13 accordingly.

Senator J. Cavanaugh filed the following amendment to LB388:

[AM3243](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. Insert the following new section:  
 2 Sec. 31. (1) Sales and use taxes shall not be imposed on the gross  
 3 receipts from the sale, storage, use, or other consumption in this state  
 4 of diapers.  
 5 (2) For purposes of this section, diapers means absorbent garments  
 6 worn by humans who are incapable of or have difficulty controlling their  
 7 bladder or bowel movements.  
 8 2. On page 32, line 17; and page 34, line 26, strike "section 28"  
 9 and insert "sections 28 and 31".  
 10 3. Renumber the remaining sections accordingly.

Senator J. Cavanaugh filed the following amendment to LB388:

[AM3239](#)

(Amendments to Standing Committee amendments, AM3203)

- 1 1. Strike section 44.
- 2 2. On page 19, line 18, reinstate the stricken matter.
- 3 3. Renumber the remaining section accordingly.

Senator Dungan filed the following amendment to LB1331:

[FA324](#)

Strike Section 1.

Senator Dungan filed the following amendment to LB1331:

[FA325](#)

Strike Section 3.

Senator Dungan filed the following amendment to LB1331:

[FA326](#)

Strike the enacting clause.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 446.** Introduced by Brewer, 43.

WHEREAS, the National Society of Pershing Rifles is a military-oriented honor society for college students founded in 1894 as a drill team at the University of Nebraska-Lincoln and is the oldest continuously operating college organization dedicated to military drill; and

WHEREAS, originally named the Varsity Rifles, members renamed the organization in 1895 in honor of their founder, Lieutenant John J. Pershing, who was the Professor of Military Science and Tactics at the University of Nebraska, and who later became General of the Armies and the highest-ranking military officer in United States history; and

WHEREAS, the Pershing Rifles became a national organization in 1928, with companies consisting of drill teams and tactical units at colleges and universities across the United States, and recently held their annual national convention and John J. Pershing Memorial Drill Competition in Knoxville, Tennessee, on March 13-17, 2024; and

WHEREAS, the members of Pershing Rifles have served in all branches of the armed forces of the United States, in every conflict since the Spanish-American War, with some members making the ultimate sacrifice in the defense of our nation; and

WHEREAS, among distinguished alumni are general officers, Medal of Honor recipients, and accomplished leaders in the military, industry, the arts, and in both state and national government, including General Curtis LeMay, former head of the Strategic Air Command and Air Force Chief of Staff, General Colin Powell, former Chairman of the Joint Chiefs of Staff and United States Secretary of State, and former Nebraska Governor George Sheldon who was a founding member; and

WHEREAS, the mission of the Pershing Rifles is to aid in the development of successful officers in the Army, Navy, Air Force, and Marine Corps throughout each Reserve Officers' Training Corps program, to further the purpose and traditions of the armed forces of the United States,



and to give college students an opportunity to be part of a military organization with or without service in the military; and

WHEREAS, the National Society of Pershing Rifles will celebrate the 130th anniversary of the organization's founding on October 2, 2024.

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

1. That the Legislature congratulates the National Society of Pershing Rifles on the 130th anniversary of the organization's founding.

2. That a copy of this resolution be sent to the national commander of Pershing Rifles, P/R Major General Logan Bowland at Appalachian State University, and to the commander of Pershing Rifles Company A-2, P/R Captain John Lindsay at the University of Nebraska-Lincoln.

Laid over.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Dungan name added to LB1284.

Senator Slama name added to LB1402.

#### **VISITOR(S)**

Visitors to the Chamber were students and teachers from Cambridge Public Schools, Cambridge; students from St. Michael's School, Albion.

The Doctor of the Day was Dr. John Jacobsen of Kearney.

#### **ADJOURNMENT**

At 7:34 p.m., on a motion by Senator Sanders, the Legislature adjourned until 9:00 a.m., Thursday, March 28, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTY-SECOND DAY - MARCH 28, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, March 28, 2024

**PRAYER**

The prayer was offered by Father Robert Barnhill, St. Wenceslaus Church, Wilber.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Murman.

**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 Bostar, M. Cavanaugh, Conrad, DeKay, Hunt, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-first day was approved.

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 1305.** Placed on General File with amendment.

**AM2681**

1 1. On page 12, strike lines 28 through 31 and insert the following  
2 new subsections:  
3 "(21) There shall be added to federal adjusted gross income or, for  
4 corporations and fiduciaries, federal taxable income for all taxable  
5 years beginning on or after January 1, 2025, the amount of any net  
6 capital loss that is derived from the sale or exchange of gold or silver  
7 bullion to the extent such loss is included in federal adjusted gross  
8 income except that such loss shall not be added if the loss is derived  
9 from the sale of bullion as a taxable distribution from any retirement  
10 plan account that holds gold or silver bullion. For the purposes of this

11 subsection, bullion has the same meaning as in section 77-2704.66.  
 12 (22) There shall be subtracted from federal adjusted gross income  
 13 or, for corporations and fiduciaries, federal taxable income for all  
 14 taxable years beginning on or after January 1, 2025, the amount of any  
 15 net capital gain that is derived from the sale or exchange of gold or  
 16 silver bullion to the extent such gain is included in federal adjusted  
 17 gross income except that such gain shall not be subtracted if the gain is  
 18 derived from the sale of bullion as a taxable distribution from any  
 19 retirement plan account that holds gold or silver bullion. For the  
 20 purposes of this subsection, bullion has the same meaning as in section  
 21 77-2704.66."

22 2. On page 13, strike lines 1 through 10.

(Signed) Lou Ann Linehan, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to LB388:

AM3268

(Amendments to Standing Committee amendments, AM3203)

- 1 1. Insert the following new section:
- 2 Sec. 42. (1) A luxury tax is hereby imposed on purchases of:
- 3 (a) Resort services;
- 4 (b) Private jets;
- 5 (c) Automobiles that cost more than seventy thousand dollars;
- 6 (d) Jewelry that costs more than two thousand five hundred dollars;
- 7 (e) Fur coats that cost more than seven hundred fifty dollars;
- 8 (f) Clothing that costs more than two thousand five hundred dollars;
- 9 and
- 10 (g) Homes that cost more than one million dollars.
- 11 (2) The luxury tax shall be equal to one percent of the purchase
- 12 price and shall be collected and enforced by the Department of Revenue.
- 13 (3) The Department of Revenue may adopt and promulgate rules and
- 14 regulations to carry out this section.
- 15 2. Renumber the remaining sections accordingly.

### REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 27, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
 Clerk of the Legislature

Falk, Jonathan  
 Student Press Law Center  
 Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
 Coin Laundry Association c/o MultiState Associates LLC

### REPORTS

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

**SELECT FILE**

**LEGISLATIVE BILL 484A.** Advanced to Enrollment and Review for Engrossment.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1188.** 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; 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, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt 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.

**LEGISLATIVE BILL 857.**

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-996, Revised Statutes Cumulative Supplement, 2022, and sections 68-901 and 68-911, Revised Statutes Supplement, 2023; to create the Nebraska Prenatal Plus Program; to define terms; to provide powers and duties for the Department of Health and Human Services; to provide for

termination of the program; to state intent regarding appropriations; to change provisions relating to coverage of continuous glucose monitoring under the Medical Assistance Act and to permitted uses of the Medicaid Managed Care Excess Profit Fund; to harmonize provisions; and to repeal the original sections.

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

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 857A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 857, One Hundred Eighth Legislature, Second Session, 2024.

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

Voting in the affirmative, 43:

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

Voting in the negative, 1:

Erdman

Present and not voting, 1:

Kauth

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt Wayne

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 607.**

A BILL FOR AN ACT relating to the Public Service Commission; to amend section 75-1101, Revised Statutes Cumulative Supplement, 2022; to eliminate a provision relating to an annual grant award amount for the 211 Information and Referral Network; and to repeal the original section.

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

Voting in the affirmative, 35:

Aguilar	Brandt	Dover	Hughes	Riepe
Arch	Brewer	Dungan	Linehan	Sanders
Armendariz	Cavanaugh, J.	Erdman	McDonnell	Slama
Ballard	Conrad	Fredrickson	McKinney	Vargas
Blood	Day	Halloran	Meyer	von Gillern
Bosn	DeBoer	Hansen	Murman	Walz
Bostar	Dorn	Holdcroft	Raybould	Wishart

Voting in the negative, 0.

Present and not voting, 10:

Albrecht	Clements	Ibach	Kauth	Lowe
Bostelman	Hardin	Jacobson	Lippincott	Moser

Excused and not voting, 4:

Cavanaugh, M.	DeKay	Hunt	Wayne
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 644.** With Emergency Clause.

A BILL FOR AN ACT relating to the Site and Building Development Fund; to amend section 81-12,146, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the Site and Building Development Fund; 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, 42:

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

Voting in the negative, 1:

Wayne

Present and not voting, 3:

Albrecht	Lowe	McKinney
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Excused and not voting, 3:

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



**LEGISLATIVE BILL 644A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 644, One Hundred Eighth Legislature, Second Session, 2024; 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, 41:

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

Voting in the negative, 1:

Wayne

Present and not voting, 4:

Albrecht      Ibach      Lowe      McKinney

Excused and not voting, 3:

Cavanaugh, M.      DeKay      Hunt

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 834.**

A BILL FOR AN ACT relating to the Dentistry Practice Act; to amend section 38-1123, Reissue Revised Statutes of Nebraska, and section 38-129.01, Revised Statutes Cumulative Supplement, 2022; to establish requirements for a resident license; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Fredrickson	Lippincott	Slama
Albrecht	Cavanaugh, J.	Halloran	Lowe	Vargas
Arch	Clements	Hansen	McDonnell	von Gillern
Armendariz	Conrad	Hardin	McKinney	Walz
Ballard	Day	Holdcroft	Meyer	Wayne
Blood	DeBoer	Hughes	Moser	Wishart
Bosn	Dorn	Ibach	Murman	
Bostar	Dover	Jacobson	Raybould	
Bostelman	Dungan	Kauth	Riepe	
Brandt	Erdman	Linehan	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

Cavanaugh, M. DeKay Hunt

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 839.** With Emergency Clause.

A BILL FOR AN ACT relating to the State Racing and Gaming Commission; to amend sections 2-1201 and 2-1202, Reissue Revised Statutes of Nebraska; to change provisions relating to the appointment, qualifications, and removal of members of the commission; to change provisions relating to the executive director of the commission; to repeal the original sections; 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, 45:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Erdman	Kauth	Raybould
Arch	Cavanaugh, J.	Fredrickson	Linehan	Riepe
Armendariz	Clements	Halloran	Lippincott	Sanders
Ballard	Conrad	Hansen	Lowe	Slama
Blood	Day	Hardin	McDonnell	Vargas
Bosn	DeBoer	Holdcroft	McKinney	von Gillern
Bostar	Dorn	Hughes	Meyer	Walz
Bostelman	Dover	Ibach	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 894.**

A BILL FOR AN ACT relating to county sheriffs; to amend sections 23-1701, 23-1701.01, and 32-520, Reissue Revised Statutes of Nebraska, and section 32-604, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to election, appointment, qualification, and training of county sheriffs; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Erdman	Kauth	Raybould
Arch	Cavanaugh, J.	Fredrickson	Linehan	Riepe
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	Dorn	Hughes	Meyer	Wayne
Bostelman	Dover	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Sanders

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 906.**

A BILL FOR AN ACT relating to child labor laws; to amend sections 48-311 and 48-312, Reissue Revised Statutes of Nebraska; to change penalties; to provide enforcement powers for the Department of Labor; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Erdman	Kauth	Raybould
Arch	Cavanaugh, J.	Fredrickson	Linehan	Riepe
Armendariz	Clements	Halloran	Lippincott	Sanders
Ballard	Conrad	Hansen	Lowe	Slama
Blood	Day	Hardin	McDonnell	Vargas
Bosn	DeBoer	Holdcroft	McKinney	von Gillern
Bostar	Dorn	Hughes	Meyer	Walz
Bostelman	Dover	Ibach	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M. DeKay Hunt Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 1004.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,279 and 60-6,282, Revised Statutes Supplement, 2023; to change provisions relating to protective helmets; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; 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, 39:

Aguilar	Brandt	Dover	Ibach	Murman
Albrecht	Brewer	Dungan	Jacobson	Sanders
Arch	Clements	Erdman	Kauth	Slama
Armendariz	Conrad	Halloran	Linehan	Vargas
Ballard	Day	Hansen	Lippincott	von Gillern
Blood	DeBoer	Hardin	Lowe	Walz
Bosn	DeKay	Holdcroft	McDonnell	Wayne
Bostar	Dorn	Hughes	Meyer	

Voting in the negative, 4:

Bostelman Cavanaugh, J. Fredrickson Raybould

Present and not voting, 3:

McKinney Moser Riepe

Excused and not voting, 3:

Cavanaugh, M. Hunt Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 1102.**

A BILL FOR AN ACT relating to days of observance; to declare October 17 as Nebraska Missing Persons Day and May 19 as El-Hajj Malik El-Shabazz, Malcolm X Day.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Brewer	Dungan	Kauth	Riepe
Arch	Cavanaugh, J.	Erdman	Linehan	Sanders
Armendariz	Clements	Fredrickson	Lowe	Slama
Ballard	Conrad	Halloran	McDonnell	Vargas
Blood	Day	Hansen	McKinney	von Gillern
Bosn	DeBoer	Hardin	Meyer	Walz
Bostar	DeKay	Holdcroft	Moser	
Bostelman	Dorn	Hughes	Murman	
Brandt	Dover	Jacobson	Raybould	

Voting in the negative, 0.

Present and not voting, 3:

Albrecht Lippincott Wayne

Excused and not voting, 4:

Cavanaugh, M. Hunt Ibach Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1204 with 37 ayes, 5 nays, 3 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1204.**

A BILL FOR AN ACT relating to law; to amend sections 9-402, 9-422, 9-426, 9-427, 9-429, 9-502, 9-511, 9-823, 28-1105.01, 28-1422, 28-1429, 53-123.01, 59-1523, 77-4003, 77-4005, 77-4006, 77-4012, 77-4013, 77-4017, 77-4019, and 77-4020, Reissue Revised Statutes of Nebraska, sections 28-1418.01, 28-1420, 28-1425, and 84-712.05, Revised Statutes Cumulative Supplement, 2022, and sections 53-101, 53-103, 53-123.16, 77-4001, and 77-4025, Revised Statutes Supplement, 2023; to define and redefine terms; to change provisions relating to the Nebraska Lottery and Raffle Act and the Nebraska Small Lottery and Raffle Act; to provide for the anonymity of winners of certain prizes under the State Lottery Act; to prohibit actions relating to unlicensed tobacco products manufacturers, wholesalers, and retailers; to change provisions relating to issuance, revocation, and forfeiture of certain tobacco licenses; to prohibit conduct relating to controlled or counterfeit controlled substances; to prohibit delivery sales of electronic nicotine delivery systems and provide requirements for packaging and advertising of such systems; to provide requirements for e-liquid containers; to authorize a holder of a microdistillery license and a holder of a manufacturer's license to operate a rickhouse under the Nebraska Liquor Control Act; to require certification of manufacturers of electronic nicotine delivery systems under the Tobacco Products Tax Act; to provide duties for such manufacturers; to provide powers and duties for the Tax Commissioner; to provide penalties; to change public records disclosure provisions as prescribed; to harmonize provisions; to eliminate provisions relating to a small lottery; to repeal the original sections; and to outright repeal section 9-510, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt                    Ibach                    Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1204A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1204, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt                    Ibach                    Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1215 with 34 ayes, 6 nays, 5 present and not voting, and 4 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1215.** With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 38-142, 38-2854, 38-2890, 38-28,104, 42-371.01, 71-211, 71-212, 71-217, 71-220, 71-222.01, 71-223, 71-434, 71-601.01, 71-3608, 71-3610, 71-3613, and 71-3614, Reissue Revised Statutes of Nebraska, sections 28-410, 28-414, 38-1,146, 38-2001, 38-2847, 71-605, 71-2454, 71-2478, and 71-8505, Revised Statutes Cumulative Supplement, 2022, and sections 38-131, 38-1801, 38-1812, 38-2801, 68-911, 71-612, and 71-2479, Revised Statutes Supplement, 2023; to adopt the Dietitian Licensure Compact and the Physician Assistant (PA) Licensure Compact; to change requirements relating to pharmacy inventories and prescriptions for controlled substances; to provide and change requirements relating to issuance and renewal of certain credentials under the Uniform Credentialing Act; to provide requirements for self-inspection of pharmacies; to provide verification requirements for pharmacists and pharmacy technicians; to change an age requirement for pharmacy interns; to change registration requirements for pharmacy technicians; to change prescription requirements for certain legend drugs; to provide for coverage under the medical assistance program for certain breast pumps and lactation visits; to change an examination requirement for barbers; to eliminate a fee under the Health Care Facility Licensure Act; to define a term; to change the standard form for death certificates; to provide for the use of abstracts of death as prescribed; to change a requirement for prescription drug monitoring; to change a requirement for persons with communicable tuberculosis; to change powers and duties of the Department of Health and Human Services relating to the care, maintenance, and treatment of persons with communicable tuberculosis; to change a requirement relating to telehealth consultations; to harmonize provisions; to provide operative dates; to repeal the original sections; 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, 45:



Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt            Ibach            Wishart

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 bills were read and put upon final passage:

**LEGISLATIVE BILL 1313.**

A BILL FOR AN ACT relating to health benefit plans; to exempt certain health benefit plans from insurance regulation.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt            Ibach            Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 851.** With Emergency Clause.

A BILL FOR AN ACT relating to the Department of Economic Development; to amend section 81-1210.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to internship grants; to provide an operative date; 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, 45:

Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt            Ibach            Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 877.** With Emergency Clause.

A BILL FOR AN ACT relating to assessment of property; to amend sections 77-1344 and 77-1347, Revised Statutes Supplement, 2023; to change provisions relating to the special valuation of agricultural or horticultural land; to repeal the original sections; 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, 45:

Aguilar	Brandt	Dover	Jacobson	Murman
Albrecht	Brewer	Dungan	Kauth	Raybould
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Fredrickson	Lippincott	Sanders
Ballard	Conrad	Halloran	Lowe	Slama
Blood	Day	Hansen	McDonnell	Vargas
Bosn	DeBoer	Hardin	McKinney	von Gillern
Bostar	DeKay	Holdcroft	Meyer	Walz
Bostelman	Dorn	Hughes	Moser	Wayne

Voting in the negative, 0.

Excused and not voting, 4:

Cavanaugh, M.    Hunt            Ibach            Wishart

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 998.**

A BILL FOR AN ACT relating to state government; to amend sections 12-1301, 81-176, and 81-1108.33, Reissue Revised Statutes of Nebraska, and section 81-1213.04, Revised Statutes Supplement, 2023; to adopt the State Acceptance of Gifts Act; to change and eliminate provisions relating to acceptance of gifts; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 30-241, 30-242, and 30-243, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Slama
Arch	Cavanaugh, M.	Halloran	Lowe	Vargas
Armendariz	Clements	Hansen	McDonnell	von Gillern
Ballard	Conrad	Hardin	McKinney	Walz
Blood	Day	Holdcroft	Meyer	Wayne
Bosn	DeBoer	Hughes	Moser	
Bostar	DeKay	Hunt	Murman	
Bostelman	Dover	Jacobson	Raybould	
Brandt	Dungan	Kauth	Riepe	

Voting in the negative, 0.

Excused and not voting, 3:

Dorn            Ibach            Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 1118.**

A BILL FOR AN ACT relating to cities of the second class; to amend section 17-107, Reissue Revised Statutes of Nebraska; to change provisions relating to the process for a mayor to remove an officer from office; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Kauth	Riepe
Albrecht	Cavanaugh, J.	Erdman	Linchan	Sanders
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Slama
Armendariz	Clements	Halloran	Lowe	Vargas
Ballard	Conrad	Hansen	McDonnell	von Gillern
Blood	Day	Hardin	McKinney	Walz
Bosn	DeBoer	Holdcroft	Meyer	Wayne
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Hunt	Murman	
Brandt	Dover	Jacobson	Raybould	

Voting in the negative, 0.

Excused and not voting, 2:

Ibach            Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 1143.**

A BILL FOR AN ACT relating to public health; to amend sections 13-2202 and 68-1405, Reissue Revised Statutes of Nebraska, and section 84-304, Revised Statutes Supplement, 2023; to eliminate and replace provisions relating to health districts; to harmonize provisions; to repeal the original sections; and to outright repeal sections 71-1601, 71-1602, 71-1603, 71-1604, 71-1605, 71-1606, 71-1607, 71-1608, 71-1609, 71-1610, 71-1611, 71-1612, 71-1613, 71-1614, 71-1615, 71-1616, 71-1617, 71-1618, 71-1619, 71-1620, 71-1621, 71-1622, 71-1623, 71-1624, and 71-1625, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Erdman	Kauth	Raybould
Arch	Cavanaugh, J.	Fredrickson	Linehan	Riepe
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Sanders
Ballard	Clements	Hansen	Lowe	Slama
Blood	Conrad	Hardin	McDonnell	Vargas
Bosn	Day	Holdcroft	McKinney	von Gillern
Bostar	DeKay	Hughes	Meyer	Walz
Bostelman	Dover	Hunt	Moser	

Voting in the negative, 0.

Present and not voting, 2:

DeBoer        Wayne

Excused and not voting, 3:

Dorn            Ibach            Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 1162.**

A BILL FOR AN ACT relating to county government; to amend sections 23-1112.01 and 33-117, Reissue Revised Statutes of Nebraska; to change provisions relating to fees and mileage for sheriffs and constables; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Brandt	Dover	Hunt	Murman
Albrecht	Brewer	Dungan	Jacobson	Raybould
Arch	Cavanaugh, J.	Erdman	Kauth	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Halloran	Lippincott	Slama
Blood	Conrad	Hansen	Lowe	Vargas
Bosn	Day	Hardin	McDonnell	von Gillern
Bostar	DeBoer	Holdcroft	Meyer	Walz
Bostelman	DeKay	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 2:

McKinney     Wayne

Excused and not voting, 3:

Dorn            Ibach            Wishart

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1188e, 857, 857A, 607, 644e, 644Ae, 834, 839e, 894, 906, 1004e, 1102, 1204, 1204A, 1215e, 1313, 851e, 877e, 998, 1118, 1143, and 1162.

#### **GENERAL FILE**

**LEGISLATIVE BILL 937.** Senator M. Cavanaugh renewed [MO1261](#), found on page 1037 and considered on page 1327, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

No objections. So ordered.

Title read. Considered.

#### **SPEAKER ARCH PRESIDING**

Committee [AM3132](#), found on page 1169, was offered.

Senator J. Cavanaugh requested a division of the question on the committee amendment.

The Chair sustained the division of the question.

The first committee amendment is as follows:

AM3205

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Sec. 24. Sections 24 to 33 of this act shall be known and may be  
4 cited as the Nebraska Pregnancy Help Act.  
5 Sec. 25. The Legislature finds and declares that:  
6 (1) Pregnancy help organizations in the State of Nebraska and  
7 nationwide provide under-supported pregnant women with services, free of  
8 charge, that are crucial for their physical, emotional, and familial  
9 wellbeing, including pregnancy testing, pregnancy and prenatal care  
10 education, counseling, food, clothing, housing, transportation, parenting  
11 and life skills classes, child care, licensed medical care, and referrals  
12 to additional community services and material help;  
13 (2) Pregnancy help organizations also provide personal relationships  
14 and a strong local support network for such women and their families that  
15 cannot be replicated by even the best and most effective government  
16 programs; and  
17 (3) It shall be the policy of the State of Nebraska, through the  
18 creation of the Nebraska Pregnancy Help Act, to encourage and celebrate  
19 pregnancy help organizations in this state and to incentivize private  
20 donations for the furtherance of their good work through the creation of  
21 a tax credit.  
22 Sec. 26. For purposes of the Nebraska Pregnancy Help Act:  
23 (1) Department means the Department of Revenue; and  
24 (2) Eligible charitable organization means an organization that:  
25 (a) Is exempt from federal income taxation under section 501(c)(3)  
26 of the Internal Revenue Code of 1986, as amended;  
27 (b) Does not receive more than seventy-five percent of its total  
1 annual revenue from federal, state, or local governmental grants or  
2 sources, either directly or as a contractor;  
3 (c) Is a pregnancy help organization that:  
4 (i) Regularly answers a dedicated telephone number for clients;  
5 (ii) Maintains its physical office, clinic, or maternity home in the  
6 State of Nebraska;  
7 (iii) Offers services at no cost to the client for the express  
8 purposes of providing assistance to women in order to carry their  
9 pregnancies to term, encourage and enable parenting or adoption, prevent  
10 abortion, and promote healthy childbirths; and  
11 (iv) Utilizes licensed medical professionals for any medical  
12 services offered;  
13 (d) Does not provide, pay for, provide coverage of, refer for,  
14 recommend, or promote abortions and does not financially support any  
15 entity that provides, pays for, provides coverage of, refers for,  
16 recommends, or promotes abortions, including nonsurgical abortions; and  
17 (e) Is approved by the department pursuant to section 27 of this  
18 act.  
19 Sec. 27. (1) An organization seeking to become an eligible  
20 charitable organization shall provide the department with a written  
21 certification that it meets all criteria to be considered an eligible  
22 charitable organization. The certification must be signed by an officer  
23 of the organization under penalty of perjury. The certification shall  
24 include the following:  
25 (a) Verification of the organization's status under section 501(c)  
26 (3) of the Internal Revenue Code of 1986, as amended;  
27 (b) A statement that the organization does not receive more than  
28 seventy-five percent of its total annual revenue from federal, state, or  
29 local governmental grants or sources, either directly or as a contractor;  
30 (c) A statement that the organization maintains its physical office,  
31 clinic, or maternity home in the State of Nebraska; and

1 (d) A statement that the organization does not provide, pay for,  
2 provide coverage of, refer for, recommend, or promote abortions and does  
3 not financially support any entity that provides, pays for, provides  
4 coverage of, refers for, recommends, or promotes abortions, including  
5 nonsurgical abortions.

6 (2) The department shall review each written certification and  
7 determine whether the organization meets all of the criteria to be  
8 considered an eligible charitable organization and shall notify the  
9 organization of its determination. Any organization whose certification  
10 is approved under this section shall be considered an eligible charitable  
11 organization.

12 (3) An organization shall notify the department within sixty days of  
13 any changes that may affect its status as an eligible charitable  
14 organization.

15 (4) The department may periodically request recertification from an  
16 organization that was previously approved as an eligible charitable  
17 organization under this section.

18 (5) The department shall compile and make available to the public a  
19 list of eligible charitable organizations that have been approved under  
20 this section.

21 Sec. 28. (1) An individual taxpayer who makes one or more cash  
22 contributions to one or more eligible charitable organizations during a  
23 tax year shall be eligible for a credit against the income tax due under  
24 the Nebraska Revenue Act of 1967. Except as otherwise provided in the  
25 Nebraska Pregnancy Help Act, the amount of the credit shall be equal to  
26 the lesser of (a) the total amount of such contributions made during the  
27 tax year or (b) fifty percent of the income tax liability of such  
28 taxpayer for the tax year. A taxpayer may only claim a credit pursuant to  
29 this section for the portion of the contribution that was not claimed as  
30 a charitable contribution under the Internal Revenue Code of 1986, as  
31 amended.

1 (2) Taxpayers who are married but file separate returns for a tax  
2 year in which they could have filed a joint return may each claim only  
3 one-half of the tax credit that would otherwise have been allowed for a  
4 joint return.

5 (3) The tax credit allowed under this section shall be a  
6 nonrefundable credit. Any amount of the credit that is unused may be  
7 carried forward and applied against the taxpayer's income tax liability  
8 for the next five years immediately following the tax year in which the  
9 credit is first allowed. The tax credit cannot be carried back.

10 (4) The tax credit allowed under this section is subject to section  
11 32 of this act.

12 Sec. 29. (1) Any partnership, limited liability company, or  
13 corporation having an election in effect under subchapter S of the  
14 Internal Revenue Code of 1986, as amended, that is carrying on any trade  
15 or business for which deductions would be allowed under section 162 of  
16 the Internal Revenue Code of 1986, as amended, or is carrying on any  
17 rental activity, and that makes one or more cash contributions to one or  
18 more eligible charitable organizations during a tax year shall be  
19 eligible for a credit against the income tax due under the Nebraska  
20 Revenue Act of 1967. Except as otherwise provided in the Nebraska  
21 Pregnancy Help Act, the amount of the credit shall be equal to the lesser  
22 of (a) the total amount of such contributions made during the tax year or  
23 (b) fifty percent of the income tax liability of such taxpayer for the  
24 tax year. A taxpayer may only claim a credit pursuant to this section for  
25 the portion of the contribution that was not claimed as a charitable  
26 contribution under the Internal Revenue Code of 1986, as amended. The  
27 credit shall be attributed to each partner, member, or shareholder in the  
28 same proportion used to report the partnership's, limited liability  
29 company's, or subchapter S corporation's income or loss for income tax  
30 purposes.

31 (2) The tax credit allowed under this section shall be a  
1 nonrefundable credit. Any amount of the tax credit that is unused may be  
2 carried forward and applied against the taxpayer's income tax liability



3 for the next five years immediately following the tax year in which the  
4 credit is first allowed. The tax credit cannot be carried back.

5 (3) The tax credit allowed under this section is subject to section  
6 32 of this act.

7 Sec. 30. (1) An estate or trust that makes one or more cash  
8 contributions to one or more eligible charitable organizations during a  
9 tax year shall be eligible for a credit against the income tax due under  
10 the Nebraska Revenue Act of 1967. Except as otherwise provided in the  
11 Nebraska Pregnancy Help Act, the amount of the credit shall be equal to  
12 the lesser of (a) the total amount of such contributions made during the  
13 tax year or (b) fifty percent of the income tax liability of such  
14 taxpayer for the tax year. A taxpayer may only claim a credit pursuant to  
15 this section for the portion of the contribution that was not claimed as  
16 a charitable contribution under the Internal Revenue Code of 1986, as  
17 amended. Any credit not used by the estate or trust may be attributed to  
18 each beneficiary of the estate or trust in the same proportion used to  
19 report the beneficiary's income from the estate or trust for income tax  
20 purposes.

21 (2) The tax credit allowed under this section shall be a  
22 nonrefundable credit. Any amount of the tax credit that is unused may be  
23 carried forward and applied against the taxpayer's income tax liability  
24 for the next five years immediately following the tax year in which the  
25 credit is first allowed. The tax credit cannot be carried back.

26 (3) The tax credit allowed under this section is subject to section  
27 32 of this act.

28 Sec. 31. (1) A corporate taxpayer as defined in section 77-2734.04  
29 that makes one or more cash contributions to one or more eligible  
30 charitable organizations during a tax year shall be eligible for a credit  
31 against the income tax due under the Nebraska Revenue Act of 1967. Except  
1 as otherwise provided in the Nebraska Pregnancy Help Act, the amount of  
2 the credit shall be equal to the lesser of (a) the total amount of such  
3 contributions made during the tax year or (b) fifty percent of the income  
4 tax liability of such taxpayer for the tax year. A taxpayer may only  
5 claim a credit pursuant to this section for the portion of the  
6 contribution that was not claimed as a charitable contribution under the  
7 Internal Revenue Code of 1986, as amended.

8 (2) The tax credit allowed under this section shall be a  
9 nonrefundable credit. Any amount of the tax credit that is unused may be  
10 carried forward and applied against the taxpayer's income tax liability  
11 for the next five years immediately following the tax year in which the  
12 credit is first allowed. The tax credit cannot be carried back.

13 (3) The tax credit allowed under this section is subject to section  
14 32 of this act.

15 Sec. 32. (1) Prior to making a contribution to an eligible  
16 charitable organization, any taxpayer desiring to claim a tax credit  
17 under the Nebraska Pregnancy Help Act shall notify the eligible  
18 charitable organization of the taxpayer's intent to make a contribution  
19 and the amount to be claimed as a tax credit. Upon receiving each such  
20 notification, the eligible charitable organization shall notify the  
21 department of the intended tax credit amount. If the department  
22 determines that the intended tax credit amount in the notification would  
23 exceed the limit specified in subsection (3) of this section, the  
24 department shall notify the eligible charitable organization of its  
25 determination within thirty days after receipt of the notification. The  
26 eligible charitable organization shall then promptly notify the taxpayer  
27 of the department's determination that the intended tax credit amount in  
28 the notification is not available. If an amount less than the amount  
29 indicated in the notification is available for a tax credit, the  
30 department shall notify the eligible charitable organization of the  
31 available amount and the eligible charitable organization shall notify

1 the taxpayer of the available amount within three business days.  
2 (2) In order to be allowed a tax credit as provided by the act, the  
3 taxpayer shall make its contribution between thirty-one and sixty days  
4 after notifying the eligible charitable organization of the taxpayer's

5 intent to make a contribution. If the eligible charitable organization  
6 does not receive the contribution within the required time period, it  
7 shall notify the department of such fact and the department shall no  
8 longer include such amount when calculating whether the limit prescribed  
9 in subsection (3) of this section has been exceeded. If the eligible  
10 charitable organization receives the contribution within the required  
11 time period, it shall provide the taxpayer with a receipt for the  
12 contribution. The receipt shall show the name and address of the eligible  
13 charitable organization, the name, address, and, if available, tax  
14 identification number of the taxpayer making the contribution, the amount  
15 of the contribution, and the date the contribution was received.  
16 (3) The department shall consider notifications regarding intended  
17 tax credit amounts in the order in which they are received to ascertain  
18 whether the intended tax credit amounts are within the annual limit  
19 provided in this subsection. The annual limit on the total amount of tax  
20 credits for calendar year 2025 and each calendar year thereafter shall be  
21 two million dollars. Once credits have reached the annual limit for any  
22 calendar year, no additional credits shall be allowed for such calendar  
23 year. Credits shall be prorated among the notifications received on the  
24 day the annual limit is exceeded. No more than fifty percent of the  
25 credits allowed for any calendar year shall be for contributions to a  
26 single eligible charitable organization.  
27 Sec. 33. The department may adopt and promulgate rules and  
28 regulations to carry out the Nebraska Pregnancy Help Act.

The second committee amendment is as follows:

[AM3206](#) is available in the Bill Room.

The first committee amendment, [AM3205](#), found in this day's Journal, was offered.

Senator Bostar offered [AM3187](#), found on page 1329, to the first committee amendment.

Senator Linehan moved the previous question. The question is, "Shall the debate now close?"

Senator Linehan moved for a call of the house. The motion prevailed with 23 ayes, 1 nay, and 25 not voting.

The motion to cease debate prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Bostar requested a roll call vote, in reverse order, on his amendment, to the first committee amendment.

Voting in the affirmative, 17:

Blood	Conrad	Fredrickson	Slama	Wishart
Bostar	Day	Hunt	Vargas	
Cavanaugh, J.	DeBoer	McKinney	Walz	
Cavanaugh, M.	Dungan	Raybould	Wayne	

Voting in the negative, 24:

Aguilar	Brewer	Hansen	Linehan	Moser
Albrecht	Clements	Hardin	Lippincott	Murman
Bosn	DeKay	Holdcroft	Lowe	Sanders
Bostelman	Dorn	Jacobson	McDonnell	von Gillern
Brandt	Dover	Kauth	Meyer	

Present and not voting, 3:

Arch            Armendariz    Ballard

Excused and not voting, 5:

Erdman        Halloran        Hughes        Ibach        Riepe

The Bostar amendment, to the first committee amendment lost, with 17 ayes, 24 nays, 3 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

The first committee amendment was adopted with 28 ayes, 15 nays, 2 present and not voting, and 4 excused and not voting.

The second committee amendment, [AM3206](#), found in this day's Journal, was offered.

Senator Brandt offered [AM3260](#), found on page 1331, to the second committee amendment.

Senator M. Cavanaugh offered [MO1259](#), found on page 1037, to bracket until April 11, 2024.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

The Brandt amendment, to the second committee amendment, was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Senator J. Cavanaugh offered the following amendment to the second committee amendment:  
[AM3116](#) is available in the Bill Room.

The J. Cavanaugh amendment, to the second committee amendment, was adopted with 31 ayes, 4 nays, 9 present and not voting, and 5 excused and not voting.

The second committee amendment, as amended, was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Committee [AM3001](#), found on page 1132, was not considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 937A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 1 nay, 4 present and not voting, and 6 excused and not voting.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 130A.** Placed on Final Reading.

**LEGISLATIVE BILL 204A.** Placed on Final Reading.  
[ST60](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "appropriate" in line 1 through line 3 has been struck and "amend section 70, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to appropriate funds to aid in carrying out the provisions of Legislative Bill 204, One Hundred Eighth Legislature, Second Session, 2024; to provide for expenditures for aid; to repeal the original section; and to declare an emergency." inserted.

**LEGISLATIVE BILL 126.** Placed on Select File with amendment.  
[ER108](#) is available in the Bill Room.

**LEGISLATIVE BILL 1027.** Placed on Select File with amendment.  
[ER106](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new 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  
 1 schools which elect, pursuant to the procedures prescribed in subsections  
 2 (2) through (6) of this section, not to meet state accreditation or  
 3 approval requirements shall be based upon ~~an assurance evidence~~ that such  
 4 schools offer a program of instruction leading to the acquisition of  
 5 basic skills in the language arts, mathematics, science, social studies,  
 6 and health. ~~The assurance required pursuant to this subsection shall be~~  
 7 ~~satisfied by a signed statement by the parent, legal guardian, or~~  
 8 ~~educational decisionmaker of a student that the education provided~~  
 9 ~~complies with subsections (2) through (6) of this section. Rules and~~  
 10 ~~regulations which govern procedures under this section are limited to~~  
 11 ~~procedures for receiving information from a parent, legal guardian, or~~  
 12 ~~educational decisionmaker of a student or a parent representative when~~  
 13 ~~such individual files the election not to meet accreditation or approval~~  
 14 ~~requirements under this section. Such rules and regulations may include a~~  
 15 ~~provision for the visitation of such schools and regular achievement~~  
 16 ~~testing of students attending such schools in order to insure that such~~  
 17 ~~schools are offering instruction in the basic skills listed in this~~  
 18 ~~subsection. Any arrangements for visitation or testing shall be made~~  
 19 ~~through a parent representative of each such school. The results of such~~  
 20 ~~testing may be used as evidence that such schools are offering~~  
 21 ~~instruction in such basic skills but shall not be used to measure,~~  
 22 ~~compare, or evaluate the competency of students at such schools.~~  
 23 (3) The provisions of subsections (3) through (6) of this section  
 24 shall apply to any private, denominational, or parochial school in the  
 25 State of Nebraska which elects not to meet state accreditation or  
 26 approval requirements. ~~An election~~ Elections pursuant to such subsections  
 27 shall be effective when a statement is received by the Commissioner of  
 28 Education signed by ~~a parent, legal guardian, or educational~~  
 29 ~~decisionmaker the parents or legal guardians of each student all students~~  
 30 attending such private, denominational, or parochial school, stating that  
 31 (a) either specifically (i) the requirements for approval and  
 1 accreditation required by law and the rules and regulations adopted and  
 2 promulgated by the State Board of Education violate sincerely held  
 3 religious beliefs of the ~~parent, parents or legal guardian, or~~  
 4 ~~educational decisionmaker guardians~~ or (ii) the requirements for approval  
 5 and accreditation required by law and the rules and regulations adopted  
 6 and promulgated by the State Board of Education interfere with the  
 7 decisions of the ~~parent, parents or legal guardian, or educational~~  
 8 ~~decisionmaker guardians~~ in directing the student's education, (b) an  
 9 authorized representative of such ~~parent, parents or legal guardian, or~~  
 10 ~~educational decisionmaker guardians~~ will at least annually submit to the  
 11 Commissioner of Education ~~an assurance the information necessary to prove~~  
 12 that the requirements of subdivisions (4)(a) through (c) of this section  
 13 are ~~and will continue to be~~ satisfied, (c) the school offers the courses  
 14 of instruction required by subsections (2), (3), and (4) of this section,  
 15 and (d) the ~~parent, parents or legal guardian, or educational~~  
 16 ~~decisionmaker is guardians~~ have satisfied themselves that individuals  
 17 monitoring instruction at such school are qualified to monitor  
 18 instruction in the basic skills as required by subsections (2), (3), and  
 19 (4) of this section ~~and that such individuals have demonstrated an~~  
 20 ~~alternative competency to monitor instruction or supervise students~~  
 21 ~~pursuant to subsections (3) through (6) of this section.~~  
 22 (4) Each such private, denominational, or parochial school shall (a)  
 23 meet minimum requirements relating to health, fire, and safety standards  
 24 prescribed by state law and the rules and regulations of the State Fire  
 25 Marshal, (b) report attendance pursuant to section 79-201, (c) maintain a  
 26 sequential program of instruction designed to lead to basic skills in the  
 27 language arts, mathematics, science, social studies, and health, and (d)

28 comply with the immunization requirements in section 79-217 if the  
 29 statement signed by the parent, parents or legal guardian, or educational  
 30 decisionmaker indicates guardians indicate a nonreligious reason pursuant  
 31 to subdivision (3)(a)(ii) of this section for the student attending a  
 1 private, denominational, or parochial school which elects not to meet  
 2 state accreditation or approval requirements. The State Board of  
 3 Education shall establish procedures for receiving information and  
 4 reports required by subsections (3) through (6) of this section from  
 5 authorized parent representatives who may act as agents for the parent,  
 6 parents or legal guardian, or educational decisionmaker guardians of a  
 7 student students attending such schools school and for individuals  
 8 monitoring instruction in the basic skills required by subsections (2),  
 9 (3), and (4) of this section.

10 (5) Individuals employed or utilized by schools which elect not to  
 11 meet state accreditation or approval requirements shall not be required  
 12 to meet the certification requirements prescribed in sections 79-801 to  
 13 79-815, ~~but shall either (a) take appropriate subject matter components~~  
 14 ~~of a nationally recognized teacher competency examination designated by~~  
 15 ~~the State Board of Education as (i) including the appropriate subject~~  
 16 ~~matter areas for purposes of satisfying the requirements of subsections~~  
 17 ~~(3) and (4) of this section and (ii) a nationally recognized examination~~  
 18 ~~or (b) offer evidence of competence to provide instruction in the basic~~  
 19 ~~skills required by subsections (3) and (4) of this section pursuant to~~  
 20 ~~informal methods of evaluation which shall be developed by the State~~  
 21 ~~Board of Education. Such evidence may include educational transcripts,~~  
 22 ~~diplomas, and other information regarding the formal educational~~  
 23 ~~background of such individuals. Information concerning test results,~~  
 24 ~~transcripts, diplomas, and other evidence of formal education may be~~  
 25 ~~transmitted to the State Department of Education by authorized~~  
 26 ~~representatives of parents or legal guardians. The results of such~~  
 27 ~~testing or alternative evaluation of individuals who monitor the~~  
 28 ~~instruction of students attending such schools may be used as evidence of~~  
 29 ~~whether or not such schools are offering adequate instruction in the~~  
 30 ~~basic skills prescribed in subsections (2), (3), and (4) of this section~~  
 31 ~~but shall not be used to prohibit any such school from employing such~~  
 1 ~~individuals. Failure of a monitor, who is tested for the purpose of~~  
 2 ~~satisfying in whole or in part the requirements of subsections (3)~~  
 3 ~~through (6) of this section, to attain a score equal to or exceeding both~~  
 4 ~~the state or national average score or rating on appropriate subject~~  
 5 ~~matter components of recognized teacher competency examinations~~  
 6 ~~designated by the State Board of Education may be by itself sufficient~~  
 7 ~~proof that such school does not offer adequate instruction in the basic~~  
 8 ~~skills prescribed in subsections (3) and (4) of this section.~~

9 (6) The demonstration of competency to monitor instruction in a  
 10 private, denominational, or parochial school which has elected not to  
 11 meet state accreditation or approval requirements shall in no way  
 12 constitute or be construed to grant a license, permit, or certificate to  
 13 teach in the State of Nebraska. Any school which elects not to meet state  
 14 accreditation or approval requirements and does not meet the requirements  
 15 of subsections (2) through (6) of this section shall not be deemed a  
 16 school for purposes of section 79-201, and the parent, parents or legal  
 17 guardian, or educational decisionmaker guardians of any students  
 18 attending such school shall be subject to prosecution pursuant to ~~such~~  
 19 section 79-201 or any statutes relating to habitual truancy.

20 (7) For purposes of this section, educational decisionmaker means a  
 21 person designated or ordered by a court to make educational decisions on  
 22 behalf of a child.

23 Sec. 2. Section 79-1605, Revised Statutes Cumulative Supplement,  
 24 2022, is amended to read:

25 79-1605 (1) The superintendent of the school district in which any

26 private, denominational, or parochial school is located, which school is  
 27 not otherwise inspected by an area or diocesan representative holding a  
 28 Nebraska certificate to administer, shall inspect such schools and report  
 29 to the proper officers any evidence of failure to observe any of the  
 30 provisions of sections 79-1601 to 79-1607. The Commissioner of Education,  
 31 when in his or her judgment it is deemed advisable, may appoint a public  
 1 school official other than such superintendent, including a member of the  
 2 State Department of Education, for such inspections. Such appointee shall  
 3 hold a Nebraska certificate to administer. The State Board of Education  
 4 shall require the superintendents and appointed public school officials  
 5 to make such inspections at least twice a year, and the school officers  
 6 of such schools and the teachers giving instruction in such schools shall  
 7 permit such inspection and assist and cooperate in the making of the  
 8 same.

9 (2) This section does not apply to (a) any private, denominational,  
 10 or parochial school which elects not to meet accreditation or approval  
 11 requirements pursuant to the procedures prescribed in subsections (2)  
 12 through (6) of section 79-1601 or (b) a school inspected by an area or  
 13 diocesan representative holding a Nebraska certificate to administer.  
 14 Sec. 3. Original section 79-1601, Reissue Revised Statutes of  
 15 Nebraska, and section 79-1605, Revised Statutes Cumulative Supplement,  
 16 2022, are repealed.

17 2. On page 1, strike beginning with the semicolon in line 2 through  
 18 line 4 and insert ", and section 79-1605, Revised Statutes Cumulative  
 19 Supplement, 2022; to change provisions relating to schools that elect not  
 20 to meet accreditation or approval requirements; to define a term; to  
 21 harmonize provisions; and to repeal the original sections."

**LEGISLATIVE BILL 1051.** Placed on Select File with amendment.

[ER110](#)

1 1. On page 1, line 2; and page 34, line 15, strike "43-255".  
 2 2. On page 1, strike beginning with "to" in line 5 through the  
 3 semicolon in line 6.

**LEGISLATIVE BILL 874.** Placed on Select File with amendment.

[ER111](#)

1 1. On page 3, line 18, strike "(5)(i)" and insert "(5)(k)".  
 2 2. On page 5, line 18, strike "10" and insert "9".  
 3 3. On page 13, line 11, after "Government" insert ", Military and  
 4 Veterans Affairs".

**LEGISLATIVE BILL 1335.** Placed on Select File with amendment.

[ER107](#)

1 1. In the Standing Committee amendments, AM2947:  
 2 a. On page 2, line 31, after "than" insert "the".  
 3 b. On page 3, line 1, strike "exempted" and insert "exempt"; and in  
 4 line 12 strike "any";  
 5 c. On page 9, line 30, strike "the"; and  
 6 d. On page 13, line 21, strike "87-806" and insert "37-806".  
 7 2. On page 1, strike beginning with "and" in line 2 through line 5  
 8 and insert ", 37-802, and 37-807, Reissue Revised Statutes of Nebraska,  
 9 and sections 37-201 and 37-806, Revised Statutes Cumulative Supplement,  
 10 2022; to define terms; to change provisions of and provide duties and  
 11 exemptions under the Nongame and Endangered Species Conservation Act  
 12 relating to designation of endangered species and critical habitat and  
 13 transportation infrastructure;"

**LEGISLATIVE BILL 20.** Placed on Select File.

**LEGISLATIVE BILL 71.** Placed on Select File with amendment.

[ER112](#)

1 1. On page 1, line 9, after "Education" insert "and the State Board  
2 of Education; to provide a process for a parent or guardian to request  
3 that such person's child repeat a grade under certain circumstances".

**LEGISLATIVE BILL 71A.** Placed on Select File.

**LEGISLATIVE BILL 1306A.** Placed on Select File.

**LEGISLATIVE BILL 1329A.** Placed on Select File.

**LEGISLATIVE BILL 1344A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Health and Human Services

**LEGISLATIVE BILL 982.** Placed on General File with amendment.

[AM2826](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 71-6038, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 71-6038 For purposes of sections 71-6038 to 71-6042:  
6 (1) Complicated feeding problems include, but are not limited to,  
7 difficulty swallowing, recurrent lung aspirations, and tube or parenteral  
8 or intravenous feedings;  
9 (2) Department means the Department of Health and Human Services;  
10 (3) Nurse aide means any person employed by a facility or service  
11 provider described in subsection (1) of section 71-6039 for the purpose  
12 of aiding a licensed registered or practical nurse through the  
13 performance of nonspecialized tasks related to the personal care and  
14 comfort of residents other than a paid dining assistant or a licensed  
15 registered or practical nurse;  
16 (4) Nursing home means any facility or a distinct part of any  
17 facility that provides care as defined in sections 71-420, 71-421,  
18 71-422, 71-424, and 71-429; ~~and~~  
19 (5) Paid dining assistant means any person employed by a nursing  
20 home for the purpose of aiding a licensed registered or practical nurse  
21 through the feeding of residents other than a nurse aide or a licensed  
22 registered or practical nurse; ~~and~~ -  
23 (6) Service provider means a person certified by the department to  
24 provide developmental disabilities services.  
25 Sec. 2. Section 71-6039, Reissue Revised Statutes of Nebraska, is  
26 amended to read:  
27 71-6039 (1) No person shall act as a nurse aide for a service  
1 provider under the medicaid comprehensive developmental disabilities  
2 waiver or in a facility or a distinct part of a facility that provides  
3 care as defined in section 71-405, 71-406, 71-409, 71-412, 71-416,  
4 71-417, 71-418, 71-419, 71-420, 71-421, 71-422, 71-424, 71-426, 71-427,  
5 or 71-429 unless such person:  
6 (a) Is at least sixteen years of age and has not been convicted of a  
7 crime involving moral turpitude;  
8 (b) Is able to speak and understand the English language or a  
9 language understood by a substantial portion of the facility residents;  
10 and



11 (c) Has successfully completed a basic course of training approved  
 12 by the department for nurse aides within one hundred twenty days of  
 13 initial employment in the capacity of a nurse aide.  
 14 (2)(a) A registered nurse or licensed practical nurse whose license  
 15 has been revoked, suspended, or voluntarily surrendered in lieu of  
 16 discipline may not act as a nurse aide for a service provider or in a  
 17 facility described in subsection (1) of this section.  
 18 (b) If a person registered as a nurse aide becomes licensed as a  
 19 registered nurse or licensed practical nurse, his or her registration as  
 20 a nurse aide becomes null and void as of the date of licensure.  
 21 (c) A person listed on the Nurse Aide Registry with respect to whom  
 22 a finding of conviction has been placed on the registry may petition the  
 23 department to have such finding removed at any time after one year has  
 24 elapsed since the date such finding was placed on the registry.  
 25 (3) The department may prescribe a curriculum for training nurse  
 26 aides and may adopt and promulgate rules and regulations for such courses  
 27 of training. The content of the courses of training and competency  
 28 evaluation programs shall be consistent with federal requirements unless  
 29 exempted. The department may approve courses of training if such courses  
 30 of training meet the requirements of this section. Such courses of  
 31 training shall include instruction on the responsibility of each nurse  
 1 aide to report suspected abuse or neglect pursuant to sections 28-372 and  
 2 28-711. Nursing homes may carry out approved courses of training within  
 3 the nursing home, except that nursing homes may not conduct the  
 4 competency evaluation part of the program. The prescribed training shall  
 5 be administered by a licensed registered nurse.  
 6 (4) For nurse aides at intermediate care facilities for persons with  
 7 developmental disabilities, such courses of training shall be no less  
 8 than twenty hours in duration and shall include at least fifteen hours of  
 9 basic personal care training and five hours of basic therapeutic and  
 10 emergency procedure training, and for nurse aides at all nursing homes  
 11 other than intermediate care facilities for persons with developmental  
 12 disabilities, such courses shall be no less than seventy-five hours in  
 13 duration.  
 14 (5) This section shall not prohibit any facility from exceeding the  
 15 minimum hourly or training requirements.  
 16 Sec. 3. Original sections 71-6038 and 71-6039, Reissue Revised  
 17 Statutes of Nebraska, are repealed.

(Signed) Ben Hansen, Chairperson

#### AMENDMENT(S) - Print in Journal

Senator Walz filed the following amendment to LB1329:  
AM3234

(Amendments to E&R amendments, ER105)

1 1. Insert the following new sections:  
 2 Sec. 13. Section 79-262.01, Revised Statutes Supplement, 2023, is  
 3 amended to read:  
 4 79-262.01 (1) On or before July 1, 2025, the State Department of  
 5 Education shall develop and adopt a model policy relating to behavioral  
 6 intervention, behavioral management, classroom management, and removal of  
 7 a student from a classroom in school. The model policy shall include  
 8 appropriate training for school employees on behavioral intervention,  
 9 behavioral management, classroom management, and removal of a student  
 10 from a classroom in schools and how frequently such training shall be  
 11 required. The length of such training shall be a reasonable amount as  
 12 determined by each school board.  
 13 (2) On or before August 1, 2025, each school district shall develop  
 14 and adopt a policy consistent with or comparable to the model policy

15 developed by the State Department of Education pursuant to subsection (1)  
16 of this section, which shall be a requirement for accreditation in  
17 accordance with section 79-703. Such policy shall be filed with the  
18 Commissioner of Education. The policy developed and adopted by a school  
19 district pursuant to this subsection shall be included with any  
20 notifications required under the Student Discipline Act.

21 (3)(a) Beginning in school year 2026-27, each school district shall  
22 ensure that any school employee who has behavioral management  
23 responsibilities participates in behavioral awareness and intervention  
24 training consistent with the school district policy developed and adopted  
25 in accordance with subsection (2) of this section. Such training shall be  
26 provided by the school district or such school district's educational  
1 service unit. The length of such training shall be a reasonable amount as  
2 determined by the school board.

3 (b) Each school district shall, either independently, or through the  
4 educational service unit of which such school district is a member,  
5 develop and provide behavioral awareness and intervention training to  
6 employees from such school who have behavioral management  
7 responsibilities. If such training is provided by the educational service  
8 unit, such training shall be available to any educational service unit  
9 employee and any member school district employee that works in a school  
10 and has behavioral management responsibilities. Such training shall be  
11 consistent with the model policy developed by the State Department of  
12 Education pursuant to subsection (1) of this section.

13 (4) The State Board of Education may adopt and promulgate rules and  
14 regulations to carry out this section.  
15 Sec. 14. Section 79-2,141, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-2,141 (1) On or before March 1, 2010, the department shall  
18 develop and adopt a model dating violence policy to assist school  
19 districts in developing policies for dating violence.

20 (2) On or before July 1, 2010, each school district shall develop  
21 and adopt a specific policy to address incidents of dating violence  
22 involving students at school, which shall be made a part of the  
23 requirements for accreditation in accordance with section 79-703. Such  
24 policy shall include a statement that dating violence will not be  
25 tolerated.

26 (3) To ensure notice of a school district's dating violence policy,  
27 the policy shall be published in any school district handbook, manual, or  
28 similar publication that sets forth the comprehensive rules, procedures,  
29 and standards of conduct for students at school.

30 (4) Each school district shall provide dating violence training to  
31 staff deemed appropriate by a school district's administration. The  
1 dating violence training shall include, but not be limited to, basic  
2 awareness of dating violence, warning signs of dating violence, and the  
3 school district's dating violence policy. The dating violence training  
4 may be provided by any school district or combination of school  
5 districts, an educational service unit, or any combination of educational  
6 service units. The length of such training shall be a reasonable amount  
7 as determined by each school board.

8 (5) Each school district shall inform the students' parents or legal  
9 guardians of the school district's dating violence policy. If requested,  
10 the school district shall provide the parents or legal guardians a copy  
11 of the school district's dating violence policy and relevant information.

12 (6) This section does not prevent a victim of dating violence from  
13 seeking redress under any other available law, either civil or criminal,  
14 and does not create or alter any existing tort liability.

15 Sec. 15. Section 79-2,145, Reissue Revised Statutes of Nebraska, is  
16 amended to read:

17 79-2,145 The State Board of Education, based on the recommendations  
18 of the state school security director appointed pursuant to section  
19 79-2,143, may adopt and promulgate rules and regulations establishing  
20 minimum school security standards on or before July 1, 2016. Any rules or  
21 regulations that create a training requirement shall ensure that such

22 training requirement shall be reasonable in length.

23 Sec. 16. Section 79-2,146, Revised Statutes Supplement, 2023, is

24 amended to read:

25 79-2,146 (1) Beginning in school year 2023-24, all public school  
26 employees who interact with students and any other appropriate personnel,  
27 as determined by the school superintendent, shall receive ~~at least one~~  
28 ~~hour of~~ behavioral and mental health training with a focus on suicide  
29 awareness and prevention training each year. The length of such training  
30 shall be a reasonable amount as determined by each school board. Such  
31 training may include, but need not be limited to, topics such as  
1 identification of early warning signs and symptoms of behavioral and  
2 mental health issues in students, appropriate and effective responses for  
3 educators to student behavioral and mental health issues, trauma-informed  
4 care, and procedures for making students and parents and guardians aware  
5 of services and supports for behavioral and mental health issues. This  
6 training shall be provided within the framework of existing inservice  
7 training programs offered by the State Department of Education or as part  
8 of required professional development activities.

9 (2) The department, in consultation with organizations including,  
10 but not limited to, the Nebraska State Suicide Prevention Coalition, the  
11 Nebraska chapter of the American Foundation for Suicide Prevention, the  
12 Behavioral Health Education Center of Nebraska, the National Alliance on  
13 Mental Illness Nebraska, and other organizations and professionals with  
14 expertise in behavioral and mental health and suicide prevention, shall  
15 develop a list of approved training materials to fulfill the requirements  
16 of subsection (1) of this section. Such materials shall include training  
17 on how to identify appropriate mental health services, both within the  
18 school and also within the larger community, and when and how to refer  
19 youth and their families to those services. Such materials may include  
20 programs that can be completed through self-review of suitable behavioral  
21 and mental health and suicide prevention materials.

22 (3) The department may adopt and promulgate rules and regulations to  
23 carry out this section.

24 Sec. 70. Section 79-3105, Revised Statutes Cumulative Supplement,

25 2022, is amended to read:

26 79-3105 The department shall provide training for the members of any  
27 threat assessment team serving a public or nonpublic school. Such  
28 training shall provide the knowledge and skill to allow threat assessment  
29 teams to work collaboratively to conduct threat assessments, engage in  
30 crisis intervention, increase awareness of concerning behavior among  
31 school staff, students, and the public, and interrupt violence in the  
1 planning stage to thwart potential harm to persons and property. Such  
2 training shall be reasonable in length.

3 Sec. 74. Section 79-3602, Revised Statutes Supplement, 2023, is

4 amended to read:

5 79-3602 (1)(a) Beginning in school year 2024-25, the Educational  
6 Service Unit Coordinating Council shall (i) ensure annual behavioral  
7 awareness training is available statewide and (ii) develop, implement,  
8 and administer an ongoing statewide teacher support system.  
9 (b) Beginning in school year 2026-27, each school district shall  
10 ensure that each administrator, teacher, paraprofessional, school nurse,  
11 and counselor receives behavioral awareness training. The length of such  
12 training shall be a reasonable amount as determined by each school board.  
13 Each administrator, teacher, paraprofessional, school nurse, and  
14 counselor who has received such training shall receive a behavioral  
15 awareness training review at least once every three years. Each school  
16 district may offer such training, or similar training, to any other  
17 school employees at the discretion of the school district. In addition,  
18 all school employees shall have a basic awareness of the goals,  
19 strategies, and schoolwide plans included in such training.  
20 (c) Behavioral awareness training shall include, but not be limited  
21 to, evidence-based training on a continuum that includes:  
22 (i) Recognition of detrimental factors impacting student behavior,  
23 including, but not limited to, signs of trauma;

24 (ii) Positive behavior support and proactive teaching strategies,  
 25 including, but not limited to, expectations and boundaries; and  
 26 (iii) Verbal intervention and de-escalation techniques.  
 27 (2)(a) On or before July 1, 2025, and on or before July 1 of each  
 28 year thereafter, each school district shall submit a behavioral awareness  
 29 training report to the Educational Service Unit Coordinating Council.  
 30 Such report shall include the school district behavioral awareness  
 31 training plan and summarize how such plan fulfills the requirements of  
 1 this section.  
 2 (b) On or before December 31, 2025, and each December 31 thereafter,  
 3 the Educational Service Unit Coordinating Council shall submit a report  
 4 electronically to the Education Committee of the Legislature summarizing  
 5 the behavioral awareness training reports received by school districts,  
 6 the various trainings provided across the state, the teacher support  
 7 system, and a financial report of funding received and expended in  
 8 accordance with the Behavioral Intervention Training and Teacher Support  
 9 Act.  
 10 (3)(a) Behavioral awareness training and the teacher support system  
 11 required pursuant to this section shall be funded from the Behavioral  
 12 Training Cash Fund.  
 13 (b) Any funding received by a school district for behavioral  
 14 awareness training under the Behavioral Intervention Training and Teacher  
 15 Support Act shall be considered special grant funds under section  
 16 79-1003.  
 17 Sec. 75. Section 79-3603, Revised Statutes Supplement, 2023, is  
 18 amended to read:  
 19 79-3603 (1) Each school district shall designate one or more school  
 20 employees as a behavioral awareness point of contact for each school  
 21 building or other division as determined by such school district. Each  
 22 behavioral awareness point of contact shall be trained in behavioral  
 23 awareness and shall have knowledge of community service providers and  
 24 other resources that are available for the students and families in such  
 25 school district. The length of such training shall be a reasonable amount  
 26 as determined by the school board.  
 27 (2) Each school district shall maintain or have access to a registry  
 28 of local mental health and counseling resources. The registry shall  
 29 include resource services that can be accessed by families and  
 30 individuals outside of school. Each behavioral awareness point of contact  
 31 shall coordinate access to support services for students whenever  
 1 possible. Except as provided in section 43-2101, if information for an  
 2 external support service is provided to an individual student, school  
 3 personnel shall notify a parent or guardian of such student in writing  
 4 unless such recommendation involves law enforcement or child protective  
 5 services. Each school district shall indicate each behavioral awareness  
 6 point of contact for such school district on the website of the school  
 7 district and in any school directory for the school that the behavioral  
 8 awareness point of contact serves.  
 9 2. Renumber the remaining sections and correct internal references  
 10 and the repealer accordingly.

Senator Blood filed the following amendment to [LB1370](#):  
[AM3164](#)

(Amendments to Standing Committee amendments, AM2863)

1 1. Strike section 8.  
 2 2. On page 1, line 16, after "(b)" insert "(i)"; in line 20 strike  
 3 "closed" and insert "open"; and after line 24 insert the following new  
 4 subdivisions:  
 5 "(ii) The board shall limit testimony at the hearing to the  
 6 following subjects:  
 7 (A) The impact the decision to close or decommission the facility  
 8 will have on such entity to be able to provide low-cost electricity to  
 9 its customers, including, but not limited to, the impact on operation,  
 10 maintenance, fuel, and regulatory costs, and the need for any upgrades;

11 (B) The extent to which such entity will be able to provide  
12 employment for current employees of the facility;  
13 (C) Whether such entity has worked with any labor unions that may  
14 represent current employees to provide retraining or other assistance to  
15 obtain employment in renewable energy or other industries in Nebraska's  
16 modern economy;  
17 (D) The amount of greenhouse gas emission reductions or other  
18 environmental benefits such entity expects to achieve by closing or  
19 decommissioning the facility; and  
20 (E) Any other benefits to be derived from closing or decommissioning  
21 the facility."  
22 3. On page 2, line 11, strike "all" and insert "not"; and strike  
23 beginning with "until" in line 13 through "facility" in line 15.  
24 4. On page 20, line 11, strike "8, and 10" and insert "and 9"; and  
25 strike beginning with "and" in line 15 through "2022," in line 16.  
26 5. Renumber the remaining sections accordingly.

Senator Clements filed the following amendment to [LB1067](#):  
[AM3221](#) is available in the Bill Room.

Senator Murman filed the following amendment to [LB1331](#):  
[AM3264](#) is available in the Bill Room.

### PRESENTED TO THE GOVERNOR

Presented to the Governor on March 28, 2024, at 11:15 a.m. were the following: LBs 1188e, 857, 857A, 607, 644e, 644Ae, 834, 839e, 894, 906, 1004e, 1102, 1204, 1204A, 1215e, 1313, 851e, 877e, 998, 1118, 1143, and 1162.

(Signed) Sarah Skirry  
Clerk of the Legislature's Office

### GENERAL FILE

**LEGISLATIVE BILL 1073.** Title read. Considered.

Committee [AM2568](#), found on page 810, was offered.

Senator Slama offered [AM3085](#), found on page 1260, to the committee amendment.

Senator J. Cavanaugh requested a division of the question on the Slama amendment, to the committee amendment.

The Chair sustained the division of the question.

The first Slama amendment, to the committee amendment, is as follows:

[AM3285](#)

1 1. Insert the following new sections:

2 Section 1. Sections 1 to 15 of this act shall be known and may be  
3 cited as the Peer-to-Peer Vehicle Sharing Program Act.

4 Sec. 2. For purposes of the Peer-to-Peer Vehicle Sharing Program

5 Act, unless the context otherwise requires:

6 (1) Agreement means the terms and conditions applicable to an owner  
7 and a driver that govern the use of a vehicle shared through a peer-to-  
8 peer vehicle sharing program. Agreement does not mean a rental agreement  
9 as defined in section 44-4067;

10 (2) Delivery period means the period of time during which a vehicle  
11 is being delivered to the location at which the start time begins, if  
12 applicable, as documented by the agreement;

13 (3) Driver means an individual who has been authorized to drive a  
14 vehicle by an owner under an agreement;

15 (4) Owner means the registered owner, or a person or entity  
16 designated by the registered owner, of a vehicle made available for  
17 sharing through a peer-to-peer vehicle sharing program;

18 (5) Peer-to-peer vehicle sharing program or program means a business  
19 platform that connects owners with drivers to enable the sharing of  
20 vehicles for financial consideration. A program is not a transportation  
21 network company as defined in section 75-323 or a rental car company as  
22 defined in section 44-4067;

23 (6) Sharing means the authorized use of a vehicle by an individual  
24 other than an owner through a peer-to-peer vehicle sharing program;

25 (7) Sharing period means the period of time that commences with the  
26 delivery period or, if there is no delivery period, that commences with  
27 the start time and, in either case, ends at the termination time;

1 (8) Start time means the time when a vehicle becomes subject to the  
2 control of a driver at or after the time the reservation is scheduled to  
3 begin as documented in the records of a program;

4 (9) Termination time means the earliest of the following events:

5 (a) The expiration of the agreed upon period of time established for  
6 the use of a vehicle according to the terms of the agreement if the  
7 vehicle is delivered to the location specified in the agreement;

8 (b) When a vehicle is returned to an alternative location as agreed  
9 upon by the owner and driver as communicated through the peer-to-peer  
10 vehicle sharing program. Such alternative location shall be incorporated  
11 into the agreement; and

12 (c) When an owner, or the owner's authorized designee, takes  
13 possession and control of the vehicle; and

14 (10) Vehicle means a motor vehicle as defined in section 60-471 that  
15 is available for use through a peer-to-peer vehicle sharing program.  
16 Vehicle does not include any motor vehicle used as or offered for use as  
17 a rental vehicle under section 44-4067, any commercial motor vehicle as  
18 defined in section 60-465, or any vehicle subject to section 75-363.

19 Sec. 3. (1) Except as provided in subsection (2) of this section, a  
20 peer-to-peer vehicle sharing program shall assume financial liability on  
21 behalf of an owner for any claim for bodily injury or property damage to  
22 third parties or uninsured and underinsured motorist losses during the  
23 sharing period in an amount stated in the agreement. Such amount shall  
24 not be less than the amount required in section 60-310.

25 (2) The assumption of financial liability by a program under  
26 subsection (1) of this section does not apply if the owner:

27 (a) Makes a material, intentional, or fraudulent misrepresentation,  
28 or a material, intentional, or fraudulent omission, to a program relating  
29 to the vehicle or the agreement prior to the sharing period in which the  
30 assumption of such liability would otherwise be required; or

31 (b) Acts in concert with a driver to trigger the assumption of such  
1 liability that would otherwise be required.

2 (3) The assumption of financial liability under subsection (1) of  
3 this section applies to bodily injury, property damage, and uninsured and  
4 underinsured motorist losses by injured third parties.

5 Sec. 4. (1) A program shall require during each sharing period that  
6 the owner and driver are insured under a motor vehicle liability

7 insurance policy that:

8 (a) Provides financial responsibility in amounts no less than the  
9 minimum amounts required by section 60-310; and

10 (b)(i) Recognizes that the vehicle is made available and used  
11 through the program; or

12 (ii) Does not exclude use of the vehicle by a driver through the  
13 program.

14 (2) The financial responsibility required under subsection (1) of  
15 this section may be satisfied by motor vehicle liability insurance or  
16 other acceptable means of demonstrating financial responsibility in  
17 Nebraska, voluntarily maintained by:

18 (a) The owner;

19 (b) The driver;

20 (c) The program; or

21 (d) Any combination of owner, driver, and program.

22 (3) The financial responsibility described in subsection (1) of this  
23 section and satisfied pursuant to subsection (2) of this section shall be  
24 the primary coverage during the sharing period in the event that a claim  
25 occurs in another state with minimum financial responsibility limits  
26 higher than those required under section 60-310, and during the sharing  
27 period the coverage maintained under subsection (2) of this section shall  
28 satisfy any difference in minimum coverage amounts, up to the applicable  
29 policy limits.

30 (4) The insurer, insurers, or program providing coverage under  
31 section 3 or 4 of this act shall assume primary financial liability for a  
1 claim when:

2 (a) A dispute exists as to who was in control of the vehicle at the  
3 time of the loss and the program does not have available, did not retain,  
4 or fails to provide the information required by section 7 of this act; or

5 (b) A dispute exists as to whether the vehicle was returned to the  
6 alternative location pursuant to subdivision (9)(b) of section 2 of this  
7 act.

8 (5) If financial responsibility maintained by the owner or the  
9 driver in accordance with subsection (2) of this section has lapsed or  
10 does not provide the required financial responsibility, the program or  
11 its insurer shall provide the coverage required by subsection (1) of this  
12 section beginning with the first dollar of a claim and have the duty to  
13 defend such claim except under circumstances as set forth in subsection  
14 (2) of section 3 of this act.

15 (6) Financial responsibility maintained by the program shall not be  
16 dependent on another insurer first denying a claim, nor shall another  
17 motor vehicle liability insurance policy be required to first deny a  
18 claim.

19 (7) Nothing in the Peer-to-Peer Vehicle Sharing Program Act:

20 (a) Limits the liability of a program for any act or omission of the  
21 program itself that results in injury or economic loss to any person as a  
22 result of the use of a vehicle through the program; or

23 (b) Limits the ability of a program, by contract, to seek  
24 indemnification from an owner or a driver for economic loss sustained by  
25 the program resulting from a breach of the terms and conditions of an  
26 agreement by such owner or driver.

27 Sec. 5. At the time an owner makes a vehicle available for use  
28 through a program and immediately prior to each time such owner offers  
29 such vehicle for use through such program, the program shall notify the  
30 owner that if the vehicle has a lien against it, the use of the vehicle  
31 through the program, including such use without physical damage insurance  
1 coverage, may violate the terms of the contract with the lienholder.

2 Sec. 6. (1) An authorized insurer that writes motor vehicle  
3 liability insurance in Nebraska may exclude any and all coverage and the  
4 duty to defend or indemnify for any claim afforded under the owner's

5 motor vehicle liability insurance policy, including:  
 6 (a) Liability coverage for bodily injury and property damage;  
 7 (b) Personal injury protection coverage;  
 8 (c) Uninsured and underinsured motorist coverage;  
 9 (d) Medical payments coverage;  
 10 (e) Comprehensive physical damage coverage; and  
 11 (f) Collision physical damage coverage.  
 12 (2) Nothing in the this section invalidates, limits, or restricts an  
 13 insurer's ability under existing law to underwrite any insurance policy.  
 14 Nothing in the Peer-to-Peer Vehicle Sharing Program Act invalidates,  
 15 limits, or restricts an insurer's ability to cancel and nonrenew  
 16 insurance policies.  
 17 Sec. 7. (1) A program shall collect and verify records pertaining  
 18 to the use of a vehicle, including sharing periods, sharing period pick-  
 19 up and drop-off locations, fees paid by each driver, and revenue received  
 20 by each owner.  
 21 (2) A program shall provide the information collected pursuant to  
 22 subsection (1) of this section upon request to the owner, the owner's  
 23 insurer, and the driver's insurer to facilitate a claim coverage  
 24 investigation, settlement, negotiation, or litigation.  
 25 (3) A program shall retain the records required in this section for  
 26 a period of not less than four years.  
 27 Sec. 8. An insurer that defends or indemnifies a claim arising from  
 28 the operation of a vehicle that is excluded under the terms of its policy  
 29 shall have the right to seek recovery against the motor vehicle insurer  
 30 of the program if the claim is made against the owner or driver for loss  
 31 or injury that occurs during the sharing period.  
 1 Sec. 9. (1) A program shall have an insurable interest in a vehicle  
 2 during the sharing period.  
 3 (2) Nothing in this section shall impose liability on a program to  
 4 maintain the coverage required by section 3 or 4 of this act.  
 5 (3) A program may own and maintain as the named insured one or more  
 6 policies of motor vehicle liability insurance that provides coverage for:  
 7 (a) Liabilities assumed by the program under an agreement;  
 8 (b) Liability of an owner or driver; or  
 9 (c) Damage or loss to a vehicle.  
 10 Sec. 10. A program and an owner shall be exempt from vicarious  
 11 liability in accordance with 49 U.S.C. 30106(a), as such section existed  
 12 on January 1, 2023, and under any state or local law that imposes  
 13 liability solely based on vehicle ownership.  
 14 Sec. 11. (1) Each agreement made in Nebraska shall disclose to each  
 15 owner and driver:  
 16 (a) Any right of the program to seek indemnification from an owner  
 17 or a driver for economic loss sustained by the program resulting from a  
 18 breach of the terms and conditions of the agreement by such owner or  
 19 driver;  
 20 (b) That a motor vehicle liability insurance policy issued to an  
 21 owner or a driver may not provide a defense or indemnity for any claim  
 22 asserted by the program;  
 23 (c) That a program's financial responsibility afforded to each owner  
 24 and driver is available only during the sharing period;  
 25 (d) That for any use of a vehicle by a driver after the termination  
 26 time, a driver or owner may not have coverage;  
 27 (e) The daily rate, fees, costs, and, if applicable, any insurance  
 28 or protection package costs that are charged to an owner or a driver; and  
 29 (f) That an owner's motor vehicle liability insurance may not  
 30 provide coverage for the vehicle.  
 31 (2) Each agreement made in Nebraska shall disclose to each driver:  
 1 (a) An emergency telephone number to contact personnel capable of  
 2 fielding roadside assistance and other customer service inquiries; and



3 (b) Any conditions under which a driver shall maintain a personal  
4 motor vehicle liability insurance policy and any required coverage limits  
5 on a primary basis in order to use a vehicle through the program.  
6 Sec. 12. A program shall have sole responsibility for any  
7 equipment, such as a global positioning system or other special  
8 equipment, that is put in or on a vehicle to monitor or facilitate  
9 sharing and shall agree to indemnify and hold harmless the owner for any  
10 damage to or theft of such equipment during the sharing period not caused  
11 by the owner. A program has the right to seek indemnity from a driver for  
12 any loss or damage to such equipment that occurs during the sharing  
13 period.  
14 Sec. 13. (1) At the time an owner makes a vehicle available for use  
15 by a program and immediately prior to each time the owner offers such  
16 vehicle for use by such program, the program shall:  
17 (a) Verify that the vehicle does not have any safety recalls for  
18 which the repairs have not been made; and  
19 (b) Notify the owner of the requirements under subsection (2) of  
20 this section.  
21 (2) An owner shall:  
22 (a) Not make a vehicle available for use through a program if the  
23 owner has received actual notice of a safety recall on such vehicle until  
24 the safety recall repair has been made;  
25 (b) Upon receipt of actual notice of a safety recall on a vehicle  
26 when such vehicle is offered for use through a program, remove the  
27 vehicle from availability as soon as practicably possible and until the  
28 safety recall repair has been made; and  
29 (c) Upon receipt of actual notice of a safety recall on a vehicle,  
30 and when the vehicle is in the possession of a driver, notify the program  
31 of the safety recall so that the program may notify the driver and the  
1 vehicle can be removed from use until the owner makes the necessary  
2 safety recall repair.  
3 Sec. 14. (1) A program shall not enter into an agreement with any  
4 driver unless such driver:  
5 (a) Holds an operator's license issued in Nebraska authorizing the  
6 driver to operate vehicles of the class of vehicle used by the program;  
7 or  
8 (b) Is a nonresident who:  
9 (i) Holds a driver's license or an operator's license issued by the  
10 state or country of the driver's residence that authorizes the driver in  
11 that state or country to drive vehicles of the class of vehicle used by  
12 the program; and  
13 (ii) Is at least the same age as that required of a resident to  
14 drive in Nebraska.  
15 (2) A program shall keep a record of:  
16 (a) The name and address of each driver; and  
17 (b) The driver's license number and place of issuance of such  
18 license for each driver who operates a vehicle under an agreement.  
19 Sec. 15. Nothing in the Peer-to-Peer Vehicle Sharing Program Act  
20 shall be construed to limit the powers of an airport authority under  
21 Nebraska law.  
22 Sec. 37. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and  
23 15 of this act become operative on January 1, 2025. Sections 16, 17, 18,  
24 20, 21, 22, 23, 24, 25, 29, 31, 32, 34, and 39 of this act become  
25 operative three calendar months after the adjournment of this legislative  
26 session. The other sections of this act become operative on their  
27 effective date.

The second Slama amendment, to the committee amendment, is as follows:

[AM3286](#)

1 1. Strike sections 18, 19, 20, and 21 and insert the following new

2 sections:

3 Sec. 21. Section 44-4603, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:

5 44-4603 For purposes of the Pharmacy Benefit Manager Licensure and  
6 Regulation Act:

7 (1) Auditing entity means a pharmacy benefit manager or any person  
8 that represents a pharmacy benefit manager in conducting an audit for  
9 compliance with a contract between the pharmacy benefit manager and a  
10 pharmacy;

11 (2) Claims processing service means an administrative service  
12 performed in connection with the processing and adjudicating of a claim  
13 relating to a pharmacist service that includes:

14 (a) Receiving a payment for a pharmacist service; or

15 (b) Making a payment to a pharmacist or pharmacy for a pharmacist  
16 service;

17 (3) Covered person means a member, policyholder, subscriber,  
18 enrollee, beneficiary, dependent, or other individual participating in a  
19 health benefit plan;

20 (4) Director means the Director of Insurance;

21 (5) Health benefit plan means a policy, contract, certificate, plan,  
22 or agreement entered into, offered, or issued by a health carrier or  
23 self-funded employee benefit plan to the extent not preempted by federal  
24 law to provide, deliver, arrange for, pay for, or reimburse any of the  
25 costs of a physical, mental, or behavioral health care service;

26 (6) Health carrier has the same meaning as in section 44-1303;

27 (7) Other prescription drug or device service means a service other  
1 than a claims processing service, provided directly or indirectly,  
2 whether in connection with or separate from a claims processing service,  
3 including, but not limited to:

4 (a) Negotiating a rebate, discount, or other financial incentive or  
5 arrangement with a drug company;

6 (b) Disbursing or distributing a rebate;

7 (c) Managing or participating in an incentive program or arrangement  
8 for a pharmacist service;

9 (d) Negotiating or entering into a contractual arrangement with a  
10 pharmacist or pharmacy;

11 (e) Developing and maintaining a formulary;

12 (f) Designing a prescription benefit program; or

13 (g) Advertising or promoting a service;

14 (8) Pharmacist has the same meaning as in section 38-2832;

15 (9) Pharmacist service means a product, good, or service or any  
16 combination thereof provided as a part of the practice of pharmacy;

17 (10) Pharmacy has the same meaning as in section 71-425;

18 (11)(a) Pharmacy benefit manager means a person, business, or  
19 entity, including a wholly or partially owned or controlled subsidiary of  
20 a pharmacy benefit manager, that provides a claims processing service or  
21 other prescription drug or device service for a health benefit plan to a  
22 covered person who is a resident of this state; and

23 (b) Pharmacy benefit manager does not include:

24 (i) A health care facility licensed in this state;

25 (ii) A health care professional licensed in this state;

26 (iii) A consultant who only provides advice as to the selection or  
27 performance of a pharmacy benefit manager; or

28 (iv) A health carrier to the extent that it performs any claims  
29 processing service or other prescription drug or device service  
30 exclusively for its enrollees; and

31 (12) Plan sponsor has the same meaning as in section 44-2702.

1 Sec. 22. Section 44-4604, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 44-4604 (1) The Pharmacy Benefit Manager Licensure and Regulation

4 Act applies to any contract or health benefit plan issued, renewed,  
5 recredentialled, amended, or extended on or after January 1, 2023,  
6 including any ~~health carrier that performs~~ a claims processing service or  
7 other prescription drug or device service performed through a third  
8 party.

9 (2) As a condition of licensure, any contract in existence on the  
10 date a pharmacy benefit manager receives its license to do business in  
11 this state shall comply with the requirements of the act.

12 (3) Nothing in the act is intended or shall be construed to conflict  
13 with existing relevant federal law.

14 Sec. 25. Section 68-956, Reissue Revised Statutes of Nebraska, is  
15 amended to read:

16 68-956 (1) The department shall ~~(a) enter~~ ; ~~(4) Enter~~ into a  
17 multistate purchasing pool, ~~(b) ;~~ ~~(2) negotiate~~ directly with  
18 manufacturers or labelers, ; or ~~(c) (3) contract~~ with a pharmacy benefit  
19 manager for negotiated discounts or rebates for all prescription drugs  
20 under the medical assistance program in order to achieve the lowest  
21 available price for such drugs under such program.

22 (2) Any contract under the Medicaid Prescription Drug Act with a  
23 pharmacy benefit manager or a managed care organization using a pharmacy  
24 benefit manager shall require any pharmacy benefit manager that is a  
25 party or otherwise subject to the contract to comply with the Pharmacy  
26 Benefit Manager Licensure and Regulation Act.

27 Sec. 36. The Revisor of Statutes shall assign section 28 of this  
28 act to Chapter 76, article 2.

29 Sec. 37. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, and  
30 15 of this act become operative on January 1, 2025. Sections 16, 17, 18,  
31 20, 21, 22, 23, 24, 25, 29, 31, 32, 34, and 39 of this act become  
1 operative three calendar months after the adjournment of this legislative  
2 session. The other sections of this act become operative on their  
3 effective date.

4 Sec. 38. Sections 44-19,116 and 76-2,122, Reissue Revised Statutes  
5 of Nebraska, and sections 76-2,121, 81-885.01, 81-885.24, and 87-302,  
6 Revised Statutes Cumulative Supplement, 2022, are repealed.

7 Sec. 39. Sections 44-7,115, 44-1308, 44-5807, 48-2706, 68-956,  
8 76-856, 81-885.10, and 81-885.55, Reissue Revised Statutes of Nebraska,  
9 and sections 44-4603, 44-604, and 81-885.17, Revised Statutes Cumulative  
10 Supplement, 2022, are repealed.

11 2. On page 20, strike lines 1 through 4 and insert the following new  
12 subdivision:

13 "(b) Self-funded and in compliance with:

14 (i) Sections 44-7601 to 44-7618, except subdivisions (1) and (2) of  
15 section 44-7606; and

16 (ii) The federal Employee Retirement Income Security Act of 1974, as  
17 such act existed on January 1, 2024."

18 3. On page 22, after line 22 insert the following new subsections:

19 "(3) If a right-to-list home sale agreement as defined in section  
20 81-885.01 is recorded in this state, it shall not provide actual or  
21 constructive notice of such agreement against an otherwise bona fide  
22 purchaser or creditor.

23 (4) Any assignment or transfer of the right to provide any service  
24 under a real estate service agreement recorded prior to the operative  
25 date of this section that would otherwise be in violation of this section  
26 is void and unenforceable without a written notice provided to and a  
27 written agreement by each party to such service agreement."

28 4. On page 28, strike lines 3 through 12 and insert the following  
29 new subdivisions:

30 "(16)(a) Right-to-list home sale agreement means an agreement:

31 (i) By the owner of residential real estate to provide another  
1 person with the exclusive right to list such residential real estate for

2 sale at a future date in exchange for monetary consideration or an  
 3 equivalent to monetary consideration; and  
 4 (ii)(A) That states that the agreement runs with the land or  
 5 otherwise purports to bind future owners of such residential real estate;  
 6 or  
 7 (B) That purports to be a lien, encumbrance, or other real property  
 8 security interest; and  
 9 (b) Right-to-list home sale agreement does not include any lien,  
 10 encumbrance, or other real property security interest expressly  
 11 authorized under the laws of this state, including any:  
 12 (i) Home warranty or similar product that covers the cost of  
 13 maintenance of a major home system or appliance for a fixed period;  
 14 (ii) Insurance contract;  
 15 (iii) Option or right of refusal to purchase the residential real  
 16 estate;  
 17 (iv) Contract for deed or purchase;  
 18 (v) Declaration created in the formation of a common-interest  
 19 community or an amendment to such declaration;  
 20 (vi) Maintenance or repair agreement entered by a homeowners'  
 21 association in a common-interest community;  
 22 (vii) Mortgage or trust deed loan or a commitment to make or receive  
 23 a mortgage or trust deed loan;  
 24 (viii) Security agreement under the Uniform Commercial Code relating  
 25 to the sale or rental of any personal property or fixture;  
 26 (ix) Water, sewer, electrical, telephone, cable, or other regulated  
 27 utility service provider; or  
 28 (x) Right granted by the Nebraska Construction Lien Act;"  
 29 5. Renumber the remaining sections and correct internal references  
 30 accordingly.

The first Slama amendment, [AM3285](#), found in this day's Journal, to the committee amendment, was offered.

Senator J. Cavanaugh requested a ruling of the Chair on whether the first Slama amendment, to the committee amendment is germane.

The Chair ruled the Slama amendment, to the committee amendment, is germane to the bill.

Senator J. Cavanaugh challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?" The motion failed with 9 ayes, 29 nays, 5 present and not voting, and 6 excused and not voting.

The Chair was sustained.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator J. Cavanaugh filed the following amendment to [LB1073](#):  
[AM3228](#)

(Amendments to AM3085)

1 1. On page 2, strike beginning with "Such" in line 25 through line  
 2 26 and insert "The peer-to-peer vehicle sharing program shall maintain  
 3 insurance coverage equivalent to that specified for a transportation

<sup>4</sup> network company as specified in section 75-333.".

Senator Hansen filed the following amendment to [LB1393](#):  
[AM3278](#) is available in the Bill Room.

**COMMITTEE REPORT(S)**  
General Affairs

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Don F. Gerjevic - State Electrical Board  
Michael M. Hunsberger - State Electrical Board

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Jeanne Salerno - Nebraska Arts Council

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Lowe, Chairperson

**MESSAGE(S) FROM THE GOVERNOR**

March 27, 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:

I hereby respectfully request you withdraw Carleen Barger from consideration for confirmation to the State Board of Health. The appointee has indicated she is no longer able to serve.

Please contact my office if you have any questions.

Sincerely,  
(Signed) Jim Pillen  
Governor

**RESOLUTION(S)****LEGISLATIVE RESOLUTION 447.** Introduced by Kauth, 31.

WHEREAS, the 2024 Nebraska School Activities Association State Wrestling Tournament was held from February 15 through February 17 at the CHI Health Center Omaha; and

WHEREAS, the Millard South High School boys wrestling team, coached by Nate Olsen, secured the Class A Wrestling State Championship title; and

WHEREAS, Millard South's victory was secured by having three champions: Logan Glynn at 150 pounds, Henry Reilly at 165 pounds, and Caeden Olin at 215 pounds; and

WHEREAS, this is Millard South's sixth consecutive win tying the Class A record for consecutive championships; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard South High School boys wrestling team, which includes Gunner Rettele, Josiah Aburumuh, Tevin De Lozier, Will Porter, Kiernan Meink, Henry Reilly, Caleb Rocole, Tanner Fuller, Isaac Ekdahl, AJ Summers, Brady Danze, Caeden Olin, Miles Anderson, Easton Villotta, Danny Gonzalez, Aidan Miller, and Logan Glynn, on winning the 2024 Class A State Wrestling Championship and their sixth consecutive state title.

2. That a copy of this resolution be sent to Millard South High School.

Laid over.

**LEGISLATIVE RESOLUTION 448.** Introduced by Kauth, 31.

WHEREAS, the 2024 Nebraska School Activities Association Class A Girls State Basketball Championship was held on February 8 through March 2 in Lincoln, Nebraska; and

WHEREAS, the Millard West High School girls basketball team won the 2024 Class A Girls State Basketball Championship; and

WHEREAS, Millard West defeated Bellevue West in the championship game by a score of 58-55; and

WHEREAS, this is a first state championship for the Millard West girls basketball team in program history; and

WHEREAS, this achievement is the culmination of years of dedication, determination, and hard work by the members of the Millard West girls basketball team; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard West High School girls basketball team, which includes Anna Dunne, Kylee Millard, Lily Weston, Emily Lovette, Hannah Heftie, Jaelynn Moody, Nolan Gomes, Taylor Hansen, Amber Aiken, Neleigh Gessert, Norah Gessert, Brooke Wenninghoff, Callie Ott, and Kylee Paben, on winning the 2024 Class A Girls State Basketball Championship.

2. That a copy of this resolution be sent to the Millard West High School and Coach Marc Kruger.

Laid over.

**LEGISLATIVE RESOLUTION 449.** Introduced by Kauth, 31.

WHEREAS, the Millard North High School Cheer and Dance Team won the 2024 Class A Traditional Performance Championship at the Nebraska State Cheer and Dance Competition; and

WHEREAS, the Millard North Mustangs scored 93.30 points on their performance and 85.20 points to take home third place; and

WHEREAS, the Millard North Mustangs also showcased their Pom routine awarding them first place taking them to the National High School Cheerleading Championship; and

WHEREAS, Coach Connor Churchill provided the team leadership and guidance to excel at the state competition; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard North High School Cheer and Dance Team, which includes Autumn Bravo, Presley Clark, Kendall Collins, Aubrey Deveney, Maria Hensley, Kaydence Hubby, Brooklyn Ilg, Peyton Johnson, Mia Kosel, Alivia Lane, Madeline McCall, Heidi Nordquist, Lily Norton, Kenzie Pettit, Ava Reisbig, Natalie Shnyder, Lauren Speckmann, Brooklynn Spence, Morgan Strong, Jaida Thorson, Ella Wurtele, Nora Baustert, Brooklyn Bratetic, Ella Broz, Alexis Christiansen, Kaitlyn Ellett, Elaina Etter, Delaney Feltz, Madeline Fischer, Maggie Galligan, Payton Gocken, Grace Gottschalk, Caitlyn Gregg, Audra Hanson, Madeline Harris, Leila Klem, Sophia Mills-Herring, Shae Ozols, Ava Passo, Ella Quick, Madison Roberts, Addison Satterly, Gabriella Shuda, Jordan Speicher, and Jemma Syphers, for their outstanding performance at the 2024 Nebraska State Cheer and Dance Competition and at the National High School Cheerleading Championships.

2. That a copy of this resolution be sent to the Millard North Cheer and Dance Team and Coach Connor Churchill.

Laid over.

**LEGISLATIVE RESOLUTION 450.** Introduced by Kauth, 31.

WHEREAS, the Millard West High School Cheer and Dance Team won the 2024 Class A Nebraska State Championship at the Nebraska State Cheer and Dance Competition and went on to win two National Championship titles in two divisions at the National High School Cheerleading Championship in Orlando, Florida; and

WHEREAS, the Millard West Wildcats scored 92.35 points to take home the first place win; and

WHEREAS, the Millard West Cheer and Dance Team also placed first in Tumbling A/B and second in Unified Sideline at the Nebraska State Championship; and

WHEREAS, the Millard West Cheer and Dance team took home two titles from the National High School Cheerleading Championship: the Varsity Non Building Division I Game Day with 91.6 points and the Varsity Non Building Division I with 94.3 points; and

WHEREAS, Coach Stefanie Lane provided the team leadership and guidance to excel at the state competition; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard West High School Cheer and Dance Team, which includes Ayda Matya, Erin Matthews, Haili Foster, Kennedy Cahoy, Kinsey Grause, Lilly Vazquez, Maddie Olsen, Madison Beecher, Skye Hester, Ava Frazier, Chloe Wellwood, Luci White, Maddie Pingel, Sophee Devitt, Abi Sadler, Charley Meisinger, Jordan Hosier, Kayleigh Grabenschroer, Bess Masat, Noelle Oswald, Olivia Spracklin, Elaine Amenta, Bella Wanninger, Addisyn Hayduk, Jocelyn King, Ella Martinez, Brooklyn Maxon, Kate Hessel, Kara Stenger, Halle Hazuka, Sarah Lesley, Lexi Foster, Juliana Manzitto, Kenna Sellmeyer, Taylor Phillips, and Reagan Lane, for their outstanding performance at the 2024 Nebraska State Cheer and Dance Competition and at the National High School Cheerleading Championships.

2. That a copy of this resolution be sent to the Millard West Cheer and Dance Team and Coach Stefanie Lane.

Laid over.

**LEGISLATIVE RESOLUTION 451.** Introduced by Hansen, 16.

WHEREAS, Frank D. Korshoj was born October 17, 1932, to Chris and Esther Korshoj in their family home in Herman, Nebraska, and was the youngest of five siblings, including brothers Raymond and Earl and sisters Betty and Marilyn; and



WHEREAS, upon graduating from Herman Public School in 1950, Frank joined his father in the retail lumber business after saying "no" to his father's insistence that Frank go to college, where he remained until he sold the lumber business in 1994; and

WHEREAS, in 1953, Frank was drafted into the United States Army where he was sent to basic training at Ft. Riley, Kansas, for sixteen weeks before his rifle company received orders to Korea and then was sent to Germany for his final year in the Army, where he was assigned to Headquarters First Infantry Division and worked in G-1 personnel; and

WHEREAS, in 1986, he ran for the Nebraska State Legislature where he won in a six-person race and served one term from 1987 to 1990 and after his third session he threw a free summer picnic on July 23, 1989, in the Herman ballpark and called it a "fun-raiser" where three thousand people attended; and

WHEREAS, Frank earned several awards over the years including: the Ak-Sar-Ben Good Neighbor Citation, the Dana College Community Service Award, the Mid-American Lumber Association Outstanding Lumberman, and the Independent Lumber Dealers Association Golden 2X4 Award, in recognition of forty-four years of continuous service; and

WHEREAS, Frank was a lifelong member of First Lutheran Church in Blair, Nebraska, and a member of the American Legion Jackson Peck Post 274 in Herman since 1955; and

WHEREAS, Frank D. Korshoj, at the age of 91, passed away February 1, 2024, at Good Shepherd Lutheran Community in Blair, Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and honors the extraordinary life of Frank D. Korshoj and his contributions to the Herman community, Legislative District 16, the State of Nebraska, and the United States of America.

2. That copies of this resolution be sent to the family of Frank Korshoj, the American Legion Jackson Peck Post 274, and the First Lutheran Church in Blair, Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 452.** Introduced by Wayne, 13.

WHEREAS, Senator Scott Lautenbaugh served the state as a member of the Legislature for seven years with dedication, creativity, and collegiality; and

WHEREAS, Senator Lautenbaugh's colleagues respected his leadership abilities and showed their appreciation by electing him chairperson of the Rules Committee of the Legislature; and

WHEREAS, prior to his time with the Legislature, Senator Lautenbaugh served as the Douglas County election commissioner for three years and was devoted to free and fair elections; and

WHEREAS, Senator Lautenbaugh's impact on the state is felt everywhere with his legislative focuses on cigar bars, the Nebraska State Bar Association, and school boards; and

WHEREAS, Senator Lautenbaugh died on December 16, 2023, at the age of fifty-nine and is survived by his partner Laura Nelson, his sons Kyle, Nathan, and Spencer, his like a daughter Sarah Nelson, and his adored pets Jack and Rocky; and

WHEREAS, past and present public officials of the state paid tribute to Senator Lautenbaugh after his passing, reflecting the esteem with which he was held.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature extends its heartfelt sympathy to the family of Senator Scott Lautenbaugh.

2. That a copy of this resolution be sent to the family of Senator Scott Lautenbaugh.

Laid over.

### **VISITOR(S)**

Visitors to the Chamber were students from Freeman Elementary, Adams; students from Jag Middle School – Omaha Public Schools, Bellevue Public Schools, Louisville Public Schools, and Blair Public Schools; students and teachers from Madison High School, Madison; students from North Park Elementary, Columbus; students, teachers and sponsor from North Star High School, Lincoln; students and teachers from Wayne Elementary, Wayne; Mark F. Stock, Columbus; students from Centura Elementary, Cairo.

### **ADJOURNMENT**

At 2:34 p.m., on a motion by Senator Ballard, the Legislature adjourned until 10:00 a.m., Tuesday, April 2, 2024.

Brandon Metzler  
Clerk of the Legislature

**FIFTY-THIRD DAY - APRIL 2, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, April 2, 2024

**PRAYER**

The prayer was offered by Reverend Richard Snow, President of Nebraska District Lutheran Church Missouri Synod, Seward.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Sanders.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Kelly presiding.

The roll was called and all members were present except Senators Aguilar, Bostar, Conrad, DeBoer, Dorn, Dover, Hughes, Hunt, Ibach, Walz, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-second day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

April 2, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 1412e and 1413e were received in my office on March 26, 2024, and signed on April 1, 2024.

These bills were delivered to the Secretary of State on April 2, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 453.** Introduced by DeKay, 40.

WHEREAS, the 2024 Nebraska School Activities Association State Speech Championships were held from March 20 through March 22 in Kearney, Nebraska; and

WHEREAS, the Hartington-Newcastle High School speech team competed for the Class C-2 State Speech Championship; and

WHEREAS, the Hartington-Newcastle High School speech team earned a first place finish with a score of one hundred and seventy-six points, prevailing over Twin River by twenty points; and

WHEREAS, the Hartington-Newcastle High School speech team placed first in three categories at the state speech championship; and

WHEREAS, Hartington-Newcastle High School has won eight state speech championships, four since becoming Hartington-Newcastle High School and four as Hartington High School; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Hartington-Newcastle High School speech team on winning the 2024 Nebraska School Activities Association Class C-2 State Speech Championship.
2. That a copy of this resolution be sent to the Hartington-Newcastle High School speech team.

Laid over.

**LEGISLATIVE RESOLUTION 454.** Introduced by DeKay, 40.

WHEREAS, the 2024 Nebraska School Activities Association State Speech Championships were held from March 20 through March 22 in Kearney, Nebraska; and

WHEREAS, the Plainview High School speech team competed for the Class D-1 State Speech Championship; and

WHEREAS, the Plainview High School speech team earned a first place finish with a score of one hundred and seventy-two points, prevailing over Wausa by twenty-eight points; and

WHEREAS, the Plainview High School speech team placed first in four categories at the state speech championship; and

WHEREAS, this is the third state speech championship win for Plainview High School; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Plainview High School speech team on winning the 2024 Nebraska School Activities Association Class D-1 State Speech Championship.

2. That a copy of this resolution be sent to the Plainview High School speech team.

Laid over.

**LEGISLATIVE RESOLUTION 455.** Introduced by DeKay, 40.

WHEREAS, the 2024 Nebraska School Activities Association State Speech Championships were held from March 20 through March 22 in Kearney, Nebraska; and

WHEREAS, the Chambers High School speech team competed for the Class D-2 State Speech Championship; and

WHEREAS, the Chambers High School speech team earned a first place finish with a score of one hundred and forty points, prevailing over Stuart by ten points; and

WHEREAS, the Chambers High School speech team placed first in three categories at the state speech championship: Oral Interpretation of Poetry, Oral Interpretation of Serious Prose, and Oral Interpretation; and

WHEREAS, two members of the Chambers High School speech team earned three state champion honors: Rose Woepfel in Oral Interpretation and Duet Acting and Claire Woepfel in Oral Interpretation of Serious Prose and Duet Acting; and

WHEREAS, this is the first state speech championship win for Chambers High School; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Chambers High School speech team on winning the 2024 Nebraska School Activities Association Class D-2 State Speech Championship.

2. That a copy of this resolution be sent to the Chambers High School speech team, Rose Woepfel, and Claire Woepfel.

Laid over.

**LEGISLATIVE RESOLUTION 456.** Introduced by DeKay, 40.

WHEREAS, watermelon is a flowering plant species of the Cucurbitaceae family and the name of its edible fruit; and

WHEREAS, watermelon was a delicacy for Nebraska settlers and a popular food among the Nebraska pioneers; and

WHEREAS, Nebraska is one of forty-four states where watermelon is grown commercially; and

WHEREAS, watermelon is consumed and enjoyed by countless Nebraskans in the summer and fall of each year; and

WHEREAS, several Nebraska communities hold annual festivals to celebrate the agricultural significance of watermelon; and

WHEREAS, the agricultural and historical significance of watermelon in Nebraska deserves recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes August 11, 2024, as Watermelon Day in Nebraska.

2. That a copy of this resolution be sent to the third-grade class of Mr. Adam Simington of Ponca Public Schools in Ponca, Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 457.** Introduced by Meyer, 41; Lowe, 37.

WHEREAS, the 2024 Nebraska School Activities Association Boys Basketball State Championships games were held from March 6 through March 9, 2024; and

WHEREAS, the Amherst High School Broncos boys basketball team were seeking their first Boys State Basketball Championship in school history after a fourth place finish in 2022 and a runner-up ending in 2023; and

WHEREAS, the top-overall seed Broncos defeated the Lincoln Lutheran High School Warriors by a score of 59-54 after a back and forth game ending in overtime; and

WHEREAS, the Broncos were down by two points at the end of the fourth quarter, secured a 41-41 tie, and won after sinking an early three-pointer in overtime; and

WHEREAS, the Broncos' Coach Eric Rippen thought the team played well and competed hard; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Amherst High School Broncos boys basketball team on winning the Class C-2 Boys State Basketball Championship.

2. That copies of this resolution be sent to Coach Eric Rippen and Amherst High School.

Laid over.

### RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 343 and 350 were adopted.

### PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 343 and 350.

### GENERAL FILE

**LEGISLATIVE BILL 388.** Senator M. Cavanaugh renewed [MO550](#), found on page 958, First Session, 2023, and considered on page 1331, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Pending.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 1108.** Placed on Final Reading.

**LEGISLATIVE BILL 1120.** Placed on Final Reading.

**LEGISLATIVE BILL 1169.** Placed on Final Reading.

**LEGISLATIVE BILL 1355.** Placed on Final Reading.

### [ST56](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In lieu of the Vargas floor amendment, FA312, in the Vargas amendment, AM3194, on page 4, line 29, the third "or" has been struck; and in line 31 "and including" has been struck and ", (d) support" inserted.

2. On page 1, the matter beginning with "the" in line 1 through line 6 and all amendments thereto have been struck and "public health and welfare; to amend section 81-5,153, Reissue Revised Statutes of Nebraska, and sections 38-1201, 38-1225, 71-2485, 71-2486, 71-2487, 71-2488, 71-2489, 71-2490, and 81-3119, Revised Statutes Cumulative Supplement, 2022; to provide for release of certain patient data by an emergency medical service; to restate the purpose and findings of the Opioid Prevention and Treatment Act; to define terms; to create, rename, and provide for additional uses and distribution of funds; to provide for aid programs; to provide for research, support and training for first responders, and staff to carry out the Overdose Fatality Review Teams Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 1284.** Placed on Select File with amendment.[ER119](#)

1 1. In the Standing Committee amendments, AM3061:

2 a. On page 8, line 23, strike "Chairperson" and insert

3 "chairperson";

4 b. On page 15, line 22, strike "; and" and insert an underscored

5 period; and

6 c. On page 18, line 13, strike "grapho-phonic" and insert

7 "graphophonic".

8 2. On page 1, strike beginning with "the" in line 1 through line 9

9 and insert "education; to amend section 38-3113, Reissue Revised Statutes

10 of Nebraska, sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150,

11 79-8,151, 79-8,152, 79-2607, 79-3301, and 85-3004, Revised Statutes

12 Cumulative Supplement, 2022, and sections 79-8,114, 85-3103, 85-3105, and

13 85-3112, Revised Statutes Supplement, 2023; to define and redefine terms;

14 to adopt the Special Educators of Tomorrow Act and the Special Education

15 Teacher Forgivable Loan Program Act; to develop a pilot program to make

16 menstrual products available to schools as prescribed; to create a

17 Dyslexia Research Grant Program; to make changes to the Psychology

18 Practice Act and the Nebraska Teacher Recruitment and Retention Act; to

19 terminate loan repayment assistance and provide grants to teachers under

20 the Teach in Nebraska Today Act; to provide powers and duties to the

21 State Department of Education, the State Board of Education, and the

22 Commissioner of Education; to provide for the creation and support of a

23 professional learning system and regional coaches relating to instruction

24 in reading; to require the State Department of Education to establish a

25 statewide computer science and technology education expansion program

26 under the Computer Science and Technology Education Act; to create the

27 Computer Science and Technology Education Fund; to add an additional

1 eligible program of study offered by the University of Nebraska under the

2 Nebraska Career Scholarship Act; to change provisions relating to the

3 Attracting Excellence to Teaching Program and eligible uses for the

4 Excellence in Teaching Cash Fund; to state intent regarding

5 appropriations; to harmonize provisions; to provide operative dates; to

6 repeal the original sections; and to declare an emergency."

**LEGISLATIVE BILL 934.** Placed on Select File with amendment.

[ER114](#) is available in the Bill Room.

**LEGISLATIVE BILL 1023.** Placed on Select File with amendment.[ER116](#)

1 1. Strike the von Gillern amendments, AM2150, as it is included in

2 the Standing Committee amendments, AM3034, on page 21, lines 11 through

3 19.

4 2. On page 1, strike lines 2 through 5 and insert "77-2733 and

5 86-704, Reissue Revised Statutes of Nebraska, section 77-6831, Revised

6 Statutes Cumulative Supplement, 2022, and sections 77-2701, 77-2715.07,

7 77-2716, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to

8 adopt the Relocation Incentive Act; to provide for adjustments to federal

9 adjusted gross income for non residents and for certain businesses for

10 research or experimental expenditures and the cost of certain property;

11 to change provisions relating to the taxation of nonresident income; to

12 provide for additional incentives under the ImagiNE Nebraska Act; to

13 change the occupation tax relating to telecommunications services; to

14 harmonize provisions; to provide operative dates; to provide severability

15 and to repeal the original sections."

**LEGISLATIVE BILL 1370.** Placed on Select File with amendment.[ER117](#)



1 1. On page 1, strike beginning with "public" in line 1 through line  
 2 3 and insert "electricity; to amend sections 70-624.04, 70-637, and  
 3 70-1012, Reissue Revised Statutes of Nebraska, sections 70-1014.02 and  
 4 84-1411, Revised Statutes Cumulative Supplement, 2022, and section  
 5 70-1001.01, Revised Statutes Supplement, 2023; to provide requirements  
 6 relating to the closing or decommissioning of a dispatchable electric  
 7 generation facility; to change provisions relating to directors of public  
 8 power and irrigation districts; to change provisions relating to  
 9 contracts entered into by public power districts; to require certain  
 10 actions by a developer, owner, or operator of a wind energy conversion  
 11 system; to provide certain requirements relating to the construction or  
 12 acquisition of an electric generation facility or transmission lines; to  
 13 exempt certain entities from certain meeting requirements; to define  
 14 terms; to harmonize provisions; to provide operative dates; to repeal the  
 15 original sections; to outright repeal sections 70-1029, 70-1030, 70-1031,  
 16 and 70-1033, Reissue Revised Statutes of Nebraska, and section 70-1032,  
 17 Revised Statutes Cumulative Supplement, 2022; and to declare an  
 18 emergency."

**LEGISLATIVE BILL 1017.** Placed on Select File.

**LEGISLATIVE BILL 253.** Placed on Select File with amendment.

[ER113](#)

1 1. Strike beginning with "the" in line 1 through line 5 and insert  
 2 "criminal justice; to define terms; to establish a veteran justice  
 3 program; to provide for verification requirements and a report as  
 4 prescribed; and to provide an operative date."

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Slama filed the following amendment to [LB388](#):

[AM3248](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. Strike sections 8 to 12.  
 2 2. Renumber the remaining sections and correct internal references  
 3 accordingly.

Senator Sanders filed the following amendment to [LB71](#):

[AM3284](#)

(Amendments to Standing Committee amendments, AM833)

1 1. On page 1, line 23; page 2, line 9; and page 3, line 21, strike  
 2 "2024" and insert "2025".  
 3 2. On page 3, line 10, strike "2023" and insert "2024".

Senator Jacobson filed the following amendment to [LB686](#):

[AM3229](#) is available in the Bill Room.

**MOTION(S) - Print in Journal**

Senator Murman filed the following motion to [LB1092](#):

[MO1317](#)

Recommit to the Education Committee.

Senator Murman filed the following motion to [LB1092](#):  
[MO1318](#)  
Indefinitely postpone.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 458.** Introduced by Walz, 15.

WHEREAS, the Manufacturing Institute's 2024 Women MAKE Awards will be celebrated on April 18, 2024, to honor women who are leaders in modern manufacturing; and

WHEREAS, Vivian Sanchez from Lincoln Premium Poultry will be recognized as an honoree at the 2024 Women MAKE Awards, helping to inspire more women to consider a career in manufacturing; and

WHEREAS, celebrating women in science, technology, engineering and production careers is an effective way to change the perception of manufacturing careers and to showcase the rewarding and lucrative manufacturing jobs in the industry; and

WHEREAS, women represent only twenty-nine percent of the modern manufacturing workforce and are therefore an untapped talent resource for modern manufacturers; and

WHEREAS, Vivian Sanchez's leadership and dedication to her industry and community has earned her well-deserved respect and congratulations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Vivian Sanchez on receiving the 2024 Women MAKE Award on April 18, 2024.
2. That a copy of this resolution be sent to Vivian Sanchez and Lincoln Premium Poultry.

Laid over.

**LEGISLATIVE RESOLUTION 459.** Introduced by Ibach, 44.

WHEREAS, the 2024 Nebraska School Activities Association Girls Basketball Championships were held from February 28 through March 2 in Lincoln, Nebraska; and

WHEREAS, the Overton Public School Eagles girls basketball team competed for the Class D-2 Girls State Basketball Championship; and

WHEREAS, the Eagles prevailed over the Wynot Blue Devils by a score of 44-40 to claim the Class D-2 Girls State Basketball Championship; and

WHEREAS, the Eagles finished the season with twenty-eight wins and one loss; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Overton Public School Eagles girls basketball team on winning the 2024 Nebraska School Activities Association Class D-2 Girls State Basketball Championship.

2. That copies of this resolution be sent to the Overton Public School Eagles girls basketball team and Coach Janessa Bergman.

Laid over.

**LEGISLATIVE RESOLUTION 460.** Introduced by Brewer, 43; Bosn, 25; Bostelman, 23; Brandt, 32; DeKay, 40; Erdman, 47; Holderoft, 36; Ibach, 44; Lowe, 37; Meyer, 41; Murman, 38.

WHEREAS, the National FFA Organization (FFA) offers students a wealth of opportunities through academic instruction and intracurricular activities; and

WHEREAS, FFA encourages personal growth and development by providing opportunities for students to set goals, work towards achieving them, and receive recognition for their accomplishments; and

WHEREAS, FFA emphasizes experiential learning, allowing students to engage in hands-on activities; and

WHEREAS, FFA offers a range of scholarships to its members to help alleviate the financial burden of pursuing higher education; and

WHEREAS, FFA encourages students to engage with their local communities through service projects, outreach initiatives, and educational programs; and

WHEREAS, FFA offers students the chance to connect with peers who share similar interests and aspirations, as well as with professionals and mentors within the agricultural industry; and

WHEREAS, the Nebraska Agriculture Academy founded by Breann Zimmer seeks to offer FFA programs to homeschool students across Nebraska; and

WHEREAS, the Nebraska Agriculture Academy has student participants from communities from all across Nebraska; and

WHEREAS, Miss Breann Zimmer and her work to meet the FFA needs of homeschool students in Nebraska deserves recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Nebraska Agriculture Academy and its student participants for their work in agriculture education.

2. That a copy of this resolution be sent to the Nebraska Agriculture Academy.

Laid over.

**VISITOR(S)**

Visitors to the Chamber were students and teachers from Conestoga Elementary, Murray; Fr. Paul Colling, Kearney; Fr. Tom Ludwig, Missouri; members of Leadership Bellevue; students from Fire Ridge Elementary, Elkhorn.

**RECESS**

At 12:01 p.m., on a motion by Senator Bosn, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Raybould who was excused; and Senators Armendariz, Dover, Hunt, and Walz who were excused until they arrive.

**COMMITTEE REPORT(S)**

## Agriculture

The Agriculture Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Britt D. Anderson - Beginning Farmer Board  
Bradley D. Lubben - Beginning Farmer Board  
Lisa A. Lunz - Beginning Farmer Board  
Wade E. Thornburg - Beginning Farmer Board  
John E. Walvoord - Beginning Farmer Board

Aye: 7. Brewer, Halloran, Holdcroft, Hughes, Ibach, Raybould, Riepe. Nay: 0. Absent: 1. Hansen. Present and not voting: 0.

The Agriculture Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Christopher J. Gentry - Nebraska Brand Committee

Aye: 7. Brewer, Halloran, Holdcroft, Hughes, Ibach, Raybould, Riepe. Nay: 0. Absent: 1. Hansen. Present and not voting: 0.

(Signed) Steve Halloran, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to LB388:

[FA327](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB388:

[FA328](#)

Strike Section 2.

Senator Lowe filed the following amendment to LB388:

[AM3298](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. On page 33, line 11, strike the comma and insert "and"; strike  
2 beginning with the comma in line 12 through "77-3005" in line 14; in line  
3 20 strike the comma and insert "and"; and strike beginning with the comma  
4 in line 21 through "77-3005" in line 24.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 461.** Introduced by Hughes, 24; Holdcroft, 36; Ibach, 44; Kauth, 31; Riepe, 12.

WHEREAS, Jean Kolterman is a seventy-five-year member of the General Federation of Women's Clubs (GFWC); and

WHEREAS, Jean has served locally as President of both the GFWC Seward Junior Women's Club and the GFWC Seward Women's Club; and

WHEREAS, Jean served as the State President of the Nebraska Federation of Women's Clubs, Inc. and as the District IV President; and

WHEREAS, Jean served as the GFWC Mississippi Valley Regional President; and

WHEREAS, Jean currently serves as the editor and chairperson for the Nebraska Federation of Women's Clubs Anthology featuring the writing of Nebraska students and members of the women's club; and

WHEREAS, Jean chairs and hosts an annual GFWC "Girls Only" Writing Workshop for girls in high school; and

WHEREAS, Jean chairs the annual GFWC "Girls Only" High School Quiz Bowl and also a GFWC High School "End of Year" Quiz Bowl; and

WHEREAS, Jean serves as chairperson of the GFWC Elementary School Postcard Art Contest promoting the Nebraska State Song "Beautiful Nebraska" for kindergarten through 4th Grade students; and

WHEREAS, Jean has championed the Nebraska Federation of Women's Clubs involvement with the Dr. Susan La Flesche Picotte's Memorial Hospital Restoration at Walthill as Dr. Susan was a leader in the Nebraska Federation of Women's Clubs at the turn of the twentieth century; and

WHEREAS, Jean has long been an involved Seward community leader serving Seward as an elected official, a civic volunteer, loyal and involved church member, city beautification voice, and loving family mentor.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Jean Kolterman for her seventy-five years of service to the GFWC Seward Women's Club.
2. That a copy of this resolution be sent to Jean Kolterman and the GFWC Seward Women's Club.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 388.** Senator M. Cavanaugh renewed [MO550](#), found on page 958, First Session, 2023, and considered on page 1331 and in this day's Journal, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Pending.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 484.** Placed on Final Reading.  
**LEGISLATIVE BILL 484A.** Placed on Final Reading.  
**LEGISLATIVE BILL 880.** Placed on Final Reading.  
**LEGISLATIVE BILL 926.** Placed on Final Reading.

**LEGISLATIVE BILL 932.** Placed on Final Reading.

#### [ST59](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Blood amendment, AM3149, on page 42, the matter beginning with "Sections" in line 23 through "session" in line 25 has been struck and "The other sections of this act become operative on their effective date" inserted.
2. On page 1, the matter beginning with "the" in line 1 through line 4 and all amendments thereto have been struck and "public health and welfare; to amend section 38-130, Reissue Revised Statutes of Nebraska, sections 28-327, 38-2101, 38-2116, and 38-2139, Revised Statutes Cumulative Supplement, 2022, and section 38-131, Revised Statutes Supplement, 2023; to adopt the Social Worker Licensure Compact; to change provisions of the Uniform Credentialing Act and the Mental Health Practice Act; to harmonize provisions; to provide operative dates; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 1069.** Placed on Final Reading.  
**LEGISLATIVE BILL 1095.** Placed on Final Reading.  
**LEGISLATIVE BILL 1167.** Placed on Final Reading.  
**LEGISLATIVE BILL 1270.** Placed on Final Reading.

**LEGISLATIVE BILL 1344.** Placed on Final Reading.

#### [ST58](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In lieu of the Wayne amendment, FA320, in the Wayne amendment, AM3191, on page 10, lines 2 through 10 have been struck; in line 11 "(e)" has been struck and "(d)" inserted; and in line 14 "(f)" has been struck and "(e)" inserted.

2. On page 1, the matter beginning with "the" in line 1 through line 7 has been struck and "economic development; to amend sections 13-201, 13-203, 13-204, 13-205, 13-206, 13-207, 13-208, and 81-1201.12, Reissue Revised Statutes of Nebraska, sections 77-908, 77-3806, 81-12,108, and 81-12,112, Revised Statutes Cumulative Supplement, 2022, and sections 77-2715.07, 77-2734.03, 77-4403, 77-4404, 77-4405, 81-12,109, and 81-12,110, Revised Statutes Supplement, 2023; to rename and change provisions of the Creating High Impact Economic Futures Act; to change provisions relating to good life districts, innovation hubs, and inland port districts; to require a report to the Legislature; to define and redefine terms; to harmonize provisions; and to repeal the original sections." inserted.

3. On page 3, line 10, the stricken comma has been reinstated.

4. On page 6, the matter beginning with "Original" in line 7 through line 9 has been struck and "Original sections 13-201, 13-203, 13-204, 13-205, 13-206, 13-207, 13-208, and 81-1201.12, Reissue Revised Statutes of Nebraska, sections 77-908, 77-3806, 81-12,108, and 81-12,112, Revised Statutes Cumulative Supplement, 2022, and sections 77-2715.07, 77-2734.03, 77-4403, 77-4404, 77-4405, 81-12,109, and 81-12,110, Revised Statutes Supplement, 2023, are repealed." inserted.

**LEGISLATIVE BILL 164.** Placed on Select File with amendment.

[ER120](#)

1 1. On page 1, strike beginning with "buildings" in line 1 through  
2 line 4 and insert "law; to amend sections 13-3301, 13-3303, 13-3304,  
3 13-3310, and 13-3311, Reissue Revised Statutes of Nebraska, sections  
4 81-12,195, 81-12,196, 81-12,201, 81-12,215, and 84-602, Revised Statutes  
5 Cumulative Supplement, 2022, sections 72-819, 72-1001, 81-1239, 81-1243,  
6 81-12,203, 81-12,241, 81-12,241.01, 81-12,243, and 81-12,244, Revised  
7 Statutes Supplement, 2023, and section 31, Legislative Bill 1413, One  
8 Hundred Eighth Legislature, Second Session, 2024; to change provisions  
9 relating to the Economic Recovery Act, the Municipal Inland Port  
10 Authority Act, and the Nebraska Rural Projects Act; to provide for a  
11 museum at Fort Robinson State Park; to provide for and change provisions  
12 relating to transfers and use of funds, investment earnings, and  
13 interest; to provide a duty for the State Treasurer; to eliminate  
14 obsolete provisions; to adopt the Child Care Capacity Building and  
15 Workforce Act; to provide operative dates; to repeal the original  
16 sections; and to declare an emergency.".

**LEGISLATIVE BILL 164A.** Placed on Select File.

**LEGISLATIVE BILL 1092.** Placed on Select File with amendment.

[ER118](#)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Sections 1 to 5 of this act shall be known and may be  
4 cited as the Online Age Verification Liability Act.  
5 Sec. 2. For purposes of the Online Age Verification Liability Act:  
6 (1) Commercial entity includes a corporation, limited liability  
7 company, partnership, limited partnership, sole proprietorship, or other  
8 legally recognized entity;  
9 (2) Digitized identification card means a data file that contains  
10 all of the data elements visible on the face and back of a government-  
11 issued operator's license or identification card and displays the current  
12 status of the license or card;  
13 (3) Distribute means to issue, sell, give, provide, deliver,  
14 transfer, transmute, circulate, or disseminate by any means;  
15 (4) Internet utility means an Internet service provider, a search  
16 engine, or a cloud service provider or an affiliate or subsidiary of any  
17 such provider or search engine;  
18 (5) Material harmful to minors means any material to which all of

19 the following apply:

20 (a) The average person, applying contemporary community standards,  
21 would find, taking the material as a whole and with respect to its  
22 consumption by minors, that such material is designed to appeal to or  
23 pander to the prurient interest;

24 (b) The material is patently offensive to prevailing standards in  
25 the adult community as a whole with respect to its consumption by minors;  
26 and

27 (c) The material taken as a whole lacks serious literary, artistic,  
1 political, or scientific value for minors;

2 (6) Minor means any person under eighteen years of age;

3 (7) News-gathering organization means any of the following:

4 (a) A newspaper, news publication, or news source, printed or on an  
5 online or mobile platform, of current news and public interest, or any  
6 employee of such organization while acting within the scope of employment  
7 for such organization; or

8 (b) A radio broadcast station, television broadcast station, cable  
9 television operator, or wire service operator, or any employee of such  
10 organization while acting within the scope of employment for such  
11 organization;

12 (8) Publish means to communicate or make information available to  
13 another person or entity on a publicly available Internet website;

14 (9) Reasonable age verification method means a process to verify  
15 that the person attempting to access the material is at least eighteen  
16 years of age or older through the use of (i) a digitized identification  
17 card, including a digital copy of a driver's license, (ii) a government-  
18 issued identification, (iii) a financial document or other document that  
19 is a reliable proxy for age, or (iv) any commercially reasonable method  
20 that relies on public or private transactional data to verify the age of  
21 the person attempting to access the material;

22 (10) Substantial portion means an amount which is more than one-  
23 third of the total material on a website; and

24 (11) Transactional data means a sequence of information that  
25 documents an exchange, agreement, or transfer between an individual,  
26 commercial entity, or third-party used for the purpose of satisfying a  
27 request or event and includes records from mortgage, education, and  
28 employment entities.

29 Sec. 3. (1) A commercial entity shall not knowingly and  
30 intentionally publish or distribute material harmful to minors on the  
31 Internet on a website that contains a substantial portion of such  
1 material unless the entity uses a reasonable age verification method to  
2 verify the age of an individual attempting to access the material.

3 (2) A commercial entity or third party that performs an age  
4 verification required by this section shall not retain any identifying  
5 information of the individual after access has been granted to the  
6 material.

7 Sec. 4. (1) A person aggrieved by a violation of section 3 of this  
8 act may bring a civil action against the commercial entity or third party  
9 which engaged in that violation to recover such relief as may be  
10 appropriate.

11 (2) In an action under this section, appropriate relief includes:

12 (a) Such preliminary and other equitable or declaratory relief as  
13 may be appropriate;

14 (b) Damages under subsection (3) of this section; and

15 (c) At the discretion of the court, reasonable attorney's fees and  
16 other litigation costs reasonably incurred.

17 (3)(a) A minor or a parent or guardian of such minor aggrieved by a  
18 violation of subsection (1) of section 3 of this act may recover actual  
19 damages caused by such violation.

20 (b) An individual whose information was retained in violation of



21 subsection (2) of section 3 of this act may recover actual damages caused  
 22 by such violation.  
 23 Sec. 5. (1) The Online Age Verification Liability Act shall not  
 24 apply to any news-gathering organization or any bona fide news or public  
 25 interest broadcast, website video, or report.  
 26 (2) An Internet utility does not violate the Online Age Verification  
 27 Liability Act solely by providing access or connection to or from a  
 28 website or other information or content on the Internet or a facility,  
 29 system, or network not under the Internet utility's control, including  
 30 transmitting, downloading, or storing data or providing access, to the  
 31 extent that such Internet utility is not responsible for the creation of  
 1 the content that constitutes material harmful to minors.

**LEGISLATIVE BILL 937.** Placed on Select File with amendment.  
[ER115](#) is available in the Bill Room.

**LEGISLATIVE BILL 937A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

Revenue

**LEGISLATIVE BILL 1403.** Placed on General File.

**LEGISLATIVE BILL 1363.** Placed on General File with amendment.

[AM3250](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 76-901, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 76-901 There is hereby imposed a tax on the grantor executing the  
 6 deed as defined in section 76-203 upon the transfer of a beneficial  
 7 interest in or legal title to real estate at the rate of two dollars and  
 8 ~~sixty~~ ~~twenty-five~~ cents for each one thousand dollars value or fraction  
 9 thereof. For purposes of sections 76-901 to 76-908, value means (1) in  
 10 the case of any deed, not a gift, the amount of the full actual  
 11 consideration thereof, paid or to be paid, including the amount of any  
 12 lien or liens assumed, and (2) in the case of a gift or any deed with  
 13 nominal consideration or without stated consideration, the current market  
 14 value of the property transferred. Such tax shall be evidenced by stamps  
 15 to be attached to the deed. All deeds purporting to transfer legal title  
 16 or beneficial interest shall be presumed taxable unless it clearly  
 17 appears on the face of the deed or sufficient documentary proof is  
 18 presented to the register of deeds that the instrument is exempt under  
 19 section 76-902.  
 20 Sec. 2. Section 76-903, Reissue Revised Statutes of Nebraska, is  
 21 amended to read:  
 22 76-903 The Tax Commissioner shall design such stamps in such  
 23 denominations as in his or her judgment will be the most advantageous to  
 24 all persons concerned. When any deed subject to the tax imposed by  
 25 section 76-901 is offered for recordation, the register of deeds shall  
 26 ascertain and compute the amount of the tax due thereon and shall collect  
 27 such amount as a prerequisite to acceptance of the deed for recordation.  
 1 If a dispute arises concerning the taxability of the transfer, the  
 2 register of deeds shall not record the deed until the disputed tax is  
 3 paid. If a disputed tax has been paid, the taxpayer may file for a refund  
 4 pursuant to section 76-908. The taxpayer may also seek a declaratory

5 ruling pursuant to rules and regulations adopted and promulgated by the  
 6 Department of Revenue. From each two dollars and ~~sixty twenty-five~~ cents  
 7 of tax collected pursuant to section 76-901, the register of deeds shall  
 8 retain fifty cents to be placed in the county general fund and shall  
 9 remit the balance to the State Treasurer who shall credit: ~~ninety-five~~  
 10 ~~cents of such amount to the Affordable Housing Trust Fund, twenty-five~~  
 11 ~~cents of such amount to the Site and Building Development Fund, twenty-~~  
 12 ~~five cents of such amount to the Homeless Shelter Assistance Trust Fund,~~  
 13 ~~and thirty cents of such amount to the Behavioral Health Services Fund.~~  
 14 (1) Ninety-five cents of such amount to the Affordable Housing Trust  
 15 Fund for the purposes of providing at least:

16 (a) Fifteen percent to emerging developers;

17 (b) Fifteen percent for site preparation, including federal low-  
 18 income housing tax credit eligible site preparation;

19 (c) Fifteen percent for populations at high risk of homelessness  
 20 including, but not limited to, senior adults, individuals impacted by the  
 21 criminal justice system, and individuals experiencing physical or  
 22 developmental disabilities;

23 (d) Fifteen percent for development of affordable housing units  
 24 eligible for federal low-income housing tax credits;

25 (e) Twenty percent for the Middle Income Workforce Housing  
 26 Investment Act; and

27 (f) Twenty percent for the Rural Workforce Housing Investment Act;

28 (2) Twenty-five cents of such amount to the Site and Building  
 29 Development Fund;

30 (3) Twenty-five cents of such amount to the Homeless Shelter  
 31 Assistance Trust Fund;

1 (4) Thirty-five cents of such amount to the Behavioral Health  
 2 Services Fund;

3 (5) Ten cents of such amount to the Economic Recovery Contingency  
 4 Fund for the establishment and operation of an office to pursue and  
 5 coordinate grant funding on behalf of the state; and

6 (6) Twenty cents of such amount to the Innovation Hub Cash Fund for  
 7 the operational support of innovation hubs.

8 Sec. 3. Section 77-1327, Reissue Revised Statutes of Nebraska, is  
 9 amended to read:

10 77-1327 (1) It is the intent of the Legislature that accurate and  
 11 comprehensive information be developed by the Property Tax Administrator  
 12 and made accessible to the taxing officials and property owners in order  
 13 to ensure the uniformity and proportionality of the assessments of real  
 14 property valuations in the state in accordance with law and to provide  
 15 the statistical and narrative reports pursuant to section 77-5027.

16 (2) All transactions of real property for which the statement  
 17 required in section 76-214 is filed shall be available for development of  
 18 a sales file by the Property Tax Administrator. All transactions with  
 19 stated consideration of more than one hundred dollars or upon which more  
 20 than two dollars and ~~sixty twenty-five~~ cents in documentary stamp taxes  
 21 are paid shall be considered sales. All sales shall be deemed to be arm's  
 22 length transactions unless determined to be otherwise under  
 23 professionally accepted mass appraisal techniques. The Department of  
 24 Revenue shall not overturn a determination made by a county assessor  
 25 regarding the qualification of a sale unless the department reviews the  
 26 sale and determines through the review that the determination made by the  
 27 county assessor is incorrect.

28 (3) The Property Tax Administrator annually shall make and issue  
 29 comprehensive assessment ratio studies of the average level of  
 30 assessment, the degree of assessment uniformity, and the overall  
 31 compliance with assessment requirements for each major class of real  
 1 property subject to the property tax in each county. The comprehensive  
 2 assessment ratio studies shall be developed in compliance with

3 professionally accepted mass appraisal techniques and shall employ such  
4 statistical analysis as deemed appropriate by the Property Tax  
5 Administrator, including measures of central tendency and dispersion. The  
6 comprehensive assessment ratio studies shall be based upon the sales file  
7 as developed in subsection (2) of this section and shall be used by the  
8 Property Tax Administrator for the analysis of the level of value and  
9 quality of assessment for purposes of section 77-5027 and by the Property  
10 Tax Administrator in establishing the adjusted valuations required by  
11 section 79-1016. Such studies may also be used by assessing officials in  
12 establishing assessed valuations.

13 (4) For purposes of determining the level of value of agricultural  
14 and horticultural land subject to special valuation under sections  
15 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make  
16 and issue a comprehensive study developed in compliance with  
17 professionally accepted mass appraisal techniques to establish the level  
18 of value if in his or her opinion the level of value cannot be developed  
19 through the use of the comprehensive assessment ratio studies developed  
20 in subsection (3) of this section.

21 (5) County assessors and other taxing officials shall electronically  
22 report data on the assessed valuation and other features of the property  
23 assessment process for such periods and in such form and content as the  
24 Property Tax Administrator shall deem appropriate. The Property Tax  
25 Administrator shall so construct and maintain the system used to collect  
26 and analyze the data to enable him or her to make intracounty comparisons  
27 of assessed valuation, including school districts and other political  
28 subdivisions, as well as intercounty comparisons of assessed valuation,  
29 including school districts and other political subdivisions. The Property  
30 Tax Administrator shall include analysis of real property sales pursuant  
31 to land contracts and similar transfers at the time of execution of the  
1 contract or similar transfer.

2 Sec. 4. Section 81-12,114, Revised Statutes Cumulative Supplement,  
3 2022, is amended to read:

4 81-12,114 (1) The Innovation Hub Cash Fund is created. The fund  
5 shall be administered by the department and shall consist of application  
6 fees received under section 81-12,110, money received pursuant to section  
7 76-903, funds transferred by the Legislature, and any other money as  
8 determined by the Legislature.

9 (2) The fund shall be used by the department for purposes of  
10 carrying out the Nebraska Innovation Hub Act. Money transferred to the  
11 fund under section 76-903 shall be used for the operational support of  
12 innovation hubs. Any money in the fund available for investment shall be  
13 invested by the state investment officer pursuant to the Nebraska Capital  
14 Expansion Act and the Nebraska State Funds Investment Act.

15 Sec. 5. Section 81-12,243, Revised Statutes Supplement, 2023, is  
16 amended to read:

17 81-12,243 (1) The Economic Recovery Contingency Fund is created. The  
18 fund shall consist of money received pursuant to section 76-903 and  
19 transfers by the Legislature to carry out the Economic Recovery Act. Any  
20 money in the fund available for investment shall be invested by the state  
21 investment officer pursuant to the Nebraska Capital Expansion Act and the  
22 Nebraska State Funds Investment Act. Investment earnings on and after  
23 July 1, 2023, shall be credited to the fund.

24 (2) Money transferred to the fund under section 76-903 shall be used  
25 for the establishment and operation of an office to pursue and coordinate  
26 grant funding on behalf of the state.

27 (3) ~~(2)~~ The Department of Economic Development may review the  
28 projects listed in the coordination plan and the appendices by the  
29 Economic Recovery Special Committee of the Legislature dated January 10,  
30 2023, and shall prioritize the use of the fund on projects listed in the  
31 coordination plan followed by the projects in the appendices.

- 1 Sec. 6. This act becomes operative on October 1, 2024.  
 2 Sec. 7. Original sections 76-901, 76-903, and 77-1327, Reissue  
 3 Revised Statutes of Nebraska, section 81-12,114, Revised Statutes  
 4 Cumulative Supplement, 2022, and section 81-12,243, Revised Statutes  
 5 Supplement, 2023, are repealed.

(Signed) Lou Ann Linehan, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to LB631:  
AM3262 is available in the Bill Room.

Senator Bostelman filed the following amendment to LB1370:  
AM3245

(Amendments to Standing Committee amendments, AM2863)

- 1 1. On page 1, line 21, after "public" insert "due to the proprietary  
 2 and commercial information discussed".  
 3 2. On page 13, line 6, strike ". contains no" and insert an  
 4 underscored colon; and strike lines 7 through 9 and insert the following  
 5 new subdivisions:  
 6 "(A) Contains no materials, electronics, or other components  
 7 manufactured by any foreign government or foreign nongovernment person  
 8 determined to be a foreign adversary pursuant to 15 C.F.R. 7.4; or  
 9 (B) Is in compliance with the critical infrastructure protection  
 10 requirements issued by the North American Electric Reliability  
 11 Corporation if connected to the transmission grid at one hundred  
 12 kilovolts or higher voltage and has to have a nameplate rating of twenty  
 13 megavolt amperes for a single generation unit or injecting at an  
 14 aggregate of seventy-five megavolt amperes or greater. The private  
 15 electric supplier shall also submit written notice to the board at any  
 16 time such private electric supplier is no longer in such compliance.".

Senator Ibach filed the following amendment to LB1368:  
AM3281

- 1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Sections 1 to 7 of this act shall be known and may be  
 4 cited as the Nitrogen Reduction Incentive Act.  
 5 Sec. 2. The Legislature finds and declares that:  
 6 (1) Agriculture is Nebraska's number one industry;  
 7 (2) Water is Nebraska's most precious natural resource;  
 8 (3) Nebraska farmers are leading the charge on sustainable  
 9 agriculture initiatives that will make Nebraska a world-renowned leader  
 10 and ensure protection of the land and water of Nebraska for generations  
 11 to come; and  
 12 (4) The Nitrogen Reduction Incentive Act encourages farmers to adopt  
 13 efficient and sustainable practices to help Nebraska protect these  
 14 natural resources and positions Nebraska farmers to compete.  
 15 Sec. 3. For purposes of the Nitrogen Reduction Incentive Act,  
 16 commercial fertilizer has the same meaning as in section 81-2,162.02.  
 17 Sec. 4. (1) The nitrogen reduction incentive program is created and  
 18 shall be administered by the Department of Natural Resources. The  
 19 department may collaborate with natural resources districts to administer  
 20 the program.  
 21 (2) The purposes of the program are to:  
 22 (a) Provide incentive payments to farmers; and

23 (b) Encourage farmers to (i) reduce the use of commercial fertilizer  
 24 and (ii) incorporate innovative technology into farming practices,  
 25 including the proper use of biological nitrogen products.  
 26 (3) The program shall provide an annual per-acre incentive for any  
 27 farmer who verifies through documentation that commercial fertilizer  
 1 rates were reduced by the lesser of forty pounds per acre for nitrogen or  
 2 fifteen percent by incorporating a qualifying product in the farmer's  
 3 nutrient plans.  
 4 (4) A commercial fertilizer rate reduction from historic baseline  
 5 use shall be completed to qualify for the program.  
 6 (5) The department shall review the required commercial fertilizer  
 7 rate of reduction for the program on a biennial basis to determine if  
 8 higher reduction targets are necessary.  
 9 (6) The department shall:  
 10 (a) Collaborate with natural resources districts to add any new  
 11 technology to the program as it becomes available. Such technology shall  
 12 replace nitrogen fertilizer use and maintain farm productivity;  
 13 (b) Identify geographically beneficial target areas while keeping  
 14 the program open to all farmers in the state;  
 15 (c) Consult with farmers and commercial entities in the agriculture  
 16 industry to determine a per-acre payment rate tied to the commercial  
 17 fertilizer rate reduction but not less than ten dollars per acre; and  
 18 (d) Review the per-acre payment rate based on inflation or emerging  
 19 technology in subsequent years.  
 20 (7)(a) The department shall not award an amount of incentive  
 21 payments in total per year under the nitrogen reduction incentive program  
 22 that is greater than the lesser of:  
 23 (i) Five million dollars; or  
 24 (ii) The amount appropriated for such purpose by the Legislature.  
 25 (b) It is the intent of the Legislature that any appropriation from  
 26 the General Fund to carry out the Nitrogen Reduction Incentive Act be  
 27 used only for operating expenses.  
 28 Sec. 5. The Department of Natural Resources may adopt and  
 29 promulgate rules and regulations that adopt a standard for labeled  
 30 commercial fertilizer products to qualify for the nitrogen reduction  
 31 incentive program and may adopt and promulgate rules and regulations to  
 1 carry out the Nitrogen Reduction Incentive Act.  
 2 Sec. 6. (1) The Nitrogen Reduction Incentive Cash Fund is created  
 3 and shall be administered by the Department of Natural Resources for  
 4 purposes of the Nitrogen Reduction Incentive Act. The Nitrogen Reduction  
 5 Incentive Cash Fund may consist of transfers as directed by the  
 6 Legislature and gifts, grants, bequests, and money from any public or  
 7 private source.  
 8 (2) The Department of Natural Resources may apply for all grants  
 9 from state, federal, and private sources that are applicable to the  
 10 purposes of the Nitrogen Reduction Incentive Act.  
 11 (3) Any such grant applied for by the Department of Natural  
 12 Resources that is awarded to the Department of Natural Resources or the  
 13 State of Nebraska shall be credited to the Nitrogen Reduction Incentive  
 14 Cash Fund.  
 15 (4) Any money in the fund available for investment shall be invested  
 16 by the state investment officer pursuant to the Nebraska Capital  
 17 Expansion and the Nebraska State Funds Investment Act.  
 18 Sec. 7. The Nitrogen Reduction Incentive Act terminates on December  
 19 31, 2029.  
 20 Sec. 8. Section 61-218, Revised Statutes Supplement, 2023, is  
 21 amended to read:  
 22 61-218 (1) The Water Resources Cash Fund is created. The fund shall  
 23 be administered by the Department of Natural Resources. Any money in the  
 24 fund available for investment shall be invested by the state investment

25 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
26 State Funds Investment Act.

27 (2) The State Treasurer shall credit to the fund such money as is  
28 (a) transferred to the fund by the Legislature, (b) paid to the state as  
29 fees, deposits, payments, and repayments relating to the fund, both  
30 principal and interest, (c) donated as gifts, bequests, or other  
31 contributions to such fund from public or private entities, (d) made  
1 available by any department or agency of the United States if so directed  
2 by such department or agency, (e) allocated pursuant to section  
3 81-15,175, and (f) received by the state for settlement of claims  
4 regarding Colorado's past use of water under the Republican River  
5 Compact.

6 (3) The fund shall be expended by the department (a) to aid  
7 management actions taken to reduce consumptive uses of water or to  
8 enhance streamflows or ground water recharge in river basins, subbasins,  
9 or reaches which are deemed by the department overappropriated pursuant  
10 to section 46-713 or fully appropriated pursuant to section 46-714 or are  
11 bound by an interstate compact or decree or a formal state contract or  
12 agreement, (b) for purposes of projects or proposals described in the  
13 grant application as set forth in subdivision (2)(h) of section  
14 81-15,175, and (c) to the extent funds are not expended pursuant to  
15 subdivisions (a) and (b) of this subsection, the department may conduct a  
16 statewide assessment of short-term and long-term water management  
17 activities and funding needs to meet statutory requirements in sections  
18 46-713 to 46-718 and 46-739 and any requirements of an interstate compact  
19 or decree or formal state contract or agreement. The fund shall not be  
20 used to pay for administrative expenses or any salaries for the  
21 department or any political subdivision.

22 (4) It is the intent of the Legislature that three million three  
23 hundred thousand dollars be transferred each fiscal year from the General  
24 Fund to the Water Resources Cash Fund for FY2011-12 through FY2022-23,  
25 except that for FY2012-13 it is the intent of the Legislature that four  
26 million seven hundred thousand dollars be transferred from the General  
27 Fund to the Water Resources Cash Fund. It is the intent of the  
28 Legislature that the State Treasurer credit any money received from any  
29 Republican River Compact settlement to the Water Resources Cash Fund in  
30 the fiscal year in which it is received.

31 (5)(a) Expenditures from the Water Resources Cash Fund may be made  
1 to natural resources districts eligible under subsection (3) of this  
2 section for activities to either achieve a sustainable balance of  
3 consumptive water uses or assure compliance with an interstate compact or  
4 decree or a formal state contract or agreement and shall require a match  
5 of local funding in an amount equal to or greater than forty percent of  
6 the total cost of carrying out the eligible activity. The department  
7 shall, no later than August 1 of each year, beginning in 2007, determine  
8 the amount of funding that will be made available to natural resources  
9 districts from the Water Resources Cash Fund and notify natural resources  
10 districts of this determination. The department shall adopt and  
11 promulgate rules and regulations governing application for and use of the  
12 Water Resources Cash Fund by natural resources districts. Such rules and  
13 regulations shall, at a minimum, include the following components:  
14 (i) Require an explanation of how the planned activity will achieve  
15 a sustainable balance of consumptive water uses or will assure compliance  
16 with an interstate compact or decree or a formal state contract or  
17 agreement as required by section 46-715 and the controls, rules, and  
18 regulations designed to carry out the activity; and  
19 (ii) A schedule of implementation of the activity or its components,  
20 including the local match as set forth in subdivision (5)(a) of this  
21 section.

22 (b) Any natural resources district that fails to implement and

23 enforce its controls, rules, and regulations as required by section  
24 46-715 shall not be eligible for funding from the Water Resources Cash  
25 Fund until it is determined by the department that compliance with the  
26 provisions required by section 46-715 has been established.  
27 (6) The Department of Natural Resources shall submit electronically  
28 an annual report to the Legislature no later than October 1 of each year,  
29 beginning in the year 2007, that shall detail the use of the Water  
30 Resources Cash Fund in the previous year. The report shall provide:  
31 (a) Details regarding the use and cost of activities carried out by  
1 the department; and  
2 (b) Details regarding the use and cost of activities carried out by  
3 each natural resources district that received funds from the Water  
4 Resources Cash Fund.  
5 (7)(a) Prior to the application deadline for fiscal year 2011-12,  
6 the Department of Natural Resources shall apply for a grant of nine  
7 million nine hundred thousand dollars from the Nebraska Environmental  
8 Trust Fund, to be paid out in three annual installments of three million  
9 three hundred thousand dollars. The purposes listed in the grant  
10 application shall be consistent with the uses of the Water Resources Cash  
11 Fund provided in this section and shall be used to aid management actions  
12 taken to reduce consumptive uses of water, to enhance streamflows, to  
13 recharge ground water, or to support wildlife habitat in any river basin  
14 determined to be fully appropriated pursuant to section 46-714 or  
15 designated as overappropriated pursuant to section 46-713.  
16 (b) If the application is granted, funds received from such grant  
17 shall be remitted to the State Treasurer for credit to the Water  
18 Resources Cash Fund for the purpose of supporting the projects set forth  
19 in the grant application. The department shall include in its grant  
20 application documentation that the Legislature has authorized a transfer  
21 of three million three hundred thousand dollars from the General Fund  
22 into the Water Resources Cash Fund for each of fiscal years 2011-12 and  
23 2012-13 and has stated its intent to transfer three million three hundred  
24 thousand dollars to the Water Resources Cash Fund for fiscal year  
25 2013-14.  
26 (c) It is the intent of the Legislature that the department apply  
27 for an additional three-year grant that would begin in fiscal year  
28 2014-15, an additional three-year grant from the Nebraska Environmental  
29 Trust Fund that would begin in fiscal year 2017-18, and an additional  
30 three-year grant from the Nebraska Environmental Trust Fund that would  
31 begin in fiscal year 2020-21 if the criteria established in subsection  
1 (4) of section 81-15,175 are achieved.  
2 (8) The department shall establish a subaccount within the Water  
3 Resources Cash Fund for the accounting of all money received as a grant  
4 from the Nebraska Environmental Trust Fund as the result of an  
5 application made pursuant to subsection (7) of this section. At the end  
6 of each calendar month, the department shall calculate the amount of  
7 interest earnings accruing to the subaccount and shall notify the State  
8 Treasurer who shall then transfer a like amount from the Water Resources  
9 Cash Fund to the Nebraska Environmental Trust Fund.  
10 (9) Any funds transferred from the Nebraska Environmental Trust Fund  
11 to the Water Resources Cash Fund shall be expended in accordance with  
12 section 81-15,168.  
13 (10) The State Treasurer shall transfer one million dollars from the  
14 Water Resources Cash Fund to the Nitrogen Reduction Incentive Cash Fund  
15 as soon as administratively possible after the effective date of this  
16 act, but before June 30, 2025, on such dates and in such amounts as  
17 directed by the budget administrator of the budget division of the  
18 Department of Administrative Services.  
19 Sec. 9. Original section 61-218, Revised Statutes Supplement, 2023,  
20 is repealed.

**ATTORNEY GENERAL'S OPINION****NEBRASKA DEPARTMENT OF JUSTICE**

Opinion No. 24-001 — April 2, 2024

OPINION FOR SENATOR KATHLEEN KAUTH

**Lawfulness of the Sports and Spaces Act**

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**Summary:** The Sports and Spaces Act does not violate the Equal Protection Clause or Title IX. The Act's segregation of bathrooms and athletic teams based on biological sex is substantially related to the State's important interests in protecting student privacy and female athletic opportunity. Title IX's provisions permitting the segregation of teams and facilities based on "sex" permits segregation of teams and facilities based on biological sex.

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You have asked whether L.B. 575, 108th Leg. (introduced 2023), known as the "Sports and Spaces Act" ("L.B. 575"), would violate the United States Constitution or federal law. If enacted, L.B. 575 would require all schools in Nebraska to designate group bathrooms and locker rooms for use according to biological sex.<sup>1</sup> Schools would also be required to designate school-sponsored athletic teams and sports based on biological sex.

We conclude that L.B. 575 is constitutional and violates no federal law. The Equal Protection Clause of the Fourteenth Amendment to the United States Constitution ensures that states apply the law similarly to all people similarly situated. Cases interpreting the Equal Protection Clause do not consider men and women similarly situated in all respects. Laws that treat men and women differently in pursuit of an important government goal related to the real differences between men and women do not violate the Equal Protection Clause. L.B. 575 does exactly that. It recognizes the real biological differences between males and females and designates facilities and sports by biological sex in pursuit of the important goals of protecting student privacy and preserving female athletic opportunity. In pursuit of these goals, and in recognition of the biological differences between males and females, it is reasonable for L.B. 575 to classify students by biological sex regardless of their gender identity. We thus conclude L.B. 575 does not violate the Equal Protection Clause.

We further conclude that L.B. 575 does not violate federal law. Title IX of the Education Amendments Act of 1972 ensures that no person is deprived of equal opportunity in educational activities on the basis of sex. "Sex" under Title IX means biological sex, not gender identity. Title IX recognizes that to protect opportunity in interscholastic athletics, athletic teams may need to be segregated by sex. Title IX also appreciates the need for different restroom facilities based on sex. As a consequence, L.B. 575



does not violate Title IX by designating facilities and athletics based on biological sex.

Section I of our analysis outlines the provisions of L.B. 575. Section II summarizes the case law where similar laws have been challenged under the Equal Protection Clause and then lays out our reasons for finding that L.B. 575 does not violate the Equal Protection Clause. Section III summarizes case law where similar laws have been challenged under Title IX and then provides our reasons for finding L.B. 575 does not violate Title IX. Section IV summarizes our conclusions.

### I.

We begin with the text of L.B. 575. If enacted, L.B. 575 would designate certain school facilities and functions by a student's biological sex. It defines a biological female as "a person who was born with female anatomy with two X chromosomes in her cells," and a biological male as "a person who was born with male anatomy with X and Y chromosomes in his cells." L.B. 575, § 2(1)(a), (b). The bill also defines a school as any public, private, denominational, and parochial school offering instruction in elementary (kindergarten through eighth grades) or high school grades. *Id.* § 2(c).

L.B. 575 requires schools to designate each group bathroom and locker room within school buildings either for use by biological females or for use by biological males. Biological males are prohibited from using the restrooms or locker rooms designated for biological females and *vice versa*. L.B. 575, § 3(1), (2)(d).

School-sponsored athletic teams or sports must also be designated by biological sex as either male, female, or coed. *Id.* § 4(1). Athletic teams and sports designated for females are not open to biological males. *Id.* § 4(2). Teams and sports designated for males are not open to biological females unless there is no female team available for such sport. *Id.* Government entities, licensing or accrediting organizations, and athletic associations cannot investigate or take adverse action against a school for maintaining athletic teams in accordance with students' biological sex. *Id.* § 5.

A student who is deprived of an athletic opportunity or who suffers any direct or indirect harm as a result of a public school knowingly violating L.B. 575 can bring a private cause of action against the school. *Id.* § 6(1). Schools and school officials are forbidden from retaliating against any person who reports a violation of L.B. 575's bathroom or locker room provisions. *Id.* § 3(4). Students aggrieved by a violation of the retaliation provision may also bring a civil cause of action against the school. *Id.* § 3(5). Students who prevail in these kinds of lawsuits may be entitled to injunctive relief, damages, and any other relief available by law. *Id.* §§ 3(5), 6.

### II.

The Equal Protection Clause provides that no state shall "deny to any person within its jurisdiction the equal protection of the laws." U.S. Const. amend. XIV, § 1. The Supreme Court has said the Clause is "essentially a direction that all persons similarly situated should be treated alike." *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 439 (1985).

Courts apply one of three standards to determine whether a law's classification unlawfully treats similarly situated people unequally. The first is known as rational-basis review. This standard applies when statutes make classifications that are not considered "suspect" (or "quasi-suspect") and do not otherwise implicate a fundamental right. *State v. Harris*, 284 Neb. 214, 233, 817 N.W.2d 258, 275 (2012). Classifications are not considered suspect or quasi-suspect unless the class created is based on "immutable characteristic[s] determined solely by the accident of birth" or is "saddled with such disabilities, or subjected to such a history of purposeful unequal treatment, or relegated to such a position of political powerlessness as to command extraordinary protection from the majoritarian political process." *Gallagher v. City of Clayton*, 699 F.3d 1013, 1018 (8th Cir. 2012) (first quoting *Frontiero v. Richardson*, 411 U.S. 677, 686 (1973), second quoting *San Antonio Indep. Sch. Dist. v. Rodriguez*, 411 U.S. 1, 28 (1973)). Examples of classes created by laws that are subject to rational-basis review include smokers, *id.*, compulsive sex offenders, *Artway v. Att'y Gen. of State of N.J.*, 81 F.3d 1235, 1266 (3d Cir. 1996), and victims of sexual harassment, *see Means v. Shyam Corp.*, 44 F. Supp. 2d 129, 131 (D.N.H. 1999).

Under the rational-basis standard, courts generally presume that a law is constitutional. Based on that presumption, courts may only overturn a law if the challenger can show that the law's classification is not rationally related to any government interest. *See F.C.C. v. Beach Commc'ns, Inc.*, 508 U.S. 307, 313 (1993).

On the other end of the spectrum is strict scrutiny, which applies when a law or policy burdens a "suspect" group (e.g., a racial or ethnic minority), or when it burdens a fundamental right (e.g., voting). *Harris*, 284 Neb. at 233, 817 N.W.2d at 275. Under such a classification, a law will be upheld only "upon an extraordinary justification," *Shaw v. Reno*, 509 U.S. 630, 643 (1993) (quoting *Pers. Adm'r of Mass. v. Feeney*, 442 U.S. 256, 272 (1979)), and it must be narrowly tailored to serve a compelling governmental interest, *Adarand Constructors, Inc. v. Pena*, 515 U.S. 200, 227 (1995).

Intermediate scrutiny lies in between. It applies to laws that discriminate based on a quasi-suspect classification. Sex-based classifications fall under this standard. *See United States v. Virginia*, 518 U.S. 515, 533 (1996). For a sex-based classification "to withstand equal protection scrutiny, it must be established . . . that the challenged classification serves important governmental objectives" and that the "means employed are substantially related to the achievement of those objectives." *Nguyen v. I.N.S.*, 533 U.S. 53, 60 (2001) (internal quotation marks omitted) (quoting *Virginia*, 518 U.S. at 533).

Intermediate-scrutiny analysis for sex classifications recognizes that "[p]hysical differences between men and women . . . are enduring." *Virginia*, 518 U.S. at 533. And the Supreme Court accounts for these "actual differences between the sexes, including physical ones." *Clark v. Arizona Interscholastic Ass'n*, 695 F.2d 1126, 1129 (9th Cir. 1982). Indeed, the Supreme Court "has consistently upheld statutes where the gender

classification is not invidious, but rather realistically reflects the fact that the sexes are not similarly situated in certain circumstances." *Michael M. v. Superior Ct. of Sonoma Cty.*, 450 U.S. 464, 469 (1981) (plurality opinion); see, e.g., *Nguyen*, 533 U.S. at 63.

#### A.

Some courts have held statutes classifying facilities and athletic teams by biological sex do not violate the Equal Protection Clause. These courts, as summarized in subsections III.A.1–3 below, have decided that segregating by biological sex was a classification based on sex, not gender identity, and have held these policies survive intermediate scrutiny. See *Adams v. School Board of St. Johns County, Florida*, 57 F.4th 791 (11th Cir. 2022) (en banc); *Bridge ex rel. Bridge v. Okla. State Dep't of Educ.*, No. CIV-22-787, 2024 WL 150598 (W.D. Okla. Jan. 12, 2024); D.N. *ex rel. Jessica N. v. DeSantis*, No. 21-CV-61344, 2023 WL 7323078 (S.D. Fla. Nov. 6, 2023).

#### 1.

In *Adams*, a biological female identifying as a man challenged her school's policy requiring students to use the bathroom that aligned with their biological sex.<sup>2</sup> 57 F.4th at 796, 798. A federal district court enjoined the policy, concluding that the policy discriminated against *Adams* because "he d[id] not act in conformity with the sex-based stereotypes associated with biological sex." *Id.* at 808.

The Eleventh Circuit reversed the district court. *Id.* at 801. The court observed that on its face, "the bathroom policy facially classifies based on biological sex—not transgender status or gender identity." *Id.* at 808 (emphasis added). It reasoned that "both sides of the classification—biological males and biological females—include transgender students." *Id.* The court also reasoned that the policy was not dependent on how students acted or identified, and therefore it did not rely on impermissible sex stereotypes associated with a student's transgender status. *Id.*

The fact that the bathroom policy had a disparate impact on the transgender students was not consequential. The court stated that a "disparate impact alone does not violate the Constitution." *Adams*, 57 F.4th at 810. "Instead, a disparate impact on a group offends the Constitution when an otherwise neutral policy is motivated by 'purposeful discrimination.'" *Id.* (quoting *Feeney*, 442 U.S. at 274); see also *Vill. of Arlington Heights v. Metro. Hous. Dev. Corp.*, 429 U.S. 252, 264–66 (1977). And the record did not support a finding that the bathroom policy was motivated by discrimination against transgender students.

The court then applied intermediate scrutiny to the sex-based classification, examining whether the policy substantially advanced an important governmental objective. It found the school had an important interest in "ensur[ing] the privacy and overall welfare of its entire student body." *Adams*, 57 F.4th at 803. The court then determined that the "policy is clearly related to—indeed, is almost a mirror of—its objective of protecting the privacy interests of students to use the bathroom away from the opposite sex." *Id.* at 805. The court was ultimately persuaded by the "long tradition in this country of separating sexes," with public bathrooms "likely the most frequently encountered example." *Id.* "Indeed, the universality of that

practice" is why "a sign that says 'men only' looks very different on a bathroom door than a courthouse door." *Id.* at 801 (quoting *City of Cleburne v. Cleburne Living Ctr.*, 473 U.S. 432, 468–69 (1985) (Marshall, J., concurring in part and dissenting in part)). The policy thus survived intermediate scrutiny.

## 2.

In *Bridge*, transgender students challenged an Oklahoma law requiring every multiple occupancy restroom in a public school to be "[f]or the exclusive use of the male sex," or "[f]or the exclusive use of the female sex." Okla. Stat. tit. 70, § 1-125. The students argued that the law violated the Equal Protection Clause because they were not treated like non-transgender students who were allowed to use the bathroom that aligned with their gender identity. *Bridge*, 2024 WL 150598, at \*4.

The court applied intermediate scrutiny to the law, finding it "enact[ed] a sex-based classification." *Id.* The court found that separating bathrooms by biological sex to address the privacy concerns of students using multiple occupancy restrooms was "an important governmental objective." *Id.* at \*5. In response to the students' argument that the law was premised on generalizations about men and women, the Court reasoned that "[b]iological sex is distinct from gender generalizations, and [u]se of a restroom designated for the opposite sex does not constitute a mere failure to conform to sex stereotypes." *Id.* (internal quotation marks and citation omitted).

The court also found that the law was substantially related to achieving the important government objective of student privacy. The court reasoned that the means used to protect the government's privacy interest were "almost identical" to the privacy interest itself. *Id.* at \*6. In other words, the law did not extend beyond the State's important privacy concerns. The court also noted if biological-sex-based classifications were Equal Protection Clause violations, then "no law recognizing the inherent differences between male and female would pass constitutional muster. This is an untenable position." *Id.*

## 3.

*D.N.* involved a Florida law providing that school sports and teams designated for females are not open to biological males, and sports and teams designated for males are not open to biological females. *See* Fla. Stat. § 1006.205. Plaintiff, a biological male identifying as female who had played girls sports, sued claiming the law violated the Equal Protection Clause and Title IX. *D.N.*, 2023 WL 7323078, at \*1.

On the equal-protection claim, the Southern District of Florida found that intermediate scrutiny applied because the law classifies students based on biological sex. *Id.* at \*5. In applying the first step of intermediate scrutiny, the court found the government had an important government interest in "promoting women's equality in athletics." *Id.* at \*6. The court looked to Justice Stevens's in-chambers opinion affirming the constitutionality of a middle school's gender-based classification in competitive contact sports. *Id.* (quoting *O'Connor v. Bd. of Educ. of Sch. Dist. 23*, 449 U.S. 1301, 1302 (1980) (Stevens, J., in chambers)). Justice Stevens reasoned, "Without a gender-based classification in competitive

contact sports, there would be a substantial risk that boys would dominate the girls' programs and deny them an equal opportunity to compete in interscholastic events." *O'Connor*, 449 U.S. at 1307.

The court then found that the means the Florida law employed were substantially related to that important government objective. The court found that Florida's sex-based classification was "rooted in real differences between the sexes—not stereotypes." *Id.* at \*9. "[T]he statute adopts the uncontroversial proposition that most men and women do have different (and innate) physical attributes." *Id.* The court also found that the plaintiff failed to plead any fact showing the law was based on "purposeful discrimination" against transgender students instead of a legitimate attempt to advance the important interest of "fostering and promoting athletic opportunities for girls." *Id.* at \*8, \*9.

## B.

Other courts have held that policies similar to those in L.B. 575 unlawfully discriminate based on sex and transgender status. *See, e.g., Hecox v. Little*, 79 F.4th 1009 (9th Cir. 2023); *Grimm v. Gloucester Cnty. Sch. Bd.*, 972 F.3d 586 (4th Cir. 2020).

### 1.

In *Hecox*, Lindsay Hecox, a biological male identifying as a transgender woman, challenged Idaho's Fairness in Women's Sports Act, which mandated that all sports teams sponsored by schools in Idaho be expressly designated based on biological sex—male, female, or coed. *Hecox*, 79 F.4th at 1019; Idaho Code § 33-6203(1), (2). Hecox moved for, and the district court granted, a preliminary injunction to enjoin enforcement of the Act, finding it violated both the Equal Protection Clause and Title IX. *Id.* at 1019–20; *see also Doe v. Horne*, No. CV-23-00185, 2023 WL 4661831 (D. Ariz. July 20, 2023).

The Ninth Circuit affirmed, holding the Act failed intermediate scrutiny under the Equal Protection Clause. *Hecox*, 79 F.4th at 1022–35. The Ninth Circuit proffered several reasons for its holding. The court found that the Act intentionally discriminated against transgender athletes based on comments in the Act's legislative history discussing the advantages biological males who identify as girls have over biological females. *Id.* at 1022. The court also asserted that "the Act's definition of 'biological sex' is likely an oversimplification of the complicated biological reality of sex and gender." *Id.* at 1023–24. Ultimately, the court found that the use of "biological sex" as a means of identifying a class was a form of "proxy discrimination" against transgender athletes. *Id.* at 1024 (quoting *Pac. Shores Props., LLC v. City of Newport Beach*, 730 F.3d 1142, 1160 n.23 (9th Cir. 2013)).

The court then determined that transgender status was a quasi-suspect class, reasoning that "discrimination on the basis of transgender status is a form of sex-based discrimination." *Id.* at 1026. The court thus reviewed the Act under intermediate scrutiny. *Id.*

In applying intermediate scrutiny, the court did not dispute that promoting fairness in female athletic teams is an important state interest. *Id.* at 1028. But it found the Act was not substantially related to, and "in fact undermine[d]," that interest. *Id.* The court found the district court reasonable

in relying on a medical expert who testified that there is a "medical consensus" that the primary driver of difference in athletic performance between males and females is the difference in "circulating" testosterone—which can be reduced through hormone therapy—as opposed to "endogenously-produced" testosterone. *Id.* at 1030–31. The expert testified that a person's genetic make-up and reproductive anatomy "are not useful indicators of athletic performance." *Id.* The court thus found the Act was based on overbroad stereotypes and did not serve the interest of protecting female sports. *Id.* at 1033.

## 2.

*Grimm* involved a transgender student's claim that a school policy designating bathroom and locker room use by "biological gender" violated the Equal Protection Clause and Title IX. 972 F.3d at 593. The Fourth Circuit affirmed the district court's grant of summary judgment on both counts for the student. *Id.* at 616, 619. As to the equal-protection challenge, the court determined that intermediate scrutiny should apply because the policy "necessarily rests on a sex classification" and "cannot be stated without referencing sex." *Id.* at 608. The court also reasoned that Grimm was "subjected to sex discrimination because he was viewed as failing to conform to the sex stereotype propagated by the Policy." *Id.* The court, on an alternative basis, held that intermediate scrutiny was also appropriate since "it is apparent that transgender persons constitute a quasi-suspect class." *Id.* at 611.

Applying intermediate scrutiny, the court found that the State had an important interest in protecting student privacy, but it concluded that excluding Grimm from the boys' bathroom was not substantially related to that interest. *Id.* at 613–14. The court found that the record evidence showed privacy actually increased when Grimm was allowed to use the boys' bathroom because "privacy strips and screens between the urinals" were installed. *Id.* at 614. For this reason, the court held that "policy was not substantially related to its purported goal." *Id.*; see also *Whitaker ex rel. Whitaker v. Kenosha Unified Sch. Dist. No. 1 Bd. of Educ.*, 858 F.3d 1034, 1050–54 (7th Cir. 2017).

## C.

Each of the above cases applied intermediate scrutiny to determine whether a biological-sex-based classification of sports teams or facilities violates the equal-protection rights of transgender students. These cases applied intermediate scrutiny because the subject policies made a sex-based classification.

Before turning to our analysis applying these authorities to L.B. 575, we address a threshold question—whether rational-basis review, instead of intermediate scrutiny, should apply to these challenges. Some courts and states, including Nebraska, have argued that rational basis is often the appropriate review standard.

In the paradigmatic sex-based equal-protection claim, a plaintiff argues that the subject law or policy is unconstitutional because it treats men and women differently. See, e.g., *Clark*, 695 F.2d 1126. Men have access to something that women do not, or *vice versa*. See, e.g., *Virginia*, 518 U.S. at 533. These claims are indisputably subject to intermediate scrutiny. See *id.*

But the challenges advanced by transgender students in the above cases are of a different variety, as observed in *B.P.J. v. West Virginia Board of Education*, 649 F.Supp.3d 220 (S.D. W. Va. 2023). In that case, a transgender 11-year-old biological male (B.P.J.) sought to participate on his school's female cross-country team. *Id.* at 223. But West Virginia designated athletic participation based on biological sex. *Id.* at 224. The district court held the policy survived intermediate scrutiny under the Equal Protection Clause. *Id.* at 229–32. But in so ruling, the district court observed the unique nature of B.P.J.'s claim: "B.P.J.'s issue here is not with the state's offering of girls' sports and boys' sports" but with "the state's definitions of 'girl' and 'boy.'" *Id.* at 228. B.P.J. believed the policy improperly defined the terms (according to biological sex). The district court's order was stayed by the Fourth Circuit without substantive explanation, *B.P.J. ex rel. Jackson v. W. Va. State Bd. of Educ.*, No. 23-1078, 2023 WL 2803113 (4th Cir. Feb. 22, 2023), but the court's observation remains relevant.

The dissent in the now-vacated Eleventh Circuit panel opinion in *Adams* made a similar observation. Chief Judge Pryor explained that while "[s]eparating bathrooms by sex treats people differently on the basis of sex," "the mere act of determining an individual's sex, using the same rubric for both sexes, does not treat anyone differently on the basis of sex." *Adams v. Sch. Bd. of St. Johns Cnty.*, 3 F.4th 1299, 1325, 1326 (11th Cir. 2021) (Pryor, C.J., dissenting). Chief Judge Pryor suggested that by applying intermediate scrutiny, the majority "appl[ie]d the wrong kind of constitutional scrutiny." *Id.*

Other states have taken positions in court that agree with and expand on this point. *See, e.g.*, Brief of Amici Curiae Alabama et al., *West Virginia v. B.P.J. ex rel. Jackson*, 2023 WL 2648004, at \*10 (U.S. Mar. 13, 2023); Brief of Amici Curiae Alabama et al., *Doe v. Horne*, Nos. 23-16026 & 23-1603 (9th Cir. Sept. 15, 2023) (*Doe* Amicus). We agree with this reasoning and have joined these briefs. Our briefs have observed that transgender plaintiffs are not arguing that "to segregate sports teams on the basis of sex violates the Equal Protection Clause." *Doe* Amicus at 5. "Just the opposite. Plaintiffs *want* [their state] to continue segregating sports teams by sex." *Id.* But they argue their states have unlawfully excluded them from the segregated category in which they wish to be. *Id.* In other words, "Plaintiffs seek to compel the State to continue segregating—just to adjust the contours of its segregation." *Id.* So, plaintiffs are really arguing that the classes created by these laws are "unlawfully narrow"—a "textbook underinclusiveness challenge." *Id.* at 7.

In another context, courts have applied rational-basis review when plaintiffs have challenged the contours of racial classifications, rather than the fact of discrimination itself. For example, *Hoohuli v. Ariyoshi*, 631 F. Supp. 1153 (D. Haw. 1986), involved a law that provided benefits to native Hawaiians based on ancestral lineage. *Id.* at 1154. Plaintiffs in the case did not contest the Legislature's ability to grant such preferences. They instead argued that the Legislature defined the beneficiary class too expansively. *Id.* at 1159. Plaintiffs asked the court to apply strict scrutiny because the legislation used a race-based classification. *Id.* at 1158–59. The district court refused and applied rational-basis review. *Id.* at 1159. The court reasoned

that it was not asked to examine "the racial preference itself," but it was asked "to examine the parameters of the beneficiary class." *Id.* The court explained that the government's decision not to calibrate the class to plaintiffs' preferences does not warrant heightened scrutiny. *See id.* at 1160–61. The court thus rejected plaintiff's equal-protection claim because the State's "definition of 'Hawaiian' . . . ha[d] a rational basis." *Id.* at 1163.

The Second Circuit elucidated this principle in *Jana-Rock Construction, Inc. v. New York Department of Economic Development*. 438 F.3d 195 (2d Cir. 2006). The case involved a New York affirmative-action statute that benefitted "Hispanics." *Id.* at 200. Plaintiff Rocco Luiere was "the son of a Spanish mother whose parents were born in Spain," but he was not considered Hispanic for purposes of the statute. *Id.* at 199. Similar to the plaintiff in *Hoohuli*, Luiere did not challenge the fact that the program benefitted only Hispanics; he challenged the State's decision not to classify him as Hispanic for purposes of the program. *Id.* at 200, 205.

On its way to rejecting Luiere's claim, the court confirmed that "[t]he purpose of [heightened scrutiny] is to ensure that the government's choice to use racial classifications is justified." *Id.* at 210. It is "not to ensure that the contours of the specific racial classification" are always "correct." *Id.* The Second Circuit therefore "evaluate[d] the plaintiff's underinclusiveness claim using rational basis review" and duly rejected it. *Id.* at 212.

We have argued that these racial-classification cases map onto sex-based classifications. The above cases were not about whether the government could draw lines between races for certain benefits; they were about whether the government drew the lines in the right spots. Transgender students have not argued the government cannot draw a line between boys and girls for purposes of bathrooms and sports; they have argued that the government has drawn the line in the wrong spot. Chief Judge Pryor and several states would argue that the definitions creating a sexual classification—like the definitions creating a racial classification—are subject to only rational-basis review.

#### D.

After considering all the above authority, we find L.B. 575 would not violate the Equal Protection Clause. Specifically, we find (1) L.B. 575 does not discriminate based on gender identity, but on only biological sex, (2) L.B. 575's discrimination of facilities and athletics based on biological sex survives intermediate scrutiny, and (3) L.B. 575's defining its classes based on biological sex rather than gender identity survives rational-basis review.

#### 1.

We conclude that L.B. 575 does not discriminate based on gender identity. First, a plain reading of the bill reveals no mention of transgender status or gender identity. On its face, L.B. 575 defines females and males according to biology at birth. It designates bathrooms and locker rooms based on biological sex. It designates involvement in athletics based on biological sex. These are distinctions based on sex, not gender identity. Biological males, transgender or not, cannot use female bathrooms or locker rooms or be on female-designated sports teams. And biological females,



transgender or not, cannot use male bathrooms or locker rooms or be on male-designated sports teams. As such, the plain text of L.B. 575 cannot be said to single out transgender students.

It may be asserted that while the policy does not facially discriminate against transgender students, it may have a disparate impact on transgender students. Indeed, it seems transgender students would be more likely than non-transgender students to request to use a bathroom that differs from their biological sex. But as noted in *Adams*, disparate impact alone is not enough to render an otherwise neutral law unconstitutional. Instead, the policy must also be motivated by "purposeful discrimination." *Adams*, 57 F.4th at 810. Purposeful discrimination involves more than awareness of the disparate effect a bill may have on a group of people. *See Feeney*, 442 U.S. at 279. Purposeful discrimination requires that lawmakers acted "'because of,' not merely 'in spite of,' its adverse effects upon an identifiable group." *Id.* In *Adams*, the Eleventh Circuit found the defendant school board did not act to "single out" transgender students, evidenced by the fact that the school board sought to accommodate those students by offering alternative sex-neutral bathrooms. *Adams*, 57 F.4th at 810–11. We find no evidence that L.B. 575 has been introduced to single out and harm transgender students as opposed to protect the privacy of students and protect female athletic opportunity.

2.

Next, we conclude L.B. 575's sex-based classifications survive sex-based intermediate scrutiny. L.B. 575 classifies students (for both school facilities and athletic programs) based on biological sex. The State's decision to segregate facilities and sports teams by sex would warrant intermediate scrutiny. *See Virginia*, 518 U.S. at 532–33. We find L.B. 575's sex-based classifications clear intermediate scrutiny.

Under intermediate scrutiny, "absolute necessity is not required before a gender based classification can be sustained." *Clark*, 695 F.2d at 1131. The question is whether the classification is substantially related to an important government interest. *Nguyen*, 533 U.S. at 60. We first review whether Nebraska has a substantial interest or interests in L.B. 575's sex classifications. Then, we review whether L.B. 575's means are substantially related to those interests.

a.

There is little-to-no dispute in the case law that segregating boys' and girls' bathrooms serves the important government interest of protecting student privacy. "The protection of students' privacy interests in using the bathroom away from the opposite sex . . . is obviously an important governmental objective." *Adams*, 57 F.4th at 804. Even in cases that found segregating bathrooms by biological sex is a violation of the Equal Protection Clause, courts have recognized "that students have a privacy interest in their body when they go to the bathroom." *Grimm*, 972 F.3d at 613. And the government has "a legitimate interest in ensuring [those] bathroom privacy rights are protected." *Whitaker*, 858 F.3d at 1052.

The cases also affirm that protecting female athletic opportunity is an important government interest. "[T]he government has an important interest in protecting and promoting athletic opportunities for girls." *D.N.*,

2023 WL 7323078, at \*6. Even the Ninth Circuit, which struck down Idaho's Fairness in Women's Sports Act, has recognized this interest. In *Clark*, male students (who were not transgender) challenged the Arizona Interscholastic Association's policy that prohibited them from competing on the girls' volleyball team even though their school did not offer boys' volleyball. 695 F.2d at 1127. The Ninth Circuit recognized that the challenged policy furthered two "legitimate and important" interests—(1) "promoting equality of athletic opportunity between the sexes" and (2) "redressing past discrimination against women in athletics." *Id.* at 1131. While the Ninth Circuit in *Hecox* distinguished *Clark* in striking down Idaho's Fairness in Women's Sports Act, the court still recognized "an important state interest" in "furthering women's equality and promoting fairness in female athletic teams." *Hecox*, 79 F.4th at 1028. States have an important interest in preserving and advancing female athletic opportunity.

**b.**

The conflict in the case law arrives at the second step of intermediate scrutiny—whether laws like L.B. 575 are *substantially related* to the government's important interests. *Adams* and *Bridge* and *D.N.* answered that question, "yes"; *Hecox* and *Grimm* answered, "no."

We find the latter line of cases have misapplied the standard and their reasoning unpersuasive. These courts have not focused on the question of whether separating bathrooms and athletics *by sex* is substantially related to protecting the privacy of students and protecting women's sports. These courts have instead focused on the question of whether prohibiting *transgender students* from accessing facilities and teams designated for the biological sex opposite them is substantially related to the government's interests. We find the logic of these decisions misplaced.

*Hecox* illustrates the methodological error. In that decision, the court affirmed the district court's conclusion that, based on the record, "a categorical bar against a transgender female athlete's participation" was not necessary to "promote 'sex equality' or to 'protect athletic opportunities for females.'" *Hecox*, 79 F.4th at 1030. But the classification at issue was not based on transgender identity. The policy did not create a "non-transgender team" on one end and a "transgender team" on the other. The classification was between biological males and biological females. *See* Idaho Code §§ 33-6201–06 (2020). So, the question should have been whether a categorical bar against biological males' participation in female sports promoted "sex equality" and "protect[ed] athletic opportunity for females." The Ninth Circuit had already answered that question, "yes," in *Clark*. There, it held there was "clearly a substantial relationship between the exclusion of males from the [women's] team and the goal of redressing past discrimination and providing equal opportunities for women." *Clark*, 695 F.2d at 1131. Indeed, the court concluded that if Arizona was forced to allow biological males to compete on women's teams, "athletic opportunities for women would be diminished." *Id.*

In *Grimm*, the Fourth Circuit reasoned that "the record demonstrates that bodily privacy of cisgender boys using the boys restrooms did not increase when *Grimm* was banned from those restrooms." *Grimm*, 972 F.3d at 614. But the school board policy did not create a "non-

transgender restroom" and a "transgender restroom." It provided for "male and female restroom and locker room facilities" as determined by biological sex. *Id.* at 599. So, the question should not have been whether bodily privacy of boys increases when transgender "boys" are banned from the restroom. The question should have been whether the bodily of privacy of biological males is supported when biological females are banned for the boys' restrooms.

In both cases, when the analysis is properly framed, the answer becomes clear. Disallowing biological males from competing with biological females in athletics is substantially related to preserving athletic opportunity for biological females. As noted by the Ninth Circuit, because of "physiological differences" between average males and average females, "males would displace females to a substantial extent if they were allowed to compete for positions" on sports teams and "athletic opportunities for women would be diminished." *Clark*, 695 F.2d at 1131; *see also* pp. 24–25, *infra*.

It is also clear that segregation between the sexes in bathrooms is substantially related to the government's interest in privacy. The Seventh Circuit has explained that "the law tolerates same-sex restrooms or same-sex dressing rooms . . . to accommodate privacy needs." *Chaney v. Plainfield Healthcare Ctr.*, 612 F.3d 908, 913 (7th Cir. 2010). The Fourth Circuit has found that "[t]he need for privacy justifies separation and the differences between the genders demand a facility for each gender that is different." *Faulkner v. Jones*, 10 F.3d 226, 232 (4th Cir. 1993). The Supreme Court has also acknowledged the necessity of sex-segregated facilities, recognizing that admitting women for the first time into the Virginia Military Academy "would undoubtedly require alterations necessary to afford members of each sex privacy from the other sex in living arrangements." *Virginia*, 518 U.S. at 550 n.19. To hold otherwise would undermine a common practice throughout humanity itself. Indeed, "it has been commonplace and universally accepted—across societies and throughout history—to separate on the basis of sex those public restrooms, locker rooms, and shower facilities that are designed to be used by multiple people at a time." *Grimm*, 972 F.3d at 634 (Niemeyer, J., dissenting).

In the end, L.B. 575's separation of facilities and athletics is substantially related to the important government interests of student privacy and female athletic opportunity. Its sex-based classifications thus survive intermediate scrutiny.

### 3.

Finally, we note that while the above intermediate-scrutiny analysis is appropriate and necessary to evaluating the constitutionality of L.B. 575, we think that rational-basis is the correct review standard for the type of claim that would likely be brought against L.B. 575. For completeness, we address this issue as well.

In the case where a student challenges whether Nebraska can segregate bathrooms and sports between boys/men/males and girls/women/females at all, intermediate scrutiny would necessarily apply. *See* p. 13, *supra*. But plaintiffs who have recently challenged similar laws have not made this argument. They do not object to the fact that these laws

segregate sports or bathrooms. *See* pp. 13–14, *supra*. Rather, plaintiffs have argued only that these policies' definitions should place transgender students on the side that matches their gender identity. *Id.* L.B. 575's definitions are subject to rational-basis review. And its definitions survive rational-basis review.

L.B. 575 defines a "biological female" as a person "born with female anatomy with two X chromosomes," and it defines a "biological male" as a person "born with male autonomy with X and Y chromosomes." L.B. 575 § 2(a), (b). Some may complain that those definitions improperly exclude transgender students. That objection is fundamentally a line-drawing one, which survives constitutional scrutiny under a rational-basis test.

The State's definitions of "biological male" and "biological female" do not warrant heightened scrutiny. *Jana-Rock* and *Hoohuli* subjected the government's definitions of a racial classification to rational-basis review. *See Jana-Rock*, 438 F.3d at 212; *Hoohuli*, 631 F. Supp. 1159. These cases demonstrate the difference between a challenge to a classification and a challenge that disagrees with the parameters of the classification. The first is subject to heightened scrutiny while the latter receives only rational-basis review. *See* pp. 14–16, *supra*. L.B. 575's excluding transgender "boys" from the definition of male and transgender "girls" from the definition of female falls into the latter.

We agree with *Jana-Rock* that the reason for heightened scrutiny is suspicion over the fact that the government is dividing people into groups at all. *See Jana-Rock*, 438 F.3d at 210. That suspicion is not present where the parties agree the government can segregate and disagree only on where to draw the boundaries between groups. The issue of whether transgender students should get to play on the team and use the bathroom of their choice is about the parameters of segregation, not the segregation itself.

L.B. 575's definitions clearly pass rational-basis scrutiny. But they also would pass even intermediate scrutiny. Excluding transgender students from the definition of the sex with which they identify is substantially related to the important government interests already laid out—student privacy and protecting female athletic opportunity.

The privacy interests fueling L.B. 575's sex-based bathrooms rule are "sex-specific privacy interests." *Adams*, 57 F.4th at 806. "[M]ost people have 'a special sense of privacy in their genitals, and involuntary exposure of them in the presence of people of the other sex may be especially demeaning and humiliating.'" *Fortner v. Thomas*, 983 F.2d 1024, 1030 (11th Cir. 1993) (quoting *Lee v. Downs*, 641 F.2d 1117, 1119 (4th Cir. 1981)). This privacy interest is implicated when a male is in the female bathroom regardless of how that male identifies, and *vice versa*. It would undermine this interest for the State to give students of the opposite sex—who in many cases have genitals of the opposite sex—access to bathrooms meant to provide students a place where they can "shield[] their bodies from the opposite sex." *Adams*, 57 F.4th at 805. In short, keeping biologically male students out of female bathrooms, even if the males identify as female, is substantially related to the State's interest in shielding students' bodies in intimate facilities from members of the opposite sex.

Disallowing transgender students to play on the team designated for the opposite biological sex is substantially related to protecting female athletic opportunity. Simply put, there are "physiological differences" between males and females. *Clark*, 695 F.2d at 1131. The "genetic" differences "between males and females" include "height, body mass, skeletal structure, strength, muscle quality, center of gravity, limb length ratios, [and] cardiovascular performance." Amicus Brief of 67 Female Athletes, Coaches, Sports Officials, and Parents of Female Athletes, *West Virginia v. B.P.J.*, 2023 WL 2648011, at \*6 (Mar. 13, 2023).<sup>3</sup> "[A]dult males are faster, stronger, more powerful than females because of fundamental sex differences in anatomy and physiology dictated by sex chromosomes." *ACSM Releases Expert Consensus Statement*, American College of Sports Medicine (Sept. 29, 2023), <https://perma.cc/Q5UZ-2F8G>. These biological advantages are not erased the moment a male announces, "I am a woman." If Nebraska allowed biological males to play on a female team if they so identified, "there would be a substantial risk that boys would dominate the girls' programs and deny them an equal opportunity to compete in interscholastic events." *O'Connor*, 449 U.S. at 1307.

Some courts have suggested that estrogen therapy and other transition procedures may quell any physiological advantages biological males have over biological females. See *Hecox*, 79 F.4th at 1029. Even if that is true, not every biological male that identifies as a woman undergoes these procedures.<sup>4</sup> And neither rational-basis nor intermediate scrutiny requires states to narrowly tailor laws to every individual's unique circumstances. See *Heller v. Doe*, 509 U.S. 312, 321 (1993); *Clark*, 695 F.2d at 1131–32. The Legislature does not have to tailor L.B. 575 to allow biological males who have undertaken treatments that curtail their physiological advantages to compete on female-designated teams.

L.B. 575's definitions of "biological female" and "biological male" do not fail either rational-basis or intermediate review. L.B. 575 does not violate the Equal Protection Clause.

### III.

L.B. 575 is also consistent with Title IX of the Educational Amendments of 1972. Title IX provides that "[n]o person in the United States shall, on the basis of sex, be excluded from participation in, be denied the benefits of, or be subjected to discrimination under any education program or activity receiving Federal financial assistance." 20 U.S.C. § 1681(a); *accord* 34 C.F.R. § 106.31(a). "Congress enacted Title IX in response to its finding—after extensive hearings held in 1970 by the House Special Subcommittee on Education—of pervasive discrimination against women with respect to educational opportunities." *Cohen v. Brown Univ.*, 101 F.3d 155, 165 (1st Cir. 1996); *see also Neal v. Bd. of Trs. of Cal. State Univs.*, 198 F.3d 763, 766 (9th Cir. 1999).

While Title IX prohibits discrimination "on the basis of sex" in the provision of educational benefits, 20 U.S.C. § 1681(a), it *expressly allows* educational institutions to "maintain[] separate living facilities for the different sexes," *id.* § 1686, and implementing regulations allow "separate toilet, locker room, and shower facilities on the basis of sex," 34 C.F.R.

§ 106.33. The Title IX regulations also allow institutions to "operate or sponsor separate teams for members of *each sex* where selection for such teams is based upon competitive skill or the activity involved is a contact sport." 34 C.F.R. § 106.41(b) (emphasis added). As Senator Bayh, the chief sponsor of Title IX in the Senate, explained, this safe harbor was intended to "permit differential treatment by sex . . . in sports facilities or other instances where personal privacy must be preserved." 118 Cong. Rec. S5,807 (daily ed. Feb. 28, 1972) (statement of Sen. Bayh).

L.B. 575's separation of school facilities and athletics based on biological sex implicates Title IX. Courts are split on whether the refusal to allow transgender athletes to use facilities or compete in sports based on their gender identity violates Title IX.

**A.**

In *Grimm*, the Fourth Circuit relied on the Supreme Court's holding in *Bostock v. Clayton County*, 590 U.S. 644 (2020)—a Title VII case about employment discrimination—to strike down a school board's policy prohibiting the transgender plaintiff from using the boys' restrooms. In *Bostock*, the Court found that discrimination based on sexual orientation or gender identity violates Title VII because "it is impossible to discriminate against a person for being homosexual or transgender without discriminating against that individual based on sex." *Bostock*, 590 U.S. at 660.

The Fourth Circuit stated that "[a]lthough *Bostock* interprets Title VII of the Civil Rights Act of 1964, it guides our evaluation of claims under Title IX." *Grimm*, 972 F.3d at 616 (citation omitted). It explained that "the Board could not exclude *Grimm* from the boys' bathrooms without referencing his 'biological gender' under the policy," so "[e]ven if the Board's primary motivation in implementing or applying the policy was to exclude *Grimm* because he is transgender, his sex remains a but-for cause for the Board's actions." *Id.* at 616. The court thus concluded that "the Board's policy excluded *Grimm* from the boys' restrooms 'on the basis of sex.'" *Id.* at 617. The court reasoned, "*Grimm* was treated worse than students with whom he was similarly situated because he alone could not use the restroom corresponding with his gender." *Id.* at 618. The court accordingly affirmed summary judgment on *Grimm*'s Title IX claim. *Id.* at 619.

Similarly, in *Doe v. Snyder*, 28 F.4th 103 (9th Cir. 2022), the Ninth Circuit held that *Bostock*'s reasoning should apply to Title IX challenges. There, two minors diagnosed with gender dysphoria argued that the Arizona Health Care Cost Containment System's policy was unconstitutional. *Id.* at 106. Specifically, they argued that the policy of excluding "gender reassignment surgeries" from coverage under Arizona Medicaid violated the Affordable Care Act's anti-discrimination provision, which incorporates by reference Title IX's prohibition of discrimination "on the basis of sex," *see* 42 U.S.C. §18116(a). Although the court did not reach the merits of the constitutional and statutory challenges, it instructed that "Title IX's protections [should be construed] consistently with those of Title VII." *Doe*, 28 F.4th at 114. It did this despite acknowledging that the statutes employ

different language, reasoning that *Bostock* interchangeably used "because of sex" and "on the basis of sex" throughout the opinion. *See id.*

**B.**

Other courts have declined to extend the reasoning of *Bostock* to Title IX. For example, in *Adams*, the en banc court held that a school's "separating school bathrooms based on biological sex . . . comports with Title IX." *Adams*, 57 F.4th at 796. To determine the meaning of "sex" in Title IX, the court looked to the ordinary meaning of the word when the law was enacted in 1972. *See id.* at 812. Guided by dictionary definitions from the time of Title IX's enactment, the court found the meaning of "sex" to be unambiguous. It held that "when Congress prohibited discrimination on the basis of 'sex' in education, it meant biological sex, i.e., discrimination between males and females." *Id.* If "sex" included "gender identity," then Title IX's "carve-out" for sex-separated living facilities, "as well as the various carveouts under the implementing [Title IX] regulations, would be rendered meaningless," and transgender persons "would be able to live in both living facilities associated with their biological sex *and* [those] associated with their gender identity or transgender status." *Id.* at 813 (emphasis added). Such a conclusion was "difficult [for the court] to fathom." *Id.*

The court likewise declined to extend *Bostock* because it "expressly declined to address the issue of sex-separated bathrooms and locker rooms" and instead cabined itself to the Title VII issue of "various employers' decisions to fire employees based solely on their sexual orientations or gender identities." *Id.* at 808. The "appeal [in *Adams*] centers on the converse of that statement—whether discrimination based on biological sex necessarily entails discrimination based on transgender status." *Id.* at 809. The court concluded that "it does not—a policy can lawfully classify on the basis of biological sex without unlawfully discriminating on the basis of transgender status."<sup>5</sup> *Id.*

The court in *Bridge* also rejected the plaintiff's Title IX challenge to the school's policy that excluded him from his preferred bathroom. It found that because Title IX expressly allows schools to separate facilities based on sex, see 34 C.F.R. § 106.33, the determinative question was whether "sex" under Title VII means biological sex or gender identity. *Bridge*, 2024 WL 150598, at \*7. The court concluded that "[a]t the time Title IX was enacted, the ordinary public meaning of 'sex' was understood to mean the biological, anatomical, and reproductive differences between male and female." *Id.* at \*8. The school therefore did not violate Title IX by separating bathrooms by biological sex as allowed by Title IX's exception.

In *Neese v. Becerra*, two Texas-based physicians challenged the United States Department of Health and Human Services' (HHS) interpretation of Section 1557 of the Affordable Care Act. 640 F.Supp.3d 668, 672–73 (N.D. Tex. 2022). Section 1557 incorporated by reference Title IX's prohibition of discrimination "on the basis of sex," see 42 U.S.C. §18116(a), and HHS announced that it would interpret and enforce this provision to include gender-identity and sexual-orientation discrimination, per *Bostock*. *Neese*, 640 F.Supp.3d at 672.

The court held that neither *Bostock* nor its reasoning apply to Title IX. The court reasoned that Title VII and Title IX use different phraseology. Title VII prohibits discrimination "because of sex," while Title IX uses "on the basis of sex." *Id.* at 679–80. The court reasoned that "[a]s written and commonly construed, Title IX operates in binary terms—male and female—when it references 'on the basis of sex.'" *Id.* at 680. Thus, the word "sex" in Title IX refers to biological sex and not sexual orientation or gender identity. The court concluded that reading the phrase otherwise would render "Title IX and its regulations . . . nonsensical." *Id.* In fact, to ensure the legislative purposes of Title IX are accomplished, the court stated that Title IX "expressly allows [for] sex distinctions and sometimes even requires them to promote equal opportunity." *Id.* Accordingly, the court held, "Title IX's ordinary public meaning remains intact until changed by Congress, or perhaps the Supreme Court." *Id.* at 684.

### C.

Adopting the analyses of the latter cases, we conclude L.B. 575 does not violate Title IX. Those courts reasoned that separating bathrooms and athletics based on biological sex comports with the text and legislative purpose of Title IX. As pointed out by the extensive en banc opinion in *Adams*, the reasoning of *Bostock* does not apply to Title IX. *Bostock* concerned only Title VII; it expressly noted that "other federal or state laws that prohibit sex discrimination"—like Title IX—were not "before" the Court; and it refused to "prejudge any such question" about what those statutes require. 590 U.S. at 681. Substantively, "Title VII differs from Title IX in important respects." *Meriwether v. Hartop*, 992 F.3d 492, 510 n.4 (6th Cir. 2021). Title VII involves employment claims. Title IX is "about schools and children—and the school is not the workplace." *Adams*, 57 F.4th at 808. It therefore "does not follow that principles announced in the Title VII context automatically apply in the Title IX context." *Meriwether*, 992 F.3d at 510 n.4.

We also reiterate the material differences in the texts of Title VII and Title IX. Title IX prohibits discrimination "on *the basis* of sex," 20 U.S.C. § 1681(a) (emphasis added), rather than "because of . . . sex." 42 U.S.C. § 2000e-2(a)(1). That distinction is significant. *Bostock* concluded that Title VII's prohibition on discrimination "because of" sex imposed a but-for causation requirement, which the Court acknowledged "can be a sweeping standard." *Bostock*, 590 U.S. at 656. Title IX, by contrast, prohibits only discrimination "on *the basis* of sex." 20 U.S.C. § 1681(a) (emphasis added). That language conveys that biological sex must be the *sole* reason for the discrimination. "A statutory provision's use of the definite article 'the,' . . . indicates that Congress intended the term modified to have a singular referent." *S.E.C. v. KPMG LLP*, 412 F. Supp. 2d 349, 387–88 (S.D.N.Y. 2006); *see also Rumsfeld v. Padilla*, 542 U.S. 426, 434 (2004).

We also agree with *Adams* and *Bridge* that separating bathrooms and sports by biological sex falls squarely into Title IX's carve-outs for separating facilities and athletic teams on the basis of "sex." *See* 20 U.S.C. § 1686; 34 C.F.R. §§ 106.33, .41(b). The ordinary meaning of the word "sex" at the time the law was enacted was biological sex. Definitions show



that in 1972 the word "sex" meant biological sex, not gender identity. See *Adams*, 57 F.4th at 812 (collecting dictionary definitions); *Bridge*, 2024 WL 150598, at \*7 (same); *Grimm*, 972 F.3d at 632–33 (Niemeyer, J., dissenting); see also 85 Fed. Reg. 30026, 30178 ("Title IX and its implementing regulations include provisions that presuppose sex as a binary classification . . ."). Defining sex to mean biological sex, as is the case in L.B. 575, does not offend Title IX. Rather, it appears to be in accord with the legislative purpose of Title IX. For these reasons, L.B. 575 does not violate Title IX.

#### IV.

We conclude that L.B. 575, as introduced, is constitutional. Courts have long found that separating sports and facilities by sex is permissible under the Equal Protection Clause. And any challenges to L.B. 575's exclusion of transgender students from its definitions of "biological male" and "biological female" should be examined under rational-basis review. But even if the bill is reviewed under intermediate scrutiny, it is still constitutional. Courts have routinely found that objectives like those of L.B. 575—student privacy and equal athletic opportunities—are important. It is reasonable for the State to make designations based on biology to ensure those objectives are accomplished.

As to Title IX challenges, we believe separating facilities and teams based on biological sex comports with the text and legislative purpose of Title IX. The word "sex" in Title IX and its carve-outs for facilities and athletic teams refers to biological sex, not sexual orientation or gender identity. To read the phrase otherwise would be to render Title IX illogical.

MICHAEL T. HILGERS  
Attorney General of Nebraska

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<sup>1</sup>Currently, Nebraska allows, but does not require, educational institutions to maintain separate toilet facilities, locker rooms, or living facilities for the different sexes. See Neb. Rev. Stat. § 79-2,124 (Reissue 2014).

<sup>2</sup>Students also had the option to use a gender-neutral bathroom. *Adams*, 57 F.4th at 798.

<sup>3</sup>See also K. M. Halzip et al., *Sex-Based Differences in Skeletal Muscle Kinetics and Fiber-Type Composition*, 30 *Physiology* 30 (2015); Sandro Bartolomei et al., *A Comparison between Male and Female Athletes in Relative Strength and Power Performances*, 6 *J. Functional Morphology and Kinesiology* 17 (2021); Sarah R. St. Pierre et al., *Sex Matters: A Comprehensive Comparison of Female and Male Hearts*, *Frontiers in Physiology* (2022), <https://perma.cc/2VHJ-FPCS>; Melanie Schorr et al., *Sex Differences in Body Composition and Association with Cardiometabolic Risk*, *Biology of Sex Differences* (2018), <https://perma.cc/VP2B-LTU9>.

<sup>4</sup>See, e.g., *Transgender & Non-Binary Care Frequently Asked Questions*, The MetroHealth System, <https://perma.cc/K3J3-3BU3> (last visited Mar. 12, 2024), ("Living according to your gender identity does not always mean you need to use hormones or surgery."); *Learn About Sex and Gender*, Planned

Parenthood Great Northwest, Hawai‘i, Alaska, Indiana, Kentucky, <https://perma.cc/W66P-AK7Z> (last visited Mar. 12, 2024) (“Transitioning can involve medical treatment and hormones, changing name and pronouns, altering appearance and dress, or coming out to your friends and family. Not all transgender people transition.”).

<sup>5</sup>Even if the term “sex,” as used in Title IX, was ambiguous, the court would have still found in favor of the School Board because under the clear-statement rule for laws passed under the Spending Clause, Congress must have “unambiguously” defined sex to mean something other than biological sex—which it did not. *Id.* at 815–17.

### GENERAL FILE

**LEGISLATIVE BILL 388.** Senator M. Cavanaugh renewed [MO550](#), found on page 958, First Session, 2023, and considered on page 1331 and in this day’s Journal, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

### SPEAKER ARCH PRESIDING

#### PRESIDENT KELLY PRESIDING

The M. Cavanaugh motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) failed with 8 ayes, 29 nays, 10 present and not voting, and 2 excused and not voting.

Senator Slama offered the following motion:

[MO1320](#)

Reconsider the vote taken on MO550.

Senator Linehan offered the following motion:

[MO1321](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 39 ayes, 3 nays, and 7 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar	Bostelman	Erdman	Kauth	Sanders
Albrecht	Brandt	Hansen	Linehan	von Gillern
Arch	Brewer	Hardin	Lippincott	Walz
Armendariz	Clements	Holdcroft	McDonnell	Wayne
Ballard	DeKay	Hughes	Meyer	Wishart
Bosn	Dorn	Ibach	Moser	
Bostar	Dover	Jacobson	Murman	

Voting in the negative, 6:

Cavanaugh, J.	Dungan	Slama
Conrad	McKinney	Vargas

Present and not voting, 8:

Blood	Day	Fredrickson	Lowe
Cavanaugh, M.	DeBoer	Halloran	Riepe

Excused and not voting, 2:

Hunt	Raybould
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The Linehan motion to invoke cloture prevailed with 33 ayes, 6 nays, 8 present and not voting, and 2 excused and not voting.

The Slama motion to reconsider failed with 9 ayes, 32 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 12 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

### COMMITTEE REPORT(S)

Education

**LEGISLATIVE BILL 1331.** Placed on General File with amendment.

[AM3313](#) is available in the Bill Room.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Timothy Daniels - Coordinating Commission for Postsecondary Education  
 Deborah Frison - Coordinating Commission for Postsecondary Education  
 LeDonna Griffin - Coordinating Commission for Postsecondary Education  
 Dennis Headrick - Coordinating Commission for Postsecondary Education  
 Dannika L. Nelson - Coordinating Commission for Postsecondary  
 Education

Aye: 8. Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne.  
 Nay: 0. Absent: 0. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Jon W. Abegglen - Board of Educational Lands and Funds  
Dwayne B. Probyn - Board of Educational Lands and Funds

Aye: 8. Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Dorothy C. Anderson - Nebraska Educational Telecommunications  
Commission

Aye: 8. Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Christy Hovanetz - Technical Advisory Committee for Statewide  
Assessment

Aye: 8. Albrecht, Conrad, Linehan, Meyer, Murman, Sanders, Walz, Wayne.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Dave Murman, Chairperson

General Affairs

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Dan Volnek - Nebraska Commission on Problem Gambling

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe,  
Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Todd Zohner - Nebraska Commission on Problem Gambling

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe,  
Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Paul Leckband - Nebraska Commission on Problem Gambling

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Helen Abbott Feller - State Racing and Gaming Commission

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

The General Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Stephen M. Farrington - State Electrical Board

Aye: 8. Brewer, Cavanaugh, J., Day, Hardin, Holdcroft, Hughes, Lowe, Raybould. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Lowe, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Holdcroft filed the following amendment to LB876A:

[AM3273](#)

1 1. Strike original section 2.

2 2. On page 2, line 1, strike "\$50,000" and insert "\$65,000".

Senator Linehan filed the following amendment to LB388:

[AM3292](#)

(Amendments to Standing Committee amendments, AM3203)

1 1. Strike section 35 and insert the following new section:

2 Sec. 35. Section 77-3446, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 77-3446 Base limitation means the budget limitation rate applicable

5 to school districts and the limitation on growth of restricted funds

6 applicable to other political subdivisions prior to any increases in the

7 rate as a result of special actions taken by a supermajority of any

8 governing board or of any exception allowed by law. The base limitation

9 is ~~three two and one-half~~ percent until adjusted, except that the base

10 limitation for school districts ~~for school fiscal years 2017-18 and~~

11 ~~2018-19 is one and one-half percent and for school fiscal year 2019-20 is~~

12 ~~two and one-half~~ percent. The base limitation may be adjusted annually by

13 the Legislature to reflect changes in the prices of services and products

14 used by school districts and political subdivisions.

Senator Bostar filed the following amendment to [LB388](#):

[FA329](#)

On page 33, strike lines 25-31; and on page 34, strike lines 1-22.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 462.** Introduced by Jacobson, 42; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; 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, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Ibach, 44; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; Moser, 22; Murman, 38; Raybould, 28; Riepe, 12; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

WHEREAS, Fred Hoiberg was named one of the 2023-24 Big Ten Coaches of the Year; and

WHEREAS, Hoiberg began his coaching career at Iowa State University in 2010, coached the Chicago Bulls from 2015 to 2018, and made his way to the University of Nebraska-Lincoln in 2019; and

WHEREAS, Hoiberg is the first Husker coach to be named Big Ten Co-Coach of the Year since 2014; and

WHEREAS, under Hoiberg's direction, the Huskers were forecasted to finish twelfth in the league, but countered the prediction with a third place finish; and

WHEREAS, the Huskers totaled twenty-two wins in the 2023-24 season tying for the second most in program history; and

WHEREAS, Hoiberg respected the process of the program, from the players to the people behind the scenes, and the dedication and hard work has awarded him recognition.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Fred Hoiberg on being named 2023-24 Big Ten Co-Coach of the Year.
2. That a copy of this resolution be sent to Fred Hoiberg.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 388A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 11 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1073.** Committee [AM2568](#), found on page 810 and considered on page 1373, was renewed.

The first Slama amendment, [AM3285](#), found on page 1373 and considered on page 1380, to the committee amendment, was renewed.

The first Slama amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

The second Slama amendment, [AM3286](#), found on page 1377, to the committee amendment, was offered.

The second Slama amendment, to the committee amendment, was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Senator J. Cavanaugh withdrew [AM3228](#), found on page 1380, to the first Slama amendment.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1073A.** Title read. Considered.

#### **SENATOR DEBOER PRESIDING**

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 196.** Title read. Considered.

Committee [AM3100](#), found on page 1164, was offered.

Senator Clements offered [AM3195](#), found on page 1260, to the committee amendment.

#### **SPEAKER ARCH PRESIDING**

Pending.

**LEGISLATIVE BILL 1085.** Title read. Considered.

Committee [AM2369](#), found on page 933, was offered.

The committee amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 903.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1326.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1214.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1070.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 910.** Title read. Considered.

Committee [AM2389](#), found on page 749, was offered.

Senator Riepe offered the following amendment to the committee amendment:

[AM3303](#)

(Amendments to Standing Committee amendments, AM2389)

1 1. On page 1, line 14, strike "care provider" and insert "medical  
2 service".

The Riepe amendment, to the committee amendment, was adopted with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1029.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.



**POINT(S) OF PERSONAL PRIVILEGE**

Senator Hansen took a point of personal privilege.

Senator Wayne took a point of personal privilege.

**MESSAGE(S) FROM THE GOVERNOR**

April 2, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 857/857A, 607, 644e/644Ae, 834, 839e, 894, 906, 1004e, 1102, 1204/1204A, 1215e, 1313, 851e, 877e, 998, 1118, 1143, 1162 and 1188e were received in my office on March 28, 2024, and signed on April 2, 2024.

These bills were delivered to the Secretary of State on April 2, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

**AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to LB348:  
[AM3263](#) is available in the Bill Room.

Senator Fredrickson filed the following amendment to LB856:  
[AM3218](#)

(Amendments to AM2544)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. Section 68-1206, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 68-1206 (1) The Department of Health and Human Services shall  
6 administer the program of social services in this state. The department  
7 may contract with other social agencies for the purchase of social  
8 services at rates not to exceed those prevailing in the state or the cost  
9 at which the department could provide those services. The statutory  
10 maximum payments for the separate program of aid to dependent children  
11 shall apply only to public assistance grants and shall not apply to  
12 payments for social services.  
13 (2)(a) As part of the provision of social services authorized by  
14 section 68-1202, the department shall participate in the federal child  
15 care assistance program under 42 U.S.C. 9857 et seq., as such sections  
16 existed on January 1, 2023, and provide child care assistance to families  
17 with incomes up to (i) one hundred eighty-five percent of the federal

18 poverty level prior to October 1, 2026, or (ii) one hundred thirty  
19 percent of the federal poverty level on and after October 1, 2026.

20 ~~(b)(i) (b)~~ As part of the provision of social services authorized by  
21 this section and section 68-1202, the department shall participate in the  
22 federal Child Care Subsidy program. A child care provider seeking to  
23 participate in the federal Child Care Subsidy program shall comply with  
24 the criminal history record information check requirements of the Child  
25 Care Licensing Act. In determining ongoing eligibility for this program,

26 ten percent of a household's gross earned income shall be disregarded  
1 after twelve continuous months on the program and at each subsequent  
2 redetermination. In determining ongoing eligibility, if a family's income  
3 exceeds one hundred eighty-five percent of the federal poverty level  
4 prior to October 1, 2026, or one hundred thirty percent of the federal  
5 poverty level on and after October 1, 2026, the family shall receive  
6 transitional child care assistance through the remainder of the family's  
7 eligibility period or until the family's income exceeds eighty-five  
8 percent of the state median income for a family of the same size as  
9 reported by the United States Bureau of the Census, whichever occurs  
10 first. When the family's eligibility period ends, the family shall  
11 continue to be eligible for transitional child care assistance if the  
12 family's income is below two hundred percent of the federal poverty level  
13 prior to October 1, 2026, or one hundred eighty-five percent of the  
14 federal poverty level on and after October 1, 2026. The family shall  
15 receive transitional child care assistance through the remainder of the  
16 transitional eligibility period or until the family's income exceeds  
17 eighty-five percent of the state median income for a family of the same  
18 size as reported by the United States Bureau of the Census, whichever  
19 occurs first. The amount of such child care assistance shall be based on  
20 a cost-shared plan between the recipient family and the state and shall  
21 be based on a sliding-scale methodology. A recipient family may be  
22 required to contribute a percentage of such family's gross income for  
23 child care that is no more than the cost-sharing rates in the  
24 transitional child care assistance program as of January 1, 2015, for  
25 those no longer eligible for cash assistance as provided in section  
26 68-1724.

27 (ii) A licensed child care program that employs a member of an  
28 eligible household shall make reasonable accommodations so that the  
29 eligible applicant or adult household member is not a primary caregiver  
30 to such applicant's or adult household member's child. If reasonable  
31 accommodation cannot be made, the department shall allow the applicant or  
1 adult household member to receive child care assistance for the  
2 applicant's or adult household member's child including when the  
3 applicant or adult household member is the primary caregiver for such  
4 child.

5 (iii) A licensed child care provider eligible for the child care  
6 subsidy may enroll the household member's child in a child care program  
7 other than the household member's child care program to receive child  
8 care assistance.

9 (c) For the period beginning July 1, 2021, through September 30,  
10 2026, funds provided to the State of Nebraska pursuant to the Child Care  
11 and Development Block Grant Act of 1990, 42 U.S.C. 9857 et seq., as such  
12 act and sections existed on January 1, 2023, shall be used to pay the  
13 costs to the state resulting from the income eligibility changes made in  
14 subdivisions (2)(a) and (b) of this section by Laws 2021, LB485. If the  
15 available amount of such funds is insufficient to pay such costs, then  
16 funds provided to the state for the Temporary Assistance for Needy  
17 Families program established in 42 U.S.C. 601 et seq. may also be used.  
18 No General Funds shall be used to pay the costs to the state, other than  
19 administration costs, resulting from the income eligibility changes made  
20 in subdivisions (2)(a) and (b) of this section by Laws 2021, LB485, for

21 the period beginning July 1, 2021, through September 30, 2026.  
 22 (d) The Department of Health and Human Services shall collaborate  
 23 with a private nonprofit organization with expertise in early childhood  
 24 care and education for an independent evaluation of the income  
 25 eligibility changes made in subdivisions (2)(a) and (b) of this section  
 26 by Laws 2021, LB485, if private funding is made available for such  
 27 purpose. The evaluation shall be completed by July 1, 2024, and shall be  
 28 submitted electronically to the department and to the Health and Human  
 29 Services Committee of the Legislature.  
 30 (3) In determining the rate or rates to be paid by the department  
 31 for child care as defined in section 43-2605, the department shall adopt  
 1 a fixed-rate schedule for the state or a fixed-rate schedule for an area  
 2 of the state applicable to each child care program category of provider  
 3 as defined in section 71-1910 which may claim reimbursement for services  
 4 provided by the federal Child Care Subsidy program, except that the  
 5 department shall not pay a rate higher than that charged by an individual  
 6 provider to that provider's private clients. The schedule may provide  
 7 separate rates for care for infants, for children with special needs,  
 8 including disabilities or technological dependence, or for other  
 9 individual categories of children. The schedule may also provide tiered  
 10 rates based upon a quality scale rating of step three or higher under the  
 11 Step Up to Quality Child Care Act. The schedule shall be effective on  
 12 October 1 of every year and shall be revised annually by the department.  
 13 Sec. 2. Original section 68-1206, Revised Statutes Supplement,  
 14 2023, is repealed.

Senator Ibach filed the following amendment to [LB1368A](#):  
[AM3290](#)

1 1. On page 2, lines 2 and 9, strike "\$5,000,000" and insert  
 2 "\$1,000,000".

#### **BILL ON FIRST READING**

The following bill was read for the first time by title:

**LEGISLATIVE BILL 631A.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 631, One Hundred Eighth Legislature, Second Session, 2024.

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 463.** Introduced by Walz, 15.

WHEREAS, the American Occupational Therapy Association has declared the month of April 2024 to be Occupational Therapy Month; and

WHEREAS, the profession of occupational therapy makes valuable contributions in helping people live life to its fullest after an illness or injury; and

WHEREAS, occupational therapy services are available to residents of Nebraska through occupational therapists and occupational therapy assistants at hospitals, home health agencies, schools, clinics, community organizations, and nursing homes; and

WHEREAS, the health and productivity of the residents of Nebraska depends upon the effective use of health care resources, including the important services of occupational therapists and occupational therapy assistants.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes April 2024 as Occupational Therapy Month in Nebraska.

Laid over.

### EASE

The Legislature was at ease from 6:06 p.m. until 6:40 p.m.

### SENATOR DEBOER PRESIDING

#### GENERAL FILE

**LEGISLATIVE BILL 196.** Committee [AM3100](#), found on page 1164 and considered in this day's Journal, was renewed.

Senator Clements renewed [AM3195](#), found on page 1260 and considered in this day's Journal.

Senator Clements moved for a call of the house. The motion prevailed with 27 ayes, 4 nays, and 18 not voting.

The Clements amendment lost with 24 ayes, 16 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Bostar offered the following amendment to the committee amendment:

#### [AM3151](#)

(Amendments to Standing Committee amendments, AM3100)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike original sections 2, 3, 4, and 5 and insert the following
- 3 new sections:
- 4 Section 1. Section 81-8,318, Revised Statutes Cumulative Supplement,
- 5 2022, is amended to read:
- 6 81-8,318 (1) To receive compensation under the In the Line of Duty
- 7 Compensation Act, a claim for the compensation ~~shall~~ ~~must~~ be filed with
- 8 the Risk Manager within ~~three years~~ ~~one year~~ after the date of death of
- 9 the public safety officer who was killed in the line of duty. Such claim
- 10 shall be on a form prescribed by the Risk Manager and shall include:
- 11 (a) The name, address, and title or position of the public safety
- 12 officer who was killed in the line of duty;
- 13 (b) A copy of the form filed in accordance with subsection (4) of
- 14 section 81-8,317, if any. If no such form has been filed, the claim shall

15 include the name and address of the person or persons to whom  
16 compensation is payable under subdivision (3)(b) of section 81-8,317;  
17 (c) A sworn statement providing a full factual account of the  
18 circumstances resulting in or the course of events causing the death of  
19 the public safety officer; and  
20 (d) Such other information as the Risk Manager reasonably requires.  
21 (2) The Risk Manager shall send written notice to all claimants  
22 within two weeks after the initiation of a claim indicating whether or  
23 not the claim is complete. For purposes of this subsection, a claim is  
24 complete if a claimant has submitted to the Risk Manager all documents  
25 and information required under subsection (1) of this section. If a claim  
26 is incomplete, the Risk Manager shall include in the written notice a  
1 list of the documents or information which the claimant must submit in  
2 order for the claim to be complete. If a claim is complete, the State  
3 Claims Board shall make an investigation of the claim in the manner  
4 provided in the State Miscellaneous Claims Act. Upon completion of such  
5 investigation, and no later than forty-five days after receipt of a  
6 complete claim, the State Claims Board shall approve or deny such claim  
7 in accordance with section 81-8,300 and the Risk Manager shall send  
8 written notice to the claimant stating whether the claim has been  
9 approved or denied. If a claim is denied, the notice shall include the  
10 reason or reasons for the denial. If a claimant is dissatisfied with a  
11 denial, he or she may file an application for review with the Risk  
12 Manager in accordance with subsection (2) of section 81-8,300. If a claim  
13 is approved, compensation shall be paid to the claimants entitled to such  
14 compensation in accordance with subsection (3) of section 81-8,300.  
15 (3) This section shall apply to any claim arising on or after  
16 January 1, 2022.  
17 Sec. 3. Original sections 81-8,318 and 81-2017, Revised Statutes  
18 Cumulative Supplement, 2022, are repealed.

The Bostar amendment was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

The Conrad motion [MO1235](#), found on page 964, to place on General File pursuant to Rule 3, Sec. 20(b), was not considered.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 196A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 870.** Title read. Considered.

Committee [AM2533](#), found on page 828, was offered.

The committee amendment was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh withdrew [AM2179](#), found on page 548.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 870A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 399.** Title read. Considered.

Committee [AM2702](#), found on page 856, was offered.

Senator J. Cavanaugh offered [MO1231](#), found on page 905, to recommit to the Natural Resources Committee.

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

Senator Erdman moved for a call of the house. The motion prevailed with 18 ayes, 0 nays, and 31 not voting.

The motion to cease debate prevailed with 27 ayes, 9 nays, and 13 not voting.

Senator M. Cavanaugh requested a roll call vote on the J. Cavanaugh motion to recommit to committee.

Voting in the affirmative, 10:

Blood	Cavanaugh, M.	DeBoer	Fredrickson	Vargas
Bostar	Day	Dungan	McKinney	Walz

Voting in the negative, 31:

Aguilar	Brandt	Halloran	Linehan	Sanders
Albrecht	Brewer	Hansen	Lippincott	Slama
Arch	Clements	Hardin	Lowe	von Gillern
Armendariz	DeKay	Holdcroft	McDonnell	
Ballard	Dorn	Hughes	Meyer	
Bosn	Dover	Jacobson	Moser	
Bostelman	Erdman	Kauth	Murman	

Present and not voting, 5:

Cavanaugh, J.	Conrad	Ibach	Riepe	Wishart
---------------	--------	-------	-------	---------

Excused and not voting, 3:

Hunt            Raybould        Wayne

The J. Cavanaugh motion to recommit to committee failed with 10 ayes, 31 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator J. Cavanaugh offered the following motion:

[MO1323](#)

Reconsider the vote taken on MO1231.

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1288.** Placed on Final Reading.

[ST55](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the McKinney amendment, AM3096, on page 2, line 12, "(b)" has been struck and "(ii)" inserted.

2. Due to the adoption of the McKinney amendment, AM3096, in the Raybould amendment, AM3106, section 30 has been struck and the following new sections inserted: Sec. 35. Sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, and 36 of this act become operative on October 1, 2024. The other sections of this act become operative on their effective date. Sec. 37. Original sections 53-167.02, 53-180.06, 69-2404, and 69-2430, Reissue Revised Statutes of Nebraska, and section 28-1202.03, Revised Statutes Supplement, 2023, are repealed.

3. On page 1, the matter beginning with "civil" in line 1 through line 13 and all amendments thereto have been struck and "tribal matters; to amend sections 53-167.02, 53-180.06, 69-2404, 69-2430, 71-901, 71-902, 71-903, 71-910, 71-912, 71-919, 71-920, 71-926, 71-929, 71-936, 71-937, 71-939, 71-958, 71-961, 71-1201, 71-1203, 71-1204, 71-1206, 71-1210, 71-1213, 71-1220, 71-1221, and 71-1223, Reissue Revised Statutes of Nebraska, section 83-338, Revised Statutes Cumulative Supplement, 2022, and section 28-1202.03, Revised Statutes Supplement, 2023; to allow the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws; to provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; to provide for tribal law enforcement officers to take a subject into emergency protective custody; to provide for transportation of and commitment of persons committed under tribal law and for payment of related costs; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; and to repeal the original sections." inserted.

(Signed) Beau Ballard, Chairperson

Nebraska Retirement Systems

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Janis Elliott - Public Employees Retirement Board

Aye: 6. Clements, Conrad, Hardin, Ibach, McDonnell, Vargas. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Mike McDonnell, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Vargas filed the following amendment to LB1355A:  
AM3231 is available in the Bill Room.

Senator DeKay filed the following amendment to LB1301:  
AM3182

(Amendments to E&R amendments, ER104)

1 1. Strike sections 1, 5, 6, 7, 8, 9, 10, and 12 and insert the  
2 following new sections:  
3 Section 1. Section 4-107, Reissue Revised Statutes of Nebraska, is  
4 amended to read:  
5 4-107 (1) The right of a ~~nonresident an alien not residing within~~  
6 ~~the United States or its territories~~ to take either real or personal  
7 property or the proceeds thereof in this state by succession or  
8 testamentary disposition, upon the same terms and conditions as  
9 inhabitants and citizens of the United States, is dependent in each case  
10 upon:  
11 (a) ~~The Upon~~ the existence of a reciprocal right upon the part of  
12 citizens of the United States to take real and personal property and the  
13 proceeds thereof upon the same terms and conditions as inhabitants and  
14 citizens of the country of which such ~~nonresident~~ alien is an inhabitant;  
15 (b) ~~The Upon~~ the rights of citizens of the United States to receive  
16 by payment to them within the United States or its territories money  
17 originating from the estates of persons dying within such foreign  
18 country; ~~and~~  
19 (c) ~~Proof Upon proof~~ that such nonresident alien heirs,  
20 distributees, devisees, or legatees may receive the benefit, use, or  
21 control of property or proceeds from estates of persons dying in this  
22 state without confiscation in whole or in part, by the governments of  
23 such foreign countries; ~~and~~ -  
24 (d) ~~Compliance of the nonresident alien with the Foreign-owned Real~~  
25 ~~Estate National Security Act, except that if the nonresident alien does~~  
26 ~~not comply with the Foreign-owned Real Estate National Security Act, the~~  
1 ~~act shall control the transfer and disposition of any of the property~~  
2 ~~that is agricultural land.~~  
3 (2) The burden is upon such nonresident alien to establish the fact  
4 of existence of the reciprocal rights set forth in subsection (1) of this  
5 section.  
6 (3) If such reciprocal rights are not found to exist, the property  
7 shall be delivered to the State Treasurer to be held for a period of five  
8 years from date of death during which time such nonresident alien may  
9 show that he ~~or she~~ has become eligible to receive such property. If at  
10 the end of such period of five years no showing of eligibility is made by  
11 such nonresident alien, his ~~or her~~ rights to such property or proceeds  
12 shall be barred.  
13 (4) At any time within the one year following the date the rights of  
14 such nonresident alien have been barred, any other person other than an  
15 ineligible nonresident alien who, in the case of succession or  
16 testamentary disposition, would have been entitled to the property or  
17 proceeds by virtue of the laws of Nebraska governing intestate descent  
18 and distribution had the nonresident alien predeceased the decedent, may  
19 petition the district court of Lancaster County for payment or delivery



20 of such property or proceeds to those entitled thereto.

21 (5) If no person has petitioned the district court of Lancaster  
22 County for payment or delivery of such property or proceeds within six  
23 years from the date of death of decedent, such property or proceeds shall  
24 be disposed of as escheated property.

25 (6) All property other than money delivered to the State Treasurer  
26 under this section may within one year after delivery be sold by the  
27 State Treasurer ~~him~~ to the highest bidder at public sale in whatever city  
28 in the state ~~affords~~ in the State Treasurer's ~~his~~ judgment would be the  
29 most favorable market for the property involved. The State Treasurer may  
30 decline the highest bid and reoffer the property for sale if the State  
31 Treasurer ~~he~~ considers the price bid insufficient. ~~The State Treasurer He~~  
1 need not offer any property for sale if, in ~~the State Treasurer's his~~  
2 opinion, the probable cost of sale exceeds the value of the property. Any  
3 sale held under this section shall be preceded by a single publication of  
4 notice of such sale ~~thereof~~ at least three weeks in advance of sale in a  
5 ~~an English language~~ newspaper of general circulation in the county where  
6 the property is to be sold and the cost of such publication and other  
7 expenses of sale paid out of the proceeds of such sale. The purchaser at  
8 any sale conducted by the State Treasurer pursuant to this section shall  
9 receive title to the property purchased, free from all claims of the  
10 owner or prior holder of such property ~~thereof~~ and of all persons  
11 claiming through or under such owner or prior holder ~~them~~. The State  
12 Treasurer shall execute all documents necessary to complete the transfer  
13 of title.

14 (7) For purposes of this section, nonresident alien has the same  
15 meaning as in section 5 of this act.

16 Sec. 5. For purposes of the Foreign-owned Real Estate National  
17 Security Act:

18 (1) Nonresident alien means any person who:

19 (a) Is not a citizen of the United States;

20 (b) Is not a national of the United States;

21 (c) Is not a lawful permanent resident of the United States; and

22 (d) Has not been physically present in the United States for at  
23 least one hundred eighty-three days during a three-year period that  
24 includes the current year and the two years immediately preceding the  
25 current year; and

26 (2) Restricted entity means:

27 (a) Any person or entity identified on the sanctions lists  
28 maintained by the Office of Foreign Assets Control of the United States  
29 Department of the Treasury as such sanctions lists existed on the  
30 operative date of this act; or

31 (b) Any person or foreign government or entity determined by the  
1 United States Secretary of Commerce to have engaged in a long-term  
2 pattern or serious instances of conduct significantly adverse to the  
3 national security of the United States pursuant to 15 C.F.R. 7.4, as such  
4 regulation existed on the operative date of this act.

5 Sec. 6. Section 76-402, Reissue Revised Statutes of Nebraska, is  
6 amended to read:

7 ~~76-402~~ (1) Except as provided in the Foreign-owned Real Estate  
8 National Security Act, a nonresident alien, a foreign corporation, a  
9 government other than the United States Government or a government of its  
10 states, political subdivisions, territories, or possessions, or an agent,  
11 a trustee, or a fiduciary thereof:

12 (a) Shall not purchase, acquire title to, or take ~~Aliens and~~  
13 corporations not incorporated under the laws of the State of Nebraska are  
14 prohibited from acquiring title to or taking or holding any land, or real  
15 estate; or any leasehold interest extending for a period for more than  
16 five years or any other greater interest less than fee in any ~~land, or~~  
17 real estate in this state by descent, devise, purchase or otherwise ~~on or~~

18 after the operative date of this act, except as provided in the Foreign-  
 19 owned Real Estate National Security Act; and sections 76-403 to 76-405.  
 20 (b) Shall be in compliance with the federal Agricultural Foreign  
 21 Investment Disclosure Act of 1978, 7 U.S.C. 3501 et seq., with respect to  
 22 any real estate in Nebraska.

23 (2) Except as provided in the Foreign-owned Real Estate National  
 24 Security Act, a restricted entity, a nonresident alien, a foreign  
 25 corporation, a government other than the United States Government or a  
 26 government of its states, political subdivisions, territories, or  
 27 possessions, or an agent, a trustee, or a fiduciary thereof, that on or  
 28 after the operative date of this act purchases, acquires title to, or  
 29 takes any real estate or any leasehold interest in violation of the  
 30 Foreign-owned Real Estate National Security Act shall be subject to  
 31 divestment as prescribed under section 15 of this act.

1 Sec. 7. Section 76-404, Reissue Revised Statutes of Nebraska, is  
 2 amended to read:

3 76-404 (1) Except as provided in subsection (2) of this section,  
 4 corporations Corporations incorporated under the laws of the United  
 5 States of America, or under the laws of any state of the United States of  
 6 America, or any foreign corporation or any nonresident alien, doing  
 7 business in this state, may acquire, own, hold, or operate leases for  
 8 oil, gas, or other hydrocarbon substances, for a period as long as ten  
 9 years and as long thereafter as oil, gas, or other hydrocarbon substances  
 10 shall or can be produced in commercial quantities.

11 (2) Subsection (1) of this section shall not apply to a restricted  
 12 entity or an agent, trustee, or fiduciary thereof. A restricted entity  
 13 that violates subsection (1) of this section shall be in violation of the  
 14 Foreign-owned Real Estate National Security Act and subject to divestment  
 15 as prescribed under section 15 of this act.

16 Sec. 8. Section 76-405, Reissue Revised Statutes of Nebraska, is  
 17 amended to read:

18 76-405 Any nonresident resident alien may acquire title to lands in  
 19 this state by devise or descent only, except that provided such  
 20 nonresident alien shall be required to sell and convey such said real  
 21 estate property within five years after from the date of acquiring it,  
 22 and if the nonresident alien fails he shall fail to dispose of it to a  
 23 bona fide purchaser for value within such that time, the nonresident  
 24 alien # shall be in violation of the Foreign-owned Real Estate National  
 25 Security Act and the real estate shall be subject to divestment as  
 26 prescribed in section 15 of this act revert and escheat to the State of  
 27 Nebraska. If a person no longer meets the definition of nonresident alien  
 28 within five years of acquiring title to real estate by devise or descent,  
 29 such person shall not be required to dispose or divest of the property.

30 Sec. 9. Section 76-406, Reissue Revised Statutes of Nebraska, is  
 31 amended to read:

1 76-406 No corporation organized under the laws of this state and no  
 2 corporation organized under the laws of any other state or country, doing  
 3 business in this state, which was organized to hold or is holding real  
 4 estate, except as provided in the Foreign-owned Real Estate National  
 5 Security Act sections 76-404 and 76-412 to 76-414, shall elect  
 6 nonresident aliens as members of its board of directors or board of  
 7 trustees in a number sufficient to constitute a majority of such board,  
 8 nor elect nonresident aliens as executive officers or managers nor have a  
 9 majority of its capital stock owned by nonresident aliens.

10 Sec. 10. Section 76-407, Reissue Revised Statutes of Nebraska, is  
 11 amended to read:

12 76-407 Any such corporation described in section 9 of this act  
 13 violating such the provisions of section 76-406 shall be construed and  
 14 held to be a nonresident an alien and within the provisions of the  
 15 Foreign-owned Real Estate National Security Act sections 76-401 to 76-415

16 applicable to nonresident aliens alien persons. Any such domestic  
 17 corporation violating the provisions of section 9 of this act 76-406  
 18 shall forfeit its charter and be dissolved. Any such foreign corporation  
 19 violating the provisions of said section 9 of this act shall forfeit its  
 20 right to do business in the State of Nebraska.  
 21 Sec. 12. Section 76-413, Reissue Revised Statutes of Nebraska, is  
 22 amended to read:  
 23 ~~76-413~~ (1) Except as provided in subsection (2) of this section,  
 24 any nonresident Any alien, or foreign corporation, government other than  
 25 the United States Government or a government of its states, political  
 26 subdivisions, territories, or possessions, or agent, trustee, or  
 27 fiduciary thereof:  
 28 (a) May may purchase, acquire, and hold title to, or be a lessor or  
 29 lessee of as much real estate as shall be necessary for the purpose of  
 30 (i) ~~(4)~~ erecting on such real estate thereon manufacturing or industrial  
 31 establishments, and in addition thereto such real estate as may be  
 1 required for facilities incidental to such establishments, or (ii) ~~(2)~~  
 2 erecting and maintaining establishments primarily operated for the  
 3 storage, sale, and distribution of petroleum products or hydrocarbon  
 4 substances, commonly known as filling stations or bulk stations; and  
 5 (b) Shall not expand establishments or facilities purchased,  
 6 acquired, held, or leased pursuant to subdivision (1)(a) of this section  
 7 or build new such establishments or facilities if a restricted entity or  
 8 an agent, trustee, or fiduciary thereof.  
 9 (2) A restricted entity, or an agent, trustee, or fiduciary thereof,  
 10 shall not purchase, acquire, hold title to, or be a lessor or lessee of  
 11 real estate pursuant to subdivision (1)(a) of this section unless such  
 12 restricted entity has a national security agreement with the Committee on  
 13 Foreign Investment in the United States as of the operative date of this  
 14 act, maintains such national security agreement, and certifies the  
 15 validity of such national security agreement annually to the Department  
 16 of Agriculture within thirty days after the operative date of this act  
 17 and on or before January 15 of each year thereafter.  
 18 (3) A restricted entity that violates this section shall be in  
 19 violation of the Foreign-owned Real Estate National Security Act and  
 20 subject to divestment as prescribed under section 15 of this act.

Senator Conrad filed the following amendment to LB1393:

AM3305

1 1. On page 6, line 1, after "48-3604" insert "(1)"; in line 9 strike  
 2 "Unless", show as stricken, and insert "Except as provided in subsection  
 3 (2) of this section, or unless"; and after line 17 insert the following  
 4 new subsection:  
 5 "(2) If any term of a contract or agreement or proposed contract or  
 6 agreement for the use of a student-athlete's name, image, or likeness  
 7 rights or athletic reputation involves an expenditure of public funds,  
 8 such information shall be considered a public record under section  
 9 84-712.01.".

Senator Conrad filed the following amendment to LB1393:

AM3306

1 1. Strike original section 5.  
 2 2. Renumber the remaining sections and correct the repealer  
 3 accordingly.

Senator Bostar filed the following amendment to LB399:

AM3296

(Amendments to Standing Committee amendments, AM2702)

1 1. Insert the following new section:  
2 Sec. 5. (1) For purposes of this section:  
3 (a) Compensation package includes salary, bonuses, and benefits; and  
4 (b) Public power entity means a public power district organized  
5 under Chapter 70, article 6, a public power and irrigation district, a  
6 municipality, a registered group of municipalities, an electric  
7 cooperative, an electric membership association, a joint entity formed  
8 under the Interlocal Cooperation Act, a joint public agency formed under  
9 the Joint Public Agency Act, an agency formed under the Municipal  
10 Cooperative Financing Act, or any other governmental entity providing  
11 electric service.  
12 (2) Any compensation package of any employee of a public power  
13 entity that has a value of two hundred thousand dollars or more is  
14 subject to annual review and approval by a majority vote of the members  
15 of the Legislature. If the compensation package is not approved by the  
16 Legislature pursuant to this section, the value of such compensation  
17 package shall be reduced by the public power entity to one hundred  
18 ninety-nine thousand nine hundred ninety-nine dollars and ninety-nine  
19 cents. Such compensation package shall be subject to future annual review  
20 and approval pursuant to this section if its value increases to two  
21 hundred thousand dollars or more.  
22 2. Renumber the remaining sections accordingly.

Senator Dungan filed the following amendment to LB399:

[FA330](#)

Strike Section 2.

Senator Dungan filed the following amendment to LB399:

[FA331](#)

Strike Section 3.

Senator M. Cavanaugh filed the following amendment to LB600:

[FA332](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1120:

[FA333](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1169:

[FA334](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1394:

[FA335](#)

Strike Section 1.

#### **MOTION(S) - Print in Journal**

Senator J. Cavanaugh filed the following motion to LB399:

[MO1324](#)

Bracket until April 18, 2024.

**UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Dover name added to LB910.

Senator Bosn name added to LB910.

**VISITOR(S)**

Visitors to the Chamber were students from Reagan Elementary, Omaha; students from St. Paul's School, Beatrice.

The Doctor of the Day was Dr. Heather Kleeman of Lincoln.

**ADJOURNMENT**

At 9:57 p.m., on a motion by Senator Conrad, the Legislature adjourned until 9:00 a.m., Wednesday, April 3, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTY-FOURTH DAY - APRIL 3, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 3, 2024

**PRAYER**

The prayer was offered by Johnny Walker, West First Chapel, Trenton.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Moser.

**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 Armendariz and Raybould who were excused; and Senators Conrad, Day, Dover, Hansen, Hunt, Kauth, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-third day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Dungan filed the following amendment to LB20:

[FA336](#)

Strike lines 3-10 on page 2.

Senator J. Cavanaugh filed the following amendment to LB20:

[FA337](#)

Strike the enacting clause.

Senator J. Cavanaugh filed the following amendment to LB20:

[FA338](#)

Strike the enacting clause.

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 1317.** Placed on General File with amendment. [AM3246](#) is available in the Bill Room.

(Signed) Lou Ann Linehan, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 1331.** Senator M. Cavanaugh offered [MO1213](#), found on page 885, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Murman opened on his bill, LB1331.

Senator M. Cavanaugh opened on her motion, MO1213.

Pending.

Senator Aguilar moved for a call of the house. The motion prevailed with 15 ayes, 3 nays, and 31 not voting.

**POINT(S) OF PERSONAL PRIVILEGE**

Senator Aguilar took a point of personal privilege.

**EXECUTIVE BOARD COMMUNICATION**

During the evening debate of LB 441 on March 18, 2024, Senator Steve Halloran read from a committee transcript, which in turn was quoting a book that recounted an explicit act of sexual violence. During this floor speech, the names of members of the Legislature were interjected in the passage being read.

On the morning of Wednesday, March 20, 2024, the Chair of the Executive Board of the Nebraska Legislative Council announced that he had launched an investigation under the Legislature's workforce harassment policy into the conduct of Senator Halloran. A Special Personnel Panel was appointed by Chairman Aguilar, and the Panel retained outside counsel to conduct the formal investigation. In particular, the Panel requested an investigation into whether Senator Steve Halloran's conduct on March 18, 2024 during floor debate violated the Nebraska Legislature's Workplace Harassment Policy and/or constituted sex discrimination, and what options the Legislature may have to address any violations of improper conduct.

During the investigation, outside counsel found that "Senator Halloran's conduct and comments give rise to a violation of the Legislature's Workplace Harassment Policy." This finding was "irrespective of Senator Halloran's post facto explanation to the media that he was referencing



Senator John Cavanaugh, not Senator Machaela Cavanaugh, to get his attention".

In summarizing the findings in the Investigative Report, the outside counsel found that while "Senator Halloran engaged in protected activity under the First Amendment" there are internal "remedial actions" the Nebraska Legislature may utilize. In discussing these actions, outside counsel noted that:

Given that Senator Halloran's conduct gives rise to violations of the Legislature's Workplace Harassment Policy, we find the Special Personnel Panel, Executive Board, and Legislature may, in their discretion, censure or reprimand Senator Halloran for his conduct and comments on March 18, 2024.

Having witnessed the actions of Senator Halloran, in conjunction with the findings of the Investigative Report, the undersigned members of the Executive Board formally deplore the "unacceptable conduct" of Senator Halloran and find that his remarks were not only unbecoming of a member of the Nebraska Legislature and contrary to all senatorial traditions of decorum, but clearly violated the Nebraska Legislature's Workplace Harassment Policy.

It is hereby declared that the undersigned condemn the conduct of Senator Halloran, when he interjected the names of fellow members of the Legislature in a sexually explicit passage. This letter of reprimand shall stand in the permanent record as intent of this Executive Board of the 108th Legislature that conduct and comments, such as those by Senator Halloran, should never be tolerated, and that the Nebraska Legislature should seek to foster a future work environment that respects the dignity of all members of the Legislature and restores the confidence of the people of the state in the Legislature.

(Signed) Senator Ray Aguilar  
Chairperson, Executive Board  
District 35

(Signed) Senator John Arch  
Speaker of the Legislature  
District 14

(Signed) Senator Beau Ballard  
District 21

(Signed) Senator Eliot Bostar  
District 29

(Signed) Senator Mike Jacobson  
District 42

(Signed) Senator Merv Riepe  
District 12

(Signed) Senator Julie Slama  
District 1

(Signed) Senator Tony Vargas  
District 7

#### **POINT(S) OF PERSONAL PRIVILEGE**

Senator M. Cavanaugh took a point of personal privilege.

The Chair declared the call raised.

#### **GENERAL FILE**

**LEGISLATIVE BILL 1331.** Senator M. Cavanaugh renewed [MO1213](#), found on page 885 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Linehan moved the previous question. The question is, "Shall the debate now close?"

Senator Linehan moved for a call of the house. The motion prevailed with 20 ayes, 1 nay, and 28 not voting.

The motion to cease debate prevailed with 34 ayes, 2 nays, and 13 not voting.

The M. Cavanaugh motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) failed with 0 ayes, 36 nays, 8 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Dungan filed the following amendment to [LB20](#):

[FA339](#)

Strike lines 18-22 on page 2.

Senator von Gillern filed the following amendment to [LB1023A](#):

[AM3276](#)

1 1. On page 2, line 1, strike "[§175.899](#)" and insert "[§242.573](#)".

Senator Lowe filed the following amendment to [LB685A](#):

[AM3277](#)

(Amendments to Final Reading copy)

1 1. On page 2, line 1, strike "[\\$2,596,870](#)" and insert "[\\$1,596,870](#)".

Senator Hunt filed the following amendment to [LB287](#):

[FA340](#)

Strike the enacting clause.

Senator Hunt filed the following amendment to [LB541](#):

[FA341](#)

Strike the enacting clause.

### **MOTION(S) - Print in Journal**

Senator Hunt filed the following motion to [LB287](#):

[MO1325](#)

Recommit to the Government, Military and Veterans Affairs Committee.

Senator Hunt filed the following motion to [LB541](#):

[MO1326](#)

Indefinitely postpone.

Senator Hunt filed the following motion to [LB541](#):

[MO1327](#)

Recommit to the Government, Military and Veterans Affairs Committee.

Senator Hunt filed the following motion to [LB541](#):

[MO1328](#)

Recommit to the Government, Military and Veterans Affairs Committee.

### **NOTICE OF COMMITTEE HEARING(S)**

Agriculture  
Room 2102 1:15 PM

Wednesday, April 10, 2024

Brenda R. Masek - Nebraska Brand Committee

(Signed) Steve Halloran, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 464.** Introduced by Slama, 1.

WHEREAS, the 2024 Nebraska School Activities Association Boys Basketball State Championships were held from March 6 through March 9, 2024; and

WHEREAS, the Johnson-Brock Public School Eagles boys basketball team were seeking another Class D-1 State Basketball Championship title to complete its undefeated season; and

WHEREAS, the Eagles locked down the Ainsworth Bulldogs, with a focus on defense, and won the championship game by a score of 52-45; and

WHEREAS, the Eagles coach Lucus Dalinghaus told the team to play their game and the team delivered a complete and undefeated season; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Johnson-Brock Eagles boy basketball team on winning the Class D-1 Boys State Basketball Championship and for achieving an undefeated season.

2. That copies of this resolution be sent to Coach Lucus Dalinghaus and Johnson-Brock Public School.

Laid over.

**LEGISLATIVE RESOLUTION 465.** Introduced by Albrecht, 17.

WHEREAS, the University of Nebraska-Lincoln's President's Scholarship is dedicated to keeping the best and brightest students in Nebraska; and

WHEREAS, Pender High School senior Caleb Kelly scored a perfect thirty-six on the ACT securing one of the first President's Scholarships; and

WHEREAS, the President's Scholarship allows the recipient to attend the University of Nebraska with minimal cost, awarding the student coverage of tuition, room and board, as well as providing the student with a five thousand dollar annual stipend; and

WHEREAS, the President's Scholarship allows Caleb to pursue a major in computer science and physics at the University of Nebraska-Lincoln's Jeffery S. Raikes School of Computer Science and Management as well as minoring in business; and

WHEREAS, Caleb's hard work and commitment has awarded him the President's Scholarship.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Caleb Kelly for earning the University of Nebraska-Lincoln's President's Scholarship.

2. That a copy of this resolution be sent to Caleb Kelly.

Laid over.

**LEGISLATIVE RESOLUTION 466.** Introduced by Albrecht, 17.

WHEREAS, the 2024 Nebraska School Activities Association Girls Basketball State Championships were held from February 28 through March 2, 2024; and

WHEREAS, the Pender High School Pendragons girls basketball team were seeking the Class D-1 Girls State Basketball Championship title after winning the Class C-2 title last year; and

WHEREAS, the Pendragons defeated the Southern Valley Eagles by a score of 39-25, the second lowest total in a D-1 Girls State Championship game; and

WHEREAS, the Pendragons played a control game, worked the ball around, and gained the advantage into the fourth quarter unfazed; and

WHEREAS, the Pendragons' Coach Jason Dolliver said the team delivered on controlling three things: playing great defense, rebounding, and working together on both ends of the court; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Pender High School Pendragons girls basketball team on winning the Class D-1 Girls State Basketball Championship.

2. That copies of this resolution be sent to Coach Jason Dolliver and Pender High School.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 1331.** Senator M. Cavanaugh offered the following motion:

[MO1329](#)

Reconsider the vote taken on MO1213.

Pending.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 388.** Placed on Select File with amendment.

[ER122](#)

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 77-2701.02, Revised Statutes Supplement, 2023, is

4 amended to read:

5 77-2701.02 Pursuant to section 77-2715.01:

6 (1) Until July 1, 1998, the rate of the sales tax levied pursuant to

7 section 77-2703 shall be five percent;

8 (2) Commencing July 1, 1998, and until July 1, 1999, the rate of the

9 sales tax levied pursuant to section 77-2703 shall be four and one-half

10 percent;

11 (3) Commencing July 1, 1999, and until the start of the first

12 calendar quarter after July 20, 2002, the rate of the sales tax levied

13 pursuant to section 77-2703 shall be five percent;

14 (4) Commencing ~~October 1 on the start of the first calendar quarter~~  
15 ~~after July 20, 2002~~, the rate of the sales tax levied pursuant to section  
16 77-2703 shall be five and one-half percent; and  
17 (5) Commencing July 1, 2023, the rate of the sales tax levied  
18 pursuant to section 77-2703 shall be five and one-half percent, except  
19 that such rate shall be two and three-quarters percent on transactions  
20 occurring within a good life district as defined in section 77-4403.  
21 Sec. 2. Original section 77-2701.02, Revised Statutes Supplement,  
22 2023, is repealed.  
23 2. On page 1, line 2, strike "Reissue Revised Statutes of Nebraska"  
24 and insert "Revised Statutes Supplement, 2023".

**LEGISLATIVE BILL 388A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**MOTION(S) - Print in Journal**

Senator Linehan filed the following motion to LB388:  
[MO1332](#)  
Indefinitely postpone.

Senator Linehan filed the following motion to LB388:  
[MO1333](#)  
Recommit to the Revenue Committee.

Senator Linehan filed the following motion to LB388:  
[MO1334](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion:  
Suspend Rule 2, Secs. 8 and 9 to allow for the censure of Senator Steve  
Halloran for words spoken during debate on LB441.

**VISITOR(S)**

Visitors to the Chamber were Jordan Vogler, Elmwood-Murdock School,  
Bobby Navarro, Georgia; students from Friend Public Schools, Friend;  
students from Sterling Elementary, Sterling; members of NREA; students  
from Whitetail Creek Elementary, Omaha; students from across Nebraska  
on their Sophomore Pilgrimage; students and teachers from East High  
School, Lincoln; students, teachers, and parents from Schuyler Community  
Schools, Schuyler.

**RECESS**

At 12:02 p.m., on a motion by Senator von Gillern, the Legislature recessed  
until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., Senator Dorn presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Raybould who was excused; and Senators Arch, Bostar, Bostelman, Brewer, Conrad, Dover, Hansen, Hardin, Hughes, Ibach, and Slama who were excused until they arrive.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 467.** Introduced by Dungan, 26.

WHEREAS, former University of Nebraska football running back Rex Burkhead announced his retirement from the National Football League on February 5, 2024; and

WHEREAS, Burkhead is on the Team Jack Foundation board of directors and was instrumental in the foundation's inception; and

WHEREAS, in college, Burkhead amassed three thousand three hundred twenty-nine rushing yards and thirty touchdowns on six hundred and thirty-five carries and five hundred and seven receiving yards and five touchdowns on sixty receptions; and

WHEREAS, Burkhead was drafted in the sixth round of the 2013 National Football League Draft by the Cincinnati Bengals; and

WHEREAS, Burkhead played ten years in the National Football League for three different organizations: the Cincinnati Bengals, the New England Patriots, and the Houston Texans; and

WHEREAS, Burkhead rushed for forty-three yards and led all running backs with 6.1 yards per carry in Super Bowl LIII helping the New England Patriots win the game; and

WHEREAS, Burkhead accumulated two thousand fifty-eight rushing yards, one thousand six hundred ninety-six receiving yards, and twenty-nine total touchdowns in his professional career; and

WHEREAS, Burkhead has inspired countless Nebraskans with his conduct on the field accompanied by his off-the-field service to the Team Jack Foundation and other organizations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Rex Burkhead on a successful and impactful football career.
2. That a copy of the resolution be sent to Rex Burkhead.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 1331.** Senator M. Cavanaugh renewed [MO1329](#), found and considered in this day's Journal, to reconsider the vote taken on MO1213.

The M. Cavanaugh motion to reconsider failed with 0 ayes, 24 nays, 16 present and not voting, and 9 excused and not voting.

Title read. Considered.

Committee [AM3313](#), found on page 1427, was offered.

Senator Murman moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Senator Dungan requested a roll call vote on the committee amendment.

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Clements	Halloran	Lippincott	Vargas
Armendariz	Conrad	Hansen	Lowe	von Gillern
Ballard	Day	Hardin	McDonnell	Walz
Blood	DeBoer	Holdercroft	McKinney	Wayne
Bosn	DeKay	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 1:

Raybould

The committee amendment was adopted with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Murman offered [AM2474](#), found on page 720.

The Murman amendment was withdrawn.

Senator Dungan withdrew [FA324](#), found on page 1336.

Senator Murman withdrew [AM3264](#), found on page 1373.



Senator M. Cavanaugh asked unanimous to withdraw the following motions:

[MO1215](#), found on page 885, to bracket.

[MO1214](#), found on page 885, to recommit to committee.

No objections. So ordered.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1331A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 233.** Title read. Considered.

Committee [AM2064](#), found on page 669, was offered.

Senator J. Cavanaugh offered the following amendment to the committee amendment:

[AM3338](#)

(Amendments to Standing Committee amendments, AM2064)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 43-512, Reissue Revised Statutes of Nebraska, is
- 4 amended to read:
- 5 43-512 (1) Any dependent child as defined in section 43-504 or any
- 6 relative or eligible caretaker of such a dependent child may file with
- 7 the Department of Health and Human Services a written application for
- 8 financial assistance for such child on forms furnished by the department.
- 9 (2) The department, through its agents and employees, shall make
- 10 such investigation pursuant to the application as it deems necessary or
- 11 as may be required by the county attorney or authorized attorney. If the
- 12 investigation or the application for financial assistance discloses that
- 13 such child has a parent or stepparent who is able to contribute to the
- 14 support of such child and has failed to do so, a copy of the finding of
- 15 such investigation and a copy of the application shall immediately be
- 16 filed with the county attorney or authorized attorney.
- 17 (3) The department shall make a finding as to whether the
- 18 application referred to in subsection (1) of this section should be
- 19 allowed or denied. If the department finds that the application should be
- 20 allowed, the department shall further find the amount of monthly
- 21 assistance which should be paid with reference to such dependent child.
- 22 Except as may be otherwise provided, payments shall be made by unit size
- 23 and shall be consistent with subdivisions (1)(p), (1)(q), (1)(t), and (1)
- 24 (u), and (1)(v) of section 68-1713. Beginning on August 30, 2015, the
- 25 maximum payment level for monthly assistance shall be fifty-five percent
- 26 of the standard of need described in section 43-513.
- 1 No payments shall be made for amounts totaling less than ten dollars
- 2 per month except in the recovery of overpayments.
- 3 (4) The amount which shall be paid as assistance with respect to a
- 4 dependent child shall be based in each case upon the conditions disclosed

5 by the investigation made by the department. An appeal shall lie from the  
6 finding made in each case to the chief executive officer of the  
7 department or his or her designated representative. Such appeal may be  
8 taken by any taxpayer or by any relative of such child. Proceedings for  
9 and upon appeal shall be conducted in the same manner as provided for in  
10 section 68-1016.

11 (5)(a) For the purpose of preventing dependency, the department  
12 shall adopt and promulgate rules and regulations providing for services  
13 to former and potential recipients of aid to dependent children and  
14 medical assistance benefits. The department shall adopt and promulgate  
15 rules and regulations establishing programs and cooperating with programs  
16 of work incentive, work experience, job training, and education. The  
17 provisions of this section with regard to determination of need, amount  
18 of payment, maximum payment, and method of payment shall not be  
19 applicable to families or children included in such programs. Income and  
20 assets described in section 68-1201 shall not be included in  
21 determination of need under this section.

22 (b) If a recipient of aid to dependent children becomes ineligible  
23 for aid to dependent children as a result of increased hours of  
24 employment or increased income from employment after having participated  
25 in any of the programs established pursuant to subdivision (a) of this  
26 subsection, the recipient may be eligible for the following benefits, as  
27 provided in rules and regulations of the department in accordance with  
28 sections 402, 417, and 1925 of the federal Social Security Act, as  
29 amended, Public Law 100-485, in order to help the family during the  
30 transition from public assistance to independence:

31 (i) An ongoing transitional payment that is intended to meet the  
1 family's ongoing basic needs which may include food, clothing, shelter,  
2 utilities, household goods, personal care items, and general incidental  
3 expenses during the five months following the time the family becomes  
4 ineligible for assistance under the aid to dependent children program, if  
5 the family's earned income is at or below one hundred eighty-five percent  
6 of the federal poverty level at the time the family becomes ineligible  
7 for the aid to dependent children program. Payments shall be made in five  
8 monthly payments, each equal to one-fifth of the aid to dependent  
9 children payment standard for the family's size at the time the family  
10 becomes ineligible for the aid to dependent children program. If during  
11 the five-month period, (A) the family's earnings exceed one hundred  
12 eighty-five percent of the federal poverty level, (B) the family members  
13 are no longer working, (C) the family ceases to be Nebraska residents,  
14 (D) there is no longer a minor child in the family's household, or (E)  
15 the family again becomes eligible for the aid to dependent children  
16 program, the family shall become ineligible for any remaining  
17 transitional benefits under this subdivision;

18 (ii) Child care as provided in subdivision (1)(c) of section  
19 68-1724; and

20 (iii) Except as may be provided in accordance with subsection (2) of  
21 section 68-1713 and subdivision (1)(c) of section 68-1724, medical  
22 assistance for up to twelve months after the month the recipient becomes  
23 employed and is no longer eligible for aid to dependent children.

24 (6) For purposes of sections 43-512 to 43-512.18:

25 (a) Authorized attorney shall mean an attorney, employed by the  
26 county subject to the approval of the county board, employed by the  
27 department, or appointed by the court, who is authorized to investigate  
28 and prosecute child, spousal, and medical support cases. An authorized  
29 attorney shall represent the state as provided in section 43-512.03;

30 (b) Child support shall be defined as provided in section 43-1705;

31 (c) Medical support shall include all expenses associated with the  
1 birth of a child, cash medical support as defined in section 42-369,  
2 health care coverage as defined in section 44-3,144, and medical and

3 hospital insurance coverage or membership in a health maintenance  
4 organization or preferred provider organization;  
5 (d) Spousal support shall be defined as provided in section 43-1715;  
6 (e) State Disbursement Unit shall be defined as provided in section  
7 43-3341; and  
8 (f) Support shall be defined as provided in section 43-3313.  
9 Sec. 2. Section 43-512.07, Reissue Revised Statutes of Nebraska, is  
10 amended to read:  
11 43-512.07 (1) Any action, payment, aid, or assistance listed in this  
12 subsection shall constitute an assignment by operation of law to the  
13 Department of Health and Human Services of any right to spousal or  
14 medical support, when ordered by the court, and to child support, whether  
15 or not ordered by the court, which a person may have in his or her own  
16 behalf or on behalf of any other person for whom such person receives  
17 such payments, aid, or assistance:  
18 (a) Application for and acceptance of one or more aid to dependent  
19 children payments by a parent, another relative, or a custodian;  
20 (b) Receipt of aid by or on behalf of any dependent child as defined  
21 in section 43-504; or  
22 (c) Receipt of aid from child welfare funds.  
23 The assignment under this section is the right to support payments  
24 that become due while the person is receiving payments, aid, or  
25 assistance listed in this subsection. The department shall be entitled to  
26 retain such ~~child~~, spousal, or other support up to the amount of  
27 payments, aid, or assistance provided to a recipient. For purposes of  
28 this section, the right to receive child support shall belong to the  
29 child and the assignment shall be effective as to any such support even  
30 if the recipient of the payments, aid, or assistance is not the same as  
31 the payee of court-ordered support.  
1 (2) After notification of the State Disbursement Unit receiving the  
2 child, spousal, or other support payments made pursuant to a court order  
3 that the person for whom such support is ordered is a recipient of  
4 payments, aid, or assistance listed in subsection (1) of this section,  
5 the department shall also give notice to the payee named in the court  
6 order at his or her last-known address.  
7 (3) Upon written or other notification from the department or from  
8 another state of such assignment of child, spousal, or other support  
9 payments, the State Disbursement Unit shall transmit the support payments  
10 received to the department or the other state without the requirement of  
11 a subsequent order by the court. The State Disbursement Unit shall  
12 continue to transmit the support payments for as long as the payments,  
13 aid, or assistance listed in subsection (1) of this section continues.  
14 (4) Any court-ordered child, spousal, or other support remaining  
15 unpaid for the months during which such payments, aid, or assistance was  
16 made shall constitute a debt and a continuing assignment at the  
17 termination of payments, aid, or assistance listed in subsection (1) of  
18 this section, collectible by the department or other state as  
19 reimbursement for such payments, aid, or assistance. The continuing  
20 assignment shall only apply to support payments made during a calendar  
21 period which exceed the specific amount of support ordered for that  
22 period. When payments, aid, or assistance listed in subsection (1) of  
23 this section have ceased and upon notice by the department or the other  
24 state, the State Disbursement Unit shall continue to transmit to the  
25 department or the other state any support payments received in excess of  
26 the amount of support ordered for that specific calendar period until  
27 notified by the department or the other state that the debt has been paid  
28 in full.  
29 (5) Beginning July 1, 2026, the department shall pass through an  
30 amount not exceeding one hundred dollars per month, or in the case of a  
31 family with two or more children, an amount not exceeding two hundred

1 dollars per month, to the recipient of any payments, aid, or assistance  
2 listed in subdivision (1)(a) of this section, from the current child  
3 support collected pursuant to the assignment. Such pass-through amounts  
4 shall not be considered income for the purpose of calculating a  
5 recipient's eligibility for assistance. The department shall disregard  
6 the amount of child support passed through to the recipient in  
7 calculating the amount of the recipient's monthly assistance payment.  
 8 Sec. 3. Section 68-1201, Revised Statutes Cumulative Supplement,  
 9 2022, is amended to read:

10 68-1201 (1) In determining eligibility for the program for aid to  
 11 dependent children pursuant to section 43-512 as administered by the  
 12 State of Nebraska pursuant to the federal Temporary Assistance for Needy  
 13 Families program, 42 U.S.C. 601 et seq., for the low-income home energy  
 14 assistance program administered by the State of Nebraska pursuant to the  
 15 federal Energy Policy Act of 2005, 42 U.S.C. 8621 to 8630, for the  
 16 Supplemental Nutrition Assistance Program administered by the State of  
 17 Nebraska pursuant to the federal Food and Nutrition Act of 2008, 7 U.S.C.  
 18 2011 et seq., and for the child care subsidy program established pursuant  
 19 to section 68-1202, the following shall not be included in determining  
 20 assets or income:

21 (a) (1) Assets in or income from an educational savings account, a  
 22 Coverdell educational savings account described in 26 U.S.C. 530, a  
 23 qualified tuition program established pursuant to 26 U.S.C. 529, or any  
 24 similar savings account or plan established to save for qualified higher  
 25 education expenses as defined in section 85-1802;

26 (b) (2) Income from scholarships or grants related to postsecondary  
 27 education, whether merit-based, need-based, or a combination thereof;  
 28 (c) (3) Income from postsecondary educational work-study programs,  
 29 whether federally funded, funded by a postsecondary educational  
 30 institution, or funded from any other source;

31 (d) (4) Assets in or income from an account under a qualified  
 1 program as provided in section 77-1402;

2 (e) (5) Income received for participation in grant-funded research  
 3 on the impact that income has on the development of children in low-  
 4 income families, except that such exclusion of income must not exceed  
 5 four thousand dollars per year for a maximum of eight years and such  
 6 exclusion shall only be made if the exclusion is permissible under  
 7 federal law for each program referenced in this section. No such  
 8 exclusion shall be made for such income on or after December 31, 2026;  
 9 and

10 (f) (6) Income from any tax credits received pursuant to the School  
 11 Readiness Tax Credit Act.

12 (2) In determining eligibility for the program for aid to dependent  
13 children pursuant to section 43-512 as administered by the State of  
14 Nebraska pursuant to the federal Temporary Assistance for Needy Families  
15 program, 42 U.S.C. 601 et seq., passed-through child support as described  
16 in section 43-512.07, shall not be included in determining assets or  
17 income.

18 Sec. 4. Section 68-1713, Reissue Revised Statutes of Nebraska, is  
 19 amended to read:

20 68-1713 (1) The Department of Health and Human Services shall  
 21 implement the following policies:

22 (a) Permit Work Experience in Private for-Profit Enterprises;

23 (b) Permit Job Search;

24 (c) Permit Employment to be Considered a Program Component;

25 (d) Make Sanctions More Stringent to Emphasize Participant

26 Obligations;

27 (e) Alternative Hearing Process;

28 (f) Permit Adults in Two-Parent Households to Participate in

29 Activities Based on Their Self-Sufficiency Needs;

30 (g) Eliminate Exemptions for Individuals with Children Between the  
31 Ages of 12 Weeks and Age Six;  
1 (h) Providing Poor Working Families with Transitional Child Care to  
2 Ease the Transition from Welfare to Self-Sufficiency;  
3 (i) Provide Transitional Health Care for 12 Months After Termination  
4 of ADC if funding for such transitional medical assistance is available  
5 under Title XIX of the federal Social Security Act, as amended, as  
6 described in section 68-906;  
7 (j) Require Adults to Ensure that Children in the Family Unit Attend  
8 School;  
9 (k) Encourage Minor Parents to Live with Their Parents;  
10 (l) Establish a Resource Limit of \$4,000 for a single individual and  
11 \$6,000 for two or more individuals for ADC;  
12 (m) Exclude the Value of One Vehicle Per Family When Determining ADC  
13 Eligibility;  
14 (n) Exclude the Cash Value of Life Insurance Policies in Calculating  
15 Resources for ADC;  
16 (o) Establish the Supplemental Nutrition Assistance Program as a  
17 Continuous Benefit with Eligibility Reevaluated with Yearly  
18 Redeterminations;  
19 (p) Establish a Budget the Gap Methodology Whereby Countable Earned  
20 Income is Subtracted from the Standard of the Need and Payment is Based  
21 on the Difference or Maximum Payment Level, Whichever is Less. That this  
22 Gap be Established at a Level that Encourages Work but at Least at a  
23 Level that Ensures that Those Currently Eligible for ADC do not Lose  
24 Eligibility Because of the Adoption of this Methodology;  
25 (q) Adopt an Earned Income Disregard described in section 68-1726 in  
26 the ADC Program, One Hundred Dollars in the Related Medical Assistance  
27 Program, and Income and Assets Described in section 68-1201;  
28 (r) Disregard Financial Assistance Described in section 68-1201 and  
29 Other Financial Assistance Intended for Books, Tuition, or Other Self-  
30 Sufficiency Related Use;  
31 (s) Culture: Eliminate the 100-Hour Rule, The Quarter of Work  
1 Requirement, and The 30-Day Unemployed/Underemployed Period for ADC-UP  
2 Eligibility;  
3 (t) Make ADC a Time-Limited Program; ~~and~~  
4 (u) Adopt an Unearned Income Disregard described in section 68-1201  
5 in the ADC Program, the Supplemental Nutrition Assistance Program, and  
6 the Child Care Subsidy Program established pursuant to section 68-1202;  
7 ~~and~~ -  
8 (v) Adopt a child support disregard described pursuant to section  
9 43-512.07.  
10 (2) The Department of Health and Human Services shall (a) apply for  
11 a waiver to allow for a sliding-fee schedule for the population served by  
12 the caretaker relative program or (b) pursue other public or private  
13 mechanisms, to provide for transitional health care benefits to  
14 individuals and families who do not qualify for cash assistance. It is  
15 the intent of the Legislature that transitional health care coverage be  
16 made available on a sliding-scale basis to individuals and families with  
17 incomes up to one hundred eighty-five percent of the federal poverty  
18 level if other health care coverage is not available.  
19 Sec. 5. Original sections 43-512, 43-512.07, and 68-1713, Reissue  
20 Revised Statutes of Nebraska, and section 68-1201, Revised Statutes  
21 Cumulative Supplement, 2022, are repealed.

The J. Cavanaugh amendment, to the committee amendment, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 233A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

#### AMENDMENT(S) - Print in Journal

Senator Wishart filed the following amendment to LB993:  
AM2899

(Amendments to Standing Committee amendments, AM2373)

1 1. Strike amendments 1, 2, and 3 and insert the following new  
2 amendment:  
3 1. Strike the original sections and all amendments thereto and  
4 insert the following new sections:  
5 Section 1. Sections 1 to 10 of this act shall be known and may be  
6 cited as the Apprenticeship Grant Act.  
7 Sec. 2. The purpose of the Apprenticeship Grant Act is to provide  
8 underemployed and unemployed individuals with job training and classroom  
9 instruction opportunities in order to earn a livable wage and reduce  
10 their reliance on economic assistance programs and increase the number of  
11 Nebraska businesses willing to offer apprenticeships to Nebraska workers.  
12 Sec. 3. For purposes of the Apprenticeship Grant Act, unless the  
13 context otherwise requires:  
14 (1) Apprentice means any person who participates in an  
15 apprenticeship;  
16 (2) Apprenticeship means supervised on-the-job training with  
17 technical classroom instruction on subjects related to the apprentice's  
18 chosen occupation;  
19 (3) Covered entity has the same meaning as in 15 U.S.C. 4651;  
20 (4) Department means the Department of Economic Development;  
21 (5) Economic assistance program includes aid to dependent children;  
22 aid to the aged, blind, and disabled; the Supplemental Nutrition  
23 Assistance Program; medicaid; child care; emergency assistance; energy  
24 assistance; social services block grants; and other similar programs  
25 administered by the Department of Health and Human Services;  
26 (6) Registered apprenticeship program means an apprenticeship  
1 program registered under the National Apprenticeship Act, 29 U.S.C. 50 et  
2 seq.; and  
3 (7) SNAP Next Step Program has the same meaning as in section  
4 68-1017.02.  
5 Sec. 4. (1) A business may apply to the department for a grant to  
6 assist in providing an information technology apprenticeship, an  
7 agriculture or diesel mechanic apprenticeship, or a semiconductor worker  
8 program apprenticeship if:  
9 (a) The business certifies that:  
10 (i) The apprenticeship is part of a registered apprenticeship  
11 program;  
12 (ii) The apprenticeship is part of a micro credential program at an  
13 institution of higher education that has a curriculum developed to meet  
14 the demand for microchip fabrication and microelectronics manufacturing  
15 in Nebraska. Such program shall meet the requirements of the federal

16 CHIPS Act of 2022, Public Law 117-167; or

17 (iii) The business is a Nebraska-based covered entity and the  
18 apprentice has completed a micro credential program described in  
19 subdivision (a)(ii) of this subsection and has an income below two  
20 hundred percent of the federal poverty level;

21 (b) The apprentice participates in the SNAP Next Step Program or  
22 programs affiliated with the Nebraska Workforce Innovation and  
23 Opportunity Act;

24 (c) The business intends to offer the apprentice full-time  
25 employment upon the successful completion of the apprenticeship that  
26 includes a wage sufficient to reduce participation in economic assistance  
27 programs; and

28 (d) The apprenticeship will be completed within the State of  
29 Nebraska.

30 (2)(a) The department may provide grants for apprenticeships to any  
31 business to reimburse the costs for:

1 (i) Wages for apprentices; or

2 (ii) Tuition for apprentices to participate in classroom instruction  
3 at institutions of higher education.

4 (b) The maximum grant award per apprentice under this section is  
5 thirty-seven thousand dollars.

6 (3) A business may apply for no more than one grant for the same  
7 apprentice and shall not be awarded more than five grants total in any  
8 twelve-month period.

9 Sec. 5. (1) An apprentice may apply to the department for a grant to  
10 pay for child care costs while training as an apprentice in a building or  
11 construction trade. To qualify for such grant the apprentice shall be:

12 (a) Represented by an organization described in section 501(c)(5) of  
13 the Internal Revenue Code of 1986; and

14 (b) Employed by a redeveloper, contractor, or subcontractor that is  
15 participating in a registered apprenticeship program with a training  
16 facility located in Nebraska.

17 (2)(a) The department may provide grants to apprentices to pay child  
18 care costs.

19 (b) The maximum total amount of any grants awarded per apprentice  
20 under this section is thirty-seven thousand dollars.

21 (3) The department shall recover any grant awarded to an apprentice  
22 under this section if such apprentice does not complete the  
23 apprenticeship in which the apprentice was participating at the time of  
24 receiving the grant.

25 Sec. 6. (1) The department shall, to the extent possible, assure  
26 that the distribution of grants under the Apprenticeship Grant Act  
27 provides equitable access to the grants by all geographic areas of the  
28 state.

29 (2) The department shall not award more than four million dollars of  
30 grants under the Apprenticeship Grant Act in any one fiscal year.

31 (3) The department shall develop a qualified action plan by January  
1 1 of each odd-numbered year. The plan shall, at a minimum, set forth the  
2 department's priorities and selection criteria for awarding grants for  
3 apprenticeships. The department shall submit the plan to the Governor for  
4 approval.

5 (4) The department shall execute memorandums of understanding with  
6 the Department of Labor and the Department of Health and Human Services  
7 before December 31, 2024, to ensure the exchange of data regarding

8 registered apprenticeship programs and the SNAP Next Step Program. The  
9 memorandum of understanding with the Department of Health and Human

10 Services shall require the Department of Health and Human Services to  
11 provide de-identified data concerning the number of Supplemental  
12 Nutrition Assistance Program recipients that find self-sufficient  
13 employment and the estimated savings to the Supplemental Nutrition

14 Assistance Program.

15 (5) The department shall submit an annual report to the Governor and  
16 the Legislature on or before October 1, 2025, and on or before October 1  
17 of each year thereafter which includes, but is not necessarily limited  
18 to, a description of the demand for apprenticeship grants under the  
19 Apprenticeship Grant Act from all geographic regions in Nebraska, a  
20 listing of the recipients and amounts of apprenticeship grants awarded in  
21 the previous fiscal year, the number of apprentices that were employed by  
22 grant recipients upon the completion of an apprenticeship in the previous  
23 fiscal year, and de-identified data regarding the number of Supplemental  
24 Nutrition Assistance Program recipients that find self-sufficient  
25 employment and the estimated savings to the Supplemental Nutrition  
26 Assistance Program. The report submitted to the Legislature shall be  
27 submitted electronically. The department may require recipients to  
28 provide periodic performance reports to enable the department to fulfill  
29 the requirements of this subsection. The report shall contain no  
30 information that is protected by state or federal confidentiality laws.

31 Sec. 7. (1) The Apprenticeship Advisory Board is created for the  
1 purpose of carrying out the Apprenticeship Grant Act.

2 (2) The board shall consist of five members appointed by the  
3 Director of Economic Development as follows:

4 (a) One member affiliated with a nonprofit organization that (i) is  
5 headquartered in Nebraska and (ii) represents any organization  
6 participating in a registered apprenticeship program;

7 (b) One member affiliated with a building and trade construction  
8 council that operates in Nebraska;

9 (c) One member affiliated with a registered apprenticeship program;

10 (d) One member affiliated with an equipment dealer association that  
11 operates in Nebraska; and

12 (e) One member affiliated with an institution of higher education  
13 that participates in a micro credential program for microchip fabrication  
14 and microelectronics manufacturing.

15 (3) No member of the board shall receive any pay or compensation for  
16 any services rendered as a member of the board.

17 Sec. 8. The department may adopt and promulgate rules and  
18 regulations to govern the award and disbursement of grants pursuant to  
19 the Apprenticeship Grant Act.

20 Sec. 9. (1) The Apprenticeship Nebraska Cash Fund is created. The  
21 fund shall be used to carry out the Apprenticeship Grant Act. The fund  
22 shall consist of money transferred to the fund by the Legislature and  
23 money donated as gifts, bequests, or other contributions from public or  
24 private entities. Any money in the fund available for investment shall be  
25 invested by the state investment officer pursuant to the Nebraska Capital  
26 Expansion Act and the Nebraska State Funds Investment Act.

27 (2) The department, or any entity with which the department  
28 contracts for such purpose, may use up to five percent of any  
29 appropriation to carry out the Apprenticeship Grant Act for  
30 administrative services.

31 (3) The State Treasurer shall transfer any money in the  
1 Apprenticeship Nebraska Cash Fund on June 30, 2030, to the General Fund.

2 Sec. 10. The Apprenticeship Grant Act terminates on June 30, 2030.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 468.** Introduced by Linchan, 39;  
Armendariz, 18; Dover, 19; von Gillern, 4.



WHEREAS, the 2024 Nebraska School Activities Association Girls Basketball State Championships were held from February 28 through March 2, 2024 at Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the Elkhorn North High School Wolves girls basketball team were seeking their fourth consecutive Class B State Championship title in just four years of existence; and

WHEREAS, the Wolves rallied after being behind by nine points to defeat the Omaha Skutt SkyHawks by a score of 49-47; and

WHEREAS, the championship game was tied at 47-47 with nine seconds remaining, and the Wolves pulled ahead by scoring two free throws, which sealed the victory; and

WHEREAS, this is the third year in a row in which the Wolves defeated the SkyHawks in the Class B Girls State Basketball Championship game; and

WHEREAS, the Wolves' Head Coach Ann Prince credited the four-peat victory to mental toughness, grit, perseverance, and the team's belief in each other; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Elkhorn North High School Wolves girls basketball team on winning their fourth consecutive Class B Girls State Basketball Championship.

2. That copies of this resolution be sent to Head Coach Ann Prince and Elkhorn North High School.

Laid over.

### GENERAL FILE

**LEGISLATIVE BILL 631.** Title read. Considered.

Committee [AM2098](#), found on page 728, was offered.

Senator Conrad asked unanimous consent to withdraw the following motions:

[MO743](#), found on page 968, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO744](#), found on page 968, First Session, 2023, to recommit to committee.

[MO745](#), found on page 969, First Session, 2023, to bracket.

No objections. So ordered.

Senator McKinney offered [AM3262](#), found on page 1404, to the committee amendment.

The McKinney amendment, to the committee amendment, was adopted with 29 ayes, 7 nays, 12 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 8 nays, 7 present and not voting, and 1 excused and not voting.

Senator McKinney withdrew [AM147](#), found on page 666, First Session, 2023.

Advanced to Enrollment and Review Initial with 30 ayes, 7 nays, 11 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 631A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

#### AMENDMENT(S) - Print in Journal

Senator M. Cavanaugh filed the following amendment to [LB541](#):

[FA343](#)

Strike Section 1.

Senator Hunt filed the following amendment to [LB541](#):

[FA345](#)

On page 5, line 28, change "even" to "add".

Senator Conrad filed the following amendment to [LB541](#):

[FA348](#)

On page 2, line 22, after "in" insert "all".

Senator Conrad filed the following amendment to [LB541](#):

[FA349](#)

On page 6, line 3, strike "that" and insert "which".

Senator Day filed the following amendment to [LB126A](#):

[AM3275](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$382,617 from the  
4 General Fund for FY2024-25 and (2) \$24,975 from the General Fund for  
5 FY2025-26 to the Department of Revenue, for Program 102, to aid in  
6 carrying out the provisions of Legislative Bill 126, One Hundred Eighth  
7 Legislature, Second Session, 2024.  
8 No expenditures for permanent and temporary salaries and per diems  
9 for state employees shall be made from funds appropriated in this  
10 section.  
11 Sec. 2. There is hereby appropriated (1) \$-0- from the General Fund  
12 for FY2024-25 and (2) \$71,260,000 from the General Fund for FY2025-26 to  
13 the Department of Revenue, for Program 108, to aid in carrying out the  
14 provisions of Legislative Bill 126, One Hundred Eighth Legislature.

15 Second Session, 2024.

16 There is included in the appropriation to this program for FY2024-25  
17 \$-0- General Funds for state aid, which shall only be used for such  
18 purpose. There is included in the appropriation to this program for  
19 FY2025-26 \$71,260,000 General Funds for state aid, which shall only be  
20 used for such purpose.  
21 No expenditures for permanent and temporary salaries and per diems  
22 for state employees shall be made from funds appropriated in this  
23 section.

Senator Wayne filed the following amendment to [LB253](#):  
[AM3321](#) is available in the Bill Room.

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB541](#):  
[MO1335](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to [LB764](#):  
[MO1336](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to [LB764](#):  
[MO1337](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to [LB764](#):  
[MO1338](#)  
Recommit to the Government, Military and Veterans Affairs Committee.

Senator Day filed the following motion to [LB126](#):  
[MO1342](#)  
Recommit to the Revenue Committee.

Senator Day filed the following motion to [LB126](#):  
[MO1343](#)  
Indefinitely postpone.

Senator Day filed the following motion to [LB126](#):  
[MO1344](#)  
Bracket until April 18, 2024.

Senator Linehan filed the following motion to [LB937](#):  
[MO1345](#)  
Indefinitely postpone.

Senator Linehan filed the following motion to [LB937](#):  
[MO1346](#)  
Bracket until April 18, 2024.

Senator Linehan filed the following motion to [LB937](#):  
[MO1347](#)  
Recommit to the Revenue Committee.

Senator Linehan filed the following motion to [LB1317](#):  
[MO1348](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Linehan filed the following motion to [LB1317](#):  
[MO1349](#)  
Bracket until April 18, 2024.

Senator Linehan filed the following motion to [LB1317](#):  
[MO1350](#)  
Recommit to the Revenue Committee.

Senator von Gillern filed the following motion to [LB1023](#):  
[MO1351](#)  
Bracket until April 18, 2024.

Senator von Gillern filed the following motion to [LB1023](#):  
[MO1352](#)  
Recommit to the Revenue Committee.

### **COMMITTEE REPORT(S)**

#### Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Larry Mohrman - Nebraska Natural Resources Commission  
John Shadle - Nebraska Natural Resources Commission

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Jill Becker - Environmental Quality Council  
Brad Bird - Environmental Quality Council  
Kurt Bogner - Environmental Quality Council  
Seth B. Harder - Environmental Quality Council  
Lisa A. Lunz - Environmental Quality Council  
Lynn Mayhew - Environmental Quality Council  
Marty Stange - Environmental Quality Council  
James E. Theiler - Environmental Quality Council

Allison Willis - Environmental Quality Council

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

#### GENERAL FILE

**LEGISLATIVE BILL 1300.** Senator M. Cavanaugh offered the following motion:

[MO1339](#)

Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Bostar opened on his bill, LB1300.

Senator M. Cavanaugh opened on her motion, MO1339.

Pending.

#### SELECT FILE

**LEGISLATIVE BILL 262A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 287A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 867A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1200A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1355A.** Senator Vargas offered [AM3231](#), found on page 1440.

The Vargas amendment was adopted with 28 ayes, 0 nays, 20 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 852.** [ER97](#), found on page 1138, was offered.

ER97 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1088.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1306.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1306A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1030.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1027.** [ER106](#), found on page 1364, was offered.

ER106 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1027A.** Senator Clements offered the following motion:

[MO1353](#)

Indefinitely postpone.

Senator Clements asked unanimous consent to withdraw his motion to indefinitely postpone.

No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1051.** [ER110](#), found on page 1367, was offered.

ER110 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 874.** [ER111](#), found on page 1367, was offered.

ER111 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1393.** [ER100](#), found on page 1259, was offered.

ER100 was adopted.

Senator Conrad asked unanimous consent to withdraw [MO1271](#), found on page 1126, to indefinitely postpone.

No objections. So ordered.

Senator Hansen offered [AM3278](#), found on page 1381.

The Hansen amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Senator Conrad asked unanimous consent to withdraw [AM3305](#), found on page 1443, and replace it with substitute amendment, [FA350](#). No objections. So ordered.

[FA350](#)

1. On page 6, line 1, after "48-3604" insert "(1)"; in line 9 strike "Unless", show as stricken, and insert "Except as provided in subsection (2) of this section, or unless"; and after line 17 insert the following new subsection: 2.) If any contract or agreement is entered into by an entity subject to the public records act for the use of a student-athlete's name, image, or likeness rights or athletic reputation, such contract or agreement shall be subject to the public records act.

The Conrad amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

**SENATOR VON GILLERN PRESIDING**

Senator Conrad offered [AM3306](#), found on page 1443.

**SENATOR DORN PRESIDING**

The Conrad amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 876.** Senator Holdcroft offered [AM3211](#), found on page 1313.

Senator Holdcroft offered [AM3224](#), found on page 1320, to his amendment.

Senator Conrad requested a ruling of the Chair on whether the Holdcroft amendment is germane to the bill.

Senator Conrad withdrew her request for a ruling from the Chair.

The Holdcroft amendment, to his amendment, was withdrawn.

The Holdcroft amendment was adopted with 27 ayes, 0 nays, 21 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 876A.** Senator Holdcroft offered [AM3273](#), found on page 1429.

The Holdcroft amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

### COMMITTEE REPORT(S)

Judiciary

**LEGISLATIVE BILL 795.** Placed on General File.

**LEGISLATIVE BILL 162.** Placed on General File with amendment.

[AM3249](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 28-101, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701  
6 and section 2 of this act shall be known and may be cited as the Nebraska  
7 Criminal Code.  
8 Sec. 2. (1) It shall be unlawful for any person to knowingly and  
9 intentionally remove or damage an electronic monitoring device when such  
10 device is required to be worn or used by such person pursuant to an order  
11 from a county or district court, from the Department of Correctional  
12 Services, or from the Board of Parole.  
13 (2) For purposes of this section, electronic monitoring device means  
14 a device worn by or affixed to a person which is used to track the  
15 physical location of such person.  
16 (3) A violation of this section is a Class I misdemeanor.  
17 Sec. 3. Original section 28-101, Revised Statutes Supplement, 2023,  
18 is repealed.

**LEGISLATIVE BILL 1126.** Placed on General File with amendment.

[AM3261](#) is available in the Bill Room.

**LEGISLATIVE BILL 1195.** Placed on General File with amendment.

[AM3291](#) is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

### AMENDMENT(S) - Print in Journal

Senator von Gillern filed the following amendment to [LB1023](#):

[AM3220](#)

(Amendments to Standing Committee amendments, AM3034)

1 1. Strike section 3 and insert the following new sections:  
2 Sec. 3. (1) For taxable years beginning or deemed to begin on or  
3 after January 1, 2025, under the Internal Revenue Code of 1986, as  
4 amended, an employer that pays relocation expenses for a qualifying  
5 employee shall be eligible to receive a credit that may be used to offset  
6 any income taxes due under the Nebraska Revenue Act of 1967, any premium  
7 and related retaliatory taxes due under section 44-150, 77-908, or



8 81-523, or any franchise taxes due under sections 77-3801 to 77-3807.

9 (2) The credit provided in this section shall be a refundable credit  
10 in an amount equal to fifty percent of the relocation expenses that were  
11 paid by the employer for a qualifying employee during the taxable year,  
12 not to exceed a maximum credit of five thousand dollars per qualifying  
13 employee.

14 (3) No credit shall be granted under this section unless the  
15 qualifying employee will receive an annual salary of at least seventy  
16 thousand dollars per year and not more than two hundred fifty thousand  
17 dollars per year.

18 (4) Any credit claimed by an employer under this section shall be  
19 recaptured by the department if the qualifying employee moves out of the  
20 state within two years after the credit is claimed. Any amount required  
21 to be recaptured shall be deemed an underpayment of tax and shall be due  
22 and payable on the tax return that is due immediately following the loss  
23 of residency.

24 (5) Notwithstanding any other limitation contained in the laws of  
25 this state, collection of any taxes deemed to be an underpayment by this  
26 section shall be allowed for a period of three years following the due  
1 date of the recaptured taxes.

2 (6) For taxable years beginning or deemed to begin on or after  
3 January 1, 2026, under the Internal Revenue Code of 1986, as amended, the  
4 department shall adjust the dollar amounts provided in subsection (3) of  
5 this section by the same percentage used to adjust individual income tax  
6 brackets under subsection (3) of section 77-2715.03.

7 (7) An employer shall apply for the credit provided in this section  
8 by submitting an application to the department on a form prescribed by  
9 the department. Subject to subsection (8) of this section, if the  
10 department determines that the employer qualifies for tax credits under  
11 this section, the department shall approve the application and certify  
12 the amount of credits approved to the employer.

13 (8) The department shall consider applications in the order in which  
14 they are received and may approve tax credits under this section in any  
15 year until the aggregate limit allowed under section 4 of this act has  
16 been reached.

17 (9) An employer shall claim any tax credits granted under this  
18 section by attaching the tax credit certification received from the  
19 department under subsection (7) of this section to the employer's tax  
20 return.

21 (10) An employer claiming a tax credit under the Relocation  
22 Incentive Act against any premium and related retaliatory taxes due under  
23 section 44-150, 77-908, or 81-523 shall not be required to pay any  
24 additional retaliatory tax as a result of claiming the tax credit. The  
25 tax credit may fully offset any retaliatory tax imposed under Nebraska  
26 law. Any tax credit claimed shall be considered a payment of tax for  
27 purposes of subsection (1) of section 77-2734.03.

28 Sec. 7. Section 77-908, Revised Statutes Cumulative Supplement,  
29 2022, is amended to read:

30 77-908 Every insurance company organized under the stock, mutual,  
31 assessment, or reciprocal plan, except fraternal benefit societies, which  
1 is transacting business in this state shall, on or before March 1 of each  
2 year, pay a tax to the director of one percent of the gross amount of  
3 direct writing premiums received by it during the preceding calendar year  
4 for business done in this state, except that (1) for group sickness and  
5 accident insurance the rate of such tax shall be five-tenths of one  
6 percent and (2) for property and casualty insurance, excluding individual  
7 sickness and accident insurance, the rate of such tax shall be one  
8 percent. A captive insurer authorized under the Captive Insurers Act that  
9 is transacting business in this state shall, on or before March 1 of each  
10 year, pay to the director a tax of one-fourth of one percent of the gross  
11 amount of direct writing premiums received by such insurer during the  
12 preceding calendar year for business transacted in the state. The taxable  
13 premiums shall include premiums paid on the lives of persons residing in  
14 this state and premiums paid for risks located in this state whether the

15 insurance was written in this state or not, including that portion of a  
16 group premium paid which represents the premium for insurance on Nebraska  
17 residents or risks located in Nebraska included within the group when the  
18 number of lives in the group exceeds five hundred. The tax shall also  
19 apply to premiums received by domestic companies for insurance written on  
20 individuals residing outside this state or risks located outside this  
21 state if no comparable tax is paid by the direct writing domestic company  
22 to any other appropriate taxing authority. Companies whose scheme of  
23 operation contemplates the return of a portion of premiums to  
24 policyholders, without such policyholders being claimants under the terms  
25 of their policies, may deduct such return premiums or dividends from  
26 their gross premiums for the purpose of tax calculations. Any such  
27 insurance company shall receive a credit on the tax imposed as provided  
28 in the Community Development Assistance Act, the Nebraska Job Creation  
29 and Mainstreet Revitalization Act, the New Markets Job Growth Investment  
30 Act, the Nebraska Higher Blend Tax Credit Act, the Relocation Incentive  
31 Act, and the Affordable Housing Tax Credit Act.

1 Sec. 15. Section 77-3806, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 77-3806 (1) The tax return shall be filed and the total amount of  
4 the franchise tax shall be due on the fifteenth day of the third month  
5 after the end of the taxable year. No extension of time to pay the tax  
6 shall be granted. If the Tax Commissioner determines that the amount of  
7 tax can be computed from available information filed by the financial  
8 institutions with either state or federal regulatory agencies, the Tax  
9 Commissioner may, by regulation, waive the requirement for the financial  
10 institutions to file returns.

11 (2) Sections 77-2714 to 77-27,135 relating to deficiencies,  
12 penalties, interest, the collection of delinquent amounts, and appeal  
13 procedures for the tax imposed by section 77-2734.02 shall also apply to  
14 the tax imposed by section 77-3802. If the filing of a return is waived  
15 by the Tax Commissioner, the payment of the tax shall be considered the  
16 filing of a return for purposes of sections 77-2714 to 77-27,135.

17 (3) No refund of the tax imposed by section 77-3802 shall be allowed  
18 unless a claim for such refund is filed within ninety days of the date on  
19 which (a) the tax is due or was paid, whichever is later, (b) a change is  
20 made to the amount of deposits or the net financial income of the  
21 financial institution by a state or federal regulatory agency, or (c) the  
22 Nebraska Investment Finance Authority issues an eligibility statement to  
23 the financial institution pursuant to the Affordable Housing Tax Credit  
24 Act.

25 (4) Any such financial institution shall receive a credit on the  
26 franchise tax as provided under the Affordable Housing Tax Credit Act,  
27 the Community Development Assistance Act, the Nebraska Higher Blend Tax  
28 Credit Act, the Nebraska Job Creation and Mainstreet Revitalization Act,  
29 the Nebraska Property Tax Incentive Act, the Relocation Incentive Act,  
30 and the New Markets Job Growth Investment Act.

31 Sec. 17. Section 81-523, Revised Statutes Cumulative Supplement,  
1 2022, is amended to read:

2 81-523 (1) For the purpose of maintaining the office of the State  
3 Fire Marshal and such other fire prevention activities as the Governor  
4 may direct, every foreign and alien insurance company including  
5 nonresident attorneys for subscribers to reciprocal insurance exchanges  
6 shall, on or before March 1, pay a tax to the Director of Insurance of  
7 three-fourths of one percent of the gross direct writing premiums and  
8 assessments received by each of such companies during the preceding  
9 calendar year for fire insurance business done in this state.

10 (2) For the purpose set forth in subsection (1) of this section,  
11 every domestic insurance company including resident attorneys for  
12 subscribers to reciprocal insurance exchanges shall, on or before March  
13 1, pay a tax to the Director of Insurance of three-eighths of one percent  
14 of the gross direct writing premiums and assessments received by each of  
15 such companies during the preceding calendar year for fire insurance  
16 business done in this state.

17 (3) The term fire insurance business, as used in subsections (1),  
18 (2), and (4) of this section, shall include, but not be limited to,  
19 premiums of policies on fire risks on automobiles, whether written under  
20 floater form or otherwise.  
21 (4) Return premiums on fire insurance business, subject to the fire  
22 insurance tax, in accordance with subsections (1) and (2) of this  
23 section, may be deducted from the gross direct writing premiums for the  
24 purpose of the tax calculations provided for by subsections (1) and (2)  
25 of this section. In the case of mutual companies and assessment  
26 associations, the dividends paid or credited to policyholders or members  
27 in this state shall be construed to be return premiums.  
28 (5) Any tax collected pursuant to subsections (1) and (2) of this  
29 section shall be remitted to the State Treasurer for credit to the  
30 General Fund.  
31 (6) An insurance company described in this section shall receive a  
1 credit on the tax imposed under this section as provided in the  
2 Affordable Housing Tax Credit Act and the Relocation Incentive Act.  
3 2. Correct the operative date and repealer sections so that the  
4 sections added by this amendment become operative on their effective  
5 date.  
6 3. Renumber the remaining sections and correct internal references  
7 accordingly.

### GENERAL FILE

**LEGISLATIVE BILL 399.** Committee [AM2702](#), found on page 856 and considered on page 1438, was renewed.

Senator J. Cavanaugh renewed [MO1323](#), found and considered on page 1439, to reconsider the vote taken on MO1231.

### SENATOR VON GILLERN PRESIDING

Senator J. Cavanaugh asked unanimous consent to withdraw his motion to reconsider.

No objections. So ordered.

Senator J. Cavanaugh asked unanimous consent to withdraw [MO1324](#), found on page 1444, to bracket.

No objections. So ordered.

Senator Dungan withdrew [FA330](#), found on page 1444, to the committee amendment.

Senator Dungan withdrew [FA331](#), found on page 1444, to the committee amendment.

Senator Bostar offered [AM3296](#), found on page 1443, to the committee amendment.

The Bostar amendment, to the committee amendment, was withdrawn.

Senator Blood withdrew [AM3053](#), found on page 1144, to the committee amendment.

Senator Dungan withdrew [AM2804](#), found on page 1028, to the committee amendment.

Senator Brewer offered [AM2912](#), found on page 992, to the committee amendment.

The Brewer amendment, to the committee amendment, was withdrawn.

Senator Fredrickson withdrew [AM2848](#), found on page 926, to the committee amendment.

Senator Brewer offered the following amendment to the committee amendment:

[AM3336](#)

(Amendments to Standing Committee amendments, AM2702)

- 1 1. Strike sections 3 and 4 and insert the following new section:
- 2 Sec. 3. Section 70-1014.02, Revised Statutes Cumulative Supplement,
- 3 2022, is amended to read:
- 4 70-1014.02 (1) The Legislature finds that:
- 5 (a) Nebraska has the authority as a sovereign state to protect its
- 6 land, natural resources, and cultural resources for economic and
- 7 aesthetic purposes for the benefit of its residents and future
- 8 generations by regulation of energy generation projects;
- 9 (b) The unique terrain and ecology of the Nebraska Sandhills provide
- 10 an irreplaceable habitat for millions of migratory birds and other
- 11 wildlife every year and serve as the home to numerous ranchers and
- 12 farmers;
- 13 (c) The grasslands of the Nebraska Sandhills and other natural
- 14 resources in Nebraska will become increasingly valuable, both
- 15 economically and strategically, as the demand for food and energy
- 16 increases; and
- 17 (d) The Nebraska Sandhills are home to priceless archaeological
- 18 sites of historical and cultural significance to American Indians.
- 19 (2)(a) A privately developed renewable energy generation facility
- 20 that meets the requirements of this section is exempt from sections
- 21 70-1012 to 70-1014.01 if, no less than thirty days prior to the
- 22 commencement of construction, the owner of the facility:
- 23 (i) Notifies the board in writing of its intent to commence
- 24 construction of a privately developed renewable energy generation
- 25 facility;
- 26 (ii) Certifies to the board that the facility will meet the
- 1 requirements for a privately developed renewable energy generation
- 2 facility;
- 3 (iii) Certifies to the board that the private electric supplier will
- 4 (A) comply with any decommissioning requirements adopted by the local
- 5 governmental entities having jurisdiction over the privately developed
- 6 renewable energy generation facility and (B) except as otherwise provided
- 7 in subdivision (b) of this subsection, submit a decommissioning plan to
- 8 the board obligating the private electric supplier to bear all costs of
- 9 decommissioning the privately developed renewable energy generation
- 10 facility and requiring that the private electric supplier post a security
- 11 bond or other instrument, no later than the ~~third~~ ~~year~~ year following
- 12 commercial operation, securing the costs of decommissioning the facility

13 and provide a copy of the bond or instrument to the board;  
14 (iv) Certifies to the board that the private electric supplier has  
15 entered into or prior to commencing construction will enter into a joint  
16 transmission development agreement pursuant to subdivision (c) of this  
17 subsection with the electric supplier owning the transmission facilities  
18 of sixty thousand volts or greater to which the privately developed  
19 renewable energy generation facility will interconnect; ~~and~~  
20 (v) Certifies to the board that the private electric supplier has  
21 consulted with the Game and Parks Commission to identify potential  
22 measures to avoid, minimize, and mitigate impacts to species identified  
23 under subsection (1) or (2) of section 37-806 during the project planning  
24 and design phases, if possible, but in no event later than the  
25 commencement of construction; ~~and~~ -  
26 (vi) For a proposed privately developed renewable energy generation  
27 facility that has a generating capacity that is greater than ten  
28 megawatts, certifies to the board that the private electric supplier has  
29 held at least one public meeting with advanced publicized notice in one  
30 of the counties in which the proposed facility will be located at which  
31 (A) the private electric supplier explains the need for the proposed  
1 facility and the type of facility and (B) real property owners in any of  
2 the counties in which the proposed facility will be located are provided  
3 an opportunity to comment on the proposed facility. The private electric  
4 supplier shall provide a report to the board containing the minutes of  
5 any such meeting and how many people commented on the proposed facility.  
6 Documentation received at any such meeting shall be made available to the  
7 board upon its request. A meeting described in this subdivision is not  
8 subject to the requirements described in subdivision (2)(b)(iv) of  
9 section 84-1411.  
10 (b) The board may bring an action in the name of the State of  
11 Nebraska for failure to comply with subdivision (a)(iii)(B) of this  
12 subsection, ~~except that such subdivision - Subdivision (a)(iii)(B) of~~  
13 ~~this subsection~~ does not apply if a local government entity with the  
14 authority to create requirements for decommissioning has enacted  
15 decommissioning requirements for the applicable jurisdiction.  
16 (c) ~~A~~ The joint transmission development agreement shall be entered  
17 into to address construction, ownership, operation, and maintenance of  
18 such additions or upgrades to the transmission facilities as required for  
19 the privately developed renewable energy generation facility. The joint  
20 transmission development agreement shall be negotiated and executed  
21 contemporaneously with the generator interconnection agreement or other  
22 directives of the applicable regional transmission organization with  
23 jurisdiction over the addition or upgrade of transmission, upon terms  
24 consistent with prudent electric utility practices for the  
25 interconnection of renewable generation facilities, the electric  
26 supplier's reasonable transmission interconnection requirements, and  
27 applicable transmission design and construction standards. The electric  
28 supplier shall have the right to purchase and own transmission facilities  
29 as set forth in the joint transmission development agreement. The private  
30 electric supplier of the privately developed renewable energy generation  
31 facility shall have the right to construct any necessary facilities or  
1 improvements set forth in the joint transmission development agreement  
2 pursuant to the standards set forth in the agreement at the private  
3 electric supplier's cost.  
4 (3) Within ten days after receipt of a written notice complying with  
5 subsection (2) of this section, the executive director of the board shall  
6 issue a written acknowledgment that the privately developed renewable  
7 energy generation facility is exempt from sections 70-1012 to 70-1014.01  
8 if such facility remains in compliance with the requirements of this  
9 section.  
10 (4) The exemption allowed under this section for a privately

11 developed renewable energy generation facility shall extend to and exempt  
 12 all private electric suppliers owning any interest in the facility,  
 13 including any successor private electric supplier which subsequently  
 14 acquires any interest in the facility.  
 15 (5) No property owned, used, or operated as part of a privately  
 16 developed renewable energy generation facility shall be subject to  
 17 eminent domain by a consumer-owned electric supplier operating in the  
 18 State of Nebraska. Nothing in this section shall be construed to grant  
 19 the power of eminent domain to a private electric supplier or limit the  
 20 rights of any entity to acquire any public, municipal, or utility right-  
 21 of-way across property owned, used, or operated as part of a privately  
 22 developed renewable energy generation facility as long as the right-of-  
 23 way does not prevent the operation of or access to the privately  
 24 developed renewable energy generation facility.  
 25 (6) Only a consumer-owned electric supplier operating in the State  
 26 of Nebraska may exercise eminent domain authority to acquire the land  
 27 rights necessary for the construction of transmission lines and related  
 28 facilities. There is a rebuttable presumption that the exercise of  
 29 eminent domain to provide needed transmission lines and related  
 30 facilities for a privately developed renewable energy generation facility  
 31 is a public use.  
 1 (7) Nothing in this section shall be construed to authorize a  
 2 private electric supplier to sell or deliver electricity at retail in  
 3 Nebraska.  
 4 (8) Nothing in this section shall be construed to limit the  
 5 authority of or require a consumer-owned electric supplier operating in  
 6 the State of Nebraska to enter into a joint agreement with a private  
 7 electric supplier to develop, construct, and jointly own a privately  
 8 developed renewable energy generation facility.  
 9 2. On page 3, line 25, strike "may" and insert "shall".  
 10 3. Renumber the remaining sections and correct the repealer  
 11 accordingly.

The Brewer amendment, to the committee amendment, was adopted with 42  
 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator J. Cavanaugh offered the following amendment to the Brewer  
 amendment:

[FA351](#)

On page 2, line 11 of AM3336, strike "third" and insert "sixth".

The J. Cavanaugh amendment, to the Brewer amendment, was adopted with  
 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 44 ayes, 0 nays,  
 3 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 3 present  
 and not voting, and 2 excused and not voting.

#### **AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to [LB164](#):  
[AM3323](#) is available in the Bill Room.

**GENERAL FILE**

**LEGISLATIVE BILL 1300.** Senator M. Cavanaugh renewed [MO1339](#), found and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Pending.

**EASE**

The Legislature was at ease from 5:57 p.m. until 6:30 p.m.

**SPEAKER ARCH PRESIDING****SENATOR VON GILLERN PRESIDING****GENERAL FILE**

**LEGISLATIVE BILL 1300.** Senator M. Cavanaugh renewed [MO1339](#), found and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Senator M. Cavanaugh requested a roll call vote on her motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Voting in the affirmative, 1:

Blood

Voting in the negative, 41:

Albrecht	Conrad	Halloran	Lowe	Vargas
Arch	Day	Hardin	McDonnell	von Gillern
Ballard	DeBoer	Holdcroft	McKinney	Walz
Bosn	DeKay	Hughes	Meyer	Wayne
Bostar	Dorn	Ibach	Moser	Wishart
Bostelman	Dover	Jacobson	Murman	
Brandt	Dungan	Kauth	Riepe	
Brewer	Erdman	Linehan	Sanders	
Clements	Fredrickson	Lippincott	Slama	

Present and not voting, 3:

Cavanaugh, J. Cavanaugh, M. Hunt

Excused and not voting, 4:

Aguilar      Armendariz      Hansen      Raybould

The M. Cavanaugh motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) failed with 1 aye, 41 nays, 3 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1357](#)

Reconsider the vote taken on MO1339.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Title read. Considered.

Committee [AM3227](#), found on page 1328, was offered.

Senator M. Cavanaugh offered the following motion:

[MO1341](#)

Bracket until April 18, 2024.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator Slama offered the following amendment to the committee amendment:

[AM3339](#)

(Amendments to Standing Committee amendments, AM3227)

1 1. Insert the following new sections:

2 Sec. 47. Section 32-710, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 32-710 Each political party shall hold a state convention biennially

5 on a date to be fixed by the state central committee but not later than

6 September 1. Candidates for elective offices may be nominated at such

7 conventions pursuant to section 32-627 or 32-721. Such nominations shall

8 be certified to the Secretary of State by the chairperson and secretary

9 of the convention. The certificates shall have the same force and effect

10 as nominations in primary elections. A political party may not nominate a

11 candidate at the convention for an office for which the party did not

12 nominate a candidate at the primary election except as provided for new

13 political parties in section 32-621. The convention shall formulate and

14 promulgate a state platform, select a state central committee, select

15 electors for President and Vice President of the United States, and

16 transact the business which is properly before it. ~~One presidential~~

17 elector shall be chosen from each congressional district, and two



18 ~~presidential electors shall be chosen at large.~~ The officers of the  
19 convention shall certify the names of the electors to the Governor and  
20 Secretary of State.

21 Sec. 48. Section 32-713, Reissue Revised Statutes of Nebraska, is  
22 amended to read:

23 32-713 (1) The certificates of appointment for presidential electors  
24 shall be served by the Governor on each person appointed. The Governor  
25 shall notify the presidential electors to be at the State Capitol at noon  
26 on the first Monday after the second Wednesday in December after  
1 appointment and report to the Governor at his or her office in the  
2 capitol as being in attendance. The Governor shall serve the certificates  
3 of appointment by registered or certified mail. In submitting this  
4 state's certificate of ascertainment as required by 3 U.S.C. 6, the  
5 Governor shall certify this state's presidential electors and state in  
6 the certificate that:

7 (a) The presidential electors will serve as presidential electors  
8 unless a vacancy occurs in the office of presidential elector before the  
9 end of the meeting at which the presidential electors cast their votes,  
10 in which case a substitute presidential elector will fill the vacancy;  
11 and

12 (b) If a substitute presidential elector is appointed to fill a  
13 vacancy, the Governor will submit an amended certificate of ascertainment  
14 stating the names on the final list of this state's presidential  
15 electors.

16 (2) The presidential electors shall convene at 2 p.m. of such Monday  
17 at the Governor's office in the capitol. Each presidential elector shall  
18 execute the following pledge: As a presidential elector duly selected (or  
19 appointed) for this position, I agree to serve and to mark my ballots for  
20 President and Vice President for the presidential and vice-presidential  
21 candidates who received the highest number of votes in the state ~~if I am~~  
22 ~~an at-large presidential elector or the highest number of votes in my~~  
23 ~~congressional district if I am a congressional district presidential~~  
24 ~~elector.~~

25 Sec. 49. Section 32-714, Reissue Revised Statutes of Nebraska, is  
26 amended to read:

27 32-714 (1) The Governor shall provide each presidential elector with  
28 a list of all the presidential electors. If any presidential elector is  
29 absent or if there is a deficiency in the proper number of presidential  
30 electors, those present shall elect from the citizens of the state so  
31 many persons as will supply the deficiency and immediately issue a  
1 certificate of election, signed by those present or a majority of them,  
2 to the person or persons so chosen. In case of failure to elect as  
3 required in this subsection by 3 p.m. of such day or in case of a vacancy  
4 created under subsection (4) of this section, the Governor shall fill the  
5 vacancies by appointment. Each appointee shall execute the pledge in  
6 section 32-713. After all vacancies are filled, the presidential electors  
7 shall proceed with the election of a President of the United States and a  
8 Vice President of the United States and certify their votes in conformity  
9 with the Constitution and laws of the United States.

10 (2) The Secretary of State shall provide each presidential elector  
11 with a presidential and vice-presidential ballot. Each at-large  
12 presidential elector shall mark his or her ballot for the presidential  
13 and vice-presidential candidates who received the highest number of votes  
14 in the state and consistent with his or her pledge. ~~Each congressional~~  
15 ~~district presidential elector shall mark his or her ballot for the~~  
16 ~~presidential and vice-presidential candidates who received the highest~~  
17 ~~number of votes in his or her congressional district and consistent with~~  
18 ~~his or her pledge.~~

19 (3) Each presidential elector shall present the completed ballot to  
20 the Secretary of State. The Secretary of State shall examine each ballot

21 and accept as cast each ballot marked by a presidential elector  
 22 consistent with his or her pledge. The Secretary of State shall not  
 23 accept and shall not count the ballot if the presidential elector has not  
 24 marked the ballot or has marked the ballot in violation of his or her  
 25 pledge.

26 (4) A presidential elector who refuses to present a ballot, who  
 27 attempts to present an unmarked ballot, or who attempts to present a  
 28 ballot marked in violation of his or her pledge vacates the office of  
 29 presidential elector.

30 Sec. 50. Section 32-1038, Reissue Revised Statutes of Nebraska, is  
 31 amended to read:

1 32-1038 (1) The board of state canvassers shall authorize the  
 2 Secretary of State to open the abstracts of votes from the various  
 3 counties and prepare an abstract stating the number of ballots cast for  
 4 each office, the names of all the persons voted for, for what office they  
 5 respectively received the votes, and the number of votes each received.  
 6 The abstract shall be signed by the members of the board and shall have  
 7 the seal of the state affixed by the Secretary of State. The canvass of  
 8 the votes for candidates for President and Vice President of the United  
 9 States and the return thereof shall be a canvass and return of the votes  
 10 cast for the presidential electors of the same party or group of  
 11 petitioners respectively, and the certificate of such election made by  
 12 the Governor shall be in accord with such return. Receipt by the  
 13 presidential electors of a party or a group of petitioners of the highest  
 14 number of votes statewide shall constitute election of the two at-large  
 15 presidential electors of that party or group of petitioners. ~~Receipt by~~  
 16 ~~the presidential electors of a party or a group of petitioners of the~~  
 17 ~~highest number of votes in a congressional district shall constitute~~  
 18 ~~election of the congressional district presidential elector of that party~~  
 19 ~~or group of petitioners.~~

20 (2) The board of state canvassers shall determine from the completed  
 21 abstract the names of those candidates who have been nominated or  
 22 elected. If any two or more persons are returned with an equal and the  
 23 highest number of votes, the board of state canvassers shall decide by  
 24 lot which of such persons is elected except for officers elected to the  
 25 executive branch. The board of state canvassers shall also declare those  
 26 measures carried which have received the required percentage of votes as  
 27 provided by law.

28 2. Renumber the remaining sections and correct internal references  
 29 accordingly.

30 3. Correct the operative date and repealer sections so that the  
 31 sections added by this amendment become operative on their effective date  
 1 with the emergency clause.

Senator Bostar requested a ruling of the Chair on whether the Slama amendment is germane to the bill.

The Chair ruled the Slama amendment is not germane to the bill.

Senator Slama challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Bostar requested a roll call vote, in reverse order, on the motion to overrule the Chair.

Voting in the affirmative, 9:

Ballard	Bostelman	Erdman	Murman	Slama
Bosn	Dover	Lippincott	Riepe	

Voting in the negative, 36:

Albrecht	Clements	Halloran	Linehan	von Gillern
Arch	Conrad	Hardin	Lowe	Walz
Blood	Day	Holdcroft	McDonnell	Wayne
Bostar	DeBoer	Hughes	McKinney	Wishart
Brandt	DeKay	Hunt	Meyer	
Brewer	Dorn	Ibach	Moser	
Cavanaugh, J.	Dungan	Jacobson	Sanders	
Cavanaugh, M.	Fredrickson	Kauth	Vargas	

Excused and not voting, 4:

Aguilar	Armendariz	Hansen	Raybould
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The Slama motion to overrule the Chair failed with 9 ayes, 36 nays, and 4 excused and not voting.

The Chair was sustained.

Senator McDonnell offered the following amendment to the committee amendment:

[AM3317](#)

(Amendments to Standing Committee amendments, AM3227)

1 1. On page 31, line 19, strike "average percentage" and insert  
2 "cumulative".

The McDonnell amendment, to the committee amendment, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1300A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

#### **MOTION(S) - Print in Journal**

Senator Linehan filed the following motion to [LB233](#):

[MO1354](#)

Recommit to the Health and Human Services Committee.

Senator Erdman filed the following motion to [LB233](#):  
[MO1355](#)  
 Bracket until April 18, 2024.

Senator Linehan filed the following motion to [LB233](#):  
[MO1356](#)  
 Indefinitely postpone.

Senator von Gillern filed the following motion to [LB840](#):  
[MO1358](#)  
 Indefinitely postpone.

Senator von Gillern filed the following motion to [LB840](#):  
[MO1359](#)  
 Recommit to the Urban Affairs Committee.

Senator von Gillern filed the following motion to [LB840](#):  
[MO1360](#)  
 Bracket until April 18, 2024.

#### AMENDMENT(S) - Print in Journal

Senator Conrad filed the following amendment to [LB1393](#):  
[AM3353](#)

- 1 1. Strike the Conrad amendment, FA350.
- 2 2. On page 6, line 1, after "48-3604" insert "(1)"; in line 9 strike
- 3 "Unless", show as stricken, and insert "Except as provided in subsection
- 4 (2) of this section, or unless"; and after line 17 insert the following
- 5 new subsection:
- 6 "(2) If any contract or agreement is entered into by an entity
- 7 subject to sections 84-712 to 84-712.09 for the use of a student-
- 8 athlete's name, image, or likeness rights or athletic reputation, such
- 9 contract or agreement shall be considered a public record subject to
- 10 sections 84-712 to 84-712.09."

Senator McDonnell filed the following amendment to [LB840](#):  
[AM3208](#)

(Amendments to E&R amendments, ER102)

- 1 1. Insert the following new section:
- 2 Sec. 6. (1) In alignment with the Poverty Elimination Action Plan
- 3 Act's goals, and to maximize economic benefits for residents of high-
- 4 poverty zones, qualified census tracts, and economic redevelopment areas,
- 5 all construction projects initiated, funded, or incentivized under a
- 6 city's poverty elimination action plan shall incorporate detailed project
- 7 labor agreement provisions. Such provisions are aimed at leveraging
- 8 project labor agreements to fulfill the act's objectives and contribute
- 9 to the broader redevelopment efforts.
- 10 (2) For purposes of this section, a project labor agreement is a
- 11 pre-hire collective bargaining agreement with one or more labor unions,
- 12 setting forth employment terms and conditions for a specific construction
- 13 project. The intent behind a project labor agreement includes:
- 14 (a) Ensuring that all construction activities tied to the poverty
- 15 elimination action plan adhere to the highest standards of quality,
- 16 efficiency, and safety, thereby reflecting the project's commitment to
- 17 excellence;

18 (b) Guaranteeing that workers on such construction projects are  
 19 compensated at prevailing wage rates, in line with the rates for similar  
 20 construction work in the locality, as determined by the United States  
 21 Secretary of Labor in accordance with Subchapter IV of 40 U.S.C. 31,  
 22 ensuring fair compensation for labor; and  
 23 (c) Promoting substantial participation of the local workforce,  
 24 particularly emphasizing the engagement of qualified apprentices from  
 25 within the community, especially those residing in high-poverty areas,  
 26 qualified census tracts, and economic redevelopment areas. Such approach  
 1 aims to provide direct employment opportunities to those most affected by  
 2 poverty and foster local economic development.  
 3 (3) Each project labor agreement shall integrate apprenticeship  
 4 training programs that are essential for equipping local residents with  
 5 the necessary skills and credentials for sustainable careers in the  
 6 construction sector and beyond. Such programs should:  
 7 (a) Offer a comprehensive pathway for individuals, particularly from  
 8 marginalized communities, to gain the requisite skills and experience for  
 9 long-term employment in the construction field;  
 10 (b) Blend practical, onsite training with academic instruction,  
 11 adhering to the apprenticeship standards set by the United States  
 12 Department of Labor or the Nebraska Department of Labor, ensuring a well-  
 13 rounded education and training experience; and  
 14 (c) Encourage diversity and inclusivity within the construction  
 15 workforce by establishing specific recruitment and training objectives  
 16 for women, people of color, veterans, and other traditionally  
 17 underrepresented groups to promote equity in employment opportunities.  
 18 (4) A city shall ensure that a project labor agreement embedded  
 19 within the poverty elimination action plan incorporates effective  
 20 monitoring mechanisms to enforce compliance with the terms of such  
 21 agreement, particularly terms pertaining to local hiring practices, wage  
 22 standards, and apprenticeship training commitments.  
 23 (5) The impact of project labor agreements on achieving the Poverty  
 24 Elimination Action Plan Act's goals, including their effectiveness in  
 25 fostering local employment and skill development, shall be evaluated as  
 26 part of the biennial review conducted by the Urban Affairs Committee of  
 27 the Legislature for each city's action plan, ensuring accountability and  
 28 continuous improvement in project outcomes.  
 29 2. On page 1, line 3, strike "5" and insert "6".  
 30 3. On page 4, line 2, strike "12 and 13" and insert "13 and 14".  
 31 4. Renumber the remaining sections accordingly.

Senator von Gillern filed the following amendment to LB840:

[FA352](#)

Delete section 6.

Senator M. Cavanaugh filed the following amendment to LB1300:

[FA346](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1300:

[FA347](#)

Strike Section 2.

## GENERAL FILE

**LEGISLATIVE BILL 1363.** Title read. Considered.

Committee [AM3250](#), found on page 1401, was offered.

Senator Linehan moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

Senator McDonnell requested a roll call vote on the committee amendment.

Voting in the affirmative, 15:

Albrecht	Brandt	Dungan	Linehan	Murman
Arch	Brewer	Hunt	McDonnell	Sanders
Bostar	DeKay	Kauth	Meyer	von Gillern

Voting in the negative, 22:

Ballard	Conrad	Hardin	Lippincott	Walz
Bosn	Dorn	Holdcroft	Lowe	Wayne
Bostelman	Dover	Hughes	McKinney	
Cavanaugh, J.	Erdman	Ibach	Riepe	
Clements	Halloran	Jacobson	Vargas	

Present and not voting, 2:

DeBoer      Fredrickson

Excused and not voting, 10:

Aguilar	Blood	Day	Moser	Slama
Armendariz	Cavanaugh, M.	Hansen	Raybould	Wishart

The committee amendment lost with 15 ayes, 22 nays, 2 present and not voting, and 10 excused and not voting.

The Chair declared the call raised.

Senator Wayne offered the following motion:

[MO1361](#)

Reconsider the vote on AM3250.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to [LB25](#):

[AM3327](#)

(Amendments to Standing Committee amendments, AM440)

1 1. Strike amendment 1 and insert the following new amendment:

2 1. Strike the original sections and insert the following new

3 sections:

4 Section 1. Sections 1 to 6 of this act shall be known and may be

5 cited as the State and Political Subdivisions Child Sexual Abuse

6 Liability Act.

7 Sec. 2. The Legislature hereby declares that the state, state  
8 agencies, and political subdivisions shall be liable in a similar manner  
9 and to a similar extent as a private individual or entity under like  
10 circumstances for tort claims arising out of child sexual abuse.  
11 Sec. 3. For purposes of the State and Political Subdivisions Child  
12 Sexual Abuse Liability Act:  
13 (1) Child sexual abuse means conduct that amounts to a violation of  
14 section 28-319.01 or 28-320.01;  
15 (2)(a) Employee, with reference to a political subdivision, has the  
16 same meaning as in section 13-903.  
17 (b) Employee, with reference to a state agency, has the same meaning  
18 as in section 81-8.210;  
19 (3) Political subdivision has the same meaning as in section 13-903;  
20 (4) State agency has the same meaning as in section 81-8.210; and  
21 (5) Tort claim means any claim against a political subdivision or  
22 state agency for money only on account of personal injury or death,  
23 caused by the negligent or wrongful act or omission of any official or  
24 employee of the political subdivision or state agency, while acting  
25 within the scope of his or her office or employment, under circumstances  
26 in which the political subdivision or state agency, if a private person,  
1 would be liable to the claimant for such injury or death.  
2 Sec. 4. An individual who is a victim of child sexual abuse may  
3 bring a tort claim arising from such child sexual abuse against a  
4 political subdivision or a state agency.  
5 Sec. 5. The State and Political Subdivisions Child Sexual Abuse  
6 Liability Act constitutes a waiver of the sovereign immunity of the state  
7 and all political subdivisions, and an action under the act is not  
8 subject to the State Tort Claims Act or the Political Subdivisions Tort  
9 Claims Act or the limitations or requirements in such acts, including,  
10 but not limited to, limits on recoverable damages, limits on the  
11 availability of a jury trial, notice requirements, and statutes of  
12 limitations.  
13 Sec. 6. (1) Criminal prosecution under section 28-319.01 or  
14 28-320.01 is not required to maintain a civil action under the State and  
15 Political Subdivisions Child Sexual Abuse Liability Act.  
16 (2) The remedy provided in the State and Political Subdivisions  
17 Child Sexual Abuse Liability Act is cumulative and shall be in addition  
18 to any other remedies provided by law.  
19 (3) No writ of execution shall issue against the state, a state  
20 agency, or a political subdivision for a tort claim under the State and  
21 Political Subdivisions Child Sexual Abuse Liability Act.  
22 (4) Punitive damages shall not be awarded in an action against a  
23 political subdivision or state agency under the State and Political  
24 Subdivisions Child Sexual Abuse Liability Act.  
25 Sec. 7. Section 13-901, Reissue Revised Statutes of Nebraska, is  
26 amended to read:  
27 13-901 Sections 13-901 to 13-928 and section 8 of this act shall be  
28 known and may be cited as the Political Subdivisions Tort Claims Act.  
29 Sec. 8. An action under the State and Political Subdivisions Child  
30 Sexual Abuse Liability Act is not subject to the Political Subdivisions  
31 Tort Claims Act.  
1 Sec. 9. Section 25-228, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:  
3 25-228 ~~(1) Notwithstanding any other provision of law:~~  
4 (1) (a) There shall not be any time limitation for an action against  
5 the individual or individuals directly causing an injury or injuries  
6 suffered by a plaintiff when the plaintiff was a victim of a violation of  
7 section 28-319.01 or 28-320.01 if such violation occurred (a) (i) on or  
8 after August 24, 2017, or (b) (ii) prior to August 24, 2017, if such  
9 action was not previously time barred, and

10 (2) (b) An action against any person or entity other than the  
 11 individual directly causing an injury or injuries suffered by a plaintiff  
 12 when the plaintiff was a victim of a violation of section 28-319.01 or  
 13 28-320.01, including an action under the State and Political Subdivisions  
 14 Child Sexual Abuse Liability Act, may only be brought within twelve years  
 15 after the plaintiff's twenty-first birthday.  
 16 (3) (2) Criminal prosecution of a defendant under section 28-319.01  
 17 or 28-320.01 is not required to maintain a civil action for violation of  
 18 such sections.  
 19 Sec. 10. Section 81-8,235, Reissue Revised Statutes of Nebraska, is  
 20 amended to read:  
 21 81-8,235 Sections 81-8,209 to 81-8,235 and section 11 of this act  
 22 shall be known and may be cited as the State Tort Claims Act.  
 23 Sec. 11. An action under the State and Political Subdivisions Child  
 24 Sexual Abuse Liability Act is not subject to the State Tort Claims Act.  
 25 Sec. 12. Original sections 13-901 and 81-8,235, Reissue Revised  
 26 Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative  
 27 Supplement, 2022, are repealed.

Senator Wayne filed the following amendment to LB25:  
AM3328

(Amendments to Standing Committee amendments, AM440)

1 1. Strike amendment 1 and insert the following new amendment:  
 2 1. Strike the original sections and insert the following new  
 3 sections:  
 4 Section 1. Section 13-910, Reissue Revised Statutes of Nebraska, is  
 5 amended to read:  
 6 13-910 The Political Subdivisions Tort Claims Act and sections  
 7 16-727, 16-728, 23-175, 39-809, and 79-610 shall not apply to:  
 8 (1) Any claim based upon an act or omission of an employee of a  
 9 political subdivision, exercising due care, in the execution of a  
 10 statute, ordinance, or officially adopted resolution, rule, or  
 11 regulation, whether or not such statute, ordinance, resolution, rule, or  
 12 regulation is valid;  
 13 (2) Any claim based upon the exercise or performance of or the  
 14 failure to exercise or perform a discretionary function or duty on the  
 15 part of the political subdivision or an employee of the political  
 16 subdivision, whether or not the discretion is abused;  
 17 (3) Any claim based upon the failure to make an inspection or making  
 18 an inadequate or negligent inspection of any property other than property  
 19 owned by or leased to such political subdivision to determine whether the  
 20 property complies with or violates any statute, ordinance, rule, or  
 21 regulation or contains a hazard to public health or safety unless the  
 22 political subdivision had reasonable notice of such hazard or the failure  
 23 to inspect or inadequate or negligent inspection constitutes a reckless  
 24 disregard for public health or safety;  
 25 (4) Any claim based upon the issuance, denial, suspension, or  
 26 revocation of or failure or refusal to issue, deny, suspend, or revoke  
 1 any permit, license, certificate, or order. Nothing in this subdivision  
 2 shall be construed to limit a political subdivision's liability for any  
 3 claim based upon the negligent execution by an employee of the political  
 4 subdivision in the issuance of a certificate of title under the Motor  
 5 Vehicle Certificate of Title Act and the State Boat Act except when such  
 6 title is issued upon an application filed electronically by an approved  
 7 licensed dealer participating in the electronic dealer services system  
 8 pursuant to section 60-1507;  
 9 (5) Any claim arising with respect to the assessment or collection  
 10 of any tax or fee or the detention of any goods or merchandise by any law  
 11 enforcement officer;  
 12 (6) Any claim caused by the imposition or establishment of a



13 quarantine by the state or a political subdivision, whether such  
14 quarantine relates to persons or property;  
15 (7) Any claim arising out of the following acts: Assault assault,  
16 battery, false arrest, false imprisonment, malicious prosecution, abuse  
17 of process, libel, slander, misrepresentation, deceit, or interference  
18 with contract rights. ~~This , except that this~~ subdivision does not apply  
19 to a claim; ~~under~~  
20 (a) Under the Healthy Pregnancies for Incarcerated Women Act; or  
21 (b) When the harm caused by an intentional tort is a proximate  
22 result of the failure of a political subdivision or an employee of the  
23 political subdivision to exercise reasonable care to either:  
24 (i) Control a person over whom it has taken charge; or  
25 (ii) Protect a person who is in the political subdivision's care,  
26 custody, or control from harm caused by a non-employee actor;  
27 (8) Any claim by an employee of the political subdivision which is  
28 covered by the Nebraska Workers' Compensation Act;  
29 (9) Any claim arising out of the malfunction, destruction, or  
30 unauthorized removal of any traffic or road sign, signal, or warning  
31 device unless it is not corrected by the political subdivision  
1 responsible within a reasonable time after actual or constructive notice  
2 of such malfunction, destruction, or removal. Nothing in this subdivision  
3 shall give rise to liability arising from an act or omission of any  
4 political subdivision in placing or removing any traffic or road signs,  
5 signals, or warning devices when such placement or removal is the result  
6 of a discretionary act of the political subdivision;  
7 (10) Any claim arising out of snow or ice conditions or other  
8 temporary conditions caused by nature on any highway as defined in  
9 section 60-624, bridge, public thoroughfare, or other public place due to  
10 weather conditions. Nothing in this subdivision shall be construed to  
11 limit a political subdivision's liability for any claim arising out of  
12 the operation of a motor vehicle by an employee of the political  
13 subdivision while acting within the course and scope of his or her  
14 employment by the political subdivision;  
15 (11) Any claim arising out of the plan or design for the  
16 construction of or an improvement to any highway as defined in such  
17 section or bridge, either in original construction or any improvement  
18 thereto, if the plan or design is approved in advance of the construction  
19 or improvement by the governing body of the political subdivision or some  
20 other body or employee exercising discretionary authority to give such  
21 approval;  
22 (12) Any claim arising out of the alleged insufficiency or want of  
23 repair of any highway as defined in such section, bridge, or other public  
24 thoroughfare. Insufficiency or want of repair shall be construed to refer  
25 to the general or overall condition and shall not refer to a spot or  
26 localized defect. A political subdivision shall be deemed to waive its  
27 immunity for a claim due to a spot or localized defect only if (a) the  
28 political subdivision has had actual or constructive notice of the defect  
29 within a reasonable time to allow repair prior to the incident giving  
30 rise to the claim or (b) the claim arose during the time specified in a  
31 notice provided by the political subdivision pursuant to subsection (3)  
1 of section 39-1359 and the state or political subdivision had actual or  
2 constructive notice; or  
3 (13)(a) Any claim relating to recreational activities for which no  
4 fee is charged (i) resulting from the inherent risk of the recreational  
5 activity, (ii) arising out of a spot or localized defect of the premises  
6 unless the spot or localized defect is not corrected by the political  
7 subdivision leasing, owning, or in control of the premises within a  
8 reasonable time after actual or constructive notice of the spot or  
9 localized defect, or (iii) arising out of the design of a skatepark or  
10 bicycle motocross park constructed for purposes of skateboarding, inline

11 skating, bicycling, or scootering that was constructed or reconstructed,  
 12 reasonably and in good faith, in accordance with generally recognized  
 13 engineering or safety standards or design theories in existence at the  
 14 time of the construction or reconstruction. For purposes of this  
 15 subdivision, a political subdivision shall be charged with constructive  
 16 notice only when the failure to discover the spot or localized defect of  
 17 the premises is the result of gross negligence.

18 (b) For purposes of this subdivision:

19 (i) Recreational activities include, but are not limited to, whether  
 20 as a participant or spectator: Hunting, fishing, swimming, boating,  
 21 camping, picnicking, hiking, walking, running, horseback riding, use of  
 22 trails, nature study, waterskiing, winter sports, use of playground  
 23 equipment, biking, roller blading, skateboarding, golfing, athletic  
 24 contests; visiting, viewing, or enjoying entertainment events, festivals,  
 25 or historical, archaeological, scenic, or scientific sites; and similar  
 26 leisure activities;

27 (ii) Inherent risk of recreational activities means those risks that  
 28 are characteristic of, intrinsic to, or an integral part of the activity;

29 (iii) Gross negligence means the absence of even slight care in the  
 30 performance of a duty involving an unreasonable risk of harm; and

31 (iv) Fee means a fee to participate in or be a spectator at a  
 1 recreational activity. A fee shall include payment by the claimant to any  
 2 person or organization other than the political subdivision only to the  
 3 extent the political subdivision retains control over the premises or the  
 4 activity. A fee shall not include payment of a fee or charge for parking  
 5 or vehicle entry.

6 (c) This subdivision, and not subdivision (3) of this section, shall  
 7 apply to any claim arising from the inspection or failure to make an  
 8 inspection or negligent inspection of premises owned or leased by the  
 9 political subdivision and used for recreational activities.

10 Sec. 2. Section 81-8,219, Revised Statutes Cumulative Supplement,  
 11 2022, is amended to read:

12 81-8,219 The State Tort Claims Act shall not apply to:

13 (1) Any claim based upon an act or omission of an employee of the  
 14 state, exercising due care, in the execution of a statute, rule, or  
 15 regulation, whether or not such statute, rule, or regulation is valid, or  
 16 based upon the exercise or performance or the failure to exercise or  
 17 perform a discretionary function or duty on the part of a state agency or  
 18 an employee of the state, whether or not the discretion is abused;

19 (2) Any claim arising with respect to the assessment or collection  
 20 of any tax or fee, or the detention of any goods or merchandise by any  
 21 law enforcement officer;

22 (3) Any claim for damages caused by the imposition or establishment  
 23 of a quarantine by the state whether such quarantine relates to persons  
 24 or property;

25 (4) Any claim arising out of the following acts: Assault assault,  
 26 battery, false imprisonment, false arrest, malicious prosecution, abuse  
 27 of process, libel, slander, or interference with contract rights. This ;  
 28 except that this subdivision does not apply to a claim: under

29 (a) Under the Healthy Pregnancies for Incarcerated Women Act; or  
 30 (b) When the harm caused by an intentional tort is a proximate  
 31 result of the failure of a state agency or an employee of a state agency  
 1 to exercise reasonable care to either:

2 (i) Control a person over whom it has taken charge; or  
 3 (ii) Protect a person who is in the state agency's care, custody, or  
 4 control from harm caused by a non-employee actor;

5 (5) Any claim arising out of misrepresentation or deceit, except  
 6 that, in cases of adoption or placement, the State Tort Claims Act shall  
 7 apply to a claim arising out of misrepresentation or deceit by the  
 8 Department of Health and Human Services in failing to warn, notify, or

9 inform of a ward's mental and behavioral health history, educational  
10 history, and medical history, including any history as a victim or  
11 perpetrator of sexual abuse;  
12 (6) Any claim by an employee of the state which is covered by the  
13 Nebraska Workers' Compensation Act;  
14 (7) Any claim based on activities of the Nebraska National Guard  
15 when such claim is cognizable under the Federal Tort Claims Act, 28  
16 U.S.C. 2674, or the federal National Guard Claims Act, 32 U.S.C. 715, or  
17 when such claim accrues as a result of active federal service or state  
18 service at the call of the Governor for quelling riots and civil  
19 disturbances;  
20 (8) Any claim based upon the failure to make an inspection or making  
21 an inadequate or negligent inspection of any property other than property  
22 owned by or leased to the state to determine whether the property  
23 complies with or violates any statute, ordinance, rule, or regulation or  
24 contains a hazard to public health or safety unless the state had  
25 reasonable notice of such hazard or the failure to inspect or inadequate  
26 or negligent inspection constitutes a reckless disregard for public  
27 health or safety;  
28 (9) Any claim based upon the issuance, denial, suspension, or  
29 revocation of or failure or refusal to issue, deny, suspend, or revoke  
30 any permit, license, certificate, or order. Such claim shall also not be  
31 filed against a state employee acting within the scope of his or her  
1 office. Nothing in this subdivision shall be construed to limit the  
2 state's liability for any claim based upon the negligent execution by a  
3 state employee in the issuance of a certificate of title under the Motor  
4 Vehicle Certificate of Title Act and the State Boat Act except when such  
5 title is issued upon an application filed electronically by an approved  
6 licensed dealer participating in the electronic dealer services system  
7 pursuant to section 60-1507;  
8 (10) Any claim arising out of the malfunction, destruction, or  
9 unauthorized removal of any traffic or road sign, signal, or warning  
10 device unless it is not corrected by the governmental entity responsible  
11 within a reasonable time after actual or constructive notice of such  
12 malfunction, destruction, or removal. Nothing in this subdivision shall  
13 give rise to liability arising from an act or omission of any  
14 governmental entity in placing or removing any traffic or road signs,  
15 signals, or warning devices when such placement or removal is the result  
16 of a discretionary act of the governmental entity;  
17 (11) Any claim arising out of snow or ice conditions or other  
18 temporary conditions caused by nature on any highway as defined in  
19 section 60-624, bridge, public thoroughfare, or other state-owned public  
20 place due to weather conditions. Nothing in this subdivision shall be  
21 construed to limit the state's liability for any claim arising out of the  
22 operation of a motor vehicle by an employee of the state while acting  
23 within the course and scope of his or her employment by the state;  
24 (12) Any claim arising out of the plan or design for the  
25 construction of or an improvement to any highway as defined in such  
26 section or bridge, either in original construction or any improvement  
27 thereto, if the plan or design is approved in advance of the construction  
28 or improvement by the governing body of the governmental entity or some  
29 other body or employee exercising discretionary authority to give such  
30 approval;  
31 (13) Any claim arising out of the alleged insufficiency or want of  
1 repair of any highway as defined in such section, bridge, or other public  
2 thoroughfare. Insufficiency or want of repair shall be construed to refer  
3 to the general or overall condition and shall not refer to a spot or  
4 localized defect. The state shall be deemed to waive its immunity for a  
5 claim due to a spot or localized defect only if the state has had actual  
6 or constructive notice of the defect within a reasonable time to allow

7 repair prior to the incident giving rise to the claim;  
 8 (14)(a) Any claim relating to recreational activities on property  
 9 leased, owned, or controlled by the state for which no fee is charged (i)  
 10 resulting from the inherent risk of the recreational activity, (ii)  
 11 arising out of a spot or localized defect of the premises unless the spot  
 12 or localized defect is not corrected within a reasonable time after  
 13 actual or constructive notice of the spot or localized defect, or (iii)  
 14 arising out of the design of a skatepark or bicycle motocross park  
 15 constructed for purposes of skateboarding, inline skating, bicycling, or  
 16 scootering that was constructed or reconstructed, reasonably and in good  
 17 faith, in accordance with generally recognized engineering or safety  
 18 standards or design theories in existence at the time of the construction  
 19 or reconstruction. For purposes of this subdivision, the state shall be  
 20 charged with constructive notice only when the failure to discover the  
 21 spot or localized defect of the premises is the result of gross  
 22 negligence.  
 23 (b) For purposes of this subdivision:  
 24 (i) Recreational activities include, but are not limited to, whether  
 25 as a participant or spectator: Hunting, fishing, swimming, boating,  
 26 camping, picnicking, hiking, walking, running, horseback riding, use of  
 27 trails, nature study, waterskiing, winter sports, use of playground  
 28 equipment, biking, roller blading, skateboarding, golfing, athletic  
 29 contests; visiting, viewing, or enjoying entertainment events, festivals,  
 30 or historical, archaeological, scenic, or scientific sites; and similar  
 31 leisure activities;  
 1 (ii) Inherent risk of recreational activities means those risks that  
 2 are characteristic of, intrinsic to, or an integral part of the activity;  
 3 (iii) Gross negligence means the absence of even slight care in the  
 4 performance of a duty involving an unreasonable risk of harm; and  
 5 (iv) Fee means a fee to participate in or be a spectator at a  
 6 recreational activity. A fee shall include payment by the claimant to any  
 7 person or organization other than the state only to the extent the state  
 8 retains control over the premises or the activity. A fee shall not  
 9 include payment of a fee or charge for parking or vehicle entry.  
 10 (c) This subdivision, and not subdivision (8) of this section, shall  
 11 apply to any claim arising from the inspection or failure to make an  
 12 inspection or negligent inspection of premises owned or leased by the  
 13 state and used for recreational activities; or  
 14 (15) Any claim arising as a result of a special event during a  
 15 period of time specified in a notice provided by a political subdivision  
 16 pursuant to subsection (3) of section 39-1359.  
 17 Sec. 3. Original section 13-910, Reissue Revised Statutes of  
 18 Nebraska, and section 81-8,219, Revised Statutes Cumulative Supplement,  
 19 2022, are repealed.

Senator Wayne filed the following amendment to [LB25](#):  
[AM3329](#)

(Amendments to Standing Committee amendments, AM440)

1 1. Strike amendment 1 and insert the following new amendment:  
 2 1. Strike the original sections and insert the following new  
 3 sections:  
 4 Section 1. The Legislature finds and declares that:  
 5 (1) Article VII, section 5, of the Constitution of Nebraska provides  
 6 in part that all fines, penalties, and license money arising under the  
 7 general laws of the state shall belong and be paid over to the counties  
 8 respectively where the same may be levied or imposed;  
 9 (2) Article VII, section 5, of the Constitution further provides  
 10 that all such fines, penalties, and license money shall be appropriated  
 11 exclusively to the use and support of the common schools in the  
 12 respective subdivisions where the same may accrue;

13 (3) Punitive damages are in the nature of fines or penalties;  
14 (4) Punitive damages are awarded both to punish the defendant and to  
15 deter the defendant and others from similar conduct. Punitive damages are  
16 appropriate in many situations where compensatory damages would be  
17 inadequate because the defendant acted in a truly egregious fashion; and  
18 (5) Additional funds available for the public schools could be used  
19 to provide property tax relief.  
20 Sec. 2. For the purposes of sections 1 to 7 of this act:  
21 (1) Compensatory damages mean damages intended to make whole the  
22 loss of an injured party and no more. The term includes general and  
23 special damages and does not include nominal, exemplary, or punitive  
24 damages;  
25 (2) Gross negligence means the absence of even slight care in the  
26 performance of a duty involving an unreasonable risk of harm;  
1 (3) Malice means hatred, spite, or ill-will or the doing of a  
2 wrongful act intentionally without just cause or excuse;  
3 (4) Nominal damages are damages that are not designed to compensate  
4 an injured party and are less than one thousand dollars;  
5 (5) Punitive damages mean damages that a party in a civil action is  
6 ordered to pay (a) based on aggravating circumstances, (b) to penalize  
7 such party, or (c) to provide additional deterrence and discourage  
8 similar conduct in the future. The term does not include compensatory  
9 damages or nominal damages; and  
10 (6)(a) Reckless disregard means the person acted with reckless  
11 disregard of the rights, health, or safety of others and the person was  
12 either aware, or did not care, that there was a substantial and  
13 unnecessary risk that such person's conduct would cause serious harm to  
14 others.  
15 (b) In order for the conduct to be with reckless disregard of  
16 another's rights, health, or safety, it must have been unreasonable under  
17 the circumstances and there must have been a high probability that the  
18 conduct would cause serious harm to others.  
19 Sec. 3. (1) Subject to this section, in an action for the breach of  
20 an obligation not arising from contract, other than an insurance  
21 contract, the trier of fact may, in addition to compensatory damages,  
22 award punitive damages for the sake of example and by way of punishing  
23 the defendant.  
24 (2) In determining the amount, if any, of punitive damages to award,  
25 the trier of fact shall consider the following factors:  
26 (a) The seriousness of the hazard to the public arising from the  
27 defendant's misconduct;  
28 (b) The profitability of the misconduct to the defendant;  
29 (c) The duration of the misconduct and any concealment of it;  
30 (d) The degree of the defendant's awareness of the hazard and of its  
31 excessiveness;  
1 (e) The target of the conduct was financially vulnerable;  
2 (f) The attitude and conduct of the defendant upon discovery of the  
3 misconduct or hazard;  
4 (g) The conduct involved repeated actions or was an isolated  
5 incident;  
6 (h) In the case of a defendant that is a corporation or other  
7 entity, the number and level of employees involved in causing or  
8 concealing the misconduct; and  
9 (i) The financial condition of the defendant.  
10 (3)(a) Category I. The trier of fact may award punitive damages  
11 subject to the limit in subdivision (3)(b) of this section if the trier  
12 of fact finds by clear and convincing evidence:  
13 (i) That the defendant acted with gross negligence, fraud, or  
14 reckless disregard; or  
15 (ii) If the defendant is an insurer, that the defendant recklessly

16 disregarded its duty to deal fairly and act in good faith with its  
17 insured.  
18 (b) An award of punitive damages under this subsection shall not  
19 exceed the greater of:  
20 (i) One million dollars; or  
21 (ii) The amount of any compensatory damages awarded.  
22 (4)(a) Category II. The trier of fact may award punitive damages  
23 subject to the limit in subdivision (4)(b) of this section if the trier  
24 of fact finds by clear and convincing evidence:  
25 (i) That the defendant acted intentionally and with malice toward  
26 others; or  
27 (ii) If the defendant is an insurer, that the defendant  
28 intentionally and with malice breached its duty to deal fairly and act in  
29 good faith with its insured.  
30 (b) An award of punitive damages under this subsection shall not  
31 exceed the greater of:  
1 (i) Five million dollars;  
2 (ii) Three times the amount of any compensatory damages awarded; or  
3 (iii) The increased financial benefit derived by the defendant as a  
4 direct result of the conduct causing the injury to the plaintiff and  
5 other persons or entities.  
6 (c) The trial court shall reduce any award for punitive damages  
7 awarded pursuant to subdivision (4)(b)(iii) of this section by the amount  
8 the court finds the defendant has previously paid as a result of all  
9 punitive damage verdicts entered in any court of this state for the same  
10 conduct by the defendant.  
11 (5) Category III. The trier of fact may award punitive damages  
12 without regard to any limit set forth in this section if:  
13 (a) The trier of fact finds by clear and convincing evidence:  
14 (i) That the defendant acted with gross negligence, fraud, or  
15 reckless disregard; or  
16 (ii) If the defendant is an insurer, that the defendant recklessly  
17 disregarded its duty to deal fairly and act in good faith with its  
18 insured; and  
19 (b) The trial court finds, on the record and out of the presence of  
20 the jury, that there is evidence beyond a reasonable doubt that the  
21 defendant acted intentionally and with malice and engaged in conduct  
22 threatening to human life.  
23 (6) Except as provided in section 5 of this act, the determination  
24 of what amount, if any, of punitive damages to award shall be made by the  
25 trier of fact in a separate proceeding that is conducted after the trier  
26 of fact has made findings regarding any compensatory damages.  
27 Sec. 4. (1) An award of punitive damages must be specifically  
28 prayed for in the pleading.  
29 (2) The party requesting punitive damages shall cause a copy of such  
30 pleading to be served upon the Attorney General and the county attorney.  
31 The county attorney shall notify the school board for any school district  
1 that may receive punitive damages if any are awarded.  
2 (3) Upon an award of punitive damages, the court shall notify the  
3 county attorney. The county attorney or local school board may become a  
4 party to the action solely to protect and enforce the interests of the  
5 common schools in any award of punitive damages.  
6 Sec. 5. Whether to award punitive damages, and the amount of such  
7 damages, shall be determined by the trier of fact unless waived by all  
8 parties.  
9 Sec. 6. Any award of punitive damages shall be remitted to the  
10 State Treasurer for distribution in accordance with Article VII, section  
11 5, of the Constitution of Nebraska.  
12 Sec. 7. (1) Sections 1 to 7 of this act are cumulative with and  
13 supplemental to any other laws of this state that authorize punitive

14 damages.

15 (2) Nothing in sections 1 to 7 of this act shall prevent a court

16 from ordering restitution or ordering payment of attorney's fees.

17 2. Correct the operative date and repealer sections so that the

18 sections added by this amendment become operative on July 1, 2025.

### VISITOR(S)

Visitors to the Chamber were students from Masters Elementary, Omaha; students from Randolph Elementary, Lincoln; Jolene Pohlman, Milford; Ethan Zeisler, Naper; John Reiman and Peyton Wickersham, Butte.

### ADJOURNMENT

At 9:43 p.m., on a motion by Senator Hardin, the Legislature adjourned until 9:00 a.m., Thursday, April 4, 2024.

Brandon Metzler  
Clerk of the Legislature





**FIFTY-FIFTH DAY - APRIL 4, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, April 4, 2024

**PRAYER**

The prayer was offered by Reverend Brenda Peters, Unity of Omaha, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**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 Senator Slama who was excused; and Senators Bostar, Bostelman, M. Cavanaugh, Conrad, Dover, Hansen, Hunt, McKinney, Raybould, Vargas, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fourth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 686.** Title read. Considered.

Committee [AM2984](#), found on page 1181, was offered.

Senator Hughes offered [FA313](#), found on page 1264, to the committee amendment.

The Hughes amendment, to the committee amendment, was withdrawn.

Senator Jacobson offered [AM3229](#), found on page 1393, to the committee amendment.

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

Senator McDonnell moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

The motion to cease debate prevailed with 26 ayes, 4 nays, and 19 not voting.

Senator M. Cavanaugh requested a roll call vote on the Jacobson amendment, to the committee amendment.

Senator Blood requested a roll call vote, in reverse order, on the Jacobson amendment, to the committee amendment.

Voting in the affirmative, 26:

Aguilar	Brewer	Hardin	Lippincott	Sanders
Albrecht	Clements	Holdcroft	Lowe	von Gillern
Arch	DeKay	Hughes	Meyer	
Bosn	Dorn	Ibach	Moser	
Bostelman	Dover	Jacobson	Murman	
Brandt	Halloran	Kauth	Riepe	

Voting in the negative, 16:

Armendariz	Cavanaugh, J.	Dungan	McKinney
Ballard	Conrad	Fredrickson	Vargas
Blood	Day	Hunt	Walz
Bostar	DeBoer	McDonnell	Wishart

Present and not voting, 4:

Cavanaugh, M.	Erdman	Hansen	Linehan
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Excused and not voting, 3:

Raybould	Slama	Wayne
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The Jacobson amendment, to the committee amendment, was adopted with 26 ayes, 16 nays, 4 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1362](#)

Reconsider the vote taken on AM3229.

Senator Conrad moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 21 ayes, 5 nays, and 23 not voting.

The motion to cease debate prevailed with 25 ayes, 4 nays, and 20 not voting.

The M. Cavanaugh motion to reconsider prevailed with 29 ayes, 11 nays, 5 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Jacobson reoffered [AM3229](#), found on page 1393 and considered on in this day's Journal, to the committee amendment.

### SENATOR VON GILLERN PRESIDING

Senator Clements moved for a call of the house. The motion prevailed with 11 ayes, 1 nay, and 37 not voting.

The Jacobson amendment, to the committee amendment, lost with 24 ayes, 17 nays, 3 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator McDonnell moved for a call of the house. The motion prevailed with 23 ayes, 4 nays, and 22 not voting.

Senator McDonnell requested a roll call vote, in reverse order, on the committee amendment.

Voting in the affirmative, 22:

Ballard	Brewer	Dungan	Hunt	Walz
Blood	Cavanaugh, J.	Erdman	McDonnell	Wishart
Bosn	Conrad	Fredrickson	McKinney	
Bostar	Day	Halloran	Vargas	
Brandt	DeBoer	Hardin	von Gillern	

Voting in the negative, 15:

Albrecht	Clements	Holdcroft	Kauth	Moser
Armendariz	Dorn	Ibach	Lowe	Murman
Bostelman	Dover	Jacobson	Meyer	Riepe

Present and not voting, 7:

Aguilar      Cavanaugh, M.      Hansen      Linehan  
Arch      DeKay      Hughes

Excused and not voting, 5:

Lippincott      Raybould      Sanders      Slama      Wayne

The committee amendment lost with 22 ayes, 15 nays, 7 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1364](#)

Reconsider the vote taken on AM2984.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Senator McDonnell withdrew [AM2285](#), found on page 673.

Senator Clements offered the following amendment, to the committee amendment:

[FA353](#)

Strike in AM2984 line 21 on page 3.

The Clements amendment, to the committee amendment, was withdrawn.

Senator Clements offered the following amendment to the committee amendment:

[FA355](#)

On page 3, delete lines 22 to 27 from AM2984.

The Clements amendment, to the committee amendment, was withdrawn.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 30 ayes, 5 nays, and 14 not voting.

Senator M. Cavanaugh requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 25:

Aguilar	Brandt	Day	Halloran	McDonnell
Ballard	Brewer	DeBoer	Hardin	McKinney
Blood	Cavanaugh, J.	Dungan	Hughes	Vargas
Bosn	Cavanaugh, M.	Erdman	Hunt	Walz
Bostar	Conrad	Fredrickson	Lowe	Wishart

Voting in the negative, 14:

Albrecht	Bostelman	Ibach	Meyer	Riepe
Arch	Clements	Jacobson	Moser	von Gillern
Armendariz	Holdcroft	Kauth	Murman	

Present and not voting, 5:

DeKay	Dorn	Dover	Hansen	Linehan
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Excused and not voting, 5:

Lippincott	Raybould	Sanders	Slama	Wayne
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Advanced to Enrollment and Review Initial with 25 ayes, 14 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 1073.** Placed on Select File with amendment.  
[ER121](#) is available in the Bill Room.

**LEGISLATIVE BILL 1073A.** Placed on Select File.

**LEGISLATIVE BILL 1085.** Placed on Select File with amendment.  
[ER123](#)

1 1. On page 1, strike lines 2 through 9 and insert "section 43-2,119,  
2 Revised Statutes Cumulative Supplement, 2022; to change population  
3 thresholds in determining the number of separate juvenile court judges  
4 for counties that have established a separate juvenile court; and to  
5 repeal the original section."

**LEGISLATIVE BILL 903.** Placed on Select File.

**LEGISLATIVE BILL 1326.** Placed on Select File.

**LEGISLATIVE BILL 1214.** Placed on Select File.

**LEGISLATIVE BILL 1070.** Placed on Select File.

**LEGISLATIVE BILL 910.** Placed on Select File with amendment.  
[ER124](#)

1 1. On page 1, line 3, after the semicolon insert "to authorize an

2 emergency medical service to transport an injured law enforcement  
 3 canine;"; and in line 5 after the semicolon insert "to provide an  
 4 operative date;".

**LEGISLATIVE BILL 1029.** Placed on Select File.

**LEGISLATIVE BILL 196.** Placed on Select File with amendment.

[ER125](#)

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 81-8,318, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 81-8,318 (1) To receive compensation under the In the Line of Duty  
 6 Compensation Act, a claim for the compensation ~~shall~~ **must** be filed with  
 7 the Risk Manager within ~~three years~~ **one-year** after the date of death of  
 8 the public safety officer who was killed in the line of duty. Such claim  
 9 shall be on a form prescribed by the Risk Manager and shall include:  
 10 (a) The name, address, and title or position of the public safety  
 11 officer who was killed in the line of duty;  
 12 (b) A copy of the form filed in accordance with subsection (4) of  
 13 section 81-8,317, if any. If no such form has been filed, the claim shall  
 14 include the name and address of the person or persons to whom  
 15 compensation is payable under subdivision (3)(b) of section 81-8,317;  
 16 (c) A sworn statement providing a full factual account of the  
 17 circumstances resulting in or the course of events causing the death of  
 18 the public safety officer; and  
 19 (d) Such other information as the Risk Manager reasonably requires.  
 20 (2) The Risk Manager shall send written notice to all claimants  
 21 within two weeks after the initiation of a claim indicating whether or  
 22 not the claim is complete. For purposes of this subsection, a claim is  
 23 complete if a claimant has submitted to the Risk Manager all documents  
 24 and information required under subsection (1) of this section. If a claim  
 25 is incomplete, the Risk Manager shall include in the written notice a  
 26 list of the documents or information which the claimant must submit in  
 27 order for the claim to be complete. If a claim is complete, the State  
 1 Claims Board shall make an investigation of the claim in the manner  
 2 provided in the State Miscellaneous Claims Act. Upon completion of such  
 3 investigation, and no later than forty-five days after receipt of a  
 4 complete claim, the State Claims Board shall approve or deny such claim  
 5 in accordance with section 81-8,300 and the Risk Manager shall send  
 6 written notice to the claimant stating whether the claim has been  
 7 approved or denied. If a claim is denied, the notice shall include the  
 8 reason or reasons for the denial. If a claimant is dissatisfied with a  
 9 denial, he or she may file an application for review with the Risk  
 10 Manager in accordance with subsection (2) of section 81-8,300. If a claim  
 11 is approved, compensation shall be paid to the claimants entitled to such  
 12 compensation in accordance with subsection (3) of section 81-8,300.  
 13 (3) This section shall apply to any claim arising on or after  
 14 January 1, 2022.  
 15 Sec. 2. Section 81-2017, Revised Statutes Cumulative Supplement,  
 16 2022, is amended to read:  
 17 81-2017 ~~(1)(a)(i)~~ ~~(4)~~ Commencing July 1, 2010, and until July 1,  
 18 2011, each officer while in the service of the Nebraska State Patrol  
 19 shall pay or have paid on such officer's ~~his or her~~ behalf a sum equal to  
 20 sixteen percent of such officer's ~~his or her~~ monthly compensation.  
 21 ~~(ii)~~ Commencing July 1, 2011, and until July 1, 2013, each officer  
 22 while in the service of the Nebraska State Patrol shall pay or have paid  
 23 on such officer's ~~his or her~~ behalf a sum equal to nineteen percent of  
 24 such officer's ~~his or her~~ monthly compensation.

25 (iii)(A) Commencing July 1, 2013, and until July 1, 2024, each  
 26 officer who commenced service prior to July 1, 2016, while in the service  
 27 of the Nebraska State Patrol shall pay or have paid on such officer's his  
 28 or her behalf a sum equal to sixteen percent of such officer's his or her  
 29 monthly compensation.

30 (B) Until July 1, 2024, each ~~Each~~ officer who commenced service on  
 31 or after July 1, 2016, while in the service of the Nebraska State Patrol  
 1 shall pay or have paid on such officer's his or her behalf a sum equal to  
 2 seventeen percent of such officer's his or her monthly compensation.

3 (iv) Commencing July 1, 2024, each officer while in the service of  
 4 the Nebraska State Patrol shall pay or have paid on such officer's behalf  
 5 a sum equal to ten percent of such officer's monthly compensation.

6 (b) Such amounts shall be deducted monthly by the Director of  
 7 Administrative Services who shall draw a warrant monthly in the amount of  
 8 the total deductions from the compensation of members of the Nebraska  
 9 State Patrol in accordance with subsection (4) of this section, and the  
 10 State Treasurer shall credit the amount of such warrant to the State  
 11 Patrol Retirement Fund. The director shall cause a detailed report of all  
 12 monthly deductions to be made each month to the board.

13 (2) In addition:

14 (a)(i) Commencing ~~commencing~~ July 1, 2010, and until July 1, 2011,  
 15 there shall be assessed against the appropriation of the Nebraska State  
 16 Patrol a sum equal to the amount of sixteen percent of each officer's  
 17 monthly compensation, which shall be credited to the State Patrol  
 18 Retirement Fund.

19 (ii) Commencing July 1, 2011, and until July 1, 2013, there shall be  
 20 assessed against the appropriation of the Nebraska State Patrol a sum  
 21 equal to the amount of nineteen percent of each officer's monthly  
 22 compensation, which shall be credited to the State Patrol Retirement  
 23 Fund.

24 (iii)(A) Commencing July 1, 2013, and until July 1, 2024, for each  
 25 officer who commenced service prior to July 1, 2016, there shall be  
 26 assessed against the appropriation of the Nebraska State Patrol a sum  
 27 equal to the amount of sixteen percent of each officer's monthly  
 28 compensation, which shall be credited to the State Patrol Retirement  
 29 Fund.

30 (B) Commencing July 1, 2016, and until July 1, 2024, for each  
 31 officer who commenced service on or after July 1, 2016, there shall be  
 1 assessed against the appropriation of the Nebraska State Patrol a sum  
 2 equal to the amount of seventeen percent of each officer's monthly  
 3 compensation, which shall be credited to the State Patrol Retirement  
 4 Fund.

5 (iv) Commencing July 1, 2024, there shall be assessed against the  
 6 appropriation of the Nebraska State Patrol a sum equal to the amount of  
 7 twenty-four percent of each officer's monthly compensation, which shall  
 8 be credited to the State Patrol Retirement Fund.

9 (b) This assessment constitutes an employer match and shall be  
 10 contingent upon the officer making such officer's his or her  
 11 contributions to the retirement system.

12 (3)(a) Prior to July 1, 2021:

13 (i) Beginning July 1, 2002, and each fiscal year thereafter, the  
 14 board shall cause an annual actuarial valuation to be performed that will  
 15 value the plan assets for the year and ascertain the contributions  
 16 required for such fiscal year. The actuary for the board shall perform an  
 17 actuarial valuation of the system on the basis of actuarial assumptions  
 18 recommended by the actuary, approved by the board, and kept on file with  
 19 the board using the entry age actuarial cost method. Under this method,  
 20 the actuarially required funding rate is equal to the normal cost rate,  
 21 plus the contribution rate necessary to amortize the unfunded actuarial  
 22 accrued liability on a level percentage of salary basis. The normal cost

23 under this method shall be determined for each individual member on a  
24 level percentage of salary basis. The normal cost amount is then summed  
25 for all members;

26 (ii) Beginning July 1, 2006, any existing unfunded liabilities shall  
27 be reinitialized and amortized over a thirty-year period, and during each  
28 subsequent actuarial valuation through June 30, 2021, changes in the  
29 unfunded actuarial accrued liability due to changes in benefits,  
30 actuarial assumptions, the asset valuation method, or actuarial gains or  
31 losses shall be measured and amortized over a thirty-year period  
1 beginning on the valuation date of such change;

2 (iii) If the unfunded actuarial accrued liability under the entry  
3 age actuarial cost method is zero or less than zero on an actuarial  
4 valuation date, then all prior unfunded actuarial accrued liabilities  
5 shall be considered fully funded and the unfunded actuarial accrued  
6 liability shall be reinitialized and amortized over a thirty-year period  
7 as of the actuarial valuation date; and

8 (iv) If the actuarially required contribution rate exceeds the rate  
9 of all contributions required pursuant to the Nebraska State Patrol  
10 Retirement Act, there shall be a supplemental appropriation sufficient to  
11 pay for the differences between the actuarially required contribution  
12 rate and the rate of all contributions required pursuant to the act.

13 (b) Beginning July 1, 2021, and each fiscal year thereafter:

14 (i) The board shall cause an annual actuarial valuation to be  
15 performed that will value the plan assets for the year and ascertain the  
16 contributions required for such fiscal year. The actuary for the board  
17 shall perform an actuarial valuation of the system on the basis of  
18 actuarial assumptions recommended by the actuary, approved by the board,  
19 and kept on file with the board using the entry age actuarial cost  
20 method. Under such method, the actuarially required funding rate is equal  
21 to the normal cost rate, plus the contribution rate necessary to amortize  
22 the unfunded actuarial accrued liability on a level percentage of salary  
23 basis. The normal cost under such method shall be determined for each  
24 individual member on a level percentage of salary basis. The normal cost  
25 amount is then summed for all members;

26 (ii) Any changes in the unfunded actuarial accrued liability due to  
27 changes in benefits, actuarial assumptions, the asset valuation method,  
28 or actuarial gains or losses shall be measured and amortized over a  
29 twenty-five-year period beginning on the valuation date of such change;

30 (iii) If the unfunded actuarial accrued liability under the entry  
31 age actuarial cost method is zero or less than zero on an actuarial  
1 valuation date, then all prior unfunded actuarial accrued liabilities  
2 shall be considered fully funded and the unfunded actuarial accrued  
3 liability shall be reinitialized and amortized over a twenty-five-year  
4 period as of the actuarial valuation date; and

5 (iv) If the actuarially required contribution rate exceeds the rate  
6 of all contributions required pursuant to the Nebraska State Patrol  
7 Retirement Act, there shall be a supplemental appropriation sufficient to  
8 pay for the differences between the actuarially required contribution  
9 rate and the rate of all contributions required pursuant to the act.

10 (c) Upon the recommendation of the actuary to the board, and after  
11 the board notifies the Nebraska Retirement Systems Committee of the  
12 Legislature, the board may combine or offset certain amortization bases  
13 to reduce future volatility of the actuarial contribution rate. Such  
14 notification to the committee shall be in writing and include, at a  
15 minimum, the actuary's projection of the contributions to fund the plan  
16 if the combination or offset were not implemented, the actuary's  
17 projection of the contributions to fund the plan if the combination or  
18 offset were implemented, and the actuary's explanation of why the  
19 combination or offset is in the best interests of the plan at the  
20 proposed time.



21 (4) The state shall pick up the member contributions required by  
 22 this section for all compensation paid on or after January 1, 1985, and  
 23 the contributions so picked up shall be treated as employer contributions  
 24 pursuant to section 414(h)(2) of the Internal Revenue Code in determining  
 25 federal tax treatment under the code and shall not be included as gross  
 26 income of the member until such time as they are distributed or made  
 27 available. The contributions, although designated as member  
 28 contributions, shall be paid by the state in lieu of member  
 29 contributions. The state shall pay these member contributions from the  
 30 same source of funds which is used in paying earnings to the member. The  
 31 state shall pick up these contributions by a compensation deduction  
 1 through a reduction in the cash compensation of the member. Member  
 2 contributions picked up shall be treated for all purposes of the Nebraska  
 3 State Patrol Retirement Act in the same manner and to the extent as  
 4 member contributions made prior to the date picked up.  
 5 Sec. 3. Original sections 81-8,318 and 81-2017, Revised Statutes  
 6 Cumulative Supplement, 2022, are repealed.  
 7 Sec. 4. Since an emergency exists, this act takes effect when  
 8 passed and approved according to law.  
 9 2. On page 1, strike beginning with "retirement" in line 1 through  
 10 line 7 and insert "public safety officers; to amend sections 81-8,318 and  
 11 81-2017, Revised Statutes Cumulative Supplement, 2022; to change  
 12 provisions relating to claims under the In the Line of Duty Compensation  
 13 Act; to change contributions and assessments under the Nebraska State  
 14 Patrol Retirement Act; to harmonize provisions; to repeal the original  
 15 sections; and to declare an emergency."

**LEGISLATIVE BILL 196A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to LB1344:  
AM3301

(Amendments to Final Reading copy)

1 1. Strike section 20 and insert the following new sections:  
 2 Sec. 20. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 15, and 21 of  
 3 this act become operative on January 1, 2025. The other sections of this  
 4 act become operative on their effective date.  
 5 Sec. 21. Original sections 13-201, 13-203, 13-204, 13-205, 13-206,  
 6 13-207, 13-208, and 81-1201.12, Reissue Revised Statutes of Nebraska,  
 7 sections 77-908 and 77-3806, Revised Statutes Cumulative Supplement,  
 8 2022, and sections 77-2715.07 and 77-2734.03, Revised Statutes  
 9 Supplement, 2023, are repealed.  
 10 Sec. 22. Original sections 81-12,108 and 81-12,112, Revised  
 11 Statutes Cumulative Supplement, 2022, and sections 77-4403, 77-4404,  
 12 77-4405, 81-12,109, and 81-12,110, Revised Statutes Supplement, 2023, are  
 13 repealed.  
 14 2. On page 1, line 11, after the semicolon insert "to provide  
 15 operative dates;".  
 16 3. On page 13, strike the new matter in lines 16 through 23 and  
 17 insert "(1) for calendar years 2025 and 2026 shall be nine hundred  
 18 thousand dollars per year with a total of three hundred thousand dollars  
 19 per year for each congressional district and (2) for calendar year 2027  
 20 and each calendar year thereafter shall be three million dollars per year  
 21 with a total of one million dollars per year for each congressional  
 22 district. Once credits have reached the annual limit for any calendar

23 year, no additional credits shall be allowed for such calendar year. The  
24 maximum amount of credits per program or project shall not exceed one  
25 hundred fifty thousand dollars per year for the first congressional  
26 district and one hundred fifty thousand dollars per year for the third  
1 congressional district."  
2 4. On page 25, line 20; and page 26, line 1, strike "or village",  
3 show as stricken, and insert "village, or sanitary and improvement  
4 district".

### VISITOR(S)

Visitors to the Chamber were members of Nebraska FFA; FFA students and teachers from Mitchell High School, Mitchell; students, teachers, and sponsor from Lincoln East High School, Lincoln; students from Aldrich Elementary, Omaha; Valerie Buresh, Omaha.

### RECESS

At 11:56 a.m., on a motion by Senator DeBoer, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

### ROLL CALL

The roll was called and all members were present except Senators Armendariz, Blood, Bostar, Dover, Hansen, Hunt, Slama, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 870.** Placed on Select File.

**LEGISLATIVE BILL 870A.** Placed on Select File.

**LEGISLATIVE BILL 1331.** Placed on Select File with amendment.

[ER127](#)

1 1. On page 1, strike beginning with "79-201" in line 1 through line  
2 23 and insert "79-1003 and 81-12,193, Revised Statutes Cumulative  
3 Supplement, 2022, and sections 77-6702, 77-6703, 79-1001, 79-1006,  
4 79-1021, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised  
5 Statutes Supplement, 2023; to change provisions of the Nebraska Property  
6 Tax Incentive Act and the Tax Equity and Educational Opportunities  
7 Support Act; to harmonize provisions; to repeal the original sections;  
8 and to declare an emergency."

**LEGISLATIVE BILL 1331A.** Placed on Select File.

**LEGISLATIVE BILL 233.** Placed on Select File with amendment.

[ER126](#)

1 1. On page 1, line 1, strike "enforcement"; and in line 5 strike  
2 "eliminate" and insert "provide for pass through of certain child support  
3 payments; to eliminate a portion of".

**LEGISLATIVE BILL 233A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**MOTION(S) - Return LB685A to Select File**

Senator Lowe moved to return LB685A to Select File for his specific amendment, [AM3277](#), found on page 1451.

The Lowe motion to return prevailed with 35 ayes, 4 nays, 7 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 685A.** The Lowe specific amendment, [AM3277](#), found on page 1451, was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB1393 to Select File**

Senator Conrad moved to return LB1393 to Select File for her specific amendment, [AM3353](#), found on page 1484.

The Conrad motion to return prevailed with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1393.** The Conrad specific amendment, [AM3353](#), found on page 1484, was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Readvanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 856.** Senator Fredrickson withdrew [AM2843](#), found on page 1015.

Senator Fredrickson offered [AM3218](#), found on page 1433.

Senator Fredrickson offered the following amendment to his amendment:

[FA354](#)

On page 3, line 8, insert the following new subsection: "(iv) Sections (2)(b)(ii) and (2)(b)(iii) shall become operative on July 1, 2025. The Department shall promulgate rules and regulations consistent with these sections."

The Fredrickson amendment, to his amendment, was adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

The Fredrickson amendment, as amended, was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 856A.** Senator Fredrickson offered the following motion:

[MO1363](#)

Indefinitely postpone.

The Fredrickson motion to indefinitely postpone prevailed with 31 ayes, 0 nays, 17 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1031.** [ER101](#), found on page 1259, was offered.

ER101 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1031A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1335.** [ER107](#), found on page 1367, was offered.

ER107 was adopted.

Senator Blood offered the following amendment:

[AM3167](#)

(Amendments to Standing Committee amendments, AM2947)

1 1. On page 2, lines 6 and 7, strike ", including any associated  
2 right-of-way:".

3 2. On page 3, line 16, after the first comma insert "not"; strike

4 lines 18 through 21; in line 22 strike "(e)" and insert "(c)"; and in

5 line 24 strike "(f)" and insert "(d)".

The Blood amendment lost with 10 ayes, 24 nays, 10 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 71.** [ER112](#), found on page 1368, was offered.

ER112 was adopted.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO232](#), found on page 928, First Session, 2023, to indefinitely postpone.

[MO233](#), found on page 928, First Session, 2023, to recommit to committee.

[MO234](#), found on page 928, First Session, 2023, to bracket.

[MO235](#), found on page 928, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator Sanders offered [AM3284](#), found on page 1393.

The Sanders amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Hardin offered the following amendment:

[AM3312](#) is available in the Bill Room.

The Hardin amendment was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 71A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 934.** [ER114](#), found on page 1392, was offered.

ER114 was adopted.

Senator Bosn asked unanimous consent to withdraw the following motions:

[MO1298](#), found on page 1196, to recommit to committee.

[MO1299](#), found on page 1196, to bracket.

[MO1300](#), found on page 1196, to indefinitely postpone.

No objections. So ordered.

Senator Bosn withdrew [AM2573](#), found on page 733.

Senator Bosn offered [AM2574](#), found on page 733.

The Bosn amendment was adopted with 28 ayes, 0 nays, 16 present and not voting, and 5 excused and not voting.

Senator Bosn withdrew [FA307](#), found on page 1195.

Senator Bosn withdrew [FA308](#), found on page 1196.

Senator Bosn withdrew [FA309](#), found on page 1196.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1301.** [ER104](#), found on page 1322, was offered.

ER104 was adopted.

Senator DeKay withdrew [FA205](#), found on page 458.

Senator DeKay offered [AM3182](#), found on page 1440.

The DeKay amendment was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1301A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1368.** [ER109](#), found on page 1328, was offered.

ER109 was adopted.

Senator Ibach withdrew [AM3202](#), found on page 1305.

Senator Ibach offered [AM3281](#), found on page 1404.

Senator Moser offered the following amendment to the Ibach amendment:

[AM3357](#)

(Amendments to AM3281)

- 1 1. Strike section 9 and insert the following new sections:
- 2 Sec. 8. Section 46-296, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 46-296 For purposes of sections 33-105, 46-202, and 46-295 to
- 5 46-2,106, unless the context otherwise requires:
- 6 (1) Department means the Department of Natural Resources;
- 7 (2) Director means the Director of Natural Resources;
- 8 (3) Person means a natural person, partnership, limited liability
- 9 company, association, corporation, municipality, or agency or political
- 10 subdivision of the state or of the federal government;
- 11 (4) Underground water storage means the act of storing or recharging
- 12 water in underground strata. Such water shall be known as water stored
- 13 underground but does not include ground water as defined in section
- 14 46-706 which occurs naturally;
- 15 (5) Intentional underground water storage means underground water
- 16 storage which is an intended purpose or result of a water project or use.
- 17 Such storage may be accomplished by any lawful means such as injection
- 18 wells, infiltration basins, canals, reservoirs, and other reasonable
- 19 methods; and
- 20 (6) Incidental underground water storage means underground water
- 21 storage which occurs as an indirect result, rather than an intended or

22 planned purpose, of a water project or use and includes, but is not  
23 limited to, seepage from reservoirs, canals, and laterals, and deep  
24 percolation from irrigated lands.  
25 Sec. 10. Original section 46-296, Reissue Revised Statutes of  
26 Nebraska, and section 61-218, Revised Statutes Supplement, 2023, are  
1 repealed.  
2 Sec. 11. The following section is outright repealed: Section  
3 33-105, Reissue Revised Statutes of Nebraska.  
4 2. Renumber the remaining section accordingly.

The Moser amendment, to the Ibach amendment, was adopted with 36 ayes,  
0 nays, 10 present and not voting, and 3 excused and not voting.

The Ibach amendment, as amended, was adopted with 42 ayes, 0 nays, 4  
present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1368A.** Senator Ibach offered [AM3290](#), found on  
page 1435.

The Ibach amendment was adopted with 39 ayes, 0 nays, 7 present and not  
voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 20.** Senator Dungan withdrew [FA336](#), found on  
page 1447.

Senator J. Cavanaugh withdrew [FA337](#), found on page 1447.

Senator Dungan withdrew [FA339](#), found on page 1450.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 20A.** Advanced to Enrollment and Review for  
Engrossment.

### GENERAL FILE

**LEGISLATIVE BILL 1195.** Title read. Considered.

Committee [AM3291](#), found on page 1472, was offered.

Senator Conrad offered the following amendment to the committee  
amendment:

[FA364](#)

Amend AM3291 by striking on page 2, line 1, "statewide".

The Conrad amendment, to the committee amendment, was adopted with 31  
ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 262A.** Placed on Final Reading.

**LEGISLATIVE BILL 287A.** Placed on Final Reading.

**LEGISLATIVE BILL 867A.** Placed on Final Reading.

**LEGISLATIVE BILL 1200A.** Placed on Final Reading.

**LEGISLATIVE BILL 1355A.** Placed on Final Reading.

[ST61](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "appropriations" in line 1 through line 3 has been struck and "appropriations; to amend Laws 2023, LB227A, section 1; Laws 2023, LB814, sections 80 and 304; and sections 66 and 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to transfer funds, appropriate funds, and change appropriations to aid in carrying out the provisions of Legislative Bill 1355, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency." inserted.

(Signed) Beau Ballard, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 1417.** Placed on General File with amendment.

[AM3346](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

### AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendment to [LB541](#):

[FA356](#)

Strike Section 1.

Senator J. Cavanaugh filed the following amendment to [LB541](#):

[FA357](#)

Strike Section 2.

Senator J. Cavanaugh filed the following amendment to [LB541](#):

[FA358](#)

Strike Section 3.

Senator J. Cavanaugh filed the following amendment to [LB541](#):

[FA359](#)

Strike Section 4.



Senator J. Cavanaugh filed the following amendment to [LB541](#):  
[FA360](#)  
 Strike Section 5.

Senator J. Cavanaugh filed the following amendment to [LB541](#):  
[FA361](#)  
 Strike Section 6.

Senator J. Cavanaugh filed the following amendment to [LB541](#):  
[FA362](#)  
 Strike Section 7.

Senator M. Cavanaugh filed the following amendment to [LB685A](#):  
[FA363](#)  
 Strike Section 1.

Senator Bostar filed the following amendment to [LB937A](#):  
[AM3322](#)  
 1 1. Insert the following new section:  
 2 Sec. 2. There is hereby appropriated (1) \$334,330 from the General  
 3 Fund for FY2024-25 and (2) \$252,830 from the General Fund for FY2025-26  
 4 to the Department of Economic Development, for Program 603, to aid in  
 5 carrying out the provisions of Legislative Bill 937, One Hundred Eighth  
 6 Legislature, Second Session, 2024.  
 7 Total expenditures for permanent and temporary salaries and per  
 8 diems from funds appropriated in this section shall not exceed \$124,010  
 9 for FY2024-25 or \$141,130 for FY2025-26.  
 10 2. On page 2, line 1, strike "\$1" and insert "\$1,030,367"; in line 2  
 11 strike "\$1" and insert "\$349,772"; and in lines 7 and 8 strike "\$1" and  
 12 insert "\$218,800".

Senator M. Cavanaugh filed the following amendment to [LB20](#):  
[FA366](#)  
 Strike Section 1.

### **MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB20](#):  
[MO1367](#)  
 Recommit to the Government, Military and Veterans Affairs Committee.

### **GENERAL FILE**

**LEGISLATIVE BILL 1317.** Senator Erdman offered [MO1180](#), found on page 588, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Linehan opened on her bill, LB1317.

Senator Erdman opened on his motion, MO1180.

### **SPEAKER ARCH PRESIDING**

**PRESIDENT KELLY PRESIDING**

Senator Erdman asked unanimous consent to withdraw his motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

No objections. So ordered.

Title read. Considered.

Committee [AM3246](#), found on page 1448, was offered.

Senator Clements offered the following amendment to the committee amendment:

[AM3314](#)

(Amendments to Standing Committee amendments, AM3246)

1 1. Insert the following new section:

2 Sec. 51. Section 77-2015, Revised Statutes Supplement, 2023, is

3 amended to read:

4 77-2015 ~~(1)(a)~~ ~~(1)~~ Each petitioner in a proceeding to determine

5 inheritance tax shall, upon the entry of an order determining inheritance

6 tax, if any, submit a report regarding inheritance taxes to the county

7 treasurer of each the county in which the inheritance tax is owed

8 ~~determination was conducted. If such reported inheritance taxes are~~

9 ~~changed or amended, the petitioner shall submit an amended report~~

10 ~~regarding such changed or amended inheritance taxes to the county~~

11 ~~treasurer of each county in which the inheritance taxes were changed or~~

12 ~~amended. No inheritance tax may be paid or refunded before the report or~~

13 ~~amended report, if required, is submitted. In the event of noncompliance~~

14 ~~by the petitioner, the county treasurer or county attorney of the county~~

15 ~~in which inheritance tax is owed may complete the form in place of the~~

16 ~~petitioner.~~

17 ~~(b) Until June 30, 2024, the~~ The report or amended report shall be

18 submitted on a form prescribed by the Department of Revenue and shall

19 include the following information:

20 ~~(i) (a)~~ The amount of inheritance tax revenue generated under

21 section 77-2004 and the number of persons receiving property that was

22 subject to tax under section 77-2004 and on which inheritance tax was

23 assessed;

24 ~~(ii) (b)~~ The amount of inheritance tax revenue generated under

25 section 77-2005 and the number of persons receiving property that was

26 subject to tax under section 77-2005 and on which inheritance tax was

1 assessed;

2 ~~(iii) (c)~~ The amount of inheritance tax revenue generated under

3 section 77-2006 and the number of persons receiving property that was

4 subject to tax under section 77-2006 and on which inheritance tax was

5 assessed; and

6 ~~(iv) (d)~~ The number of persons who do not reside in this state and

7 who received any property that was subject to tax under section 77-2004,

8 77-2005, or 77-2006 and on which inheritance tax was assessed.

9 ~~(c) Beginning July 1, 2024, the report or amended report shall be~~

10 ~~submitted on a form prescribed by the Department of Revenue and shall~~

11 ~~include the following information:~~

12 ~~(i) The amount of inheritance tax paid under section 77-2004 and the~~

13 ~~number of persons receiving property that was subject to tax under~~

14 ~~section 77-2004 and on which inheritance tax was assessed;~~

15 ~~(ii) The amount of inheritance tax paid under section 77-2005 and~~

16 the number of persons receiving property that was subject to tax under  
 17 section 77-2005 and on which inheritance tax was assessed;  
 18 (iii) The amount of inheritance tax paid under section 77-2006 and  
 19 the number of persons receiving property that was subject to tax under  
 20 section 77-2006 and on which inheritance tax was assessed; and  
 21 (iv) The number of persons who do not reside in this state and who  
 22 received any property that was subject to tax under section 77-2004,  
 23 77-2005, or 77-2006 and on which inheritance tax was assessed.  
 24 (2)(a) (2) The county treasurer of each county shall compile and  
 25 submit a report regarding inheritance taxes generated from January 1,  
 26 2023, through June 30, 2023, to the Department of Revenue on or before  
 27 August 1, 2023. ~~The Beginning July 1, 2023,~~ the county treasurer of each  
 28 county shall compile and submit a report regarding annual inheritance  
 29 taxes generated from July 1, 2023, of each year through June 30, 2024 of  
 30 the next year, to the Department of Revenue on or before August 1, 2024.  
 31 Beginning July 1, 2024, the county treasurer of each county shall compile  
 1 and submit a report regarding annual inheritance taxes paid from July 1  
 2 of each year through June 30 of the next year, to the Department of  
 3 Revenue on or before August 1, 2025, and on or before August 1 of each  
 4 year thereafter.  
 5 (b) Until June 30, 2024, the ~~The~~ reports shall be submitted on a  
 6 form prescribed by the Department of Revenue and shall include the  
 7 following information:  
 8 (i) (a) The amount of inheritance tax revenue generated under  
 9 section 77-2004 and the number of persons receiving property that was  
 10 subject to tax under section 77-2004 and on which inheritance tax was  
 11 assessed;  
 12 (ii) (b) The amount of inheritance tax revenue generated under  
 13 section 77-2005 and the number of persons receiving property that was  
 14 subject to tax under section 77-2005 and on which inheritance tax was  
 15 assessed;  
 16 (iii) (c) The amount of inheritance tax revenue generated under  
 17 section 77-2006 and the number of persons receiving property that was  
 18 subject to tax under section 77-2006 and on which inheritance tax was  
 19 assessed; and  
 20 (iv) (d) The number of persons who do not reside in this state and  
 21 who received any property that was subject to tax under section 77-2004,  
 22 77-2005, or 77-2006 and on which inheritance tax was assessed.  
 23 (c) Beginning July 1, 2024, the reports shall be submitted on a form  
 24 prescribed by the Department of Revenue and shall include the following  
 25 information:  
 26 (i) The amount of inheritance tax paid under section 77-2004 and the  
 27 number of persons receiving property that was subject to tax under  
 28 section 77-2004 and on which inheritance tax was assessed;  
 29 (ii) The amount of inheritance tax paid under section 77-2005 and  
 30 the number of persons receiving property that was subject to tax under  
 31 section 77-2005 and on which inheritance tax was assessed;  
 1 (iii) The amount of inheritance tax paid under section 77-2006 and  
 2 the number of persons receiving property that was subject to tax under  
 3 section 77-2006 and on which inheritance tax was assessed; and  
 4 (iv) The number of persons who do not reside in this state and who  
 5 received any property that was subject to tax under section 77-2004,  
 6 77-2005, or 77-2006 and on which inheritance tax was assessed.  
 7 (3) On or before September 1, 2023, and on or before September 1 of  
 8 each year thereafter, the Department of Revenue shall compile and  
 9 aggregate such treasurer reports received from each county and make each  
 10 county report and a statewide aggregate of such county reports available  
 11 to the public on the Department of Revenue's website.  
 12 2. Renumber the remaining sections and correct internal references  
 13 accordingly.

14 3. Correct the operative date and repealer sections so that the  
15 section added by this amendment becomes operative on its effective date.

The Clements amendment, to the committee amendment, was adopted with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Senator Erdman offered the following amendment to the committee amendment:

[AM3358](#)

(Amendments to Standing Committee amendments, AM3246)

1 1. Insert the following new section:

2 Sec. 45. (1) For purposes of this section, program means the  
3 National Electric Vehicle Infrastructure Formula Program of the Federal  
4 Highway 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. Renumber the remaining sections and correct internal references  
16 accordingly.

17 3. Correct the operative date section so that the section added by  
18 this amendment becomes operative on its effective date with the emergency  
19 clause.

The Erdman amendment, to the committee amendment, was withdrawn.

Senator von Gillern offered the following amendment to the committee amendment:

[AM3300](#)

(Amendments to Standing Committee amendments, AM3246)

1 1. On page 47, strike lines 4 through 7; and in line 8 strike "(4)"  
2 and insert "(3)".

The von Gillern amendment, to the committee amendment, was withdrawn.

The committee amendment, as amended, was adopted with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator McKinney offered the following amendment:

[FA380](#)

Amend AM3246 on page 27, line 3, strike "revoke" and replace with "make a written recommendation to the county board of equalization in the county where the property is located that" and after "exemption" insert "be revoked".

The McKinney amendment was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Linehan withdrew [AM2672](#), found on page 789.

Senator Ibach offered [AM3135](#), found on page 1331.

The Ibach amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Linehan offered [AM3079](#), found on page 1132.

The Linehan amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 1317A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 852.** Placed on Final Reading.  
**LEGISLATIVE BILL 1027.** Placed on Final Reading.  
**LEGISLATIVE BILL 1027A.** Placed on Final Reading.  
**LEGISLATIVE BILL 1030.** Placed on Final Reading.  
**LEGISLATIVE BILL 1088.** Placed on Final Reading.  
**LEGISLATIVE BILL 1306.** Placed on Final Reading.  
**LEGISLATIVE BILL 1306A.** Placed on Final Reading.

**LEGISLATIVE BILL 631.** Placed on Select File with amendment.

#### [ER128](#)

1 1. On page 1, strike beginning with "parole" in line 1 through line  
 2 8 and insert "criminal justice; to amend sections 47-902, 47-903,  
 3 81-8,240, 83-190, and 83-196, Reissue Revised Statutes of Nebraska,  
 4 sections 28-936, 81-8,244, 83-171, 83-184, 83-192, 83-1,100, 83-1,100.03,  
 5 83-1,101, 83-1,102, 83-1,107, 83-901, 83-903, 83-904, and 83-962, Revised  
 6 Statutes Cumulative Supplement, 2022, and sections 29-2261, 29-2269,  
 7 83-1,114, 83-1,122.02, and 83-1,135, Revised Statutes Supplement, 2023;  
 8 to adopt the Community Work Release and Reentry Centers Act; to require  
 9 reports concerning reentry service center pilot programs and post-release  
 10 supervision; to prohibit exclusion of current and former parolees and  
 11 probationers from grant programs; to change persons allowed to bring  
 12 electronic communication devices into prisons; to require performance  
 13 metrics for probation, parole, and correctional staff; to change  
 14 provisions relating to the office of the Inspector General of the  
 15 Nebraska Correctional System and the Public Counsel; to transfer the  
 16 Division of Parole Supervision to the Department of Correctional  
 17 Services; to change provisions relating to the powers and duties of the  
 18 Board of Parole and provide for term limits; to provide powers and duties  
 19 for the department, board, and Director of Supervision and Services; to  
 20 change provisions relating to parole eligibility; to require the Division  
 21 of Parole Supervision to be accredited; to provide for Parole School,

22 early parole discharge, and book donations; to create the National Career  
23 Readiness Certificate Pilot Program; to state legislative intent  
24 regarding appropriations; to provide for reentry plans; to change  
25 provisions relating to the Vocational and Life Skills Programming Fund;  
26 to eliminate obsolete provisions; to eliminate, change and transfer  
27 provisions relating to reentry programs and providing identification  
1 cards or operator's licenses; to harmonize provisions; to repeal the  
2 original sections; and to outright repeal section 83-933, Revised  
3 Statutes Cumulative Supplement, 2022."

**LEGISLATIVE BILL 631A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Clements filed the following amendment to LB686:

[FA368](#)

Change "greater" to "lesser" on page 4, line 10.

Senator Clements filed the following amendment to LB686:

[FA369](#)

On page 4, line 11, change "five" to "three".

Senator M. Cavanaugh filed the following amendment to LB575:

[FA370](#)

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA371](#)

Strike Section 2.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA372](#)

Strike Section 3.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA373](#)

Strike Section 4.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA374](#)

Strike Section 5.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA375](#)

Strike Section 6.

Senator M. Cavanaugh filed the following amendment to LB575:

[FA376](#)

Strike Section 7.

Senator M. Cavanaugh filed the following amendment to [LB575](#):

[FA377](#)

Strike Section 8.

Senator M. Cavanaugh filed the following amendment to [LB575](#):

[FA378](#)

Strike Section 9.

Senator Wayne filed the following amendment to [LB1344A](#):

[AM3352](#)

1 1. Strike the original section and insert the following new

2 sections:

3 Section 1. There is hereby appropriated (1) \$147,144 from the

4 General Fund for FY2024-25 and (2) \$-0- from the General Fund for

5 FY2025-26 to the Department of Revenue, for Program 102, to aid in

6 carrying out the provisions of Legislative Bill 1344, One Hundred Eighth

7 Legislature, Second Session, 2024.

8 No expenditures for permanent and temporary salaries and per diems

9 for state employees shall be made from funds appropriated in this

10 section.

11 Sec. 2. There is hereby appropriated (1) \$364,350 from the General

12 Fund for FY2024-25 and (2) \$248,870 from the General Fund for FY2025-26

13 to the Department of Economic Development, for Program 603, to aid in

14 carrying out the provisions of Legislative Bill 1344, One Hundred Eighth

15 Legislature, Second Session, 2024.

16 Total expenditures for permanent and temporary salaries and per

17 diems from funds appropriated in this section shall not exceed \$141,120

18 for FY2024-25 or \$141,120 for FY2025-26.

Senator Hansen filed the following amendment to [LB1317](#):

[AM3362](#) is available in the Bill Room.

Senator Murman filed the following amendment to [LB1329](#):

[AM3365](#)

(Amendments to E&R amendments, ER105)

1 1. Insert the following new sections:

2 Sec. 11. Section 79-215, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 79-215 (1) Except as otherwise provided in this section, a student

5 is a resident of the school district where he or she resides and shall be

6 admitted to any such school district upon request without charge.

7 (2) A school board shall admit a student upon request without charge

8 if at least one of the student's parents resides in the school district.

9 (3) A school board shall admit any homeless student upon request

10 without charge if the district is the district in which the student (a)

11 is currently located, (b) attended when permanently housed, or (c) was

12 last enrolled.

13 (4) A school board may allow a student whose residency in the

14 district ceases during a school year to continue attending school in such

15 district for the remainder of that school year.

16 (5) A school board may admit nonresident students to the school

17 district pursuant to a contract with the district where the student is a

18 resident and shall collect tuition pursuant to the contract.

19 (6) A school board may admit nonresident students to the school

20 district pursuant to the enrollment option program as authorized by

21 sections 79-232 to 79-246, and such admission shall be without charge.

22 (7) In order to carry out the provisions of section 79-2201, a

23 school board shall permit children of military families to enroll  
24 preliminarily in a school district if a parent presents evidence of  
25 military orders that the military family will be stationed in this state  
26 during the current or following school year. A student of a military  
1 family shall be admitted to the school district without charge upon  
2 arrival in Nebraska if the requirements of this section are met.

3 (8) A school board may admit a student who is a resident of another  
4 state to the school district and collect tuition in advance at a rate  
5 determined by the school board.

6 (9) When a student as a ward of the state or as a ward of any court  
7 (a) has been placed in a school district other than the district in which  
8 he or she resided at the time he or she became a ward and such ward does  
9 not reside in a foster family home licensed or approved by the Department  
10 of Health and Human Services or a foster home maintained or used pursuant  
11 to section 83-108.04 or (b) has been placed in any institution which  
12 maintains a special education program which has been approved by the  
13 State Department of Education and such institution is not owned or  
14 operated by the district in which he or she resided at the time he or she  
15 became a ward, the cost of his or her education and the required  
16 transportation costs associated with the student's education shall be  
17 paid by the state, but not in advance, to the receiving school district  
18 or approved institution under rules and regulations prescribed by the  
19 Department of Health and Human Services and the student shall remain a  
20 resident of the district in which he or she resided at the time he or she  
21 became a ward. Any student who is a ward of the state or a ward of any  
22 court who resides in a foster family home licensed or approved by the  
23 Department of Health and Human Services or a foster home maintained or  
24 used pursuant to section 83-108.04 shall be deemed a resident of the  
25 district in which he or she resided at the time he or she became a foster  
26 child, unless it is determined under section 43-1311 or 43-1312 that he  
27 or she will not attend such district in which case he or she shall be  
28 deemed a resident of the district in which the foster family home or  
29 foster home is located.

30 (10)(a) When a student is not a ward of the state or a ward of any  
31 court and is residing in a residential setting located in Nebraska for  
1 reasons other than to receive an education and the residential setting is  
2 operated by a service provider which is certified or licensed by the  
3 Department of Health and Human Services or is enrolled in the medical  
4 assistance program established pursuant to the Medical Assistance Act and  
5 Title XIX or XXI of the federal Social Security Act, as amended, the  
6 student shall remain a resident of the district in which he or she  
7 resided immediately prior to residing in such residential setting. The  
8 resident district for a student who is not a ward of the state or a ward  
9 of any court does not change when the student moves from one residential  
10 setting to another.

11 (b) If a student is residing in a residential setting as described  
12 in subdivision (10)(a) of this section and such residential setting does  
13 not maintain an interim-program school as defined in section 79-1119.01  
14 or an approved or accredited school, the resident school district shall  
15 contract with the district in which such residential setting is located  
16 for the provision of all educational services, including all special  
17 education services and support services as defined in section 79-1125.01,  
18 unless a parent or guardian and the resident school district agree that  
19 an appropriate education will be provided by the resident school district  
20 while the student is residing in such residential setting. If the  
21 resident school district is required to contract, the district in which  
22 such residential setting is located shall contract with the resident  
23 district and provide all educational services, including all special  
24 education services, to the student. If the two districts cannot agree on  
25 the amount of the contract, the State Department of Education shall



26 determine the amount to be paid by the resident district to the district  
 27 in which such residential setting is located based on the needs of the  
 28 student, approved special education rates, the department's general  
 29 experience with special education budgets, and the cost per student in  
 30 the district in which such residential setting is located. Once the  
 31 contract has been entered into, all legal responsibility for special  
 1 education and related services shall be transferred to the school  
 2 district in which the residential setting is located.

3 (c) If a student is residing in a residential setting as described  
 4 in subdivision (10)(a) of this section and such residential setting  
 5 maintains an interim-program school as defined in section 79-1119.01 or  
 6 an approved or accredited school, the department shall reimburse such  
 7 residential setting for the provision of all educational services,  
 8 including all special education services and support services, with the  
 9 amount of payment for all educational services determined pursuant to the  
 10 average per pupil cost of the service agency as defined in section  
 11 79-1116. The resident school district shall retain responsibility for  
 12 such student's individualized education ~~program plan~~, if any. The  
 13 educational services may be provided through (i) such interim-program  
 14 school or approved or accredited school, (ii) a contract between the  
 15 residential setting and the school district in which such residential  
 16 setting is located, (iii) a contract between the residential setting and  
 17 another service agency as defined in section 79-1124, or (iv) a  
 18 combination of such educational service providers.

19 (d) If a school district pays a school district in which a  
 20 residential setting is located for educational services provided pursuant  
 21 to subdivision (10)(b) of this section and it is later determined that a  
 22 different school district was the resident school district for such  
 23 student at the time such educational services were provided, the school  
 24 district that was later determined to be the resident school district  
 25 shall reimburse the school district that initially paid for the  
 26 educational services one hundred ten percent of the amount paid.

27 (e) A student residing in a residential setting described in this  
 28 subsection shall be defined as a student with a handicap pursuant to  
 29 Article VII, section 11, of the Constitution of Nebraska, and as such the  
 30 state and any political subdivision may contract with institutions not  
 31 wholly owned or controlled by the state or any political subdivision to  
 1 provide the educational services to the student if such educational  
 2 services are nonsectarian in nature.

3 (11) A school board may admit a student who is also enrolled in a  
 4 private, denominational, or parochial school or in a school which elects  
 5 pursuant to section 79-1601 not to meet accreditation or approval  
 6 requirements without charge for part-time enrollment in the school  
 7 district for purposes of participation in extracurricular activities in  
 8 accordance with section 79-2,136 if such student or at least one parent  
 9 of such student resides in a neighboring school district and the school  
 10 district where such student or such student's parent resides does not  
 11 offer the extracurricular activity the student desires to participate in  
 12 through part-time enrollment.

13 (12) ~~(11)~~ In the case of any individual eighteen years of age or  
 14 younger who is a ward of the state or any court and who is placed in a  
 15 county detention home established under section 43-2,110, the cost of his  
 16 or her education shall be paid by the state, regardless of the district  
 17 in which he or she resided at the time he or she became a ward, to the  
 18 agency or institution which: (a) Is selected by the county board with  
 19 jurisdiction over such detention home; (b) has agreed or contracted with  
 20 such county board to provide educational services; and (c) has been  
 21 approved by the State Department of Education pursuant to rules and  
 22 regulations prescribed by the State Board of Education.

23 (13) ~~(12)~~ No tuition shall be charged for students who may be by law

24 allowed to attend the school without charge.

25 ~~(14)~~ (13) The State Department of Education shall establish  
 26 procedures and criteria for collecting enrollment, admission, and related  
 27 information needed for any student to attend a school district in this  
 28 state which shall include, but not be limited to, having an adult with  
 29 legal or actual charge or control of a student provide through electronic  
 30 means or other means specified by the department the name of the student,  
 31 the name of the adult with legal or actual charge or control of the  
 1 student, the address where the student is or will be residing, and  
 2 information on how and where the adult may generally be reached during  
 3 the school day.

4 ~~(15)~~ (14) The department may adopt and promulgate rules and  
 5 regulations to carry out the provisions of this section.

6 Sec. 14. Section 79-2,136, Revised Statutes Supplement, 2023, is  
 7 amended to read:

8 79-2,136 (1) Each school board shall allow the part-time enrollment  
 9 of students, for all courses selected by the students, who are residents  
 10 of or admitted to the school district pursuant to ~~subsection~~ ~~subsections~~  
 11 (1), ~~and~~ (2), or (11) of section 79-215 and who are also enrolled in a  
 12 private, denominational, or parochial school or in a school which elects  
 13 pursuant to section 79-1601 not to meet accreditation or approval  
 14 requirements and shall establish policies and procedures for such part-  
 15 time enrollment. Such policies and procedures may include provisions  
 16 permitting the part-time enrollment of such students who are not  
 17 residents of or admitted to such school districts to the extent permitted  
 18 pursuant to section 79-215 and may require part-time students to follow  
 19 school policies that apply to other students at any time the part-time  
 20 student is present on school grounds or at a school-sponsored activity or  
 21 athletic event. Part-time enrollment shall not entitle a student to  
 22 transportation or transportation reimbursements pursuant to section  
 23 79-611.

24 (2) Each school board shall establish policies and procedures to  
 25 allow any student who is a resident of or admitted to the school district  
 26 pursuant to subsection (1), ~~or~~ (2), or (11) of section 79-215 and who is  
 27 enrolled in a school which elects pursuant to section 79-1601 not to meet  
 28 accreditation or approval requirements to participate in any  
 29 extracurricular activities as defined in section 79-2,126, including, but  
 30 not limited to, interschool competitions, to the same extent and subject  
 31 to the same requirements, conditions, and procedures as a student  
 1 enrolled in a public school governed by such board, except that any  
 2 school which elects pursuant to section 79-1601 not to meet accreditation  
 3 or approval requirements shall set the standards for satisfactory  
 4 academic performance for a student from the school to participate in  
 5 extracurricular activities pursuant to this subsection and shall provide  
 6 assurances of compliance with such academic standards.

7 (3) School board policies and procedures adopted pursuant to  
 8 subsection (2) of this section (a) shall require any student  
 9 participating in extracurricular activities pursuant to such subsection  
 10 to be enrolled in no more and no less than five credit hours offered by  
 11 the school district in any semester, (b) shall not allow any preference  
 12 in the selection of a student for participation in an extracurricular  
 13 activity based on such student's status as a full-time student in the  
 14 school district, and (c) may require any student participating in  
 15 extracurricular activities pursuant to such subsection to follow school  
 16 policies that apply to other students when present on school grounds or  
 17 at a school-sponsored activity or athletic event. Participation in  
 18 extracurricular activities pursuant to subsection (2) of this section  
 19 shall not entitle a student to transportation, except to and from  
 20 practices and events to the same extent as public school students  
 21 participating in such activities, or transportation reimbursement

22 pursuant to section 79-611.  
 23 (4) Nothing in this section shall be construed to exempt any student  
 24 from the compulsory attendance provisions of sections 79-201 to 79-210.  
 25 2. Renumber the remaining sections and correct internal references  
 26 and the repealer accordingly.

### GENERAL FILE

**LEGISLATIVE BILL 25.** Senator Bosn offered [MO1281](#), found on page 1156, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Wayne opened on his bill, LB25.

Senator Bosn opened on her motion, MO1281.

Pending.

### EASE

The Legislature was at ease from 5:59 p.m. until 6:32 p.m.

### SPEAKER ARCH PRESIDING

### SENATOR DORN PRESIDING

### COMMITTEE REPORT(S)

#### Education

**LEGISLATIVE BILL 575.** Placed on General File with amendment.

#### [AM2049](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Sections 1 to 7 of this act shall be known and may be  
 4 cited as the Sports and Spaces Act.  
 5 Sec. 2. The Legislature finds and declares that:  
 6 (1) Physical differences between biological males and biological  
 7 females have long made separate and sex-specific sports teams important  
 8 so that biological female athletes can have equal opportunities to  
 9 compete in sports;  
 10 (2) Physical advantages for biological males relevant to sports  
 11 include, on average, a larger body size with more skeletal muscle mass, a  
 12 lower percentage of body fat, and greater maximal delivery of anaerobic  
 13 and aerobic energy than biological females;  
 14 (3) Even at young ages, biological males typically score higher than  
 15 biological females on cardiovascular endurance, muscular strength,  
 16 muscular endurance, and speed and agility. These differences become more  
 17 pronounced during and after puberty as biological males produce higher  
 18 levels of testosterone. On average, biological male athletes are bigger,  
 19 faster, stronger, and more physically powerful than their biological  
 20 female counterparts. This results in a significant sports performance gap  
 21 between the sexes;  
 22 (4) Studies have shown that the benefits that natural testosterone  
 23 provides to biological male athletes is not significantly diminished  
 24 through the use of testosterone suppression. Testosterone suppression in  
 25 biological males does not result in a level playing field between

26 biological male and biological female athletes;

27 (5) Because of the physical differences between biological males and  
 1 biological females, having separate athletic teams based on the  
 2 biological sex of the athlete reduces the chance of injury to biological  
 3 female athletes and promotes sex equality. It provides opportunities for  
 4 biological female athletes to compete against their peers rather than  
 5 against biological male athletes, and allows biological female athletes  
 6 to compete on a fair playing field for scholarships and other athletic  
 7 accomplishments; and

8 (6) Providing for separate restrooms and locker rooms for biological  
 9 females and biological males advances the important governmental  
 10 objective of protecting students' privacy and shielding their bodies from  
 11 the opposite sex.

12 Sec. 3. (1) For purposes of the Sports and Spaces Act;

13 (a) Biological female means a person who was born with female  
 14 anatomy with two X chromosomes in her cells;

15 (b) Biological male means a person who was born with male anatomy  
 16 with X and Y chromosomes in his cells;

17 (c) Cross-sex hormones means testosterone or other androgens given  
 18 to biological females in amounts that are larger or more potent than  
 19 would normally occur naturally in healthy biological females and estrogen  
 20 given to biological males in amounts that are larger or more potent than  
 21 would normally occur naturally in healthy biological males; and

22 (d) School means any public, private, denominational, or parochial  
 23 school offering instruction in elementary or high school grades.

24 Sec. 4. (1) A school shall designate each group bathroom and locker  
 25 room within such school building as either for use by biological females  
 26 or for use by biological males.

27 (2) Except as provided in subsections (3) and (4) of this section,  
 28 no school shall:

29 (a) Allow a biological male to use a restroom facility designated  
 30 for use by biological females;

31 (b) Allow a biological female to use a restroom facility designated  
 1 for use by biological males;

2 (c) Allow a biological male to enter or use a locker room designated  
 3 for or being used at such time by one or more biological females; or

4 (d) Allow a biological female to enter or use a locker room  
 5 designated for or being used at such time by one or more biological  
 6 males.

7 (3) This section shall not apply to an individual entering a  
 8 restroom designated for use by individuals of the opposite sex of such  
 9 individual under the following circumstances:

10 (a) Entrance for custodial, maintenance, or inspection purposes; or

11 (b) Entrance to render emergency medical assistance.

12 (4) This section shall not apply to an individual entering a locker  
 13 room designated for or being used at such time by individuals of the  
 14 opposite sex of such individual under the following circumstances:

15 (a) Entrance for custodial, maintenance, or inspection purposes;

16 (b) Entrance to render emergency medical assistance; or

17 (c) Entrance by a coach, athletic trainer, or other authorized  
 18 individual or school employee.

19 (5) A school or any official of a school shall not retaliate against  
 20 any person for reporting a violation of this section or related rules,  
 21 regulations, or policies.

22 Sec. 5. (1) An interscholastic or intramural athletic team or sport  
 23 that is sponsored by a school shall be expressly designated as one of the  
 24 following based on biological sex:

25 (a) Males, men, or boys;

26 (b) Females, women, or girls; or

27 (c) Coed or mixed.

28 (2)(a) An interscholastic or intramural athletic team or sport  
 29 sponsored by a school and designated for females, women, or girls shall  
 30 not be open to (i) a biological male student or (ii) a biological female  
 31 student who is taking cross-sex hormones and competing as a transgender  
 1 male.  
 2 (b) An interscholastic or intramural athletic team or sport  
 3 sponsored by a school and designated for males, men, or boys shall not be  
 4 open to a biological female student unless there is no female team  
 5 available for such sport for such biological female student.  
 6 (3) Nothing in this section shall be construed to restrict the  
 7 eligibility of any student to participate in any interscholastic or  
 8 intramural athletic teams or sports designated as coed or mixed.  
 9 Sec. 6. No government entity, any licensing or accrediting  
 10 organization, or any athletic association or organization shall entertain  
 11 a complaint, open an investigation, or take any other adverse action  
 12 against a school for maintaining separate interscholastic or intramural  
 13 athletic teams or sports for biological female students.  
 14 Sec. 7. Each school shall adopt a policy implementing the Sports  
 15 and Spaces Act.  
 16 Sec. 8. This act becomes operative on August 1, 2024.  
 17 Sec. 9. If any section in this act or any part of any section is  
 18 declared invalid or unconstitutional, the declaration shall not affect  
 19 the validity or constitutionality of the remaining portions.

(Signed) Dave Murman, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Kauth filed the following amendment to LB575:

FA381

Strike Section 1.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 469.** Introduced by Natural Resources Committee: Bostelman, 23, Chairperson; Brandt, 32; Cavanaugh, J., 9; Fredrickson, 20; Hughes, 24; Jacobson, 42; Moser, 22; Slama, 1.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine existing, new, and emerging technologies in the nuclear energy industry.

Many electric utilities are setting carbon reduction goals as well as setting zero net carbon policies. However, the demand for electricity continues to rise as different sectors of the economy move away from traditional fossil fuel resources to reduce emissions. This is most evident in the transportation and agriculture sectors.

Residential, business, and commercial electric utility customers demand a reliable electric energy resource available twenty-four hours per day and three hundred sixty-five days per year. Increased demand for electricity comes while traditional fossil fuel generation resources are being prematurely shut down to meet reduced carbon goals. Loss of baseload resources without comparable replacements puts electric utility consumers at risk. To meet the continuing demand for reliable electricity, zero-carbon baseload generating resources, such as nuclear energy, will be needed to

ensure that utilities may meet carbon goals and continue to supply reliable electricity to consumers.

Emerging and new nuclear energy generation technologies and research are changing the way electricity is generated using nuclear energy, making the generation safer and more efficient. The utilization of existing and new advanced nuclear energy technologies also allows spent nuclear energy fuel to be managed as an asset. Education about these technologies is an important part of the process of understanding the role that nuclear energy can play in a low-carbon future.

For purposes of this study, the committee shall hold informational hearings inviting key nuclear energy industry companies and support business to provide education and details on existing, new, and emerging technologies in the nuclear energy industry. The committee shall also prepare a report outlining resources that could be used as educational tools about nuclear energy for policy makers, businesses, and members of the public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

#### GENERAL FILE

**LEGISLATIVE BILL 25.** Senator Bosn renewed [MO1281](#), found on page 1156 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator McKinney moved the previous question. The question is, "Shall the debate now close?" The motion failed with 13 ayes, 8 nays, and 28 not voting.

Senator Wayne moved the previous question. The question is, "Shall the debate now close?"

Senator Wayne moved for a call of the house. The motion prevailed with 19 ayes, 4 nays, and 26 not voting.

The motion to cease debate prevailed with 29 ayes, 5 nays, and 15 not voting.

Senator Erdman requested a roll call vote, in reverse order, on the Bosn motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Voting in the affirmative, 16:

Aguilar	Brandt	Holdcroft	Lippincott
Armendariz	DeKay	Hughes	Lowe
Ballard	Hansen	Jacobson	Moser
Bostelman	Hardin	Kauth	Slama

Voting in the negative, 23:

Blood	Conrad	Fredrickson	Meyer	Walz
Bostar	DeBoer	Halloran	Murman	Wayne
Brewer	Dorn	Linehan	Sanders	Wishart
Cavanaugh, J.	Dungan	McDonnell	Vargas	
Cavanaugh, M.	Erdman	McKinney	von Gillern	

Present and not voting, 6:

Albrecht	Bosn	Dover
Arch	Clements	Riepe

Excused and not voting, 4:

Day	Hunt	Ibach	Raybould
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The Bosn motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) failed with 16 ayes, 23 nays, 6 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Bosn offered the following motion:

[MO1372](#)

Reconsider the vote taken on MO1281.

Senator DeBoer moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 3 nays, and 29 not voting.

The motion to cease debate prevailed with 26 ayes, 13 nays, and 10 not voting.

The Bosn motion to reconsider failed with 20 ayes, 20 nays, 3 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Title read. Considered.

Committee [AM440](#), found on page 639, First Session, 2023, was offered.

Senator Bosn offered [MO1282](#), found on page 1156, to bracket until April 11, 2024.

Senator Erdman moved the previous question. The question is, "Shall the debate now close?"

Senator Erdman moved for a call of the house. The motion prevailed with 15 ayes, 5 nays, and 29 not voting.

Senator Erdman requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 22:

Blood	Conrad	Halloran	Murman	Wayne
Bostar	DeBoer	Linehan	Sanders	Wishart
Brewer	Dungan	McDonnell	Vargas	
Cavanaugh, J.	Erdman	McKinney	von Gillern	
Cavanaugh, M.	Fredrickson	Meyer	Walz	

Voting in the negative, 20:

Albrecht	Bostelman	Dorn	Hughes	Lowe
Armendariz	Brandt	Dover	Jacobson	Moser
Ballard	Clements	Hardin	Kauth	Riepe
Bosn	DeKay	Holdcroft	Lippincott	Slama

Present and not voting, 2:

Arch	Hansen
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Excused and not voting, 5:

Aguilar	Day	Hunt	Ibach	Raybould
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The motion to cease debate failed with 22 ayes, 20 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

#### **SENATOR DEKAY PRESIDING**

Senator Wayne moved the previous question. The question is, "Shall the debate now close?"

Senator Wayne moved for a call of the house. The motion prevailed with 17 ayes, 1 nay, and 31 not voting.



Senator Wayne requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 22:

Bostar	Conrad	Halloran	Sanders	Wayne
Brandt	DeBoer	Linehan	Slama	Wishart
Brewer	Dungan	McDonnell	Vargas	
Cavanaugh, J.	Erdman	McKinney	von Gillern	
Cavanaugh, M.	Fredrickson	Murman	Walz	

Voting in the negative, 17:

Albrecht	Bostelman	Hardin	Kauth	Riepe
Armendariz	DeKay	Holdcroft	Lippincott	
Ballard	Dorn	Hughes	Lowe	
Bosn	Dover	Ibach	Meyer	

Present and not voting, 4:

Arch	Clements	Hansen	Jacobson
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Excused and not voting, 6:

Aguilar	Day	Moser
Blood	Hunt	Raybould

The motion to cease debate failed with 22 ayes, 17 nays, 4 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Conrad moved the previous question. The question is, "Shall the debate now close?"

Senator Wayne moved for a call of the house. The motion prevailed with 22 ayes, 5 nays, and 22 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 27:

Arch	Conrad	Halloran	McKinney	Walz
Bostar	DeBoer	Hansen	Murman	Wayne
Brandt	Dorn	Ibach	Sanders	Wishart
Brewer	Dungan	Jacobson	Slama	
Cavanaugh, J.	Erdman	Linehan	Vargas	
Cavanaugh, M.	Fredrickson	McDonnell	von Gillern	

Voting in the negative, 13:

Albrecht	Bosn	Dover	Hughes	Lowe
Armendariz	Bostelman	Hardin	Kauth	
Ballard	DeKay	Holdcroft	Lippincott	

Present and not voting, 3:

Clements	Meyer	Riepe
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Excused and not voting, 6:

Aguilar	Day	Moser
Blood	Hunt	Raybould

The motion to cease debate prevailed with 27 ayes, 13 nays, 3 present and not voting, and 6 excused and not voting.

The Bosn motion to bracket failed with 19 ayes, 19 nays, 5 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator DeBoer offered the following motion:

[MO1373](#)

Reconsider the vote taken on MO1282.

Senator DeBoer asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Senator Bosn offered [MO1283](#), found on page 1156, to recommit to the Judiciary Committee.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator McKinney filed the following amendment to [LB164A](#):

[AM3370](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$30,000,000 from the  
 4 Inland Port Authority Fund for FY2024-25 and (2) \$25,000,000 from the  
 5 Inland Port Authority Fund for FY2025-26 to the State Treasurer, for  
 6 Program 470, to aid in carrying out the provisions of Legislative Bill  
 7 164, One Hundred Eighth Legislature, Second Session, 2024.  
 8 There is included in the appropriation to this program for FY2024-25  
 9 \$30,000,000 Cash Funds for state aid, which shall only be used for such  
 10 purpose. There is included in the appropriation to this program for  
 11 FY2025-26 \$25,000,000 Cash Funds for state aid, which shall only be used  
 12 for such purpose.  
 13 No expenditures for permanent and temporary salaries and per diems  
 14 for state employees shall be made from funds appropriated in this  
 15 section.  
 16 Sec. 2. Since an emergency exists, this act takes effect when passed  
 17 and approved according to law.

Senator M. Cavanaugh filed the following amendment to LB1300:

[FA382](#)

Strike Section 3.

Senator M. Cavanaugh filed the following amendment to LB1300:

[FA383](#)

Strike Section 2.

Senator M. Cavanaugh filed the following amendment to LB1300:

[FA384](#)

Strike Section 1.

Senator Wayne filed the following amendment to LB25:

[AM3381](#)

(Amendments to AM3329)

1 1. Insert the following new section:  
 2 Sec. 8. Punitive damages shall not be awarded in a tort action  
 3 against a political subdivision or state agency.  
 4 2. On page 1, line 20; and page 5, lines 12 and 15, strike "7" and  
 5 insert "8".

Senator Wayne filed the following amendment to LB25:

[AM3380](#)

(Amendments to AM3328)

1 1. Insert the following new section:  
 2 Sec. 3. Punitive damages shall not be awarded in a tort action  
 3 against a political subdivision or state agency.  
 4 2. Renumber the remaining section accordingly.

Senator Lowe filed the following amendment to LB25:

[FA385](#)

In AM440, strike "willfully" from line 4.

Senator Kauth filed the following amendment to LB25:

[FA386](#)

Amend AM440 in line 3 after "the" insert "willful and intentional".

Senator Wayne filed the following amendment to LB25:

[FA387](#)

Strike Section 1.

Senator Wayne filed the following amendment to LB25:

[FA388](#)

Strike Section 2.

Senator Wayne filed the following amendment to LB25:

[FA389](#)

Strike Section 4.

Senator Holdcroft filed the following amendment to LB25:

[FA390](#)

In line 3 of AM440 strike "clear and convincing" and insert "a preponderance of".

Senator Walz filed the following amendment to LB358A:

[AM3377](#) is available in the Bill Room.

Senator Bostar filed the following amendment to LB874:

[AM3385](#)

1 1. On page 12, strike beginning with "(e)" in line 15 through "(f)"  
2 in line 16 and insert "(g) or (h)".

### VISITOR(S)

Visitor to the Chamber was Julie Jacobson, North Platte.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

### MOTION - Adjournment

Senator Lowe moved to adjourn until 9:00 a.m., Friday, April 5, 2024.

Senator Slama requested a machine vote on the motion to adjourn.

The motion prevailed with 22 ayes, 13 nays, 8 present and not voting, and 6 excused and not voting, and at 10:40 p.m., the Legislature adjourned until 9:00 a.m., Friday, April 5, 2024.

Brandon Metzler  
Clerk of the Legislature

**FIFTY-SIXTH DAY - APRIL 5, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, April 5, 2024

**PRAYER**

The prayer was offered by Pastor Tom Starkjohn, Louisville Evangelical Free Church, Louisville.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Albrecht.

**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 Bostelman, Conrad, Day, DeBoer, Dover, Hansen, Hunt, McKinney, Raybould, Slama, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fifth day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Holdcroft filed the following amendment to [LB253](#):  
[AM3366](#)

(Amendments to Standing Committee amendments, AM2978)

- 1 1. Insert the following new sections:
- 2 Sec. 8. Section 28-394, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 28-394 (1) A person who causes the death of an unborn child
- 5 unintentionally while engaged in the operation of a motor vehicle in
- 6 violation of the law of the State of Nebraska or in violation of any city
- 7 or village ordinance commits motor vehicle homicide of an unborn child.
- 8 (2) Except as provided in subsection (3) of this section, motor
- 9 vehicle homicide of an unborn child is a Class I misdemeanor.
- 10 (3)(a) If the proximate cause of the death of an unborn child is the

11 operation of a motor vehicle in violation of section 60-6,213 or  
 12 60-6,214, motor vehicle homicide of an unborn child is a Class IIIA  
 13 felony.

14 (b) Except as provided in subdivision (3)(c) of this section, if the  
 15 proximate cause of the death of an unborn child is the operation of a  
 16 motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
 17 vehicle homicide of an unborn child is a Class IIA ~~IIIA~~ felony and the  
 18 court shall, as part of the judgment of conviction, order the person not  
 19 to drive any motor vehicle for any purpose for a period of at least sixty  
 20 days and not more than fifteen years after the date ordered by the court  
 21 and shall order that the operator's license of such person be revoked for  
 22 the same period. The revocation shall not run concurrently with any jail  
 23 term imposed.

24 (c) If the proximate cause of the death of an unborn child is the  
 25 operation of a motor vehicle in violation of section 60-6,196 or  
 26 60-6,197.06 and the defendant has a prior conviction for a violation of  
 1 section 60-6,196 or a city or village ordinance enacted in conformance  
 2 with section 60-6,196, motor vehicle homicide of an unborn child is a  
 3 Class II ~~IIIA~~ felony and the court shall, as part of the judgment of  
 4 conviction, order the person not to drive any motor vehicle for any  
 5 purpose for a period of at least sixty days and not more than fifteen  
 6 years after the date ordered by the court and shall order that the  
 7 operator's license of such person be revoked for the same period. The  
 8 revocation shall not run concurrently with any jail term imposed.

9 (4) The crime punishable under this section shall be treated as a  
 10 separate and distinct offense from any other offense arising out of acts  
 11 alleged to have been committed while the person was in violation of this  
 12 section.

13 Sec. 10. Original section 28-394, Reissue Revised Statutes of  
 14 Nebraska, is repealed.

15 2. Renumber the remaining section and correct the operative date  
 16 section so that the sections added by this amendment become operative  
 17 three calendar months after the adjournment of this legislative session.

#### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR303	Education
LR314	Revenue
LR319	Education
LR320	Education
LR321	Education
LR324	Revenue
LR325	Judiciary
LR332	Judiciary
LR333	Education
LR334	Executive Board
LR336	Appropriations
LR337	Health and Human Services
LR338	Health and Human Services
LR339	Judiciary
LR340	Judiciary
LR341	Education

LR342 Judiciary  
LR344 General Affairs  
LR345 General Affairs  
LR346 Judiciary  
LR347 Judiciary  
LR348 Judiciary  
LR349 Revenue  
LR351 Judiciary  
LR352 Natural Resources  
LR353 General Affairs  
LR354 Business and Labor  
LR355 Government, Military and Veterans Affairs  
LR356 Executive Board  
LR357 Government, Military and Veterans Affairs  
LR358 Banking, Commerce and Insurance  
LR359 Urban Affairs  
LR360 Urban Affairs  
LR361 Appropriations  
LR362 Government, Military and Veterans Affairs  
LR363 Government, Military and Veterans Affairs  
LR364 Government, Military and Veterans Affairs  
LR365 Education  
LR366 Health and Human Services  
LR367 Revenue  
LR368 Education  
LR369 Government, Military and Veterans Affairs  
LR370 Banking, Commerce and Insurance  
LR371 Judiciary  
LR372 Health and Human Services  
LR373 Health and Human Services  
LR374 Agriculture  
LR375 Agriculture  
LR376 Transportation and Telecommunications  
LR377 Health and Human Services  
LR378 Education  
LR379 Banking, Commerce and Insurance  
LR380 Transportation and Telecommunications  
LR381 Judiciary  
LR382 Education  
LR383 Education  
LR384 Revenue  
LR385 Education  
LR386 Health and Human Services  
LR387 Health and Human Services  
LR388 Appropriations  
LR389 Appropriations  
LR390 Judiciary  
LR391 Executive Board  
LR392 Health and Human Services

LR393 Executive Board  
LR394 Government, Military and Veterans Affairs  
LR395 Transportation and Telecommunications  
LR396 Health and Human Services  
LR397 Health and Human Services  
LR398 Agriculture  
LR399 Agriculture  
LR400 Agriculture  
LR401 Judiciary  
LR402 Transportation and Telecommunications  
LR403 Transportation and Telecommunications  
LR404 Health and Human Services  
LR405 Health and Human Services  
LR406 Government, Military and Veterans Affairs  
LR407 Nebraska Retirement Systems  
LR409 Nebraska Retirement Systems  
LR410 Appropriations  
LR411 Revenue  
LR412 Government, Military and Veterans Affairs  
LR413 Judiciary  
LR414 Revenue  
LR415 Health and Human Services  
LR416 Appropriations  
LR417 Transportation and Telecommunications  
LR418 Revenue  
LR419 Education  
LR420 Appropriations  
LR421 Health and Human Services  
LR422 Health and Human Services  
LR423 Health and Human Services  
LR424 Revenue  
LR425 Education  
LR426 Government, Military and Veterans Affairs  
LR427 Health and Human Services  
LR428 Health and Human Services  
LR429 Health and Human Services  
LR430 Banking, Commerce and Insurance  
LR431 Banking, Commerce and Insurance  
LR432 Banking, Commerce and Insurance  
LR433 Health and Human Services  
LR434 Government, Military and Veterans Affairs  
LR435 Revenue  
LR436 Government, Military and Veterans Affairs  
LR437 Urban Affairs  
LR438 Urban Affairs  
LR439 Education  
LR440 Education  
LR441 Urban Affairs  
LR442 Health and Human Services



LR443 Health and Human Services  
LR444 Business and Labor  
LR469 Natural Resources

(Signed) Raymond Aguilar, Chairperson  
Executive Board

### REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 4, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Hines, James  
Meta Platforms, Inc.  
Kelley Plucker, LLC  
NetChoice  
Klute, Anne M. N.  
Associated Builders and Contractors, Inc. (Withdrawn 04/03/2024)  
Koenen, Kristopher  
Americans for Prosperity  
Mallory, Jesse  
Americans for Prosperity  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Civic Nebraska  
Sachs, Daniel  
Meta Platforms, Inc.

### REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

### BILLS ON FINAL READING

The following bills were read and put upon final passage:

#### LEGISLATIVE BILL 130.

A BILL FOR AN ACT relating to nursing facilities; to amend sections 68-949 and 68-1917, Reissue Revised Statutes of Nebraska; to state intent regarding medicaid nursing facility rates; to provide for reports; to change the amount of quality assurance assessments; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Cavanaugh, J.	Erdman	Kauth	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	Lowe	Walz
Blood	Day	Hardin	McDonnell	Wayne
Bosn	DeBoer	Holdcroft	McKinney	Wishart
Bostar	DeKay	Hughes	Meyer	
Bostelman	Dorn	Hunt	Moser	
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 2:

Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 130A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 130, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Cavanaugh, J.	Erdman	Kauth	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	Lowe	Walz
Blood	Day	Hardin	McDonnell	Wayne
Bosn	DeBoer	Holdercroft	McKinney	Wishart
Bostar	DeKay	Hughes	Meyer	
Bostelman	Dorn	Hunt	Moser	
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 2:

Raybould Slama

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 130 and 130A.

**MOTION(S) - Return LB874 to Select File**

Senator Bostar moved to return LB874 to Select File for his specific amendment, [AM3385](#), found on page 1532.

The Bostar motion to return prevailed with 47 ayes, 0 nays, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 874.** The Bostar specific amendment, [AM3385](#), found on page 1532, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

Readvanced to Enrollment and Review for Engrossment.

**MOTION(S) - Return LB52A to Select File**

Senator Lippincott moved to return LB52A to Select File for his specific amendment, [AM3048](#), found on page 1114.

The Lippincott motion to return prevailed with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 52A.** The Lippincott specific amendment, [AM3048](#), found on page 1114, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB1344 to Select File**

Senator McKinney moved to return LB1344 to Select File for his specific amendment, [AM3301](#), found on page 1505.

The McKinney motion to return prevailed with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1344.** The McKinney specific amendment, [AM3301](#), found on page 1505, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB358 to Select File**

Senator Walz moved to return LB358 to Select File for the following specific amendment:

[AM3387](#)

(Amendments to Final Reading copy)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 68-901 Sections 68-901 to 68-9,104 and section 2 of this act shall  
6 be known and may be cited as the Medical Assistance Act.  
7 Sec. 2. It is the intent of the Legislature to increase  
8 reimbursement rates by twelve and one-half percent for fiscal year  
9 2024-25 for dental services provided under the Medical Assistance Act.  
10 Sec. 3. Original section 68-901, Revised Statutes Supplement, 2023,  
11 is repealed.  
12 Sec. 4. Since an emergency exists, this act takes effect when  
13 passed and approved according to law.  
14 2. On page 1, strike beginning with "and" in line 3 through line 4  
15 and insert "to harmonize provisions; to repeal the original section; and  
16 to declare an emergency."

The Walz motion to return prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 358.** The Walz specific amendment, [AM3387](#), found in this day's Journal, was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB358A to Select File**

Senator Walz moved to return LB358A to Select File for her specific amendment, [AM3377](#), found on page 1532.

The Walz motion to return prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 358A.** The Walz specific amendment, [AM3377](#), found on page 1532, was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**ANNOUNCEMENT**

Speaker Arch requested LB1344A be passed over on Select File.

**GENERAL FILE**

**LEGISLATIVE BILL 62A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 904.** [ER87](#), found on page 1023, was offered.

ER87 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 904A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 62.** [ER90](#), found on page 1071, was offered.

ER90 was adopted.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1242](#), found on page 974, to bracket.

[MO1243](#), found on page 974, to recommit to committee.

No objections. So ordered.

Senator Hunt withdrew [AM2824](#), found on page 943.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 164.** [ER120](#), found on page 1399, was offered.

ER120 was adopted.

Senator McKinney offered [AM3323](#), found on page 1478.

The McKinney 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.

**LEGISLATIVE BILL 164A.** Senator McKinney offered [AM3370](#), found on page 1530.

The McKinney amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1074.** [ER99](#), found on page 1322, was offered.

ER99 was adopted.

Senator DeBoer offered the following amendment:

[AM3279](#)

(Amendments to E&R amendments, ER99)

1 1. On page 97, line 25, after "of" insert "an achieving a better  
2 life experience account established as provided in sections 77-1401 to  
3 77-1409 under a qualified ABLÉ program as defined under section 529A of  
4 the Internal Revenue Code of 1986, as amended, and any regulations  
5 promulgated thereunder or".

The DeBoer amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Senator Slama offered the following amendment:

[AM3253](#)

(Amendments to E&R amendments, ER99)

1 1. On page 28, line 16, strike "this" and after "subdivision" insert  
2 "(1) of this section".

The Slama amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1074A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1073.** [ER121](#), found on page 1501, was offered.

ER121 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1073A.** Senator Slama offered the following motion:

[MO1374](#)

Indefinitely postpone.

The Slama motion to indefinitely postpone prevailed with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 5, 2024, at 9:36 a.m. were the following: LBs 130 and 130A.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

#### **GENERAL FILE**

**LEGISLATIVE BILL 575.** Senator Hunt offered [MO10](#), found on page 289, First Session, 2023, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Senator Kauth opened on her bill, LB575.

Senator Hunt opened on her motion, MO10.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to [LB1344A](#):

[FA398](#)

Amend AM3352: Sec. 2, line 11, strike \$364,350 and replace with \$269,350; and in Sec. 2, line 17, strike \$141,120 and replace with \$70,560.

Senator McKinney filed the following amendment to [LB840](#):

[AM3351](#) is available in the Bill Room.

#### **COMMITTEE REPORT(S)**

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Matt Ahern - Health Information Technology Board

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 575.** Senator Hunt renewed [MO10](#), found on page 289, First Session, 2023, and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Senator Kauth offered the following motion:

[MO1375](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Kauth moved for a call of the house. The motion prevailed with 28 ayes, 3 nays, and 18 not voting.

Senator Kauth requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 31:

Aguilar	Brewer	Hansen	Linehan	Sanders
Albrecht	Clements	Hardin	Lippincott	Slama
Arch	DeKay	Holdcroft	Lowe	von Gillern
Armendariz	Dorn	Hughes	McDonnell	
Ballard	Dover	Ibach	Meyer	
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 15:

Blood	Cavanaugh, M.	DeBoer	Hunt	Walz
Bostar	Conrad	Dungan	McKinney	Wayne
Cavanaugh, J.	Day	Fredrickson	Vargas	Wishart

Present and not voting, 2:

Brandt      Riepe

Excused and not voting, 1:

Raybould

The Kauth motion to invoke cloture failed with 31 ayes, 15 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.



**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 399.** Placed on Select File with amendment.  
[ER130](#) is available in the Bill Room.

**LEGISLATIVE BILL 685A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 856.** Placed on Final Reading.  
[ST64](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In lieu of the Fredrickson amendment, FA354, in the Fredrickson amendment, AM3218, on page 3, after line 8 the following new subdivision has been inserted: "(iv) Subdivisions (2)(b)(ii) and (2)(b)(iii) of this section shall become operative on July 1, 2025. The department shall promulgate rules and regulations consistent with these subdivisions.".

**LEGISLATIVE BILL 876.** Placed on Final Reading.  
[ST62](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "infants" in line 1 through line 4 has been struck and "infants; to amend section 29-121, Reissue Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act; to change provisions relating to the act of leaving a child as prescribed; and to repeal the original section." inserted.

**LEGISLATIVE BILL 876A.** Placed on Final Reading.

**LEGISLATIVE BILL 1051.** Placed on Final Reading.

**LEGISLATIVE BILL 1393.** Placed on Final Reading.  
[ST66](#)

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 7 and all amendments thereto have been struck and "labor; to amend sections 48-3602, 48-3603, 48-3604, and 48-3606, Revised Statutes Cumulative Supplement, 2022, and section 48-649.03, Revised Statutes Supplement, 2023; to change provisions relating to the combined tax rate under the Employment Security Law; to change provisions relating to the Nebraska Student-Athlete Name, Image, or Likeness Rights Act; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

2. On page 8, the matter beginning with "48-3606" in line 6 through "48-3608" in line 7 has been struck and "and 48-3606" inserted.

(Signed) Beau Ballard, Chairperson

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brett Lindau - State Board of Health  
Connie Lynn Petersen - State Board of Health  
Jeffrey, Jr. Wienke - State Board of Health

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McDonnell filed the following amendment to LB196A:  
AM3371

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$2,770,810 from the  
4 General Fund, \$62,809 from the Nebraska State Patrol Cash Fund, and  
5 \$81,097 from federal funds for FY2024-25 and (2) \$2,770,810 from the  
6 General Fund, \$62,809 from the Nebraska State Patrol Cash Fund, and  
7 \$142,720 from federal funds for FY2025-26 to the Nebraska State Patrol,  
8 for Program 100, to aid in carrying out the provisions of Legislative  
9 Bill 196, One Hundred Eighth Legislature, Second Session, 2024.  
10 No expenditures for permanent and temporary salaries and per diems  
11 for state employees shall be made from funds appropriated in this  
12 section.  
13 Sec. 2. There is hereby appropriated (1) \$608,970 from the Carrier  
14 Enforcement Cash Fund and \$36,369 from federal funds for FY2024-25 and  
15 (2) \$608,970 from the Carrier Enforcement Cash Fund and \$36,369 from  
16 federal funds for FY2025-26 to the Nebraska State Patrol, for Program  
17 205, to aid in carrying out the provisions of Legislative Bill 196, One  
18 Hundred Eighth Legislature, Second Session, 2024.  
19 No expenditures for permanent and temporary salaries and per diems  
20 for state employees shall be made from funds appropriated in this  
21 section.  
22 Sec. 3. There is hereby appropriated (1) \$11,427 from the Capitol  
23 Security Revolving Fund for FY2024-25 and (2) \$11,427 from the Capitol  
24 Security Revolving Fund for FY2025-26 to the Nebraska State Patrol, for  
25 Program 630, to aid in carrying out the provisions of Legislative Bill  
26 196, One Hundred Eighth Legislature, Second Session, 2024.  
27 No expenditures for permanent and temporary salaries and per diems  
1 for state employees shall be made from funds appropriated in this  
2 section.  
3 Sec. 4. There is hereby appropriated (1) \$31,335 from the Workers'  
4 Compensation Claims Revolving Fund for FY2024-25 and (2) \$31,761 from the  
5 Workers' Compensation Claims Revolving Fund for FY2025-26 to the  
6 Department of Administrative Services, for Program 535, to aid in  
7 carrying out the provisions of Legislative Bill 196, One Hundred Eighth  
8 Legislature, Second Session, 2024.  
9 Total expenditures for permanent and temporary salaries and per  
10 diems from funds appropriated in this section shall not exceed \$14,940  
11 for FY2024-25 or \$15,687 for FY2025-26.  
12 Sec. 5. There is hereby appropriated (1) \$15,433 from the State  
13 Insurance Fund for FY2024-25 and (2) \$15,643 from the State Insurance  
14 Fund for FY2025-26 to the Department of Administrative Services, for  
15 Program 535, to aid in carrying out the provisions of Legislative Bill  
16 196, One Hundred Eighth Legislature, Second Session, 2024.  
17 Total expenditures for permanent and temporary salaries and per  
18 diems from funds appropriated in this section shall not exceed \$7,358 for  
19 FY2024-25 or \$7,726 for FY2025-26.  
20 Sec. 6. There is hereby appropriated (1) \$20,000 from the State  
21 Patrol Retirement Act Expense Fund for FY2024-25 and (2) \$-0- from the  
22 State Patrol Retirement Act Expense Fund for FY2025-26 to the Public

23 Employees Retirement Board, for Program 41, to aid in carrying out the  
24 provisions of Legislative Bill 196, One Hundred Eighth Legislature,  
25 Second Session, 2024.

26 No expenditures for permanent and temporary salaries and per diems  
27 for state employees shall be made from funds appropriated in this  
28 section.

29 Sec. 7. Since an emergency exists, this act takes effect when  
30 passed and approved according to law.

Senator Murman filed the following amendment to [LB1329](#):  
[AM3382](#) is available in the Bill Room.

Senator Wayne filed the following amendment to [LB937](#):  
[AM3287](#)

(Amendments to E & R amendments, ER115)

1 1. Insert the following new sections:

2 Sec. 81. Section 77-4008, Revised Statutes Supplement, 2023, is  
3 amended to read:

4 77-4008 (1)(a) A tax is hereby imposed upon the first owner of  
5 tobacco products to be sold in this state.

6 (b) The tax on cigars, cheroots, and stogies shall be twenty percent  
7 of (i) the purchase price of the cigars, cheroots, or stogies paid by the  
8 first owner or (ii) the price at which a first owner who made,  
9 manufactured, or fabricated the cigars, cheroots, or stogies sells the  
10 items to others, except that the maximum tax imposed under this  
11 subdivision (b) shall be fifty cents for each cigar, cheroot, or stogie.

12 (c) ~~(b)~~ The tax on snuff shall be forty-four cents per ounce and a  
13 proportionate tax at the like rate on all fractional parts of an ounce.  
14 Such tax shall be computed based on the net weight as listed by the  
15 manufacturer.

16 (d) ~~(e)~~ The tax on an electronic nicotine delivery system containing  
17 three milliliters or less of consumable material shall be five cents per  
18 milliliter of consumable material and a proportionate tax at the like  
19 rate on all fractional parts of a milliliter.

20 (e) ~~(d)~~ The tax on an electronic nicotine delivery system containing  
21 more than three milliliters of consumable material shall be ten percent  
22 of (i) the purchase price of such electronic nicotine delivery system  
23 paid by the first owner or (ii) the price at which the first owner who  
24 made, manufactured, or fabricated the electronic nicotine delivery system  
25 sells the item to others.

26 (f) ~~(e)~~ For electronic nicotine delivery systems in the possession  
1 of retail dealers for which tax has not been paid, the tax under this  
2 subsection shall be imposed at the earliest time the retail dealer: (i)  
3 Brings or causes to be brought into the state any electronic nicotine  
4 delivery system for sale; (ii) makes, manufactures, or fabricates any  
5 electronic nicotine delivery system in this state for sale in this state;  
6 or (iii) sells any electronic nicotine delivery system to consumers  
7 within this state.

8 (g) ~~(f)~~ The tax on tobacco products other than cigars, cheroots,  
9 stogies, snuff, and electronic nicotine delivery systems shall be twenty  
10 percent of (i) the purchase price of such tobacco products paid by the  
11 first owner or (ii) the price at which a first owner who made,  
12 manufactured, or fabricated the tobacco product sells the items to  
13 others.

14 (h) ~~(g)~~ The tax on tobacco products shall be in addition to all  
15 other taxes.

16 (2) Whenever any person who is licensed under section 77-4009  
17 purchases tobacco products from another person licensed under section  
18 77-4009, the seller shall be liable for the payment of the tax.

19 (3) Amounts collected pursuant to this section shall be used and  
20 distributed pursuant to section 77-4025.  
21 Sec. 88. Original section 77-4008, Revised Statutes Supplement,  
22 2023, is repealed.  
23 2. Renumber the remaining sections, correct internal references, and  
24 correct the operative date section so that the sections added by this  
25 amendment become operative on July 1, 2025.

Senator Kauth filed the following amendment to [LB575](#):  
[AM3368](#)

(Amendments to Standing Committee amendments, AM2049)

1 1. On page 2, line 16, after the semicolon insert "and"; strike  
2 lines 17 through 21; and in line 22 strike "(d)" and insert "(e)".  
3 2. On page 3, line 30, strike "(i)" and strike beginning with "or"  
4 in line 30 through line 31 and insert an underscored period.  
5 3. On page 4, strike line 1.

Senator Hunt filed the following amendment to [LB575](#):  
[FA391](#)

Strike Section 1 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA392](#)

Strike Section 2 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA393](#)

Strike Section 3 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA394](#)

Strike Section 4 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA395](#)

Strike Section 5 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA396](#)

Strike Section 6 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA397](#)

Strike Section 7 of AM2049.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Dover name added to LB130.

**VISITOR(S)**

Visitors to the Chamber were Eliza Starkjohn, Louisville; students and teachers from Shoemaker Elementary, Grand Island; students and teachers from Cedar Bluffs Public School; members and advisor of Fillmore Central FFA; students from Wheeler Elementary, Omaha; Sophira and Traci Sunde, Omaha; Michael Roscoe, Saint Edwards; students, teachers, and sponsor from Keya Paha County Schools, Springview; Corey Uldrich, Hartington; Robert Navarro, Atlanta; students from Perkins County Christian, Grant.

**ADJOURNMENT**

At 2:04 p.m., on a motion by Speaker Arch, the Legislature adjourned until 9:00 a.m., Tuesday, April 9, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTY-SEVENTH DAY - APRIL 9, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, April 9, 2024

**PRAYER**

The prayer was offered by Senator Hardin.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Lowe.

**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 Bosn, Brewer, Day, Hunt, Raybould, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-sixth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1300.** Placed on Select File with amendment.

**[ER132](#)**

1 1. On page 1, strike beginning with "government" in line 1 through  
2 line 3 and insert "law; to amend sections 14-137, 14-211, 14-217.02,  
3 14-2104, 15-309, 19-412, 19-616, 23-1114, 23-1114.07, 70-624.02, 80-102,  
4 81-503, and 81-830, Reissue Revised Statutes of Nebraska, and sections  
5 80-104 and 80-316, Revised Statutes Cumulative Supplement, 2022; to adopt  
6 the Pacific Conflict Stress Test Act, the Foreign Adversary Contracting  
7 Prohibition Act, the Nebraska Nonprofit Security Grant Program Act, and  
8 the Wildland Fire Response Act; to define terms; to provide security  
9 requirements for chemical facilities; to provide for preemption; to  
10 create the Commission on Asian American Affairs and provide for its  
11 membership, powers, duties, and compensation; to change provisions

12 relating to salaries of governing bodies and require approval of  
 13 registered voters for increases; to change provisions relating to county  
 14 veterans service committees and certain veterans aid programs; to provide  
 15 duties for the State Fire Marshal and Homeland Security Policy Group; to  
 16 harmonize provisions; to provide operative dates; to provide  
 17 severability; to repeal the original sections; and to declare an  
 18 emergency."

**LEGISLATIVE BILL 1300A.** Placed on Select File.

**LEGISLATIVE BILL 686.** Placed on Select File.

**LEGISLATIVE BILL 1195.** Placed on Select File with amendment.

[ER131](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 11  
 2 and insert "law; to amend sections 25-3003, 25-3004, 30-2446, 30-2603,  
 3 30-3816, 30-3828, 30-4002, 40-101, 40-103, 43-2707, 71-5905, and 84-168,  
 4 Reissue Revised Statutes of Nebraska, and sections 30-24,129 and 30-3402,  
 5 Revised Statutes Cumulative Supplement, 2022; to change provisions  
 6 relating to grants for service providers by the Commission on Public  
 7 Advocacy; to change provisions of the Nebraska Probate Code relating to  
 8 bonds, small estate affidavits, and certain payments and transfers to  
 9 minors; to redefine adult for purposes of health care powers of attorney;  
 10 to change provisions of the Nebraska Uniform Trust Code relating to  
 11 registration of trusts and the requirements to be a settlor; to change  
 12 the definition of principal under the Nebraska Uniform Power of Attorney  
 13 Act; to change and eliminate provisions relating to homestead exemptions  
 14 for judgment liens and executions; to change provisions relating to  
 15 irrevocable transfers under the Nebraska Uniform Transfers to Minors Act;  
 16 to provide restrictions and requirements relating to third-party  
 17 guaranties of payment under the Assisted-Living Facility Act; to  
 18 authorize acceptance of cession or retrocession of federal jurisdiction  
 19 for juvenile matters; to change provisions and provide duties relating to  
 20 such acceptance and to authorize certain agreements; to harmonize  
 21 provisions; to repeal the original sections; and to outright repeal  
 22 section 40-102, Reissue Revised Statutes of Nebraska."

**LEGISLATIVE BILL 62A.** Placed on Select File.

**LEGISLATIVE BILL 1317.** Placed on Select File.

[ER129](#) is available in the Bill Room.

**LEGISLATIVE BILL 1317A.** Placed on Select File.

**LEGISLATIVE BILL 20.** Placed on Final Reading.

**LEGISLATIVE BILL 20A.** Placed on Final Reading.

**LEGISLATIVE BILL 52A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 62.** Placed on Final Reading.

**LEGISLATIVE BILL 71.** Placed on Final Reading.

[ST65](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM833, section 8 has been struck and the following new section inserted: Sec. 12. Original sections 79-530, 79-531, 79-532, 79-533, 79-1101, and 79-1103, Reissue Revised Statutes of Nebraska, and section 79-1003, Revised Statutes Cumulative Supplement, 2022, are repealed.



2. On page 1, the matter beginning with "schools" in line 1 through line 9 and all amendments thereto have been struck and "education; to amend sections 79-530, 79-531, 79-532, 79-533, 79-1101, and 79-1103, Reissue Revised Statutes of Nebraska, and section 79-1003, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the involvement of parents and guardians in the education of their children; to require each public school district to develop and adopt a policy relating to the rights of each parent and guardian to access testing information and curriculum and excuse their child from certain instruction or activities; to provide powers and duties to the Commissioner of Education and the State Board of Education; to redefine terms under the Tax Equity and Educational Opportunities Support Act; to restate legislative intent, redefine a term, and change provisions relating to early childhood education; to provide a process for a parent or guardian to request that such person's child repeat a grade under certain circumstances; to eliminate obsolete provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 71A.** Placed on Final Reading.

**LEGISLATIVE BILL 164.** Placed on Final Reading.

[ST69](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the McKinney amendment, AM3323, on page 37, line 11, "effective" has been struck and "operative" inserted and "act" has been struck and "section" inserted.

2. On page 1, the matter beginning with "buildings" in line 1 through line 4 and all amendments thereto have been struck and "law; to amend sections 13-3301, 13-3302, 13-3303, 13-3304, 13-3305, 13-3306, 13-3310, and 13-3311, Reissue Revised Statutes of Nebraska, sections 81-12,195, 81-12,196, 81-12,201, 81-12,215, and 84-602, Revised Statutes Cumulative Supplement, 2022, sections 61-305, 72-819, 72-1001, 81-1239, 81-1243, 81-12,203, 81-12,241, 81-12,241.01, 81-12,243, and 81-12,244, Revised Statutes Supplement, 2023, and section 31, Legislative Bill 1413, One Hundred Eighth Legislature, Second Session, 2024; to change provisions relating to the Economic Recovery Act, the Municipal Inland Port Authority Act, and the Nebraska Rural Projects Act; to provide for a museum at Fort Robinson State Park; to provide for and change provisions relating to transfers and use of funds, investment earnings, and interest; to provide a duty for the State Treasurer; to eliminate obsolete provisions; to adopt the Child Care Capacity Building and Workforce Act; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

**LEGISLATIVE BILL 164A.** Placed on Final Reading.

**LEGISLATIVE BILL 358.** Placed on Final Reading Second.

**LEGISLATIVE BILL 358A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 874.** Placed on Final Reading.

[ST63](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 18, line 15, "28-716" has been struck and "28-713" inserted.

**LEGISLATIVE BILL 904.** Placed on Final Reading.

**LEGISLATIVE BILL 904A.** Placed on Final Reading.

**LEGISLATIVE BILL 934.** Placed on Final Reading.

**LEGISLATIVE BILL 1031.** Placed on Final Reading.

**LEGISLATIVE BILL 1031A.** Placed on Final Reading.

**LEGISLATIVE BILL 1073.** Placed on Final Reading.

**LEGISLATIVE BILL 1074.** Placed on Final Reading.

[ST68](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E&R Amendments, ER99, on page 137, the matter beginning with "and" in line 25 through "69-2112" in line 26 has been struck and "69-2112, and 71-612" inserted.

**LEGISLATIVE BILL 1074A.** Placed on Final Reading.  
**LEGISLATIVE BILL 1301.** Placed on Final Reading.  
**LEGISLATIVE BILL 1301A.** Placed on Final Reading.  
**LEGISLATIVE BILL 1335.** Placed on Final Reading.  
**LEGISLATIVE BILL 1344.** Placed on Final Reading Second.

**LEGISLATIVE BILL 1368.** Placed on Final Reading.

**ST67**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Ibach amendment, AM3281, on page 3, line 17, "Act" has been inserted after "Expansion".
2. On page 1, the matter beginning with "fertilizer" in line 1 through line 2 and all amendments thereto have been struck and "natural resources; to amend section 46-296, Reissue Revised Statutes of Nebraska, and section 61-218, Revised Statutes Supplement, 2023; to adopt the Nitrogen Reduction Incentive Act; to repeal certain administrative fees relating to the Department of Natural Resources; to provide for a transfer from the Water Resources Cash Fund; to harmonize provisions; to repeal the original sections; and to outright repeal section 33-105, Reissue Revised Statutes of Nebraska." inserted.

**LEGISLATIVE BILL 1368A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, and 463 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 445, 446, 447, 448, 449, 450, 451, 452, 453, 454, 455, 456, 457, 458, 459, 460, 461, 462, and 463.

**SELECT FILE**

**LEGISLATIVE BILL 62A.** Senator Dorn offered the following amendment:

**AM3390**

- 1 1. Strike the original section and insert the following new
- 2 sections:
- 3 Section 1. There is hereby appropriated (1) \$11,470 from the
- 4 General Fund and \$34,410 from federal funds for FY2024-25 and (2) \$-0-
- 5 from the General Fund and \$-0- from federal funds for FY2025-26 to the
- 6 Department of Health and Human Services, for Program 33, to aid in
- 7 carrying out the provisions of Legislative Bill 62, One Hundred Eighth
- 8 Legislature, Second Session, 2024.
- 9 No expenditures for permanent and temporary salaries and per diems
- 10 for state employees shall be made from funds appropriated in this
- 11 section.
- 12 Sec. 2. There is hereby appropriated (1) \$726,177 from the Medicaid
- 13 Managed Care Excess Profit Fund and \$1,209,335 from federal funds for
- 14 FY2024-25 and (2) \$1,452,354 from the Medicaid Managed Care Excess Profit

15 Fund and \$2,418,670 from federal funds for FY2025-26 to the Department of  
16 Health and Human Services, for Program 348, to aid in carrying out the  
17 provisions of Legislative Bill 62, One Hundred Eighth Legislature, Second  
18 Session, 2024.  
19 There is included in the appropriation to this program for FY2024-25  
20 \$726,177 cash funds and \$1,209,335 federal funds for state aid, which  
21 shall only be used for such purpose. There is included in the  
22 appropriation to this program for FY2025-26 \$1,452,354 cash funds and  
23 \$2,418,670 federal funds for state aid, which shall only be used for such  
24 purpose.  
25 No expenditures for permanent and temporary salaries and per diems  
26 for state employees shall be made from funds appropriated in this  
27 section.

The Dorn amendment was adopted with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1344A.** Senator Wayne offered [AM3352](#), found on page 1519.

Senator Wayne offered [FA398](#), found on page 1543, to his amendment.

The Wayne amendment, to his amendment, was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

The Wayne amendment, as amended, was adopted with 34 ayes, 0 nays, 9 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

#### GENERAL FILE

**LEGISLATIVE BILL 1363.** Senator Wayne renewed [MO1361](#), found and considered on page 1486, to reconsider the vote on AM3250.

Senator McDonnell moved for a call of the house. The motion prevailed with 19 ayes, 1 nay, and 29 not voting.

The Wayne motion to reconsider prevailed with 25 ayes, 12 nays, 7 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Committee [AM3250](#), found on page 1401 and considered on page 1485, was reoffered.

The committee amendment lost with 24 ayes, 9 nays, 11 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh offered the following motion:

[MO1376](#)

Bracket until April 18, 2024.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator McDonnell offered the following amendment:

[AM3399](#)

1 1. Strike original sections 1, 2, 3, and 4 and insert the following  
 2 new sections:  
 3 Section 1. Section 55-901, Revised Statutes Cumulative Supplement,  
 4 2022, is amended to read:  
 5 55-901 (1) The Military Base Development and Support Fund is  
 6 created. The fund shall be used to contribute to construction,  
 7 development, or support on any military base, located in Nebraska, for  
 8 purposes of improving mission retention and recruitment; supporting the  
 9 morale, health, and mental wellness of military members and families; and  
 10 growing the economic impact of military bases in Nebraska. The Department  
 11 of Veterans' Affairs shall administer the fund. The fund shall consist of  
 12 money received pursuant to section 76-903, transfers authorized by the  
 13 Legislature, and any gifts, grants, or bequests from any source,  
 14 including federal, state, public, and private sources, for such purposes.  
 15 Any money in the fund available for investment shall be invested by the  
 16 state investment officer pursuant to the Nebraska Capital Expansion Act  
 17 and the Nebraska State Funds Investment Act.  
 18 (2) Money transferred to the fund under section 76-903 shall be used  
 19 for funding businesses and amenities linked to military installations and  
 20 enhancing business attraction and economic growth in Nebraska's military  
 21 sector through distributions of:  
 22 (a) Twenty-five percent of the money as grants to organizations that  
 23 support the United States Department of Defense SkillBridge program;  
 24 (b) Twenty-five percent of the money as grants to programs providing  
 25 mental health services for veterans;  
 26 (c) Twenty-five percent of the money for military research and  
 27 development planning, which may be used to administer programming; and  
 1 (d) Twenty-five percent of the money to support veteran businesses;  
 2 (3) (2) The fund may be used for projects on military bases located  
 3 in Nebraska, including, but not limited to:  
 4 (a) An outdoor airman amenity pavilion;  
 5 (b) Track and field stadium improvements;  
 6 (c) A parade-ground walking trail;  
 7 (d) Improvements at Willow Lakes Golf Course;  
 8 (e) Base Lake improvements;  
 9 (f) Landscape enhancements;  
 10 (g) Deterrence Park;  
 11 (h) Looking Glass Heritage Park;  
 12 (i) Quarters 13 comprehensive repairs, design, and construction; and  
 13 (j) B1000 Rooftop Garden.  
 14 (4) (3) The Department of Veterans' Affairs shall require a match of  
 15 private funding in an amount equal to or greater than one-half of the  
 16 total cost of any project listed in subsection (3) (2) of this section  
 17 prior to authorizing an expenditure from the fund.  
 18 Sec. 2. Section 76-901, Reissue Revised Statutes of Nebraska, is  
 19 amended to read:  
 20 76-901 There is hereby imposed a tax on the grantor executing the  
 21 deed as defined in section 76-203 upon the transfer of a beneficial  
 22 interest in or legal title to real estate at the rate of ~~three two~~  
 23 dollars and twenty-five cents for each one thousand dollars value or

24 fraction thereof. For purposes of sections 76-901 to 76-908, value means  
 25 (1) in the case of any deed, not a gift, the amount of the full actual  
 26 consideration thereof, paid or to be paid, including the amount of any  
 27 lien or liens assumed, and (2) in the case of a gift or any deed with  
 28 nominal consideration or without stated consideration, the current market  
 29 value of the property transferred. Such tax shall be evidenced by stamps  
 30 to be attached to the deed. All deeds purporting to transfer legal title  
 31 or beneficial interest shall be presumed taxable unless it clearly  
 1 appears on the face of the deed or sufficient documentary proof is  
 2 presented to the register of deeds that the instrument is exempt under  
 3 section 76-902.

4 Sec. 3. Section 76-903, Reissue Revised Statutes of Nebraska, is  
 5 amended to read:

6 76-903 The Tax Commissioner shall design such stamps in such  
 7 denominations as in his or her judgment will be the most advantageous to  
 8 all persons concerned. When any deed subject to the tax imposed by  
 9 section 76-901 is offered for recordation, the register of deeds shall  
 10 ascertain and compute the amount of the tax due thereon and shall collect  
 11 such amount as a prerequisite to acceptance of the deed for recordation.  
 12 If a dispute arises concerning the taxability of the transfer, the  
 13 register of deeds shall not record the deed until the disputed tax is  
 14 paid. If a disputed tax has been paid, the taxpayer may file for a refund  
 15 pursuant to section 76-908. The taxpayer may also seek a declaratory  
 16 ruling pursuant to rules and regulations adopted and promulgated by the  
 17 Department of Revenue. From each ~~three two~~ dollars and twenty-five cents  
 18 of tax collected pursuant to section 76-901, the register of deeds shall  
 19 retain ~~one dollar and fifteen~~ fifty cents to be placed in the county  
 20 general fund and shall remit the balance to the State Treasurer who shall  
 21 ~~credit or distribute: ninety-five cents of such amount to the Affordable~~  
 22 ~~Housing Trust Fund, twenty-five cents of such amount to the Site and~~  
 23 ~~Building Development Fund, twenty-five cents of such amount to the~~  
 24 ~~Homeless Shelter Assistance Trust Fund, and thirty cents of such amount~~  
 25 ~~to the Behavioral Health Services Fund.~~

26 (1) One dollar and five cents of such amount to the Affordable  
 27 Housing Trust Fund;

28 (2) Twenty-five cents of such amount to the Site and Building  
 29 Development Fund;

30 (3) Twenty-five cents of such amount to the Homeless Shelter  
 31 Assistance Trust Fund;

1 (4) Thirty-four cents of such amount to the Behavioral Health  
 2 Services Fund;

3 (5) Five cents of such amount to the Economic Recovery Contingency  
 4 Fund for the establishment and operation of an office to pursue and  
 5 coordinate grant funding on behalf of the state;

6 (6) Five cents of such amount to the Military Base Development and  
 7 Support Fund to provide funding to support businesses and amenities  
 8 linked to military installations and to enhance business attraction and  
 9 economic growth in Nebraska's military sector through the distributions  
 10 described in subsection (2) of section 55-901;

11 (7) Eight cents of such amount to the Innovation Hub Cash Fund for  
 12 the operational support of innovation hubs; and

13 (8) Three cents of such amount to the Health Care Homes for the  
 14 Medically Underserved Fund for federally qualified health centers as  
 15 grants to be used for persons receiving services under subsections (h)  
 16 and (i) of section 330 of the federal Public Health Service Act, 42  
 17 U.S.C. 254b, as such section existed on January 1, 2024.

18 Sec. 4. Section 77-1327, Reissue Revised Statutes of Nebraska, is  
 19 amended to read:

20 77-1327 (1) It is the intent of the Legislature that accurate and  
 21 comprehensive information be developed by the Property Tax Administrator  
 22 and made accessible to the taxing officials and property owners in order  
 23 to ensure the uniformity and proportionality of the assessments of real  
 24 property valuations in the state in accordance with law and to provide  
 25 the statistical and narrative reports pursuant to section 77-5027.

26 (2) All transactions of real property for which the statement  
27 required in section 76-214 is filed shall be available for development of  
28 a sales file by the Property Tax Administrator. All transactions with  
29 stated consideration of more than one hundred dollars or upon which more  
30 than ~~three~~ two dollars and twenty-five cents in documentary stamp taxes  
31 are paid shall be considered sales. All sales shall be deemed to be arm's  
1 length transactions unless determined to be otherwise under  
2 professionally accepted mass appraisal techniques. The Department of  
3 Revenue shall not overturn a determination made by a county assessor  
4 regarding the qualification of a sale unless the department reviews the  
5 sale and determines through the review that the determination made by the  
6 county assessor is incorrect.

7 (3) The Property Tax Administrator annually shall make and issue  
8 comprehensive assessment ratio studies of the average level of  
9 assessment, the degree of assessment uniformity, and the overall  
10 compliance with assessment requirements for each major class of real  
11 property subject to the property tax in each county. The comprehensive  
12 assessment ratio studies shall be developed in compliance with  
13 professionally accepted mass appraisal techniques and shall employ such  
14 statistical analysis as deemed appropriate by the Property Tax  
15 Administrator, including measures of central tendency and dispersion. The  
16 comprehensive assessment ratio studies shall be based upon the sales file  
17 as developed in subsection (2) of this section and shall be used by the  
18 Property Tax Administrator for the analysis of the level of value and  
19 quality of assessment for purposes of section 77-5027 and by the Property  
20 Tax Administrator in establishing the adjusted valuations required by  
21 section 79-1016. Such studies may also be used by assessing officials in  
22 establishing assessed valuations.

23 (4) For purposes of determining the level of value of agricultural  
24 and horticultural land subject to special valuation under sections  
25 77-1343 to 77-1347.01, the Property Tax Administrator shall annually make  
26 and issue a comprehensive study developed in compliance with  
27 professionally accepted mass appraisal techniques to establish the level  
28 of value if in his or her opinion the level of value cannot be developed  
29 through the use of the comprehensive assessment ratio studies developed  
30 in subsection (3) of this section.

31 (5) County assessors and other taxing officials shall electronically  
1 report data on the assessed valuation and other features of the property  
2 assessment process for such periods and in such form and content as the  
3 Property Tax Administrator shall deem appropriate. The Property Tax  
4 Administrator shall so construct and maintain the system used to collect  
5 and analyze the data to enable him or her to make intracounty comparisons  
6 of assessed valuation, including school districts and other political  
7 subdivisions, as well as intercounty comparisons of assessed valuation,  
8 including school districts and other political subdivisions. The Property  
9 Tax Administrator shall include analysis of real property sales pursuant  
10 to land contracts and similar transfers at the time of execution of the  
11 contract or similar transfer.

12 Sec. 5. Section 77-2005, Revised Statutes Cumulative Supplement,  
13 2022, is amended to read:

14 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related  
15 to the deceased by blood or legal adoption, or other lineal descendant of  
16 the same, or the spouse or surviving spouse of any of such persons, the  
17 rate of tax shall be:

18 (a) For decedents dying prior to January 1, 2023, thirteen percent  
19 of the clear market value of the property received by each person in  
20 excess of fifteen thousand dollars; ~~and~~

21 (b) For decedents dying on or after January 1, 2023, and before  
22 January 1, 2025, eleven percent of the clear market value of the property  
23 received by each person in excess of forty thousand dollars; ~~and -~~

24 (c) For decedents dying on or after January 1, 2025, eight percent  
25 of the clear market value of the property received by each person in  
26 excess of forty thousand dollars.

27 (2) If the clear market value of the beneficial interest is less

28 than or equal to the applicable exempt amount under subsection (1) of  
29 this section, it shall not be subject to tax. In addition, any interest  
30 passing to a person described in subsection (1) of this section who is  
31 under twenty-two years of age shall not be subject to tax.

1 Sec. 6. Section 77-2006, Revised Statutes Cumulative Supplement,  
2 2022, is amended to read:

3 77-2006 (1) In all other cases the rate of tax shall be:

4 (a) For decedents dying prior to January 1, 2023, eighteen percent  
5 of the clear market value of the beneficial interests received by each  
6 person in excess of ten thousand dollars; ~~and~~

7 (b) For decedents dying on or after January 1, 2023, and before  
8 January 1, 2025, fifteen percent of the clear market value of the  
9 beneficial interests received by each person in excess of twenty-five  
10 thousand dollars; ~~and~~ -

11 (c) For decedents dying on or after January 1, 2025, eight percent  
12 of the clear market value of the beneficial interests received by each  
13 person in excess of twenty-five thousand dollars.

14 (2) If the clear market value of the beneficial interest is less  
15 than or equal to the applicable exempt amount under subsection (1) of  
16 this section, it shall not be subject to any tax. In addition, any  
17 interest passing to a person who is under twenty-two years of age shall  
18 not be subject to tax.

19 Sec. 9. Section 81-3140, Revised Statutes Cumulative Supplement,  
20 2022, is amended to read:

21 81-3140 (1)(a) The purpose of the Health Care Homes for the  
22 Medically Underserved Fund is to enhance the ability of Nebraska's  
23 federally qualified health centers to provide patient-centered medical  
24 homes to low-income medically underserved populations. Twenty-five  
25 percent of the state portion of medicaid fraud settlement funds deposited  
26 into the Medicaid Fraud Settlement Fund in the Department of Health and  
27 Human Services annually shall be transferred to the Health Care Homes for  
28 the Medically Underserved Fund for distribution to federally qualified  
29 health centers in Nebraska. Such funds shall be distributed  
30 proportionately based on the unduplicated number of patients served in  
31 the previous year by such federally qualified health centers as reported  
1 through the uniform data system of the Health Resources and Services  
2 Administration of the United States Department of Health and Human  
3 Services.

4 (b) Five percent of the state portion of the medicaid fraud  
5 settlement funds deposited into the Medicaid Fraud Settlement Fund in the  
6 Department of Health and Human Services annually shall be transferred to  
7 the Health Care Homes for the Medically Underserved Fund for distribution  
8 to federally qualified health centers in Nebraska. Such funds shall be  
9 used for persons receiving services under section 330(h) or 330(i) of the  
10 federal Public Health Service Act, 42 U.S.C. 254b, as such section  
11 existed on January 1, 2016.

12 (2) Funds distributed pursuant to subsection (1) of this section  
13 shall be used for the following purposes:

14 (a) Hiring, training, certifying, and maintaining staff dedicated to  
15 patient-centered chronic disease management, including, but not limited  
16 to, case managers, health educators, social workers, outreach and  
17 enrollment workers, and community health workers;

18 (b) Providing services, including, but not limited to, interpreter  
19 services, transportation services, and social work assistance;

20 (c) Capital improvements, including, but not limited to, facility  
21 expansion, leasing additional space, and furnishing, equipment, or  
22 redesign of facilities to support patient-centered care;

23 (d) Medication management, including, but not limited to, clinical  
24 pharmacy services, pharmacists, clinical pharmacists, technology for  
25 monitoring and real-time notification, and care managers;

26 (e) Information technology, including, but not limited to,  
27 telehealth services, analytics tools, patient registries, and updates to  
28 electronic health records systems; and

29 (f) Reimbursement to health care providers, including, but not

30 limited to, physicians, nurse practitioners, dieticians, diabetic  
 31 educators, behavioral health providers, and oral health providers.  
 1 (3)(a) Money transferred to the fund under subdivision (8) of  
 2 section 76-903 shall be distributed to federally qualified health centers  
 3 proportionately based on the unduplicated number of uninsured patients  
 4 served in the previous year by such federally qualified health centers as  
 5 reported on the uniform data system of the Health Resources and Services  
 6 Administration of the United States Department of Health and Human  
 7 Services.  
 8 (b) Money transferred to the fund under subdivision (9) of section  
 9 76-903 shall be distributed to federally qualified health centers as  
 10 grants to be used for persons receiving services under subsections (h)  
 11 and (i) of section 330 of the federal Public Health Service Act, 42  
 12 U.S.C. 254b, as such section existed on January 1, 2024.  
 13 2. Renumber the remaining sections and correct the repealer  
 14 accordingly.

Senator Wayne moved for a call of the house. The motion prevailed with 24 ayes, 2 nays, and 23 not voting.

Senator Wayne requested a roll call vote on the McDonnell amendment.

Voting in the affirmative, 25:

Aguilar	Bostelman	Erdman	Jacobson	Meyer
Albrecht	Brandt	Halloran	Kauth	Murman
Arch	Clements	Hansen	Linehan	Sanders
Bosn	DeKay	Hardin	Lippincott	von Gillern
Bostar	Dorn	Holdcroft	McDonnell	Wayne

Voting in the negative, 10:

Armendariz	Conrad	Hughes	Moser	Slama
Ballard	Dover	Ibach	Riepe	Vargas

Present and not voting, 9:

Blood	Cavanaugh, M.	Dungan	McKinney	Wishart
Cavanaugh, J.	DeBoer	Fredrickson	Walz	

Excused and not voting, 5:

Brewer	Day	Hunt	Lowe	Raybould
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The McDonnell amendment was adopted with 25 ayes, 10 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 27 ayes, 10 nays, 7 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 1363A.** Title read. Considered.



Advanced to Enrollment and Review Initial with 29 ayes, 8 nays, 7 present and not voting, and 5 excused and not voting.

**AMENDMENT(S) - Print in Journal**

Senator Murman filed the following amendment to [LB1331A](#):  
[AM3415](#) is available in the Bill Room.

Senator von Gillern filed the following amendment to [LB1023](#):  
[AM3375](#)

(Amendments to Standing Committee amendments, AM3034)

1 1. On page 19, line 23, strike "2025" and insert "2026"; and in line  
2 30 after "deducting" insert "sixty percent of".

**COMMITTEE REPORT(S)**

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Roger Figard - Board of Public Roads Classifications and Standards  
Russell L. Kreachbaum, Jr. - Board of Public Roads Classifications and Standards  
Steven Rames - Board of Public Roads Classifications and Standards

Aye: 8. Bosn, Bostelman, Brandt, Cavanaugh, M., DeBoer, DeKay, Fredrickson, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Moser, Chairperson

Judiciary

**LEGISLATIVE RESOLUTION 279CA.** Placed on General File with amendment.

[AM3090](#)

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 all laws necessary to protect and  
8 provide for the physical security of first responders, as defined by the  
9 Legislature, throughout the State of Nebraska, which shall include, but  
10 need not be limited to, law enforcement officers, firefighters, emergency  
11 medical providers, health care professionals, correctional officers, and  
12 Nebraska National Guard members while deployed within the State of  
13 Nebraska. To that end, the Legislature shall enact laws providing that:  
14 (1) Any individual, other than a minor, may be sentenced to a

15 minimum term of imprisonment of twenty-five years if such individual is  
 16 convicted of a criminal offense involving assault on a first responder  
 17 that (a) is committed while the first responder is engaged in the  
 18 performance of his or her official duties and (b) results in serious  
 19 physical injury to the first responder; and  
 20 (2) Any individual, other than a minor, may be sentenced to a  
 21 minimum term of life imprisonment if such individual is convicted of  
 22 murder in the first degree or murder in the second degree of a first  
 23 responder that is committed (a) while the first responder is engaged in  
 24 the performance of his or her official duties and (b) during the  
 25 commission of another criminal offense.  
 26 Sec. 2. The proposed amendment shall be submitted to the electors  
 27 in the manner prescribed by the Constitution of Nebraska, Article XVI,  
 1 section 1, with the following ballot language:  
 2 A constitutional amendment to require the Legislature to enact laws  
 3 providing for the possibility of a minimum sentence of twenty-five years'  
 4 imprisonment for certain assaults on first responders and a minimum  
 5 sentence of life imprisonment for certain offenses involving murder of a  
 6 first responder.  
 7 For  
 8 Against.

(Signed) Justin Wayne, Chairperson

### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

**LB/LR Committee**  
 LR408 Nebraska Retirement Systems

(Signed) Raymond Aguilar, Chairperson  
 Executive Board

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 470.** Introduced by Hansen, 16.

WHEREAS, the 2024 Nebraska School Activities Association State Wrestling Tournament was held from February 15 through February 17 at the CHI Health Center Omaha; and

WHEREAS, Braxton Siebrandt competed in the tournament for the Wisner-Pilger High School boys wrestling team, coached by Craig Dennis; and

WHEREAS, Siebrandt secured the Class D 132-pound championship title against Jaxon Smith of Elm Creek; and

WHEREAS, this is the second state championship win in Siebrandt's high school career along with being a three-time state finalist; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Braxton Siebrandt for winning the Class D Wrestling State Championship title in the 132-pound weight class.
2. That copies of this resolution be sent to Braxton Siebrandt, Craig Dennis, and Wisner-Pilger High School.

Laid over.

#### SELECT FILE

**LEGISLATIVE BILL 1085.** [ER123](#), found on page 1501, was offered.

ER123 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 903.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1326.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1214.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1070.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 910.** [ER124](#), found on page 1501, was offered.

ER124 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1029.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 840.** [ER102](#), found on page 1308, was offered.

ER102 was adopted.

Senator von Gillern offered [MO1360](#), found on page 1484, to bracket until April 18, 2024.

Senator von Gillern asked unanimous consent to withdraw his motion to bracket.

No objections. So ordered.

Senator von Gillern asked unanimous consent to withdraw the following motions:

[MO1359](#), found on page 1484, to recommit to committee.

[MO1358](#), found on page 1484, to indefinitely postpone.

No objections. So ordered.

Senator von Gillern withdrew [FA352](#), found on page 1485.

Senator McDonnell withdrew [AM3208](#), found on page 1484.

Senator McKinney offered [AM3351](#), found on page 1543.

Senator Jacobson offered the following amendment to the McKinney amendment:

[AM3396](#)

(Amendments to AM3351)

- 1 1. Strike sections 6, 7, 8, 9, 10, 11, 12, 13, 14, 17, and 18.
- 2 2. On page 17, lines 26 and 28, strike "operative date of this section" and insert "effective date of this act".
- 3 3. On page 19, strike beginning with "sections" in line 12 through
- 4 5 the second "and" in line 13.
- 5 6 4. Renumber the remaining sections accordingly.

Senator Jacobson moved for a call of the house. The motion prevailed with 25 ayes, 1 nay, and 23 not voting.

Senator Jacobson requested a roll call vote on his amendment, to the McKinney amendment.

Voting in the affirmative, 19:

Albrecht	Dorn	Holdcroft	Lippincott	Sanders
Ballard	Dover	Ibach	Lowe	Slama
Clements	Erdman	Jacobson	Meyer	von Gillern
DeKay	Hardin	Kauth	Moser	

Voting in the negative, 16:

Aguilar	Cavanaugh, J.	Dungan	Vargas
Armendariz	Conrad	Fredrickson	Walz
Blood	Day	McDonnell	Wayne
Brandt	DeBoer	McKinney	Wishart

Present and not voting, 9:

Arch            Bostelman        Halloran        Hughes        Murman  
Bostar        Cavanaugh, M.   Hansen        Linehan

Excused and not voting, 5:

Bosn            Brewer            Hunt            Raybould        Riepe

The Jacobson amendment, to the McKinney amendment, lost with 19 ayes, 16 nays, 9 present and not voting, and 5 excused and not voting.

The McKinney amendment was adopted with 29 ayes, 10 nays, 5 present and not voting, and 5 excused and not voting.

Senator Slama requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 25 ayes, 13 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 1329.** [ER105](#), found on page 1322, was offered.

ER105 was adopted.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1208](#), found on page 885, to recommit to committee.

[MO1207](#), found on page 885, to indefinitely postpone.

No objections. So ordered.

Senator M. Cavanaugh withdrew [FA236](#), found on page 886.

Senator M. Cavanaugh withdrew [FA237](#), found on page 886.

Senator Murman asked unanimous consent to withdraw [FA238](#), found on page 886, and replace it with substitute amendment, [AM3382](#), found on page 1547. No objections. So ordered.

The Murman amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Senator Murman withdrew [FA239](#), found on page 886.

Senator Murman withdrew [FA240](#), found on page 886.

Senator Walz asked unanimous consent to withdraw [AM3150](#), found on page 1203, and replace it with substitute amendment, [AM3234](#), found on page 1369.

Senator Slama objected.

Senator Walz offered the following motion:

[MO1381](#)

Withdraw and substitute AM3234 for AM3150

The Walz motion to withdraw and substitute prevailed with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Senator Walz offered [AM3234](#), found on page 1369.

The Walz amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Senator Conrad withdrew [AM3235](#), found on page 1332.

Senator Murman withdrew [FA322](#), found on page 1335.

Senator Murman withdrew [AM3365](#), found on page 1519.

Senator Wayne offered the following amendment:

[AM3236](#)

(Amendments to E&R amendments, ER105)

1 1. Strike section 67 and insert the following new section:

2 Sec. 67. (1) Except as provided in subsection (2) of this section,  
 3 beginning in school year 2024-25, a public school shall not allow the use  
 4 of a Mercator projection map in school. A public school shall only use  
 5 the Gall-Peters projection map or a similar cylindrical equal-area  
 6 projection map or the AuthaGraph projection map for display or use in the  
 7 classroom.

8 (2) A Mercator projection map may be used in a classroom if such map  
 9 is:

10 (a) Used in conjunction with other projection maps in a teaching  
 11 exercise to demonstrate that all maps are flawed in some way and  
 12 different map projections serve different functions and may affect how an  
 13 individual views the world; or

14 (b)(i) Part of any (A) book or material obtained prior to the  
 15 effective date of this act, (B) geographic information system, or (C)  
 16 computer program that renders a three-dimensional representation of Earth  
 17 based primarily on satellite imagery, such as Google Earth or similar  
 18 software; and

19 (ii) A Gall-Peters projection map or a similar cylindrical equal-  
 20 area projection map or an AuthaGraph projection map is displayed in the  
 21 classroom or shown to students during the lesson in which a Mercator  
 22 projection map is used.

23 (3) Nothing in this section shall be construed to require a school  
 24 to dispose of or replace any book or material used in the classroom or  
 25 obtained prior to the effective date of this act.

26 (4) The school board of each public school district shall adopt a  
 1 policy to implement the requirements of this section.

The Wayne amendment was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Murman withdrew [FA323](#), found on page 1335.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1329A.** Senator Murman offered the following amendment:

[AM3421](#) is available in the Bill Room.

The Murman amendment was adopted with 38 ayes, 1 nay, 7 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1284.** [ER119](#), found on page 1392, was offered.

ER119 was adopted.

Senator Walz offered the following amendment:

[AM3414](#) is available in the Bill Room.

The Walz amendment was adopted with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

Senator Linehan offered the following amendment:

[FA415](#)

Strike Section 12.

The Linehan amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1284A.** Senator Walz offered the following amendment:

[AM3422](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. The State Treasurer shall transfer \$1,000,000 from the  
4 Education Future Fund to the Computer Science and Technology Education  
5 Fund on or before June 30, 2025, on such dates and in such amounts as  
6 directed by the budget administrator of the budget division of the  
7 Department of Administrative Services.  
8 Sec. 2. The State Treasurer shall transfer \$500,000 from the  
9 Education Future Fund to the Computer Science and Technology Education  
10 Fund upon notification by the State Department of Education to the State  
11 Treasurer that private matching funds have been received, on or before  
12 June 30, 2025, on such dates and in such amounts as directed by the  
13 budget administrator of the budget division of the Department of  
14 Administrative Services.

15 Sec. 3. There is hereby appropriated (1) \$5,148,487 from the General  
 16 Fund and \$1,500,000 from the Computer Science and Technology Education  
 17 Fund and \$148,533 from the Education Future Fund for FY2024-25 and (2)  
 18 \$5,080,358 from the General Fund and \$1,500,000 from the Computer Science  
 19 and Technology Education Fund and \$398,533 from the Education Future Fund  
 20 for FY2025-26 to the State Department of Education, for Program 25, to  
 21 aid in carrying out the provisions of Legislative Bill 1284, One Hundred  
 22 Eighth Legislature, Second Session, 2024.  
 23 There is included in the appropriation to this program for FY2024-25  
 24 \$5,000,000 General Funds for state aid for the Teach in Nebraska Today  
 25 Act, which shall only be used for such purpose. There is included in the  
 26 appropriation to this program for FY2025-26 \$5,000,000 General Funds for  
 27 state aid for the Teach in Nebraska Today Act, which shall only be used  
 1 for such purpose.  
 2 There is included in the appropriation to this program for FY2024-25  
 3 \$-0- Cash Funds for a pilot program to make menstrual products available  
 4 to each school district. There is included in the appropriation to this  
 5 program for FY2025-26 \$250,000 Cash Funds for a pilot program to make  
 6 menstrual products available to each school district.  
 7 Total expenditures for permanent and temporary salaries and per  
 8 diems from funds appropriated in this section shall not exceed \$115,915  
 9 for FY2024-25 or \$74,784 for FY2025-26.  
 10 Sec. 4. There is hereby appropriated (1) \$2,351,467 from the  
 11 Education Future Fund for FY2024-25 and (2) \$1,851,467 from the Education  
 12 Future Fund for FY2025-26 to the State Department of Education, for  
 13 Program 158, to aid in carrying out the provisions of Legislative Bill  
 14 1284, One Hundred Eighth Legislature, Second Session, 2024.  
 15 There is included in the appropriation to this program for FY2024-25  
 16 \$2,351,467 Cash Funds for state aid, which shall only be used for such  
 17 purpose. There is included in the appropriation to this program for  
 18 FY2025-26 \$1,851,467 Cash Funds for state aid, which shall only be used  
 19 for such purpose.  
 20 There is included in the amount shown as aid for this program for  
 21 FY2024-25 \$1,851,467 Cash Funds for aid to educational service units to  
 22 provide regional coaches and job-embedded training relating to evidence-  
 23 based reading instruction. There is included in the amount shown as aid  
 24 for this program for FY2025-26 \$1,851,467 Cash Funds for aid to  
 25 educational service units to provide regional coaches and job-embedded  
 26 training relating to evidence-based reading instruction.  
 27 There is included in the amount shown as aid for this program for  
 28 FY2024-25 \$500,000 Cash Funds for grants awarded under the Dyslexia  
 29 Research Grant Program. There is included in the amount shown as aid for  
 30 this program for FY2025-26 \$-0- Cash Funds for grants awarded under the  
 31 Dyslexia Research Grant Program.  
 1 No expenditures for permanent and temporary salaries and per diems  
 2 for state employees shall be made from funds appropriated in this  
 3 section.  
 4 Sec. 5. There is hereby appropriated (1) \$67,213 from the General  
 5 Fund for FY2024-25 and (2) \$-0- from the General Fund for FY2025-26 to  
 6 the Department of Revenue, for Program 102, to aid in carrying out the  
 7 provisions of Legislative Bill 1284, One Hundred Eighth Legislature,  
 8 Second Session, 2024.  
 9 No expenditures for permanent and temporary salaries and per diems  
 10 for state employees shall be made from funds appropriated in this  
 11 section.  
 12 Sec. 6. Since an emergency exists, this act takes effect when passed  
 13 and approved according to law.

Senator Walz offered the following amendment to her amendment:

[FA416](#)

Amend AM3422 in sec. 3, page 1, line 15, strike "5,148,487" and insert "148,487"; in sec. 3, page 1, line 18, strike "5,080,358" and insert "80,358"; in sec. 3, page 1, strike lines 23 to 27 and renumber lines accordingly; in sec. 3, page 2, strike line 1 and renumber accordingly; and strike sec. 5.



The Walz amendment, to her amendment, was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

The Walz amendment, as amended, was adopted with 32 ayes, 0 nays, 14 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

#### **AMENDMENT(S) - Print in Journal**

Senator von Gillern filed the following amendment to [LB1317](#):  
[AM3427](#) is available in the Bill Room.

#### **VISITOR(S)**

Visitors to the Chamber were students from Trinity Lutheran, Grand Island; students from St. Michael Catholic School, Lincoln.

#### **RECESS**

At 12:08 p.m., on a motion by Senator DeKay, the Legislature recessed until 1:10 p.m.

#### **AFTER RECESS**

The Legislature reconvened at 1:10 p.m., Senator DeBoer presiding.

#### **ROLL CALL**

The roll was called and all members were present except Senators Blood, Conrad, Fredrickson, Jacobson, Linehan, Moser, Raybould, Slama, and Wishart who were excused until they arrive.

#### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1344A.** Placed on Final Reading.

**LEGISLATIVE BILL 62A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

#### **SELECT FILE**

**LEGISLATIVE BILL 253.** [ER113](#), found on page 1393, was offered.

ER113 was adopted.

Senator Fredrickson withdrew [AM3226](#), found on page 1333.

Senator Wayne offered [AM3321](#), found on page 1467.

The Wayne amendment was adopted with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Holdcroft withdrew [AM3366](#), found on page 1533.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 196.** [ER125](#), found on page 1502, was offered.

ER125 was adopted.

Senator Bostar offered the following amendment:

[FA418](#)

Amend AM3151 in line 2, strike "State Claims Board shall make an"; in line 3 after "claim" insert "shall be made"; in line 4 strike "Miscellaneous" and insert "Tort", and after "Act", insert "in accordance with 81-8,212"; in line 5, strike "forty-five" and insert "one-hundred eighty"; in line 7, strike "in accordance with section 81-8,300"; in line 11, strike "Risk Manager" and insert "the district court for Lancaster County"; in line 12, strike "subsection (2) of section 81-8,300" and insert "81-8,213 and 81-8,214"; and in line 14, strike "subsection (3) of section 81-8,300" and insert "81-8,211".

The Bostar amendment was withdrawn.

Senator Bostar offered the following amendment:

[AM3436](#)

(Amendments to E&R amendments, ER125)

1 1. Strike section 1 and insert the following new section:  
 2 Section 1. Section 81-8,318, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 81-8,318 (1) To receive compensation under the In the Line of Duty  
 5 Compensation Act, a claim for the compensation ~~shall~~ ~~must~~ be filed with  
 6 the Risk Manager within ~~three years~~ ~~one year~~ after the date of death of  
 7 the public safety officer who was killed in the line of duty. Such claim  
 8 shall be on a form prescribed by the Risk Manager and shall include:  
 9 (a) The name, address, and title or position of the public safety  
 10 officer who was killed in the line of duty;  
 11 (b) A copy of the form filed in accordance with subsection (4) of  
 12 section 81-8,317, if any. If no such form has been filed, the claim shall  
 13 include the name and address of the person or persons to whom  
 14 compensation is payable under subdivision (3)(b) of section 81-8,317;  
 15 (c) A sworn statement providing a full factual account of the  
 16 circumstances resulting in or the course of events causing the death of  
 17 the public safety officer; and  
 18 (d) Such other information as the Risk Manager reasonably requires.  
 19 (2) The Risk Manager shall send written notice to all claimants  
 20 within two weeks after the initiation of a claim indicating whether or  
 21 not the claim is complete. For purposes of this subsection, a claim is  
 22 complete if a claimant has submitted to the Risk Manager all documents  
 23 and information required under subsection (1) of this section. If a claim  
 24 is incomplete, the Risk Manager shall include in the written notice a  
 25 list of the documents or information which the claimant must submit in  
 26 order for the claim to be complete. If a claim is complete, ~~the State~~  
 1 ~~Claims Board shall make~~ an investigation of the claim shall be made in

2 the manner provided in the State ~~Tort Miscellaneous~~ Claims Act in  
 3 accordance with section 81-8.212. Upon completion of such investigation,  
 4 and no later than ~~one hundred eighty~~ forty-five days after receipt of a  
 5 complete claim, the State Claims Board shall approve or deny such claim  
 6 ~~in accordance with section 81-8.300~~ and the Risk Manager shall send  
 7 written notice to the claimant stating whether the claim has been  
 8 approved or denied. If a claim is denied, the notice shall include the  
 9 reason or reasons for the denial. If a claimant is dissatisfied with a  
 10 denial, he or she may file an application for review with the district  
 11 court for Lancaster County Risk Manager in accordance with sections  
 12 81-8.213 and 81-8.214 subsection (2) of section 81-8.300. If a claim is  
 13 approved, compensation shall be paid to the claimants entitled to such  
 14 compensation in accordance with subsection (3) of section 81-8.211  
 15 81-8.300.  
 16 (3) This section shall apply to any claim arising on or after  
 17 January 1, 2022.

The Bostar amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 196A.** Senator McDonnell offered [AM3371](#), found on page 1546.

The McDonnell 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.

**LEGISLATIVE BILL 631.** [ER128](#), found on page 1517, was offered.

ER128 was adopted.

Senator McKinney offered the following amendment:

[AM3349](#)

(Amendments to AM3262)

- 1 1. Strike sections 24, 35, 47, 49, and 51.
- 2 2. On page 3, line 13, strike "board" and insert "division"; in line
- 3 17 strike "by the board"; in line 18 after the second occurrence of "the"
- 4 insert "department and"; and in line 24 strike "two" and insert "three".
- 5 3. On page 6, line 17, after "each" insert "parole-eligible"; in
- 6 line 18 strike "by the board"; and in line 23 strike "by the department"
- 7 and insert "under subsection (3) of section 4 of this act".
- 8 4. On page 7, line 12, strike "shall" and insert "may"; and in line
- 9 15 strike "including presentencing reports" and insert "other than
- 10 presentence investigation reports".
- 11 5. On page 12, line 13, strike "25 and 47" and insert "24 and 41".
- 12 6. On page 13, line 14, strike "Board of Parole" and insert
- 13 "Department of Correctional Services"; and in line 18 strike "Board of
- 14 Parole" and insert "department".
- 15 7. On page 14, strike lines 30 and 31 and insert the following new
- 16 subsection:
- 17 (2) This section does not:
- 18 (a) Apply to the extent that it would jeopardize federal funding for
- 19 a grant program; or
- 20 (b) Prohibit a state agency or political subdivision from requiring

21 that a person currently or previously on probation or parole have an  
 22 undersigner or co-grantee who has not previously been convicted of a  
 23 criminal offense.".

24 8. On page 15, in lines 15 through 20 strike the new matter and  
 25 reinstate the stricken matter; after line 22 insert the following new  
 26 subsection:

1 "(3) This section does not prohibit a member of the Legislature from  
 2 bringing an electronic communication device into a facility. However, a  
 3 member of the Legislature shall not intentionally provide an inmate of a  
 4 facility with an electronic communication device."; in line 23 strike  
 5 "(3)", show as stricken, and insert "(4)"; and in line 31 strike "(4)",  
 6 show as stricken, and insert "(5)".

7 9. On page 16, line 1, strike "(5)", show as stricken, and insert  
 8 "(6)".

9 10. On page 20, line 6, strike "25" and insert "24".

10 11. On page 27, strike lines 25 through 28; and in line 29 strike  
 11 "(3)" and insert "(2)".

12 12. On page 33, strike lines 27 through 31.

13 13. On page 34, in lines 1, 2, and 4, strike the new matter and  
 14 reinstate the stricken matter; in line 7 strike "(12)" and insert "(11);"  
 15 and in line 10 strike "(13)" and insert "(12)".

16 14. On page 46, line 26, strike "43 to 52" and insert "41 to 47".

17 15. On page 47, line 18, strike "56" and insert "51"; and in line  
 18 29, strike "Board of Parole and".

19 16. On page 48, line 1, strike "board's and"; and strike beginning  
 20 with "and" in line 23 through "of" in line 24 and insert "shall develop  
 21 and implement".

22 17. On page 51, line 28, strike "45" and insert "43".

23 18. On page 52, line 3, strike "83-190, and" and insert "and  
 24 83-190,"; in line 4 strike "83-196,"; and in line 7 strike "29-2261,".

25 19. Renumber the remaining sections and correct the repealer  
 26 accordingly.

The McKinney amendment was adopted with 29 ayes, 0 nays, 16 present  
 and not voting, and 4 excused and not voting.

Senator McKinney offered the following amendment:

[FA411](#)

Amend AM3262 in sec. 25, line 22, change "shall" to "should" and in line 23, change "shall" to  
 "should".

The McKinney amendment was adopted with 27 ayes, 0 nays, 18 present  
 and not voting, and 4 excused and not voting.

Senator McKinney offered the following amendment:

[AM3434](#)

(Amendments to AM3262)

1 1. On page 7, strike beginning with "A" in line 16 through line 17.

The McKinney amendment was adopted with 30 ayes, 0 nays, 15 present  
 and not voting, and 4 excused and not voting.

Senator Aguilar offered the following amendment:

[AM3439](#)

(Amendments to AM3262)

1 1. Strike sections 27 to 30.  
 2 2. Renumber the remaining sections, correct internal references, and  
 3 correct the repealer accordingly.

The Aguilar amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Senator Lowe requested a record vote on the advancement of the bill.

Voting in the affirmative, 32:

Aguilar	Brewer	Dover	Kauth	Vargas
Arch	Cavanaugh, J.	Dungan	Linehan	von Gillern
Armendariz	Cavanaugh, M.	Fredrickson	McDonnell	Walz
Ballard	Day	Halloran	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	
Bostar	DeKay	Hunt	Riepe	
Brandt	Dorn	Jacobson	Sanders	

Voting in the negative, 4:

Clements	Hardin	Lippincott	Lowe
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Present and not voting, 9:

Albrecht	Erdman	Holdcroft	Moser	Wishart
Bostelman	Hansen	Ibach	Murman	

Excused and not voting, 4:

Bosn	Conrad	Raybould	Slama
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Advanced to Enrollment and Review for Engrossment with 32 ayes, 4 nays, 9 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 631A.** Senator Wayne offered the following amendment:

[AM3432](#) is available in the Bill Room.

Senator Wayne offered the following amendment to his amendment:

[FA420](#)

Amend AM3432 by striking Section 4.

The Wayne amendment, to his amendment, was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

The Wayne amendment, as amended, was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 399.** [ER130](#), found on page 1545, was offered.

ER130 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 686.** Senator Jacobson offered the following amendment:

[AM3413](#) is available in the Bill Room.

The Jacobson amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Senator Clements withdrew [FA368](#), found on page 1518.

Senator Clements withdrew [FA369](#), found on page 1518.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1370.** [ER117](#), found on page 1392, was offered.

ER117 was adopted.

Senator Blood offered [AM3164](#), found on page 1372.

The Blood amendment was withdrawn.

Senator Bostelman offered [AM3245](#), found on page 1404.

The Bostelman amendment was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

Senator J. Cavanaugh offered the following amendment:

[AM3426](#)

(Amendments to Standing Committee amendments, AM2863)

1 1. On page 1, line 15, after the period insert "Such written notice  
 2 shall include recommendations on necessary transition activities to avoid  
 3 economic harm to workers at such facility or to an affected community.  
 4 Transition activities include, but are not necessarily limited to:  
 5 (i) Educating workers regarding the availability of various  
 6 assistance programs, including what options are available to maintain  
 7 employment with such entity;  
 8 (ii) Explaining what severance pay will be available to workers;  
 9 (iii) Services for workers including education and job training,  
 10 career counseling, skills-matching, and financial planning assistance;  
 11 and  
 12 (iv) Promoting economic development opportunities in the affected  
 13 community, including the creation of comparable jobs."

The J. Cavanaugh amendment was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1017.** Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1223](#), found on page 890, to bracket.

[MO1224](#), found on page 890, to recommit to committee.

[MO1225](#), found on page 890, to recommit to committee.

[MO1226](#), found on page 890, to indefinitely postpone.

[MO1227](#), found on page 890, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1092.** [ER118](#), found on page 1399, was offered.

ER118 was adopted.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1313](#), found on page 1322, to recommit to committee.

[MO1311](#), found on page 1322, to indefinitely postpone.

No objections. So ordered.

Senator Murman withdrew [FA304](#), found on page 1202.

Senator Murman asked unanimous consent to withdraw [MO1318](#), found on page 1394, to indefinitely postpone.

No objections. So ordered.

The Murman motion [MO1317](#), found on page 1393, to recommit to committee, was not considered.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 30 ayes, 1 nay, 16 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 1300.** [ER132](#), found in this day's Journal, was offered.

ER132 was adopted.

Senator M. Cavanaugh withdrew [FA346](#), found on page 1485.

Senator M. Cavanaugh withdrew [FA347](#), found on page 1485.

Senator Bostar asked unanimous consent to withdraw the following amendment, [AM3405](#), and replace it with the following substitute amendment, [AM3423](#). No objections. So ordered.

[AM3405](#)

(Amendments to Standing Committee amendments, AM3227)

1 1. Strike sections 1 to 9 and insert the following new sections:

2 Section 1. Sections 1 to 6 of this act shall be known and may be  
3 cited as the Pacific Conflict Stress Test Act.

4 Sec. 2. The purpose of the Pacific Conflict Stress Test Act is to  
5 prepare and secure the State of Nebraska in order to minimize the  
6 disruptive impact of a potential conflict precipitated by foreign  
7 adversaries against allies, democratic countries, and the United States  
8 Armed Forces in the Pacific theater.

9 Sec. 3. For purposes of the Pacific Conflict Stress Test Act:

10 (1) Critical infrastructure means systems and assets, whether  
11 physical or virtual, so vital to this state or the United States that the  
12 incapacity or destruction of such systems and assets would have a  
13 debilitating impact on state or national security, state or national  
14 economic security, state or national public health, or any combination of  
15 such matters. Critical infrastructure may be publicly or privately owned  
16 and includes, but is not limited to:

17 (a) Fossil fuel production, storage, or delivery systems;

18 (b) Water supply, refinement, storage, or delivery systems;

19 (c) Telecommunications networks;

20 (d) Electrical power delivery systems, including power generation,

21 transmission, and distribution systems;

22 (e) Emergency services; and

23 (f) Transportation systems and services;

24 (2) Critical procurement means those acquisitions made by the state  
25 or any agency of the state that are critical to the proper functioning of  
26 critical infrastructure or to the health, safety, or security of the  
1 State of Nebraska or the United States;

2 (3) Divestment means the sale, forfeiture, or otherwise contractual  
3 end of any current or planned ownership or control of assets;

4 (4) Investment means any transfer of funds into any active or  
5 passive, direct or indirect, structure which seeks to generate revenue or  
6 accomplish any other gain, including nonmonetary gains;

7 (5)(a) Pacific conflict means a declared war or armed conflict  
8 between the United States or any of its allies and another nation that  
9 occurs in the land, sea, or air area of the Pacific Ocean and threatens  
10 or could reasonably escalate to threaten the supply chains, critical  
11 infrastructure, safety, or security of the State of Nebraska or the  
12 United States.

13 (b) Pacific conflict includes a serious deterioration of diplomatic  
14 ties or economic engagement between the United States or its allies and  
15 another nation that threatens the status quo of Pacific trade, travel,  
16 and military operations or exercises;

17 (6)(a) State-managed fund means any short-term or long-term  
18 investment structure that is state-managed, state-run, state-controlled,  
19 or otherwise overseen by the State of Nebraska, a state agency, a  
20 political subdivision of this state, or any agency controlled by such a



21 political subdivision. This subdivision shall apply only to any fund that  
22 is subject to the purview or direction of the state or applicable  
23 political subdivision and is populated, wholly or in part, with state  
24 funds, including, but not limited to, any such fund managed by a third-  
25 party entity, such as a fiduciary.  
26 (b) State-managed fund includes, but is not limited to, public  
27 pension funds, public retirement funds, or other state-sponsored funds,  
28 that are sponsored, maintained, or contributed to or required to be  
29 contributed to by this state or any subsidiary of the state;  
30 (7) State supply chain means the end-to-end process for shipping  
31 goods, purchased by the state, to the State of Nebraska, beginning at the  
1 point of origin through a point or points of distribution to the  
2 destination; and  
3 (8) State vendor supply chain means the end-to-end process for  
4 shipping goods, purchased by the state from state vendors, to the  
5 vendors, beginning at the point of origin through a point or points of  
6 distribution to the destination.  
7 Sec. 4. (1) The Department of Administrative Services shall conduct  
8 a review of critical procurements purchased or supplied through a state  
9 supply chain or state vendor supply chain and produce a report, which  
10 shall be electronically submitted using a secure method to the Governor  
11 by November 1, 2024.  
12 (2) The report shall:  
13 (a) Summarize the critical procurements produced in or by a foreign  
14 adversary, a state-owned enterprise of a foreign adversary, a company  
15 domiciled within a foreign adversary, or a company owned by a company  
16 domiciled within a foreign adversary;  
17 (b) Summarize the critical procurements manufactured in countries or  
18 by companies at risk of disruption in the event of a Pacific conflict;  
19 (c) Summarize the critical procurements sourced from any country or  
20 company which utilizes Pacific supply chain processes at risk of  
21 disruption in the event of a Pacific conflict;  
22 (d) Assess the difficulty in identifying potential alternative  
23 sourcing, if relevant; and  
24 (e) Assess the level of risk to the State of Nebraska associated  
25 with such a disruption in sourcing for each procurement that is  
26 threatened in the event of a Pacific conflict.  
27 (3) The Department of Administrative Services may contract with a  
28 private consultant to assist with the review and report required under  
29 this section, and such contract need not be competitively bid.  
30 (4) Information contained in the report required under this section  
31 is confidential. Unauthorized public disclosure of such confidential  
1 information is a Class III misdemeanor.  
2 Sec. 5. (1) The Nebraska Investment Council shall conduct an audit  
3 of all state-managed funds and produce a report, which shall be  
4 electronically submitted using a secure method to the Committee on  
5 Pacific Conflict created under section 6 of this act and the Governor  
6 within one hundred eighty days after the operative date of this section.  
7 (2) The report shall:  
8 (a) Summarize the investments at risk of substantially losing value  
9 or being frozen, seized, or appropriated by foreign adversaries in the  
10 event of a Pacific conflict;  
11 (b) Summarize the investments in any arms industry of a foreign  
12 adversary;  
13 (c) Summarize the investments in state-owned enterprises of a  
14 foreign adversary;  
15 (d) Summarize the investments in companies domiciled within a  
16 foreign adversary or owned by a company domiciled within a foreign  
17 adversary; and  
18 (e) Recommend strategies for the immediate and complete divestment

19 of the assets described in subdivisions (a) through (d) of this  
20 subsection.  
21 (3) Information contained in the report required under this section  
22 is confidential. Unauthorized public disclosure of such confidential  
23 information is a Class III misdemeanor.  
24 Sec. 6. (1) It shall be the policy of the State of Nebraska to:  
25 (a) Support the civilian and military command of the United States  
26 and its efforts to promote and maintain prosperity, peace, and security  
27 for America and its allies;  
28 (b) Enhance the defensive posture of this state so as to protect  
29 state citizens and assets and to contribute to the broader defensive  
30 posture of the United States by reducing security vulnerabilities within  
31 this state; and  
1 (c) Exercise foresight and make reasonable preparations for a  
2 potential regional or global conflict centered on the Pacific theater  
3 which could involve attacks upon the United States and its allies in the  
4 Pacific theater, which could involve asymmetrical attacks on the American  
5 homeland, and which could cause the disruption or complete severing of  
6 supply chains between this state and its vendors and the People's  
7 Republic of China, the Republic of China, or other countries in the  
8 Pacific theater.  
9 (2) The Committee on Pacific Conflict is hereby created. The  
10 committee shall consist of the following seven voting members:  
11 (a) The Director of State Homeland Security, appointed pursuant to  
12 section 81-830, who shall serve as chairperson of the committee;  
13 (b) The Director of Administrative Services;  
14 (c) The state investment officer;  
15 (d) The Adjutant General; and  
16 (e) Three individuals with applicable knowledge of the threats posed  
17 to this state in the event of a Pacific conflict, including at least one  
18 individual who represents an entity that is responsible for the operation  
19 and maintenance of critical infrastructure in this state. Such  
20 individuals shall be appointed by the Governor.  
21 (3) The committee shall also include four members of the  
22 Legislature, to be appointed by the Executive Board of the Legislative  
23 Council. The legislative members shall be nonvoting members of the  
24 committee.  
25 (4) Appointments to the committee shall be made within sixty days  
26 after the operative date of this section.  
27 (5) The committee shall be authorized for an initial period of three  
28 years.  
29 (6) The first meeting of the committee shall be held within ninety  
30 days after the operative date of this section.  
31 (7) The committee shall meet no less than once every three months.  
1 Additional meetings may be called at the will of the majority of the  
2 voting members of the committee, and emergency meetings may be called at  
3 the will of the chairperson of the committee or the Governor. In the  
4 interest of state and national security, meetings of the committee shall  
5 not be subject to the Open Meetings Act and the records and documents of  
6 the committee shall not be considered public records for purposes of  
7 sections 84-712 to 84-712.09.  
8 (8) At the discretion of the committee, an advisory board may be  
9 established and subject matter experts may be consulted to provide  
10 expertise or collaborative research support.  
11 (9) The committee is authorized to liaise with relevant federal  
12 government authorities, authorities from other state governments, and  
13 experts from research institutions for the purpose of obtaining  
14 information that is useful for the committee's work.  
15 (10) The committee is authorized to produce policy recommendations  
16 for the State of Nebraska.

17 (11) The committee is authorized to conduct secure hearings or  
 18 briefings with critical infrastructure providers for the purpose of  
 19 understanding the threats, risks, and vulnerabilities posed to critical  
 20 infrastructure in the event of a Pacific conflict, including potential  
 21 mitigation or emergency response strategies.  
 22 (12) The Governor shall annually produce and publish a state threat  
 23 assessment no later than the day prior to the annual address made to the  
 24 Legislature by the Governor. The annual state threat assessment shall  
 25 provide an overview of the substantial threats to state or national  
 26 security, state or national economic security, state or national public  
 27 health, or any combination of such matters, occurring within and  
 28 threatening the State of Nebraska to the extent such information can be  
 29 provided and stored in a manner that meets national security standards.  
 30 The state threat assessment shall include summary nonconfidential  
 31 findings of the Committee on the Pacific Conflict. Such summary  
 1 nonconfidential findings shall include no information that would create  
 2 any risk to state critical infrastructure or other sensitive state  
 3 assets.  
 4 (13) The committee may, at the discretion of the committee and upon  
 5 an affirmative vote of five of the committee's seven voting members,  
 6 produce a confidential report that shall be kept in a secure location to  
 7 be determined by the Governor and which shall only be accessed with the  
 8 approval of the Governor. Such report shall contain information,  
 9 instructions, and other findings that the committee deems useful to  
 10 preserve for the elected leaders of the State of Nebraska.  
 11 2. On page 12, line 3, strike "or"; and strike lines 8 through 12  
 12 and insert the following new subdivision:  
 13 "(c) Any company that sells to a public entity a final technology-  
 14 related product or service that originates with a company described in  
 15 subdivision (5)(a) or (b) of this section without incorporating that  
 16 product or service into another final product or service; and".  
 17 3. Renumber the remaining sections and correct internal references  
 18 accordingly.  
 19 4. Correct the operative date section so that the sections added by  
 20 this amendment become operative on their effective date.

### [AM3423](#)

(Amendments to Standing Committee amendments, AM3227)

1 1. Strike sections 1 to 9 and insert the following new sections:  
 2 Section 1. Sections 1 to 6 of this act shall be known and may be  
 3 cited as the Pacific Conflict Stress Test Act.  
 4 Sec. 2. The purpose of the Pacific Conflict Stress Test Act is to  
 5 prepare and secure the State of Nebraska in order to minimize the  
 6 disruptive impact of a potential conflict precipitated by foreign  
 7 adversaries against allies, democratic countries, and the United States  
 8 Armed Forces in the Pacific theater.  
 9 Sec. 3. For purposes of the Pacific Conflict Stress Test Act:  
 10 (1) Critical infrastructure means systems and assets, whether  
 11 physical or virtual, so vital to this state or the United States that the  
 12 incapacity or destruction of such systems and assets would have a  
 13 debilitating impact on state or national security, state or national  
 14 economic security, state or national public health, or any combination of  
 15 such matters. Critical infrastructure may be publicly or privately owned  
 16 and includes, but is not limited to:  
 17 (a) Fossil fuel production, storage, or delivery systems;  
 18 (b) Water supply, refinement, storage, or delivery systems;  
 19 (c) Telecommunications networks;  
 20 (d) Electrical power delivery systems, including power generation,  
 21 transmission, and distribution systems;  
 22 (e) Emergency services; and

23 (f) Transportation systems and services;

24 (2) Critical procurement means those acquisitions made by the state  
 25 or any agency of the state that are critical to the proper functioning of  
 26 critical infrastructure or to the health, safety, or security of the

1 State of Nebraska or the United States;

2 (3) Divestment means the sale, forfeiture, or otherwise contractual  
 3 end of any current or planned ownership or control of assets;

4 (4) Investment means any transfer of funds into any active or  
 5 passive, direct or indirect, structure which seeks to generate revenue or  
 6 accomplish any other gain, including nonmonetary gains;

7 (5)(a) Pacific conflict means a declared war or armed conflict  
 8 between the United States or any of its allies and another nation that  
 9 occurs in the land, sea, or air area of the Pacific Ocean and threatens  
 10 or could reasonably escalate to threaten the supply chains, critical  
 11 infrastructure, safety, or security of the State of Nebraska or the  
 12 United States.

13 (b) Pacific conflict includes a serious deterioration of diplomatic  
 14 ties or economic engagement between the United States or its allies and  
 15 another nation that threatens the status quo of Pacific trade, travel,  
 16 and military operations or exercises;

17 (6)(a) State-managed fund means any short-term or long-term  
 18 investment structure that is state-managed, state-run, state-controlled,  
 19 or otherwise overseen by the State of Nebraska, a state agency, a  
 20 political subdivision of this state, or any agency controlled by such a  
 21 political subdivision. This subdivision shall apply only to any fund that  
 22 is subject to the purview or direction of the state or applicable  
 23 political subdivision and is populated, wholly or in part, with state  
 24 funds, including, but not limited to, any such fund managed by a third-  
 25 party entity, such as a fiduciary.

26 (b) State-managed fund includes, but is not limited to, public  
 27 pension funds, public retirement funds, or other state-sponsored funds,  
 28 that are sponsored, maintained, or contributed to or required to be  
 29 contributed to by this state or any subsidiary of the state;

30 (7) State supply chain means the end-to-end process for shipping  
 31 goods, purchased by the state, to the State of Nebraska, beginning at the  
 1 point of origin through a point or points of distribution to the  
 2 destination; and

3 (8) State vendor supply chain means the end-to-end process for  
 4 shipping goods, purchased by the state from state vendors, to the  
 5 vendors, beginning at the point of origin through a point or points of  
 6 distribution to the destination.

7 Sec. 4. (1) The Department of Administrative Services shall conduct  
 8 a review of critical procurements purchased or supplied through a state  
 9 supply chain or state vendor supply chain and produce a report, which  
 10 shall be electronically submitted using a secure method to the Governor  
 11 by November 1, 2024.

12 (2) The report shall:

13 (a) Summarize the critical procurements produced in or by a foreign  
 14 adversary, a state-owned enterprise of a foreign adversary, a company  
 15 domiciled within a foreign adversary, or a company owned by a company  
 16 domiciled within a foreign adversary;

17 (b) Summarize the critical procurements manufactured in countries or  
 18 by companies at risk of disruption in the event of a Pacific conflict;

19 (c) Summarize the critical procurements sourced from any country or  
 20 company which utilizes Pacific supply chain processes at risk of  
 21 disruption in the event of a Pacific conflict;

22 (d) Assess the difficulty in identifying potential alternative  
 23 sourcing, if relevant; and

24 (e) Assess the level of risk to the State of Nebraska associated  
 25 with such a disruption in sourcing for each procurement that is

26 threatened in the event of a Pacific conflict.

27 (3) The Department of Administrative Services may contract with a  
28 private consultant to assist with the review and report required under  
29 this section, and such contract need not be competitively bid.

30 (4) Information contained in the report required under this section  
31 is confidential. Unauthorized public disclosure of such confidential  
1 information is a Class III misdemeanor.

2 Sec. 5. (1) The Nebraska Investment Council shall conduct an audit  
3 of all state-managed funds and produce a report, which shall be  
4 electronically submitted using a secure method to the Committee on  
5 Pacific Conflict created under section 6 of this act and the Governor  
6 within one hundred eighty days after the operative date of this section.

7 (2) The report shall:

8 (a) Summarize the investments at risk of substantially losing value  
9 or being frozen, seized, or appropriated by foreign adversaries in the  
10 event of a Pacific conflict;

11 (b) Summarize the investments in any arms industry of a foreign  
12 adversary;

13 (c) Summarize the investments in state-owned enterprises of a  
14 foreign adversary;

15 (d) Summarize the investments in companies domiciled within a  
16 foreign adversary or owned by a company domiciled within a foreign  
17 adversary; and

18 (e) Recommend strategies for the immediate and complete divestment  
19 of the assets described in subdivisions (a) through (d) of this  
20 subsection.

21 (3) Information contained in the report required under this section  
22 is confidential. Unauthorized public disclosure of such confidential  
23 information is a Class III misdemeanor.

24 Sec. 6. (1) It shall be the policy of the State of Nebraska to:

25 (a) Support the civilian and military command of the United States  
26 and its efforts to promote and maintain prosperity, peace, and security  
27 for America and its allies;

28 (b) Enhance the defensive posture of this state so as to protect  
29 state citizens and assets and to contribute to the broader defensive  
30 posture of the United States by reducing security vulnerabilities within  
31 this state; and

1 (c) Exercise foresight and make reasonable preparations for a  
2 potential regional or global conflict centered on the Pacific theater  
3 which could involve attacks upon the United States and its allies in the  
4 Pacific theater, which could involve asymmetrical attacks on the American  
5 homeland, and which could cause the disruption or complete severing of  
6 supply chains between this state and its vendors and the People's  
7 Republic of China, the Republic of China, or other countries in the  
8 Pacific theater.

9 (2) The Committee on Pacific Conflict is hereby created. The  
10 committee shall consist of the following seven voting members:

11 (a) The Director of State Homeland Security, appointed pursuant to  
12 section 81-830, who shall serve as chairperson of the committee;

13 (b) The Director of Administrative Services;

14 (c) The state investment officer;

15 (d) The Adjutant General; and

16 (e) Three individuals with applicable knowledge of the threats posed  
17 to this state in the event of a Pacific conflict, including at least one  
18 individual who represents an entity that is responsible for the operation  
19 and maintenance of critical infrastructure in this state. Such  
20 individuals shall be appointed by the Governor.

21 (3) The committee shall also include four members of the  
22 Legislature, to be appointed by the Executive Board of the Legislative  
23 Council. The legislative members shall be nonvoting members of the

24 committee.

25 (4) Appointments to the committee shall be made within sixty days  
 26 after the operative date of this section.

27 (5) The committee shall be authorized for an initial period of three  
 28 years.

29 (6) The first meeting of the committee shall be held within ninety  
 30 days after the operative date of this section.

31 (7) The committee shall meet no less than once every three months.

1 Additional meetings may be called at the will of the majority of the  
 2 voting members of the committee, and emergency meetings may be called at  
 3 the will of the chairperson of the committee or the Governor. In the  
 4 interest of state and national security, meetings of the committee shall  
 5 not be subject to the Open Meetings Act and the records and documents of  
 6 the committee shall not be considered public records for purposes of  
 7 sections 84-712 to 84-712.09.

8 (8) At the discretion of the committee, an advisory board may be  
 9 established and subject matter experts may be consulted to provide  
 10 expertise or collaborative research support.

11 (9) The committee is authorized to liaise with relevant federal  
 12 government authorities, authorities from other state governments, and  
 13 experts from research institutions for the purpose of obtaining  
 14 information that is useful for the committee's work.

15 (10) The committee is authorized to produce policy recommendations  
 16 for the State of Nebraska.

17 (11) The committee is authorized to conduct secure hearings or  
 18 briefings with critical infrastructure providers for the purpose of  
 19 understanding the threats, risks, and vulnerabilities posed to critical  
 20 infrastructure in the event of a Pacific conflict, including potential  
 21 mitigation or emergency response strategies.

22 (12) The Governor shall annually produce and publish a state threat  
 23 assessment no later than the day prior to the annual address made to the  
 24 Legislature by the Governor. The annual state threat assessment shall  
 25 provide an overview of the substantial threats to state or national  
 26 security, state or national economic security, state or national public  
 27 health, or any combination of such matters, occurring within and  
 28 threatening the State of Nebraska to the extent such information can be  
 29 provided and stored in a manner that meets national security standards.  
 30 The state threat assessment shall include summary nonconfidential

31 findings of the Committee on the Pacific Conflict. Such summary  
 1 nonconfidential findings shall include no information that would create  
 2 any risk to state critical infrastructure or other sensitive state  
 3 assets.

4 (13) The committee may, at the discretion of the committee and upon  
 5 an affirmative vote of five of the committee's seven voting members,  
 6 produce a confidential report that shall be kept in a secure location to  
 7 be determined by the Governor and which shall only be accessed with the  
 8 approval of the Governor. Such report shall contain information,  
 9 instructions, and other findings that the committee deems useful to  
 10 preserve for the elected leaders of the State of Nebraska.

11 2. On page 12, line 3, strike "or"; and strike lines 8 through 12  
 12 and insert the following new subdivision:

13 "(c) Any company that sells to a public entity a final technology-  
 14 related product or service that originates with a company described in  
 15 subdivision (5)(a) or (b) of this section without incorporating that  
 16 product or service into another final product or service; and".

17 3. On page 13, line 11, strike "or"; in line 13, strike the period  
 18 and insert "; or"; and after line 13 insert the following new  
 19 subdivision:

20 "(c) The purchasing entity is an electric supplier that is not out  
 21 of compliance with the Critical Infrastructure Protection requirements

22 issued by the North American Electric Reliability Corporation."  
 23 4. Renumber the remaining sections and correct internal references  
 24 accordingly.  
 25 5. Correct the operative date section so that the sections added by  
 26 this amendment become operative on their effective date.

The Bostar amendment was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

Senator Bostar asked unanimous consent to withdraw the following amendment, [FA399](#), and replace it with the following substitute amendment, [FA419](#). No objections. So ordered.

[FA399](#)

Amend AM3227 on line 14, strike "national" and insert "U.S."

[FA419](#)

Amend AM3227 on page 13, strike lines 12 and 13 and renumber the remaining sections and correct internal references accordingly.

The Bostar amendment was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Senator Bostar offered the following amendment:

[FA401](#)

Amend AM3227 on line 6 after "Nebraska" insert "in the United States".

The Bostar amendment was withdrawn.

Senator McDonnell offered the following amendment:

[AM3408](#)

(Amendments to Standing Committee amendments, AM3227)

1 1. On page 26, lines 10 and 13, strike "effective date of this act"  
 2 and insert "operative date of this section".

The McDonnell amendment was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1300A.** Senator Bostar offered the following amendment:

[AM3393](#)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$120,000 from the  
 4 General Fund for FY2024-25 and (2) \$320,000 from the General Fund for  
 5 FY2025-26 to the State Fire Marshal, for Program 193, to aid in carrying  
 6 out the provisions of Legislative Bill 1300, One Hundred Eighth  
 7 Legislature, Second Session, 2024.  
 8 Total expenditures for permanent and temporary salaries and per  
 9 diems from funds appropriated in this section shall not exceed \$34,300  
 10 for FY2024-25 or \$123,800 for FY2025-26.  
 11 Sec. 2. There is hereby appropriated (1) \$500,000 from the General  
 12 Fund for FY2024-25 and (2) \$500,000 from the General Fund for FY2025-26

13 to the Military Department, for Program 544, to aid in carrying out the  
 14 provisions of Legislative Bill 1300, One Hundred Eighth Legislature,  
 15 Second Session, 2024.  
 16 There is included in the appropriation to this program for FY2024-25  
 17 \$411,683 General Funds for state aid, which shall only be used for such  
 18 purpose. There is included in the appropriation to this program for  
 19 FY2025-26 \$409,758 General Funds for state aid, which shall only be used  
 20 for such purpose.  
 21 Total expenditures for permanent and temporary salaries and per  
 22 diems from funds appropriated in this section shall not exceed \$53,857  
 23 for FY2024-25 or \$55,472 for FY2025-26.  
 24 Sec. 3. There is hereby appropriated (1) \$18,750 from the Materiel  
 25 Division Revolving Fund for FY2024-25 and (2) \$-0- from the Materiel  
 26 Division Revolving Fund for FY2025-26 to the Department of Administrative  
 27 Services, for Program 171, to aid in carrying out the provisions of  
 1 Legislative Bill 1300, One Hundred Eighth Legislature, Second Session,  
 2 2024.  
 3 No expenditures for permanent and temporary salaries and per diems  
 4 for state employees shall be made from funds appropriated in this  
 5 section.  
 6 Sec. 4. There is hereby appropriated (1) \$7,017 from the  
 7 Communications Revolving Fund for FY2024-25 and (2) \$9,144 from the  
 8 Communications Revolving Fund for FY2025-26 to the Department of  
 9 Administrative Services, for Program 173, to aid in carrying out the  
 10 provisions of Legislative Bill 1300, One Hundred Eighth Legislature,  
 11 Second Session, 2024.  
 12 No expenditures for permanent and temporary salaries and per diems  
 13 for state employees shall be made from funds appropriated in this  
 14 section.  
 15 Sec. 5. There is hereby appropriated (1) \$7,800 from the State  
 16 Building Revolving Fund for FY2024-25 and (2) \$15,600 from the State  
 17 Building Revolving Fund for FY2025-26 to the Department of Administrative  
 18 Services, for Program 560, to aid in carrying out the provisions of  
 19 Legislative Bill 1300, One Hundred Eighth Legislature, Second Session,  
 20 2024.  
 21 No expenditures for permanent and temporary salaries and per diems  
 22 for state employees shall be made from funds appropriated in this  
 23 section.  
 24 Sec. 6. There is hereby appropriated (1) \$25,000 from the State  
 25 Investment Officer's Cash Fund for FY2024-25 and (2) \$-0- from the State  
 26 Investment Officer's Cash Fund for FY2025-26 to the Nebraska Investment  
 27 Council, for Program 610, to aid in carrying out the provisions of  
 28 Legislative Bill 1300, One Hundred Eighth Legislature, Second Session,  
 29 2024.  
 30 No expenditures for permanent and temporary salaries and per diems  
 31 for state employees shall be made from funds appropriated in this  
 1 section.  
 2 Sec. 7. There is hereby appropriated (1) \$143,880 from the General  
 3 Fund for FY2024-25 and (2) \$287,760 from the General Fund for FY2025-26  
 4 to the Commission on Asian American Affairs, for Program 866, to aid in  
 5 carrying out the provisions of Legislative Bill 1300, One Hundred Eighth  
 6 Legislature, Second Session, 2024.  
 7 Total expenditures for permanent and temporary salaries and per  
 8 diems from funds appropriated in this section shall not exceed \$95,003  
 9 for FY2024-25 or \$190,005 for FY2025-26.  
 10 Sec. 8. Since an emergency exists, this act takes effect when  
 11 passed and approved according to law.

The Bostar amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.



**LEGISLATIVE BILL 1197.** [ER98](#), found on page 1216, was offered.

ER98 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 870.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 870A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 233.** [ER126](#), found on page 1506, was offered.

ER126 was adopted.

Senator Erdman offered [MO1355](#), found on page 1484, to bracket until April 18, 2024.

Senator Erdman asked unanimous consent to withdraw his motion to bracket.

No objections. So ordered.

Senator Linehan offered [MO1354](#), found on page 1483, to recommit to the Health and Human Services Committee.

Senator Linehan asked unanimous consent to withdraw her motion to recommit to committee.

No objections. So ordered.

Senator Linehan asked unanimous consent to withdraw [MO1356](#), found on page 1484, to indefinitely postpone.

No objections. So ordered.

Senator J. Cavanaugh offered the following amendment:

[AM3429](#)

(Amendments to AM3338)

1 1. On page 5, line 29, strike "[2026](#)" and insert "[2027](#)".

The J. Cavanaugh amendment was adopted with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 233A.** Senator J. Cavanaugh offered the following motion:

[MO1382](#)

Indefinitely postpone.

The J. Cavanaugh motion to indefinitely postpone prevailed with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

**LEGISLATIVE BILL 1195.** [ER131](#), found in this day's Journal, was offered.

ER131 was adopted.

Advanced to Enrollment and Review for Engrossment.

#### AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB126](#):  
[AM3404](#) is available in the Bill Room.

Senator Lippincott filed the following amendment to [LB600A](#):  
[AM3441](#)

(Amendments to Final Reading copy)

1 1. On page 2, line 1, strike "\$10,000,000" and insert "\$5,000,000";  
2 and in line 8 strike "\$9,406,270" and insert "\$4,406,270".

#### GENERAL FILE

**LEGISLATIVE BILL 25.** Committee [AM440](#), found on page 639, First Session, 2023, and considered on page 1528, was renewed.

Senator Bosn renewed [MO1283](#), found on page 1156 and considered on page 1530, to recommit to the Judiciary Committee.

#### SENATOR FREDRICKSON PRESIDING

Senator Jacobson moved for a call of the house. The motion prevailed with 26 ayes, 5 nays, and 18 not voting.

Senator Bosn requested a roll call vote on her motion to recommit to committee.

Voting in the affirmative, 19:

Albrecht	Bostelman	Holdcroft	Kauth	Moser
Armendariz	Brandt	Hughes	Lippincott	Riepe
Ballard	DeKay	Ibach	Lowe	Sanders
Bosn	Hardin	Jacobson	Meyer	

Voting in the negative, 23:

Aguilar	Cavanaugh, M.	Erdman	McDonnell	von Gillern
Blood	Conrad	Fredrickson	McKinney	Wayne
Bostar	Day	Halloran	Murman	Wishart
Brewer	Dover	Hunt	Slama	
Cavanaugh, J.	Dungan	Linehan	Vargas	

Present and not voting, 5:

Arch	Clements	DeBoer	Hansen	Walz
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Excused and not voting, 2:

Dorn	Raybould
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The Bosn motion to recommit to committee failed with 19 ayes, 23 nays, 5 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Wayne asked unanimous consent to withdraw [AM3327](#), found on page 1486, to the committee amendment, and replace it with substitute amendment, [AM3435](#), to the committee amendment. No objections. So ordered.

[AM3435](#)

(Amendments to Standing Committee amendments, AM440)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike the original sections and insert the following new
- 3 sections:
- 4 Section 1. Section 13-910, Reissue Revised Statutes of Nebraska, is
- 5 amended to read:
- 6 13-910 The Political Subdivisions Tort Claims Act and sections
- 7 16-727, 16-728, 23-175, 39-809, and 79-610 shall not apply to:
- 8 (1) Any claim based upon an act or omission of an employee of a
- 9 political subdivision, exercising due care, in the execution of a
- 10 statute, ordinance, or officially adopted resolution, rule, or
- 11 regulation, whether or not such statute, ordinance, resolution, rule, or
- 12 regulation is valid;
- 13 (2) Any claim based upon the exercise or performance of or the
- 14 failure to exercise or perform a discretionary function or duty on the
- 15 part of the political subdivision or an employee of the political
- 16 subdivision, whether or not the discretion is abused;
- 17 (3) Any claim based upon the failure to make an inspection or making
- 18 an inadequate or negligent inspection of any property other than property
- 19 owned by or leased to such political subdivision to determine whether the
- 20 property complies with or violates any statute, ordinance, rule, or
- 21 regulation or contains a hazard to public health or safety unless the
- 22 political subdivision had reasonable notice of such hazard or the failure
- 23 to inspect or inadequate or negligent inspection constitutes a reckless
- 24 disregard for public health or safety;
- 25 (4) Any claim based upon the issuance, denial, suspension, or
- 26 revocation of or failure or refusal to issue, deny, suspend, or revoke
- 1 any permit, license, certificate, or order. Nothing in this subdivision

2 shall be construed to limit a political subdivision's liability for any  
3 claim based upon the negligent execution by an employee of the political  
4 subdivision in the issuance of a certificate of title under the Motor  
5 Vehicle Certificate of Title Act and the State Boat Act except when such  
6 title is issued upon an application filed electronically by an approved  
7 licensed dealer participating in the electronic dealer services system  
8 pursuant to section 60-1507;

9 (5) Any claim arising with respect to the assessment or collection  
10 of any tax or fee or the detention of any goods or merchandise by any law  
11 enforcement officer;

12 (6) Any claim caused by the imposition or establishment of a  
13 quarantine by the state or a political subdivision, whether such  
14 quarantine relates to persons or property;

15 (7) Any claim arising out of the following acts: Assault ~~assault~~,  
16 battery, false arrest, false imprisonment, malicious prosecution, abuse  
17 of process, libel, slander, misrepresentation, deceit, or interference  
18 with contract rights. ~~This -except that this~~ subdivision does not apply  
19 to a claim; ~~under~~

20 (a) Under the Healthy Pregnancies for Incarcerated Women Act; or  
21 (b) When the harm caused by child abuse or sexual assault of a child  
22 is a proximate result of the failure of a political subdivision or an  
23 employee of the political subdivision to exercise reasonable care to  
24 either:

25 (i) Control a person over whom it has taken charge; or  
26 (ii) Protect a person who is in the political subdivision's care,  
27 custody, or control from harm caused by a non-employee actor;

28 (8) Any claim by an employee of the political subdivision which is  
29 covered by the Nebraska Workers' Compensation Act;

30 (9) Any claim arising out of the malfunction, destruction, or  
31 unauthorized removal of any traffic or road sign, signal, or warning  
1 device unless it is not corrected by the political subdivision  
2 responsible within a reasonable time after actual or constructive notice  
3 of such malfunction, destruction, or removal. Nothing in this subdivision  
4 shall give rise to liability arising from an act or omission of any  
5 political subdivision in placing or removing any traffic or road signs,  
6 signals, or warning devices when such placement or removal is the result  
7 of a discretionary act of the political subdivision;

8 (10) Any claim arising out of snow or ice conditions or other  
9 temporary conditions caused by nature on any highway as defined in  
10 section 60-624, bridge, public thoroughfare, or other public place due to  
11 weather conditions. Nothing in this subdivision shall be construed to  
12 limit a political subdivision's liability for any claim arising out of  
13 the operation of a motor vehicle by an employee of the political  
14 subdivision while acting within the course and scope of his or her  
15 employment by the political subdivision;

16 (11) Any claim arising out of the plan or design for the  
17 construction of or an improvement to any highway as defined in such  
18 section or bridge, either in original construction or any improvement  
19 thereto, if the plan or design is approved in advance of the construction  
20 or improvement by the governing body of the political subdivision or some  
21 other body or employee exercising discretionary authority to give such  
22 approval;

23 (12) Any claim arising out of the alleged insufficiency or want of  
24 repair of any highway as defined in such section, bridge, or other public  
25 thoroughfare. Insufficiency or want of repair shall be construed to refer  
26 to the general or overall condition and shall not refer to a spot or  
27 localized defect. A political subdivision shall be deemed to waive its  
28 immunity for a claim due to a spot or localized defect only if (a) the  
29 political subdivision has had actual or constructive notice of the defect  
30 within a reasonable time to allow repair prior to the incident giving

31 rise to the claim or (b) the claim arose during the time specified in a  
1 notice provided by the political subdivision pursuant to subsection (3)  
2 of section 39-1359 and the state or political subdivision had actual or  
3 constructive notice; or  
4 (13)(a) Any claim relating to recreational activities for which no  
5 fee is charged (i) resulting from the inherent risk of the recreational  
6 activity, (ii) arising out of a spot or localized defect of the premises  
7 unless the spot or localized defect is not corrected by the political  
8 subdivision leasing, owning, or in control of the premises within a  
9 reasonable time after actual or constructive notice of the spot or  
10 localized defect, or (iii) arising out of the design of a skatepark or  
11 bicycle motocross park constructed for purposes of skateboarding, inline  
12 skating, bicycling, or scootering that was constructed or reconstructed,  
13 reasonably and in good faith, in accordance with generally recognized  
14 engineering or safety standards or design theories in existence at the  
15 time of the construction or reconstruction. For purposes of this  
16 subdivision, a political subdivision shall be charged with constructive  
17 notice only when the failure to discover the spot or localized defect of  
18 the premises is the result of gross negligence.  
19 (b) For purposes of this subdivision:  
20 (i) Recreational activities include, but are not limited to, whether  
21 as a participant or spectator: Hunting, fishing, swimming, boating,  
22 camping, picnicking, hiking, walking, running, horseback riding, use of  
23 trails, nature study, waterskiing, winter sports, use of playground  
24 equipment, biking, roller blading, skateboarding, golfing, athletic  
25 contests; visiting, viewing, or enjoying entertainment events, festivals,  
26 or historical, archaeological, scenic, or scientific sites; and similar  
27 leisure activities;  
28 (ii) Inherent risk of recreational activities means those risks that  
29 are characteristic of, intrinsic to, or an integral part of the activity;  
30 (iii) Gross negligence means the absence of even slight care in the  
31 performance of a duty involving an unreasonable risk of harm; and  
1 (iv) Fee means a fee to participate in or be a spectator at a  
2 recreational activity. A fee shall include payment by the claimant to any  
3 person or organization other than the political subdivision only to the  
4 extent the political subdivision retains control over the premises or the  
5 activity. A fee shall not include payment of a fee or charge for parking  
6 or vehicle entry.  
7 (c) This subdivision, and not subdivision (3) of this section, shall  
8 apply to any claim arising from the inspection or failure to make an  
9 inspection or negligent inspection of premises owned or leased by the  
10 political subdivision and used for recreational activities.  
11 Sec. 2. Original section 13-910, Reissue Revised Statutes of  
12 Nebraska, is repealed.

Senator Wayne moved for a call of the house. The motion prevailed with 19  
ayes, 2 nays, and 28 not voting.

Senator Wayne requested a roll call vote, in reverse order, on his  
amendment, to the committee amendment.

Voting in the affirmative, 32:

Aguilar	Cavanaugh, M.	Erdman	McKinney	von Gillern
Arch	Conrad	Fredrickson	Meyer	Walz
Ballard	Day	Halloran	Moser	Wayne
Blood	DeBoer	Hansen	Murman	Wishart
Bostar	Dorn	Hunt	Sanders	
Brewer	Dover	Linehan	Slama	
Cavanaugh, J.	Dungan	McDonnell	Vargas	

Voting in the negative, 15:

Albrecht	Brandt	Hardin	Ibach	Lippincott
Armendariz	Clements	Holdcroft	Jacobson	Lowe
Bostelman	DeKay	Hughes	Kauth	Riepe

Present and not voting, 1:

Bosn

Excused and not voting, 1:

Raybould

The Wayne amendment, to the committee amendment, was adopted with 32 ayes, 15 nays, 1 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Wayne withdrew [AM3328](#), found on page 1488, to the committee amendment.

Senator Wayne withdrew [AM3329](#), found on page 1492, to the committee amendment.

Senator Lowe offered [FA385](#), found on page 1531, to the committee amendment.

The Lowe amendment lost with 5 ayes, 27 nays, 16 present and not voting, and 1 excused and not voting.

Senator Kauth withdrew [FA386](#), found on page 1531, to the committee amendment.

Senator Holdcroft withdrew [FA390](#), found on page 1532, to the committee amendment.

Senator Wayne withdrew [AM3381](#), found on page 1531.

Senator Wayne withdrew [AM3380](#), found on page 1531.

Senator Slama withdrew [FA26](#), found on page 668, First Session, 2023, to the committee amendment.

The committee amendment, as amended, was adopted with 27 ayes, 12 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 14 nays, 8 present and not voting, and 1 excused and not voting.

#### **MOTION(S) - Return LB600 to Select File**

Senator Lippincott moved to return LB600 to Select File for the following specific amendment:

[AM3445](#)

(Amendments to Final Reading copy)

1 1. On page 11, strike lines 17 through 21 and insert the following

2 new subsection:

3 "(45) The State Treasurer shall transfer five million dollars from

4 the Cash Reserve Fund to the Municipality Infrastructure Aid Fund on or

5 after July 1, 2024, but before July 15, 2024, on such dates and in such

6 amounts as directed by the budget administrator of the budget division of

7 the Department of Administrative Services."

The Lippincott motion to return prevailed with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

#### **SELECT FILE**

**LEGISLATIVE BILL 600.** The Lippincott specific amendment, [AM3445](#), found in this day's Journal, was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh withdrew [FA332](#), found on page 1444.

Advanced to Enrollment and Review for Reengrossment.

#### **MOTION(S) - Return LB600A to Select File**

Senator Lippincott moved to return LB600A to Select File for his specific amendment, [AM3441](#), found in this day's Journal.

The Lippincott motion to return prevailed with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

#### **SELECT FILE**

**LEGISLATIVE BILL 600A.** The Lippincott specific amendment, [AM3441](#), found in this day's Journal, was adopted with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to [LB1331](#):

[MO1386](#)

Bracket until April 18, 2024.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 471.** Introduced by Slama, 1.

WHEREAS, Spina Bifida is the most common permanently disabling birth defect, occurring when the spine and spinal cord do not form properly within the first thirty days of pregnancy and impacting approximately one thousand five hundred births each year in the United States; and

WHEREAS, individuals living with Spina Bifida may have multiple medical conditions including: walking and mobility issues from paralysis, bowel and bladder problems, hydrocephalus, latex allergies, pressure sores, and Arnold Chiari malformation type II; and

WHEREAS, there is no cure for Spina Bifida and what causes it to form is unknown; and

WHEREAS, the medical community recommends that women who could become pregnant take four hundred micrograms of folic acid daily to help prevent neural tube defects such as Spina Bifida; and

WHEREAS, through years of research and with the information discovered, people with Spina Bifida tend to live normal and independent lives; and

WHEREAS, individuals living with Spina Bifida and their families deserve support from the State of Nebraska through public awareness.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes October 2024 as Spina Bifida Awareness Month.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 1402.** Senator Linehan asked unanimous consent to withdraw [MO1186](#), found on page 734, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator DeBoer objected.

Senator Linehan opened on her bill, LB1402.



Senator Linehan offered [MO1186](#), found on page 734, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

**PRESIDENT KELLY PRESIDING**

Senator Dover moved the previous question. The question is, "Shall the debate now close?"

Senator Dover moved for a call of the house. The motion prevailed with 21 ayes, 1 nay, and 27 not voting.

The motion to cease debate prevailed with 27 ayes, 3 nays, and 19 not voting.

The Linehan motion to indefinitely postpone pursuant to Rule 6, Sec. 3(f) failed with 3 ayes, 31 nays, 13 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1383](#)

Reconsider the vote taken on MO1186.

Senator Wayne moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 27 ayes, 1 nays, and 21 not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 32:

Aguilar	Brandt	Halloran	Kauth	Murman
Albrecht	Brewer	Hansen	Linehan	Sanders
Arch	Clements	Hardin	Lippincott	Slama
Armendariz	DeKay	Holdcroft	Lowe	von Gillern
Ballard	Dorn	Hughes	McDonnell	
Bosn	Dover	Ibach	Meyer	
Bostelman	Erdman	Jacobson	Moser	

Voting in the negative, 5:

Blood	Cavanaugh, J.	Cavanaugh, M.	Day	Hunt
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Present and not voting, 11:

Bostar	Dungan	Riepe	Wayne
Conrad	Fredrickson	Vargas	Wishart
DeBoer	McKinney	Walz	

Excused and not voting, 1:

Raybould

The motion to cease debate prevailed with 32 ayes, 5 nays, 11 present and not voting, and 1 excused and not voting.

The M. Cavanaugh motion to reconsider failed with 7 ayes, 30 nays, 11 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to LB388:

[FA424](#)

Amend FA327 to reinstate lines 3-8 on page 2.

Senator M. Cavanaugh filed the following amendment to LB388:

[FA425](#)

Amend FA328 to reinstate lines 15-16 on page 2.

#### **MOTION(S) - Print in Journal**

Senator M. Cavanaugh filed the following motion to LB1363:

[MO1390](#)

Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to LB1363:

[MO1391](#)

Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to LB1363:

[MO1392](#)

Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to LB1363:

[MO1393](#)

Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to LB937:

[MO1394](#)

Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1395](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1396](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to [LB937](#):  
[MO1397](#)  
Recommit to the Revenue Committee.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 472.** Introduced by Hughes, 24; Aguilar, 35; Albrecht, 17; Arch, 14; Armendariz, 18; Ballard, 21; Blood, 3; Bosn, 25; Bostar, 29; Bostelman, 23; Brandt, 32; Brewer, 43; 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; Hardin, 48; Holdcroft, 36; Hunt, 8; Ibach, 44; Jacobson, 42; Kauth, 31; Linehan, 39; Lippincott, 34; Lowe, 37; McDonnell, 5; McKinney, 11; Meyer, 41; Moser, 22; Murman, 38; Riepe, 12; Sanders, 45; Slama, 1; Vargas, 7; von Gillern, 4; Walz, 15; Wayne, 13; Wishart, 27.

WHEREAS, the National Collegiate Athletic Association 3-Point Contest is an annual basketball challenge that brings together some of the nation's best shooters; and

WHEREAS, on April 4, 2024, in Phoenix, Arizona, the University of Nebraska-Lincoln's Keisei Tominaga won the men's National Collegiate Athletic Association 3-Point Contest; and

WHEREAS, out of eight participants, Tominaga scored twenty-five points in the first round, twenty-four points in the second round, and nineteen in the finals; and

WHEREAS, Tominaga beat Tyler Thomas of Hofstra University in the finals by two points with a buzzer beater; and

WHEREAS, the Legislature recognizes Keisei Tominaga's dedication to basketball and all the hard work it takes to achieve such success.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Keisei Tominaga for winning the men's National Collegiate Athletic Association 3-Point Contest.
2. That a copy of this resolution be sent to Keisei Tominaga.

Laid over.

### EASE

The Legislature was at ease from 6:03 p.m. until 6:30 p.m.

**SPEAKER ARCH PRESIDING****PRESIDENT KELLY PRESIDING****GENERAL FILE**

**LEGISLATIVE BILL 1402.** Title read. Considered.

Committee [AM2679](#), found on page 811, was offered.

Senator Linehan asked unanimous consent to withdraw [MO1187](#), found on page 734, to bracket.

Senator M. Cavanaugh objected.

Senator Linehan offered [MO1187](#), found on page 734, to bracket until April 18, 2024.

Senator Moser moved the previous question. The question is, "Shall the debate now close?"

Senator Slama moved for a call of the house. The motion prevailed with 17 ayes, 2 nays, and 30 not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 32:

Aguilar	Brewer	Halloran	Kauth	Murman
Albrecht	Clements	Hansen	Linehan	Sanders
Armendariz	DeKay	Hardin	Lippincott	Slama
Ballard	Dorn	Holdcroft	Lowe	von Gillern
Bosn	Dover	Hughes	McDonnell	
Bostelman	Erdman	Ibach	Meyer	
Brandt	Fredrickson	Jacobson	Moser	

Voting in the negative, 7:

Blood	Cavanaugh, M.	Dungan	Riepe
Cavanaugh, J.	Day	Hunt	

Present and not voting, 7:

Bostar	DeBoer	Walz	Wishart
Conrad	McKinney	Wayne	

Absent and not voting, 1:

Vargas

Excused and not voting, 2:

Arch            Raybould

The motion to cease debate prevailed with 32 ayes, 7 nays, 7 present and not voting, 1 absent and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Linehan motion to bracket.

Voting in the affirmative, 3:

Blood            Cavanaugh, J.      Day

Voting in the negative, 33:

Aguilar	Brewer	Halloran	Kauth	Murman
Albrecht	Clements	Hansen	Linehan	Riepe
Armendariz	DeKay	Hardin	Lippincott	Sanders
Ballard	Dorn	Holdcroft	Lowe	Slama
Bosn	Dover	Hughes	McDonnell	von Gillern
Bostelman	Erdman	Ibach	Meyer	
Brandt	Fredrickson	Jacobson	Moser	

Present and not voting, 11:

Bostar	DeBoer	McKinney	Wayne
Cavanaugh, M.	Dungan	Vargas	Wishart
Conrad	Hunt	Walz	

Excused and not voting, 2:

Arch            Raybould

The Linehan motion to bracket failed with 3 ayes, 33 nays, 11 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1384](#)

Reconsider the vote taken on MO1187.

Senator Slama moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 23 not voting.

Senator Holdcroft moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 29:

Aguilar	Clements	Hansen	Kauth	Moser
Albrecht	DeKay	Hardin	Linehan	Murman
Armendariz	Dorn	Holdcroft	Lippincott	Sanders
Ballard	Dover	Hughes	Lowe	Slama
Bostelman	Erdman	Ibach	McDonnell	von Gillern
Brewer	Halloran	Jacobson	Meyer	

Voting in the negative, 10:

Blood	Cavanaugh, M.	Dungan	Hunt	Riepe
Cavanaugh, J.	Day	Fredrickson	McKinney	Vargas

Present and not voting, 8:

Bosn	Brandt	DeBoer	Wayne
Bostar	Conrad	Walz	Wishart

Excused and not voting, 2:

Arch	Raybould
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The motion to cease debate prevailed with 29 ayes, 10 nays, 8 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 4:

Blood	Cavanaugh, J.	Cavanaugh, M.	Day
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Voting in the negative, 31:

Aguilar	Clements	Hardin	Lippincott	Slama
Albrecht	DeKay	Holdcroft	Lowe	Vargas
Armendariz	Dorn	Hughes	McDonnell	von Gillern
Ballard	Dover	Ibach	Meyer	
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	
Brewer	Hansen	Linehan	Sanders	

Present and not voting, 12:

Bostar	DeBoer	Hunt	Walz
Brandt	Dungan	McKinney	Wayne
Conrad	Fredrickson	Riepe	Wishart

Excused and not voting, 2:

Arch	Raybould
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The M. Cavanaugh motion to reconsider failed with 4 ayes, 31 nays, 12 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Linehan asked unanimous consent to withdraw [MO1188](#), found on page 734, to recommit to committee.

Senator DeBoer objected.

Senator Linehan offered [MO1188](#), found on page 734, to recommit to the Appropriations Committee.

Senator Slama moved for a call of the house. The motion prevailed with 16 ayes, 4 nays, and 29 not voting.

The Chair declared the call raised.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

Senator Murman moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 29:

Aguilar	Clements	Hansen	Kauth	Moser
Albrecht	DeKay	Hardin	Linehan	Murman
Armendariz	Dorn	Holdcroft	Lippincott	Sanders
Ballard	Dover	Hughes	Lowe	Slama
Bostelman	Erdman	Ibach	McDonnell	von Gillern
Brewer	Halloran	Jacobson	Meyer	

Voting in the negative, 3:

Blood Cavanaugh, M. Day

Present and not voting, 16:

Arch	Cavanaugh, J.	Fredrickson	Vargas
Bosn	Conrad	Hunt	Walz
Bostar	DeBoer	McKinney	Wayne
Brandt	Dungan	Riepe	Wishart

Excused and not voting, 1:

Raybould

The motion to cease debate prevailed with 29 ayes, 3 nays, 16 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Linehan motion to recommit to committee.

Voting in the affirmative, 7:

Blood	Cavanaugh, J.	DeBoer	Hunt
Brandt	Day	Dungan	

Voting in the negative, 34:

Aguilar	Brewer	Halloran	Kauth	Murman
Albrecht	Clements	Hansen	Linehan	Riepe
Arch	Conrad	Hardin	Lippincott	Sanders
Armendariz	DeKay	Holdcroft	Lowe	Slama
Ballard	Dorn	Hughes	McDonnell	Vargas
Bosn	Dover	Ibach	Meyer	von Gillern
Bostelman	Erdman	Jacobson	Moser	

Present and not voting, 7:

Bostar	Fredrickson	Walz	Wishart
Cavanaugh, M.	McKinney	Wayne	

Excused and not voting, 1:

Raybould

The Linehan motion to recommit to committee failed with 7 ayes, 34 nays, 7 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.



Senator M. Cavanaugh offered the following motion:

[MO1385](#)

Reconsider the vote taken on MO1188.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Senator Linehan withdrew [AM3016](#), found on page 1245, to the committee amendment.

Senator Linehan offered the following amendment to the committee amendment:

[AM3431](#) is available in the Bill Room.

Senator Linehan offered the following motion:

[MO1410](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 26 ayes, 1 nay, and 22 not voting.

Senator Linehan requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Clements	Hardin	Lippincott	Sanders
Arch	DeKay	Holdcroft	Lowe	Slama
Armendariz	Dorn	Hughes	McDonnell	von Gillern
Ballard	Dover	Ibach	Meyer	Wayne
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 13:

Blood	Cavanaugh, J.	Day	Fredrickson	Wishart
Bostar	Cavanaugh, M.	DeBoer	Hunt	
Brandt	Conrad	Dungan	Vargas	

Present and not voting, 2:

McKinney      Walz

Excused and not voting, 1:

Raybould

The motion to invoke cloture prevailed with 33 ayes, 13 nays, 2 present and not voting, and 1 excused and not voting.

The Linehan amendment, to the committee amendment, was adopted with 32 ayes, 1 nay, 15 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 32 ayes, 1 nay, 15 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 12 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 1402A.** Title read. Considered.

Senator Linehan offered the following amendment:

[AM3430](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$10,000,000 from the  
4 General Fund for FY2024-25 and (2) \$10,000,000 from the General Fund for  
5 FY2025-26 to the State Treasurer, for Program 480, to aid in carrying out  
6 the provisions of Legislative Bill 1402, One Hundred Eighth Legislature,  
7 Second Session, 2024.  
8 There is included in the appropriation to this program for FY2024-25  
9 \$9,250,000 General Funds for state aid, which shall only be used for such  
10 purpose. There is included in the appropriation to this program for  
11 FY2025-26 \$9,250,000 General Funds for state aid, which shall only be  
12 used for such purpose.  
13 No expenditures for permanent and temporary salaries and per diems  
14 for state employees shall be made from funds appropriated in this  
15 section.  
16 Sec. 2. Since an emergency exists, this act takes effect when  
17 passed and approved according to law.

The Linehan amendment was adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 1 nay, 11 present and not voting, and 1 excused and not voting.

#### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 1363.** Placed on Select File with amendment.

[ER133](#) is available in the Bill Room.

**LEGISLATIVE BILL 1363A.** Placed on Select File.

**LEGISLATIVE BILL 840.** Placed on Final Reading.**[ST74](#)**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the McKinney amendment, AM3351, on page 19, line 7, "17" has been struck and "18" inserted.

2. On page 1, the matter beginning with "cities" in line 1 through line 2 and all amendments thereto have been struck and "cities; to amend sections 71-1572, 71-1594, 71-1598, 71-15,104, 71-15,106, 71-15,139, and 71-15,150, Reissue Revised Statutes of Nebraska, and sections 81-1237 and 81-1238, Revised Statutes Supplement, 2023; to adopt the Poverty Elimination Action Plan Act; to change provisions of the Nebraska Housing Agency Act relating to commissioners and staff, conflicts of interest, notices, and requirements for certain housing agencies relating to meetings, complaints, compliance with federal law relating to administrative grievance procedures, and appointment of counsel for public housing residents in termination hearings and eviction proceedings; to redefine a term and change requirements for workforce housing grants under the Middle Income Workforce Housing Investment Act; to harmonize provisions; to provide operative dates; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 903.** Placed on Final Reading.

**LEGISLATIVE BILL 910.** Placed on Final Reading.

**LEGISLATIVE BILL 1029.** Placed on Final Reading.

**LEGISLATIVE BILL 1070.** Placed on Final Reading.

**LEGISLATIVE BILL 1085.** Placed on Final Reading.

**LEGISLATIVE BILL 1214.** Placed on Final Reading.

**LEGISLATIVE BILL 1326.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator M. Cavanaugh filed the following amendment to LB1402:

**[FA421](#)**

Strike Section 2.

Senator M. Cavanaugh filed the following amendment to LB1402:

**[FA422](#)**

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1331:

**[FA423](#)**

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1317:

**[FA426](#)**

Strike Section 2.

Senator M. Cavanaugh filed the following amendment to LB1317:

**[FA427](#)**

Strike Section 1.

Senator M. Cavanaugh filed the following amendment to LB1088:

**[FA428](#)**

Strike Section 1.

**MOTION(S) - Print in Journal**

Senator DeBoer filed the following motion to LB1402:  
[MO1387](#)  
Bracket until April 18, 2024.

Senator DeBoer filed the following motion to LB1402:  
[MO1388](#)  
Recommit to the Appropriations Committee.

Senator DeBoer filed the following motion to LB1402:  
[MO1389](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to LB1317:  
[MO1398](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to LB1067:  
[MO1399](#)  
Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator M. Cavanaugh filed the following motion to LB1067:  
[MO1400](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to LB1067:  
[MO1401](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to LB937:  
[MO1402](#)  
Bracket until April 18, 2024.

Senator M. Cavanaugh filed the following motion to LB937:  
[MO1403](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to LB937:  
[MO1404](#)  
Indefinitely postpone.

Senator M. Cavanaugh filed the following motion to LB937:  
[MO1405](#)  
Recommit to the Revenue Committee.

Senator M. Cavanaugh filed the following motion to [LB1088](#):  
[MO1406](#)  
Recommit to the Revenue Committee.

### EASE

The Legislature was at ease from 8:48 p.m. until 10:17 p.m.

### SPEAKER ARCH PRESIDING

#### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 196.** Placed on Final Reading.  
**LEGISLATIVE BILL 196A.** Placed on Final Reading.  
**LEGISLATIVE BILL 233.** Placed on Final Reading.

**LEGISLATIVE BILL 253.** Placed on Final Reading.

#### [ST75](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E and R amendments, ER113, the matter beginning with "criminal" in line 2 through "date;" in line 4 has been struck and "criminal justice; to amend sections 28-1206, 29-2202, 29-2246, 29-2293, and 29-2294, Revised Statutes Cumulative Supplement, 2022; to provide for veteran justice programs as prescribed; to define terms; to provide requirements and duties relating to sentencing veterans; to provide duties for law enforcement, court, and correctional personnel and the State Court Administrator; to harmonize provisions; to provide an operative date; and to repeal the original sections" inserted.

**LEGISLATIVE BILL 399.** Placed on Final Reading.  
**LEGISLATIVE BILL 600.** Placed on Final Reading Second.  
**LEGISLATIVE BILL 600A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 631.** Placed on Final Reading.

#### [ST77](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "parole" in line 1 through line 8 and all amendments thereto has been struck and "criminal justice; to amend section 83-190, Reissue Revised Statutes of Nebraska, sections 28-936, 83-171, 83-184, 83-192, 83-1,100, 83-1,100.03, 83-1,101, 83-1,102, 83-1,107, 83-901, 83-903, 83-904, and 83-962, Revised Statutes Cumulative Supplement, 2022, and sections 29-2269, 83-1,114, 83-1,122.02, and 83-1,135, Revised Statutes Supplement, 2023; to adopt the Community Work Release and Reentry Centers Act; to require reports concerning reentry service center pilot programs and post-release supervision; to prohibit exclusion of current and former parolees and probationers from grant programs; to change provisions relating to bringing electronic communication devices into prisons; to provide for performance metrics for probation, parole, and correctional staff; to transfer the Division of Parole Supervision to the Department of Correctional Services; to change provisions relating to the powers and duties of the Board of Parole; to provide powers and duties for the department, board, and Director of Supervision and Services; to change provisions relating to parole eligibility; to provide for Parole School and book donations; to create the National Career Readiness Certificate Pilot Program; to state legislative intent regarding appropriations; to provide for reentry plans; to change provisions relating to the Vocational and Life Skills Programming Fund; to eliminate obsolete provisions; to eliminate, change and transfer provisions relating to reentry programs and providing identification cards or operator's licenses; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-933, Revised Statutes Cumulative Supplement, 2022." inserted.

2. Changes were made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 631A.** Placed on Final Reading.**ST76**

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "appropriate" in line 1 through line 3 has been struck and "amend Laws 2023, LB50A, section 5; Laws 2023, LB814, section 67; and section 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to appropriate funds and reduce appropriations to aid in carrying out the provisions of Legislative Bill 631, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; and to repeal the original sections." inserted.

2. Sections have been renumbered to incorporate all adopted amendments.

**LEGISLATIVE BILL 686.** Placed on Final Reading.**ST70**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Jacobson amendment, AM3413, on page 3, line 10, the new matter has been struck and the stricken matter reinstated.

2. On page 1, the matter beginning with "retirement" in line 1 through line 5 has been struck and "retirement; to amend sections 16-1020, 16-1021, 16-1023, 16-1024, 16-1025, 16-1030, 16-1033, 16-1034, 16-1036, 16-1037, 16-1038, 16-1041, 18-1723, and 68-621, Reissue Revised Statutes of Nebraska, and sections 35-1001 and 81-8,317, Revised Statutes Cumulative Supplement, 2022; to name the Cities of the First Class Firefighters Retirement Act; to change provisions relating to retirement plans for firefighters employed by a city of the first class; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 870.** Placed on Final Reading.**LEGISLATIVE BILL 870A.** Placed on Final Reading.**LEGISLATIVE BILL 1017.** Placed on Final Reading.**LEGISLATIVE BILL 1092.** Placed on Final Reading.**LEGISLATIVE BILL 1195.** Placed on Final Reading.**LEGISLATIVE BILL 1197.** Placed on Final Reading.**LEGISLATIVE BILL 1284.** Placed on Final Reading.**ST71**

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 9 and all amendments thereto have been struck and "education; to amend section 38-3113, Reissue Revised Statutes of Nebraska, sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150, 79-8,151, 79-2607, 79-3301, and 85-3004, Revised Statutes Cumulative Supplement, 2022, and sections 79-8,114, 79-1021, 85-3103, 85-3105, and 85-3112, Revised Statutes Supplement, 2023; to define and redefine terms; to develop a pilot program to make menstrual products available to schools as prescribed; to create a Dyslexia Research Grant Program; to make changes to the Psychology Practice Act and the Nebraska Teacher Recruitment and Retention Act; to change provisions relating to the eligible uses of the Education Future Fund; to terminate loan repayment assistance and provide grants to teachers under the Teach in Nebraska Today Act; to provide powers and duties to the State Department of Education, the State Board of Education, and the Commissioner of Education; to provide for the creation and support of a professional learning system and regional coaches relating to instruction in reading; to require the State Department of Education to establish a statewide computer science and technology education expansion program under the Computer Science and Technology Education Act; to create the Computer Science and Technology Education Fund; to add an additional eligible program of study offered by the University of Nebraska under the Nebraska Career Scholarship Act; to change provisions relating to the Attracting Excellence to Teaching Program and eligible uses for the Excellence in Teaching Cash Fund; to state intent regarding appropriations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

2. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 1284A.** Placed on Final Reading.

**LEGISLATIVE BILL 1300.** Placed on Final Reading.

[ST78](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 1300A.** Placed on Final Reading.

**LEGISLATIVE BILL 1329.** Placed on Final Reading.

[ST72](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. The matter beginning with "the" in line 1 through line 7 and all amendments thereto have been struck and "education; to amend sections 32-543, 32-811, 79-201, 79-205, 79-206, 79-207, 79-210, 79-2,141, 79-2,145, 79-474, 79-475, 79-520, 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, 79-1093, 79-1107, and 79-1108.03, Reissue Revised Statutes of Nebraska, sections 28-1204.04, 32-405, 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413, 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-8,150, 79-1045, 79-1084, 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 79-10,141, 79-1108.02, 79-11,159, 79-3105, 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022, and sections 28-1201, 28-1202.01, 79-101, 79-238, 79-239, 79-262.01, 79-2,146, 79-729, 79-8,145.01, 79-1054, 79-10,150, 79-3501, 79-3602, 79-3603, and 79-3703, Revised Statutes Supplement, 2023; to define and redefine terms; to change provisions relating to carrying a concealed handgun, possession of a firearm in certain school environments, the classification of school districts, excessive absenteeism and truancy, the enrollment option program, issuance and eligibility for certificates, permits, and endorsements issued by the Commissioner of Education, high school graduation requirements, student loan repayment assistance, innovation and improvement grant programs, the Summer Food Service Program, special education expenditures, programs for learners with high ability, behavioral health points of contact, state lottery funds used for education, behavioral awareness training, the College Pathway Program, and certain tax levy and bonding authority of school districts; to change requirements relating to certain training as prescribed; to provide for grants for public and private schools to provide emergency response mapping data to public safety agencies; to create the School Emergency Response Mapping Fund; to prohibit the use of certain maps in schools; to prohibit schools from taking certain debt collection actions relating to student meals; to eliminate an innovation grant program established by the department and a mental health first aid training program; to change provisions of the Nebraska Career Scholarship Act relating to scholarships, eligible programs of study, reports, and powers and duties; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-11,160, Revised Statutes Supplement, 2023." inserted.

2. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 1329A.** Placed on Final Reading.

[ST73](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "section" in line 1 through line 6 has been struck and "sections 106 and 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024, and section 2, Legislative Bill 1413, One Hundred Eighth Legislature, Second Session, 2024; to transfer funds, appropriate funds, and reduce appropriations to aid in carrying out the provisions of Legislative Bill 1329, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 1370.** Placed on Final Reading.

**LEGISLATIVE BILL 25.** Placed on Select File with amendment.[ER134](#)

1 1. On page 1, strike beginning with "courts" in line 1 through line  
2 2 and insert "the Political Subdivisions Tort Claims Act; to amend  
3 section 13-910, Reissue Revised Statutes of Nebraska; to allow tort  
4 claims involving child abuse or sexual assault of a child under the act;  
5 to harmonize provisions; and to repeal the original section."

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Linehan filed the following amendment to [LB388](#):  
[AM3419](#) is available in the Bill Room.

Senator Bostar filed the following amendment to [LB1317](#):  
[FA429](#)

Amend AM3246 on page 48, line 25, insert the following new subsection: "(3) This section shall terminate on December 31, 2027"; insert the following new sections: "(1) Effective on January 1 2028, an electric supplier shall not develop, own, maintain, or operate a direct-current, fast-charging station within ten miles of a privately owned direct-current fast-charging station that is already in commercial operation or has a pending building permit and interconnection request to the electric supplier, on January 1, 2028"; "(2) An electric supplier that operates a direct-current, fast-charging station shall provide electric vehicle charging under rates, tolls, rents, and charges that are fair, reasonable, and nondiscriminatory, and available to all direct-current, fast-charging station operators in the electric supplier's service territory for the purpose of operating direct-current, fast-charging stations."

**VISITOR(S)**

Visitors to the Chamber were Teddy Spray, Millard; Jaelyn Uehling, Omaha.

The Doctor of the Day was Dr. Lillia Cherkasskly of Omaha.

**ADJOURNMENT**

At 10:18 p.m., on a motion by Senator Bostar, the Legislature adjourned until 9:00 a.m., Wednesday, April 10, 2024.

Brandon Metzler  
Clerk of the Legislature



**FIFTY-EIGHTH DAY - APRIL 10, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 10, 2024

**PRAYER**

The prayer was offered by Senator Walz.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Bostelman.

**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 Conrad, Hunt, Jacobson, Raybould, Slama, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-seventh day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Bostar filed the following amendment to LB1300:

[FA400](#)

Amend AM3227 on line 8 after "against" insert "United States".

Senator Bostar filed the following amendment to LB1300:

[FA402](#)

Amend AM3227 on line 9 after "Pacific" insert the word "ocean".

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 464, 465, 467, and 468 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 464, 465, 467, and 468.

**SELECT FILE**

**LEGISLATIVE BILL 1317**, [ER129](#), found on page 1552, was offered.

ER129 was adopted.

Senator Erdman offered [MO1178](#), found on page 588, to bracket until April 18, 2024.

Senator Erdman asked unanimous consent to withdraw his motion to bracket.

No objections. So ordered.

The Linehan motion [MO1349](#), found on page 1468, to bracket, was not considered.

Senator Linehan asked unanimous consent to withdraw [MO1350](#), found on page 1468, to recommit to committee.

No objections. So ordered.

Senator Hansen offered [AM3362](#), found on page 1519.

The Hansen amendment was adopted with 27 ayes, 5 nays, 15 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh offered [FA426](#), found on page 1603.

The M. Cavanaugh amendment was withdrawn.

Senator von Gillern withdrew [AM3427](#), found on page 1569.

Senator M. Cavanaugh offered [FA427](#), found on page 1603.

The M. Cavanaugh amendment was withdrawn.

Senator Bostar offered [FA429](#), found on page 1608.

The Bostar amendment was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Senator Bostar offered the following amendment:  
[AM3378](#) is available in the Bill Room.

Senator Bostar offered the following amendment to his amendment:

[FA434](#)

Amend AM3378 on page 11, after line 19, insert "(iii) no claim under this section shall be paid until after July 1, 2027."

### **SENATOR FREDRICKSON PRESIDING**

The Bostar amendment, to his amendment, was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

The Bostar amendment, as amended, was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Senator von Gillern offered the following amendment:

[AM3447](#) is available in the Bill Room.

Senator Erdman offered the following amendment to the von Gillern amendment:

[FA435](#)

On page 4, line 5, of AM3447, strike "The Governor may waive this requirement."

The Erdman amendment, to the von Gillern amendment, was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Senator Bostelman offered the following amendment to the von Gillern amendment:

[FA440](#)

Amend AM3447 on page 3, line 25, by striking "to the extent practical,".

The Bostelman amendment, to the von Gillern amendment, was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

The von Gillern amendment, as amended, was adopted with 32 ayes, 1 nay, 15 present and not voting, and 1 excused and not voting.

Senator von Gillern offered the following motion:

[MO1412](#)

Reconsider the vote taken on AM3447.

Senator von Gillern asked unanimous consent withdrew his motion to reconsider.

No objections. So ordered.

Senator Blood offered the following amendment:

[FA438](#)

Strike lines 28-29 on page 78 to reinstate "the Federal Employees Retirement System or".

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 1402.** Placed on Select File with amendment.

[ER135](#)

1 1. On page 1, strike beginning with "appropriations" in line 1  
2 through line 3 and insert "education scholarships; to amend sections  
3 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023;  
4 to provide for education scholarships; to repeal the Opportunity  
5 Scholarships Act; to harmonize provisions; to provide operative dates; to  
6 repeal the original sections; to outright repeal sections 77-7101,  
7 77-7102, 77-7103, 77-7104, 77-7105, 77-7106, 77-7107, 77-7108, 77-7109,  
8 77-7110, 77-7111, 77-7112, and 77-7113, Revised Statutes Supplement,  
9 2023; and to declare an emergency."

**LEGISLATIVE BILL 1402A.** Placed on Select File.

(Signed) Beau Ballard, Chairperson

**ATTORNEY GENERAL'S OPINION**

**Nebraska Department of Justice**

Opinion No. 24-002 — April 5, 2024

Opinion for Senators Brad von Gillern and Ray Aguilar

**Constitutionality of the Proposed Amendment to the Sports Arena  
Facility Financing Assistance Act**

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**Summary:** L.B. 1197, a proposed amendment to the Sports Arena Facility Financing Assistance Act, does not violate Nebraska's constitutional prohibition against the lending of the credit of the State or the related principle prohibiting the spending of public money for a private purpose. The structure of L.B. 1197 ensures that a public body will have a sufficient degree of control over any private entity that can apply to, receive, or otherwise benefit from public funding made available under the Sports Arena Facility Financing Act. This structure alleviates any facial constitutional concern.

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L.B. 1197 proposes changes to the Sports Arena Facility Financing Assistance Act, Neb. Rev. Stat. § 13-3101 to 13-3109, a statute which permits eligible facilities to apply for state financial assistance for certain statutorily delineated purposes, such as the repayment of "amounts expended or borrowed . . . to acquire, construct, improve, or equip the eligible . . . facility." Neb. Rev. Stat. § 13-3103(1). As amended, L.B. 1197

would expand the definition of "eligible sports arena facility," modifying it to include "any privately owned sports complex." See AM 2715 to L.B. 1197, § 2(8)(e), 108th Leg. 2nd Sess. (2024).<sup>1</sup> That expansion comes with a limitation: Privately owned complexes are required to use any financial assistance they receive in certain specified ways (outlined in greater detail below). See *id.* § 3(4). You have asked for an opinion regarding the constitutionality of L.B. 1197, specifically the constitutionality of the bill as amended by AM 2715.

A statute that allows a privately owned entity to receive state funds implicates Article XIII, § 3 of the Nebraska Constitution ("Section 3"), which (except for a limited exception not pertinent here) forbids "the credit of the state" from being "given or loaned in aid of any individual, association, or corporation." Neb. Const. Art. XIII, § 3. Analyzing the constitutionality of L.B. 1197 thus requires an analysis of the application of Section 3 and the related "fundamental principle that public moneys may not be used for private purposes." *State ex rel. Beck v. City of York*, 164 Neb. 223, 225, 82 N.W.2d 269, 271 (1957). We conclude that L.B. 1197, as amended, neither infringes Section 3 nor runs afoul of this related principle.

The Sports Arena Facility Financing Assistance Act was first enacted in 2010 as part of L.B. 779. See L.B. 779, §§ 7–15, 101st Leg., 2nd Sess. (2010) (enacted). L.B. 779 established a system by which political subdivisions could apply for "state assistance" to pay back "amounts expended or borrowed" through the issuance of a bond to "acquire, construct, improve, or equip an eligible sports arena facility." *Id.* § 9. The "state assistance" that subdivisions could apply for was drawn from increased sales tax revenue generated by retailers in the geographic vicinity of an eligible arena facility. See *id.* § 14. At the time L.B. 779 was enacted, "eligible sports arena facility" was defined to include only "publicly owned" sports complexes of a certain size that also met various other characteristics. *Id.* § 8(3)(a).

Since its initial enactment in 2010, the Sports Arena Facility Financing Assistance Act has been amended several times.<sup>2</sup> These various amendments have often expanded the scope of the defined term "eligible sports arena facility," bringing a wider array of projects within its ambit. For example, in 2023, L.B. 727 expanded the definition to include "privately owned concert venue[s]." L.B. 727, § 25(8)(d), 108th Leg. 1st, Sess. (2023)

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<sup>1</sup> L.B. 1197 primarily amends a section currently codified at Neb. Rev. Stat. § 13-3102. The entire Act is currently codified at Neb. Rev. Stat. §§ 13-3101 to 13-3109.

<sup>2</sup> See, e.g., L.B. 884, § 6, 104th Leg. 2nd Sess. (2016) (enacted); L.B. 39, § 2, 107th Leg., 1st Sess. (2021) (enacted); L.B. 927, § 6, 107th Leg., 2nd Sess. (2022) (enacted); L.B. 727, § 25(8)(d), 108th Leg. 1st, Sess. (2023) (enacted).

(enacted). Nevertheless, the general structure of the Sports Arena Facility Financing Act, in which sales tax revenue generated in the vicinity of an eligible project is used to fund state assistance that can be used to repay indebtedness incurred by a public entity to buy, build, remodel, or outfit an eligible sports arena facility has remained constant.

L.B. 1197, as introduced, retained this basic structure. *See* L.B. 1197, 108th Leg. 2nd Sess. (2024) (introduced). Like previous modifications to the Sports Arena Facility Financing Assistance Act, L.B. 1197 proposed to alter the statutory definition that governs when state assistance is potentially available. *Id.* Most notably, the introduced version of L.B. 1197 incorporated language that makes "privately owned" sports complexes eligible for state assistance, subject to certain restrictions. *Id.* § 2(4). The version of L.B. 1197 currently under consideration—Amendment 2715, which is a so-called "white copy" amendment which strikes the original language of the bill in its entirety and introduces a new version of the bill—retains this proposed change. AM 2715 to L.B. 1197, § 2(4), 108th Leg. 2nd Sess. (2024).<sup>3</sup>

The bottom-line question is whether L.B. 1197 facially violates Section 3 or the related fundamental principle that our Supreme Court has held to flow therefrom. We believe it does not. When a public body either has control over or a sufficient ownership interest in a privately owned recipient of state money, the constitutional prohibition against the lending the credit of the State is likely not infringed. Here, L.B. 1197 is structured in such a way that private recipients of state money are subject to a sufficient degree of public control. The various control mechanisms built into the statute (many of which have long been features of the Sports Arena Facility Financing Act) are designed to ensure that public money is spent for a permissible public (as opposed to an impermissible private) purpose. The existence of these statutory guardrails means that, in most circumstances,<sup>4</sup> state money spent to extinguish debt associated with a privately owned eligible sports arena facility will nevertheless have been expended for a public purpose. Because that is so, we believe it likely that L.B. 1197 would survive facial constitutional scrutiny.

**I.**

**A.**

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<sup>3</sup> Unless otherwise noted, any subsequent references to L.B. 1197 refer to L.B. 1197 as amended by AM 2715.

<sup>4</sup> As discussed below, *see* pp. 16, 18–21, *infra*, we acknowledge the possibility that, in rare circumstances and despite the guardrails built into the statute, state assistance might result in state money being unconstitutionally spent for a private rather than public purpose. On such a rare occasion, an as-applied Section 3 challenge to a purportedly unconstitutional expenditure might be warranted.

We begin with an examination of the text and purpose of Section 3, as informed by the history underlying its inclusion in the Constitution.

i.

The text of Section 3 provides, in pertinent part, that:

The credit of the state shall never be given or loaned in aid of any individual, association, or corporation, except that the state may guarantee or make long-term, low-interest loans to Nebraska residents seeking adult or post high school education at any public or private institution in this state.

Neb. Const. Art. XIII, § 3.

"Many jurisdictions have a state constitutional provision which expressly forbids the state or its political subdivisions from lending their credit to any individual or private corporation or association." John Martinez, 4 Local Government Law § 25:7 (West 2d. 2023). "[T]he mischief sought to be remedied is the use of public credit or funds to further *private* enterprise." *Id.* (emphasis in original). By contrast, when a State "uses, rather than lends, its credit, there is no infringement of a constitutional prohibition as to a loan of the State's credit." 81A C.J.S. States § 360 (2024).

As our Supreme Court explained in *Haman v. Marsh*, the "historical genesis" of state-level constitutional prohibitions like and including Section 3 was the "reaction of public opinion to the . . . extravagant dissipation of public funds by counties, townships, cities and towns in aid of the construction of railways, canals, and other like undertakings during the half century preceding 1880." 237 Neb. 699, 718, 467 N.W.2d 836, 850 (1991) (quoting *State v. Northwestern Mutual Insurance Co.*, 340 P.2d 200, 201 (Ariz. 1959)); *see also Beck*, 164 Neb. 223 at 225, 82 N.W.2d at 271 (Section 3 "protect[s] the State and its political subdivisions against reckless financial involvement in private enterprises supposed to serve the public good but which are in fact dominated by private interest."). The very purpose of Section 3 is to ensure the State does not become unnecessarily entangled with the endeavors of private enterprise. As its plain text indicates, Section 3 is "designed to prohibit the state from acting as a surety or guarantor of the debt of another." *Haman v. Marsh*, 237 Neb. 699, 718, 467 N.W.2d 836, 850 (1991).

In light of this historical context, our Supreme Court has stated that Section 3 was "designed . . . to prevent the use of public funds raised by general taxation in aid of enterprises apparently devoted to quasi public purposes, but actually engaged in private business." *Haman*, 237 Neb. at 718, 467 N.W.2d at 850 (emphasis omitted) (internal quotation marks and

citations omitted).<sup>5</sup> Accordingly, "[t]he Legislature cannot appropriate the public moneys of the state to encourage private enterprises," *Oxnard Beet Sugar Co. v. State*, 73 Neb. 57, 105 N.W. 716, 717 (1905), because "[t]he financing of private enterprises with public funds is foreign to the fundamental concepts of our constitutional system," *Beck*, 164 Neb. at 229–30, 82 N.W.2d at 273.

That does not mean, however, that there is a constitutional problem any time state monies are pledged to or otherwise end up in the hands of a private entity. As a matter of common sense, it would be nearly impossible for the government to function if it was constitutionally forbidden from engaging in commerce or entering into contractual agreements with private businesses. That is why Section 3 is not implicated when the State "merely agree[s] to expend funds." *Japp v. Papio-Missouri River Nat. Res. Dist.*, 273 Neb. 779, 789, 733 N.W.2d 551, 559 (2007) (emphasis omitted). A private entity's receipt of government funds is not inherently unconstitutional. *See Chase v. Douglas County*, 195 Neb. 838, 847, 241 N.W.2d 334, 340 (1976) (recognizing that "public purposes" can be "accomplish[ed] . . . through private organizations"); *see also Lenstrom v. Thone*, 209 Neb. 783, 790, 311 N.W.2d 884, 888 (1981) ("Legislation which serves a public purpose is not constitutionally impermissible because incidental benefits may accrue to others."). Article XIII, Section 3 simply establishes "limits beyond which the Legislature cannot go." *Beck*, 164 Neb. at 230, 82 N.W.2d at 273. It ensures that neither the State nor any of its subdivisions can "spend public

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<sup>5</sup> Our acknowledgment of this historical context and this Opinion's embrace of precedent articulating an atextual (but perhaps strongly implied) prohibition regarding the expenditure of public money for private purposes should not be understood as an uncritical, unreserved endorsement of the Court's Section 3 jurisprudence, especially those portions that pour gloss atop the constitutional text. *See, e.g., Beck*, 164 Neb. at 227, 82 N.W.2d at 272 (suggesting that a bond's increased marketability, flowing from mere association with a government body, represents a lending of the State's credit); *Japp v. Papio-Missouri River Nat. Res. Dist.*, 273 Neb. 779, 788, 733 N.W.2d 551, 558 (2007) (reiterating sentiments from *Beck* regarding the "greater marketability" of certain bonds). Authority from the Supreme Court interpreting a constitutional provision is, of course, authoritative and binding unless and until it is overruled or altered, either by the Court in a future decision or the People via the process of amending the Constitution. Nevertheless, it is "the Constitution which [a Supreme Court Justice has] swor[n] to support and defend, not the gloss which his predecessors may have put on it." *South Carolina v. Gathers*, 490 U.S. 805, 825 (1989) (Scalia, J., dissenting) (quoting William O. Douglas, *Stare Decisis*, 49 Colum. L. Rev. 735, 736 (1949)). That, too, is our Office's lodestar.



money, or lend or give away, directly or indirectly, its credit or property for a purpose which is not a public one." *Id.*

The facts of *Japp* illustrate this principle in action. There, a Natural Resources District entered into an agreement with private real estate developers to fund the construction of two dams on a tributary of Papillion Creek flowing through the developers' property. The District pledged millions of dollars to defray most (but not all) of the "costs of design, construction, project administration, permits, and project land rights" necessary for the dams' construction. *Id.* at 782, 733 N.W.2d at 554. The Supreme Court characterized the agreement as the District "agreeing to pay for the [two] dams" but nevertheless concluded that the District had not violated Section 3. *Id.* at 788, 733 N.W.2d at 558–59. The Court explained that although the District was partnering with private entities who would thus receive public money, the expenditure was permissible because the District had not "use[d] its credit to secure capital for a *private project* or agree to act *as a guarantor* for a private company." *Id.* (emphasis added). Instead, the District was simply working in tandem with the developers by "provid[ing] funds for a project that would carry out its statutory purposes." *Id.* at 788–89, 733 N.W.2d at 559.

The question remains: What is the dividing line between a public and private purpose? We turn to that next.

**ii.**

Generally speaking, "[a] public purpose has for its objective the promotion of the public health, safety, morals, security, prosperity, contentment, and the general welfare of all." *State ex rel. Douglas v. Nebraska Mortg. Fin. Fund*, 204 Neb. 445, 458, 283 N.W.2d 12, 21 (1979).<sup>6</sup> Beyond that general guidance, "[n]o hard and fast rule can be laid down for determining whether a proposed expenditure of public funds is . . . [for] a public use or purpose. Each case must be decided with reference to the object sought to be accomplished and to the degree and manner in which that object affects the public welfare." *Id.*

There is an initial presumption that "[i]t is for the Legislature to decide in the first instance what is and what is not a public purpose." *Lenstrom*, 209 Neb. at 789, 311 N.W.2d at 888. Legislative declaration is not, however, dispositive. *Chase*, 195 Neb. at 846, 241 N.W.2d at 339 (the Legislature's "determination is not conclusive on the courts"). When the absence of a public purpose is "clear and palpable . . . to the reasonable mind," a court should declare a statute authorizing an expenditure to a private entity invalid. *Lenstrom*, 209 Neb. at 789–90, 311 N.W.2d at 888.

*Beck* provides useful guidance on this front. When public money is expended on behalf of a "private corporation for *private profit and private*

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<sup>6</sup> *Cf.* Neb. Rev. Stat. § 77-202(a)(ii).

gain," that expenditure "serves no public . . . purpose." *Beck*, 164 Neb. at 230, 82 N.W.2d at 274 (emphasis added).

It was the application of this principle that controlled the outcome in *Chase v. Douglas County*. At issue there was a law that allowed political subdivisions to spend public money on certain types of development, including the mounting of a "publicity campaign" designed to attract new businesses and the "purchas[e] [of] real estate suitable for industrial development." 195 Neb. at 840–41, 241 N.W.2d at 337. The law was challenged on that grounds that it unconstitutionally "authorize[d] public funds to be used for private purposes." *Id.* at 841, 241 N.W.2d at 337. As noted above, *Chase* recognized that it is possible to undertake a "public purpose through [a] private organization[]." *Id.* at 847, 241 N.W.2d at 340. In *Chase*, the Court ultimately held that the portion of the statute authorizing expenditures on a publicity campaign was constitutional, but the portion authorizing the acquisition of real estate was not. *Id.* at 845, 241 N.W.2d at 339.

Expounding on why the real estate acquisition portion ran afoul of Section 3, the Court explained that for real estate to be "effectively used for industrial development, it must first in some way come into the use and possession of the private persons or entities which may engage in industry." *Id.* at 848, 241 N.W.2d at 340. Necessarily then, the expenditure of public money to acquire real estate would "result[] in capital being furnished by the city or county for private use." *Id.* at 849, 241 N.W.2d at 341. This was so, "[e]ven if title [to the property] [wa]s held by [a locality]" because the locality bore all the risk of loss (such as the possible depreciation of the property value) while the private entity would enjoy the "benefit of [any] increase." *Id.* at 850, 241 N.W.2d at 341. In short, the real estate acquisition provision was constitutionally problematic because it facilitated the prospect of purely "private profit and private gain," *Beck*, 164 Neb. at 230, 82 N.W.2d at 274,<sup>7</sup> while leaving the public on the hook in the event of a loss. See *Haman*, 237 Neb. at 722, 467 N.W.2d at 852 (emphasizing that it was the risk of loss borne by the locality that was deemed constitutionally problematic in *Chase*).

#### B.

Concerns about private profit and inappropriate exposure to risk—hallmarks of expenditures that violate Section 3—can be effectively alleviated in a number of ways. Two are particularly relevant here.

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<sup>7</sup> Of course, a successful industrial development program would likely result in "general benefit[s] to the economy of [the local] community" such as increased "employment for [its] citizens." *Beck*, 164 Neb. at 230, 82 N.W.2d at 274. The *Beck* court concluded, however, that this sort of general benefit "does not justify the use of public funds" to "assist a private corporation that is engaged in an enterprise for profit." *Id.* at 230, 82 N.W.2d at 273–74.

*First*, ownership. When public money is expended on a project or endeavor involving a private entity, securing an ownership interest in the fruits of that public-private partnership effectively nullifies both concerns. So long as the ownership interest is commensurate with the value of the expenditure, the government shares both any potential profits and the burden of any losses proportionately with its private partner or partners. This alleviates any concern that the State is "acting as a surety or guarantor." *Haman*, 237 Neb.at 718, 467 N.W.2d at 850. There can be little doubt that where a government entity has a representative ownership stake in a project, the concerns animating Section 3 are not present.<sup>8</sup>

*Second*, control. When the government exercises sufficient control over a project involving a private entity that will be the recipient of public money, the dangers discussed above are minimized. The structure of the Sports Arena Facility Financing Assistance Act provides a ready example. In its present form, an "eligible sports arena facility" can apply for "state assistance" which is, practically speaking, redirected state sales tax revenue collected from the geographic vicinity of an eligible facility and ultimately paid to the assistance recipient from the coffers of the Sports Arena Facility Support Fund. *See* Neb. Rev. Stat. §§ 13-3102, 13-3103, 13-3107, 13-3108. At present, the Act includes within the definition of "eligible sports arena facility" any "privately owned concert venue." *Id.* § 13-3102(8)(d). Thus, even without adoption of L.B. 1197, *some* private entities can already receive public funds under the Sports Arena Facility Financing Assistance Act.<sup>9</sup>

An examination of the current structure of the Act leads us to believe it is at least facially constitutional. Numerous provisions ensure that the public entities involved have a significant degree of control over any private entity that stands to receive or benefit from state assistance available under the Act. The process of applying for such assistance *requires* the

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<sup>8</sup> Nothing in this Opinion should be construed to suggest that an ownership interest insulates government action from other statutory or constitutional objections, such as a claim that the action in question is ultra vires or otherwise unauthorized for reasons unrelated to Section 3.

<sup>9</sup> Privately owned concert venues can use state assistance for only two purposes—"to acquire, construct, improve, or equip a nearby parking facility" or "to promote arts and cultural events which are open to or made available to the general public." Neb. Rev. Stat. § 13-3103(3). Furthermore, as discussed below, ultimately, the Act expressly requires private entities to use any assistance they receive for a public purpose, *id.* § 13-3104(5), and private entities have a special obligation to describe how any assistance they receive will be used "in furtherance of . . . a public use or public purpose" during the application and approval process, *id.* § 13-3104(3)(a).

involvement of a political subdivision; a private entity cannot apply for assistance without a government partner. *See* Neb. Rev. Stat. § 13-3102(1). Any assistance granted must be used for one of a limited number of statutorily delineated purposes. *See id.* § 13-3103(3). When applying for assistance, applicants must provide a "detailed description" outlining how the assistance will be used "in furtherance of the applicant's public use or public purpose" if the assistance will be "expended through one or more private organizations." *Id.* § 13-3104(3)(a). Assistance cannot be used as an "operating subsidy." Neb. Rev. Stat. § 13-3108(8). The Act also authorizes the government partner to secure its interest in the fruits of the project by way of a "mortgage or deed of trust encumbering all or any portion" of the relevant sports arena facility. *Id.* § 13-3109(1). And perhaps most relevant of all, the Act explicitly requires that all "state assistance received pursuant to the [A]ct shall be used only for public purposes." *Id.* § 13-3104(5).

Taken together, these statutory features help ensure that public money is used only for a public purpose. They also minimize the risk that a government entity will be left with a substantial loss in the event the project financed via state assistance is unprofitable.<sup>10</sup> This degree of control is sufficient to allow a statute to survive Section 3 scrutiny. *See Haman*, 237 Neb. at 722, 467 N.W.2d at 852 (explaining that a statute's public purpose is "not vitiated" by the involvement of a private entity when "specific controls on the use of the [government] funds [are] attached").

That is not to say that the control exercised over a private entity *must* flow from statutory text itself; other oversight mechanisms are possible. For example, public money received and spent by so-called "63-20" entities, a special class of private nonprofits that meet the requirements of Internal Revenue Service Revenue Ruling 63-20, *See* Rev. Rul. 63-20, 1963-1 C.B. 24 (1963), is likely constitutional. These entities are, by design, "essentially public in nature" even if, as a formal legal matter, their existence is separate and apart from the government entity that creates them. *Id.* The express purpose of a 63-20 nonprofit is to serve as a corporate vehicle for housing debt that would otherwise be accrued by a related

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<sup>10</sup> Indeed, the Act's front-end restrictions on the permissible uses of state assistance are designed to ensure that any project funded will serve a public purpose and thereby guarantee that the public will receive *some* benefit even if the project is unsuccessful, nullifying the central policy concern that was the impetus for Section 3. *See Haman*, 237 Neb. at 719, 467 N.W.2d at 850 (constitutional prohibitions on the lending of the credit of the State, such as Section 3, were "designed primarily to prevent the use of public funds raised by general taxation in aid of enterprises apparently devoted to *quasi* public purposes, but actually engaged in private business.") (quoting *Northwestern Mutual*, 340 P.2d at 201)).

government entity for the purpose of "stimulating industrial development."  
*Id.*

The requirements for establishing a 63-20 entity illustrate why there is no constitutional impediment to their receipt of public money. A 63-20 entity must:

- 1) be approved by the related government entity whose indebtedness it is a vehicle for;
- 2) engage in activities which are essentially public in nature;
- 3) be one which is not organized for profit (except to the extent profits are used to retire indebtedness);
- 4) not have the 63-20 entity's corporate income inure to any private person;
- 5) extend a beneficial interest to the government body that established it while any indebtedness remains outstanding;
- 6) hand over to that related government body full legal title to any property acquired by the 63-20 entity through the indebtedness occurred;
- 7) have the specific debt obligations which the 63-20 entity will incur be approved by the related government body.

Rev. Rul. 63-20, 1963-1 C.B. 24 (1963). If these requirements are met, the actions of a 63-20 entity are considered to be "on behalf of" the related, organizing government entity, even though, technically, the 63-20 is a wholly private creature. *Id.*; *see, e.g. Times of Trenton Pub. Corp. v. Lafayette Yard Cmty. Dev. Corp.*, 874 A.2d 1064, 1066 (N.J. 2005) (holding that although a 63-20 entity is a "private, nonprofit corporation" it should be treated as if it were a "public body").

The control mechanisms discussed above do not represent the complete universe of ways by which a public body can exercise sufficient control over private entity and thereby insulate an expenditure of public funds from the reach of Section 3. It is beyond the scope of this Opinion to identify every conceivable structure that might pass constitutional muster. For preset purposes articulation of general principles is sufficient. When a public body has sufficient control over the operations of a private entity, it is likely that any public money expended by the private entity will be spent for a public purpose rather than a private one. And as discussed above, *see p. 7, supra*, an expenditure of public money for a public purpose does not become unconstitutional simply because a private entity is involved with or actually makes that expenditure.

## II.

Having set forth the authority that guides our analysis, we consider the proposed text of L.B. 1197 currently under consideration by the Legislature. *See* AM 2715, L.B. 1197, 108th Leg. 2nd Sess. (2024).

As noted above, the primary change contemplated by L.B. 1197 is an expansion of the definition of "eligible sports arena facility" to include "any privately owned sports complex, including concession areas, parking

facilities, and onsite administrative offices connected with operating the sports complex." *Id.* § 2(8)(e). Because this expanded definition would open the door to the expenditure of public money by a private entity, the constitutional restriction represented by Section 3 is implicated. *See* pp. 2, 5–7, *supra*. However, because L.B. 1197 retains the already extant statutory features that ensure private entities that receive state assistance are subject to sufficient government control, *see* pp. 12–13, *supra*, and adds new measures that reinforce and bolster those that already exist, it is likely that L.B. 1197, if enacted, will survive contact with Section 3.

At the threshold, L.B. 1197 retains the requirement that an application for state assistance involve a government entity. *Id.* §1(1). The only proposed change to that section—substituting the word "corporation" in place of the existing "organization" language—does not displace the requirement that an "applicant" be either "a political subdivision" or a "political subdivision" working in tandem with a nonprofit. *Id.* This represents a key measure of government control. It is safe to presume that localities and other political subdivisions are unlikely to partner with private entities that seek to pursue a private, rather than public purpose. (And, if they do engage in such a partnership, they run the risk of an as-applied Section 3 constitutional challenge.) This presumption is reinforced by the retention of the requirement, currently found at Neb. Rev. Stat. § 13-3104(5), that "[a]ny state assistance received pursuant to the [A]ct shall be used only for public purposes."

The presumption is further reinforced by new language, a definition of "governmental use," that is included in L.B. 1197. AM 2715 to L.B. 1197, §2(10) 108th Leg. 2nd Sess. (2024). "Governmental use" is defined to mean "operational control and use by [a] political subdivision for a statutorily permitted purpose of the political subdivision." *Id.* This new definition is incorporated into another newly added provision that limits the permissible uses to which state assistance afforded to privately owned sports complexes can be put, discussed in greater detail below. It is worth noting here, however, that such a definition, which emphasizes the importance of "control and use" by a governmental entity and makes express reference to that entity's "statutorily permitted purpose" is congruent with the authority discussed above, such as *Beck* and *Japp*. *See* pp. 5, 7–9, *supra*.

Before discussing the completely new restrictions that condition the use of assistance with respect to a privately owned facility, we briefly note that L.B. 1197 proposes an expansion that is a direct analogue to an already existing category where assistance can flow to a private entity. As noted above, *see* pp. 11–12, *supra*, the Act already allows assistance to be go privately owned concert venues for certain purposes, including the promotion of "arts and cultural events which are open to or made available to the general public." Neb. Rev. Stat. § 13-3103(3). L.B. 1197 would essentially expand that category to include the promotion of "sporting events which are open to or made available to the general public." AM 2715

to L.B. 1197, § 3(4)(c), 108th Leg. 2nd Sess. (2024). This expanded category would be subject to the same restrictions that currently governs the promotion of arts and cultural events. *See, e.g., id.* § 3(3)(b). For the reasons already discussed above, we believe this category was constitutional and see no reason why that conclusion would change if expanded as proposed.

All that is left to assess are the two remaining ways that assistance can be used with respect to a privately owned complex. Those are:

- (a) to pay back amounts expended or borrowed through one or more issues of bonds to be expended by the applicant to acquire, construct, improve, or equip a privately owned sports complex, and
- (b) to lease all or a portion of such privately owned sports complex for the governmental use of the political subdivision.

*Id.* § 3(4).

We consider first subsection (b), the easier of the two provisions to assess. As previewed above, there can be little doubt that a provision that conditions the use of state assistance in the manner that subsection (b) does—by incorporating the new term "governmental use"—can survive constitutional scrutiny. A governmental use, by definition, involves "operational control" by a public body. *Id.* § 2(10). As we have already stated, when a public body has sufficient control over a private entity that will receive and expend public money, that control obviates the policy concerns underlying Section 3. Simply put, when a public body has operational control, it is unlikely that expenditures of public money will be "dominated by private interest." *Beck*, 164 Neb. at 225, 82 N.W.2d at 271. That is especially true when, as in *Japp*, the expenditures in question are aimed at "carry[ing] out [one of the public body's] statutory purposes." 273 Neb. at 788–89, 733 N.W.2d at 559.

Subsection (a), considered in isolation, presents a much closer call. It contains no equivalent to subsection (b)'s inclusion of "governmental purpose" nor the sorts of additional restrictions that the existing Act imposed on assistance flowing to private concert venues (the same restrictions which L.B. 1197 proposes to extend to the promotion of sporting events). The existing version of the Act permits privately owned concert venues to receive assistance to "acquire, construct, improve, or equip" a "nearby parking facility." Neb. Rev. Stat. § 13-3103(3) (emphasis added). By comparison, L.B. 1197 proposes to allow privately owned sports complexes to receive assistance to "to acquire, construct, improve, or equip" the *complex itself*. AM 2715 to L.B. 1197, §3(4)(a), 108th Leg. 2nd Sess. (2024) (emphasis added). The potential for both significant private profit and private gain, as well as the possibility that the public will be left holding the bag if a privately owned facility is economically unviable, is obvious. After all, many (though not all) sports complexes are multimillion (or even

multibillion) dollar endeavors.<sup>11</sup> Thus, this subsection presents a heightened risk of authorizing expenditures that will violate Section 3.

Having said as much, we do not think subsection (a) is facially unconstitutional. State assistance made available under that subsection is still subject to the numerous other safeguards built into the overall structure of the Act. A private sports complex must still partner with a public body to even apply for state assistance, that public body can secure an interest in the facility by way of a mortgage or deed encumbering it, and any assistance awarded is expressly required to be used for a public, rather than private, purpose. In many circumstances—especially when these statutory measures of control are paired with either an ownership stake or some non-statutory mechanism designed to alleviate the constitutional considerations discussed at length above, *see pp. 4–8, supra*—it is likely that state assistance can be awarded to and spent by a privately owned sports complex without violating Section 3.

To be clear, we note that it is certainly possible to imagine scenarios where assistance awarded under the auspices of subsection (a) would constitute an impermissible, unconstitutional expenditure of public money for a private purpose. Nothing in this Opinion should be understood as casting doubt on the viability of an as-applied Section 3 challenge to an award of state assistance that would "secure capital for a private project" or effectively results in a public body "act[ing] as a guarantor for a private company." *Japp*, 273 Neb. at 788, 733 N.W.2d at 559. That is so even if the privately owned complex is ostensibly working in tandem with a public body. The prohibition that flows from Section 3 is a limit "beyond which the [government] cannot go." *Beck*, 164 Neb. at 230, 82 N.W.2d at 273. The Supreme Court has made clear that when the principles that animate Section 3 are infringed, a governmental declaration that a truly private project actually has a public purpose is empty *ipse dixit*.

That said, the mere potential of an unconstitutional use does not doom a statute. For one, there is a strong presumption that public bodies will act within statutory and constitutional constraints. *See State v. Hess*, 261 Neb. 368, 377, 622 N.W.2d 891, 900–01 (2001); *Niklaus v. Miller*, 159

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<sup>11</sup> For example, Charles Schwab Field Omaha (formerly TD Ameritrade Park Omaha), the host venue for the College World Series and home of Creighton University baseball, which opened in 2011, had a construction cost of approximately \$130 million. *See* ME-Engineers, *Our Projects: TD Ameritrade Park Omaha*, <https://perma.cc/72BU-622S>. By contrast, SoFi Stadium, the home venue for the NFL's Los Angeles Rams and Los Angeles Chargers, which opened in 2020, had a reported construction cost of approximately \$5.5 billion. Rudi Schuller, *Los Angeles Rams & Chargers Stadium: What is SoFi Stadium's capacity and how much did it cost?*, Dazn.com (Oct. 2023), <https://perma.cc/X5VW-EA62>.



Neb. 301, 306, 66 N.W.2d 824, 828 (1954). For another, requests for state assistance must be approved by a Board consisting of "the Governor, the State Treasurer, the chairperson of the Nebraska Investment Council, the chairperson of the Nebraska State Board of Public Accountancy, and a professor of economics on the faculty of a state postsecondary educational institution . . . appointed . . . by the Coordinating Commission for Postsecondary Education." Neb. Rev. Stat. § 13-3102(2); *see also id.* § 13-3106(1) (providing that the board has discretion to approve projects "if [it] finds that the project . . . is eligible and that state assistance is in the best interest of the state" and reject those that do not). We find it unlikely that many unconstitutional projects will find a locality willing to shoulder the considerable financial risk and downside of a purely private project. It is even more unlikely that such a project will make it through the Board's eligibility and "best interest of the state" review. Surmounting both will be an even taller task. And for the few private projects that might manage to slip through the cracks, as-applied Section 3 litigation provides a final failsafe.

\* \* \*

Having reviewed the proposed text of L.B. 1197, we find no facial constitutional infirmity. While there may be rare instances where state assistance awarded under its auspices runs afoul of Section 3, if enacted as currently proposed, L.B. 1197 should survive facial constitutional scrutiny.

Michael T. Hilgers  
*Attorney General of Nebraska*

#### SELECT FILE

**LEGISLATIVE BILL 1317.** Senator Blood renewed [FA438](#), found and considered in this day's Journal, to the von Gillern amendment.

Senator Blood moved for a call of the house. The motion prevailed with 8 ayes, 6 nays, and 35 not voting.

Senator Blood requested a roll call vote, in reverse order, on her amendment to the von Gillern amendment.

Voting in the affirmative, 6:

Blood	Cavanaugh, M.	Day
Cavanaugh, J.	Conrad	DeBoer

Voting in the negative, 32:

Aguilar	Brandt	Halloran	Linehan	Riepe
Albrecht	Brewer	Hansen	Lippincott	Sanders
Arch	Clements	Hardin	Lowe	Slama
Armendariz	DeKay	Hughes	McDonnell	von Gillern
Ballard	Dorn	Ibach	Meyer	
Bosn	Dover	Jacobson	Moser	
Bostelman	Erdman	Kauth	Murman	

Present and not voting, 8:

Bostar	Fredrickson	Vargas	Wayne
Dungan	McKinney	Walz	Wishart

Absent and not voting, 1:

Hunt

Excused and not voting, 2:

Holdcroft      Raybould

The Blood amendment, to the von Gillern amendment, lost with 6 ayes, 32 nays, 8 present and not voting, 1 absent and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

### **VISITOR(S)**

Visitors to the Chamber were students and teacher from Maywood; students and teachers from Holdrege High School, Holdrege; students from St. Stephen the Martyr, Omaha; students, teachers, and sponsor from Northeast High School, Lincoln; students from Westridge Elementary, Elkhorn; students from Fort. Calhoun Elementary, Fort Calhoun.

### **RECESS**

At 12:09 p.m., on a motion by Senator Aguilar, the Legislature recessed until 1:00 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:00 p.m., Senator Dorn presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Blood, J. Cavanaugh, Dungan, Halloran, Hunt, McDonnell, Raybould, and Slama who were excused until they arrive.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 473.** Introduced by Vargas, 7.

WHEREAS, the Omaha Symphony is conducted by Ankush Kumar Bahl and provides orchestral performances and musical entertainment and education to the community of Omaha, Nebraska; and

WHEREAS, Sculptures, a collection of movements composed by Andy Akiho and performed by the Omaha Symphony, was nominated for three Grammy Awards; and

WHEREAS, Sculptures was composed to honor of one of Omaha's most celebrated ceramic artists, Jun Kaneko, and includes sculptures, artwork, and music from three of his designed and produced operas: Beethoven's Fidelio, Puccini's Madame Butterfly, and Mozart's The Magic Flute; and

WHEREAS, the fourth movement, Cylinders, was nominated for Best Classical Instrumental Solo; the final movement, in that space, at that time, was nominated for Best Contemporary Classical Composition; and the entire collection was nominated for Best Classical Compendium; and

WHEREAS, since its founding in 1921, these Grammy Awards nominations are the first for the Omaha Symphony; and

WHEREAS, the Omaha Symphony's performances serve as an integral part in Omaha's cultural and musical communities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes and congratulates the Omaha Symphony and Andy Akiho for their Grammy Award nominations.
2. That the Legislature honors the incredible career of internationally renowned artist Jun Kaneko.
3. That copies of this resolution be sent to the Omaha Symphony and Ankush Kumar Bahl.

Laid over.

**LEGISLATIVE RESOLUTION 474.** Introduced by Vargas, 7.

WHEREAS, the inaugural match of the Pro Volleyball Federation, the first major league volleyball league in the United States, was hosted in Omaha, Nebraska; and

WHEREAS, the Omaha Supernovas made history on January 24th, 2024, as Nebraska's first and only major professional volleyball team; and

WHEREAS, the Omaha Supernovas set a United States record for attendance for women's professional volleyball, with eleven thousand nine hundred eighteen fans at CHI Health Center for their opening night; and

WHEREAS, the Omaha Supernovas continue to fuel Nebraska's love and support of women's volleyball; and

WHEREAS, the Legislature welcomes the Omaha Supernovas players to play volleyball in the great State of Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Omaha Supernovas and the Pro Volleyball Federation on their inaugural season.
2. That a copy of this resolution be sent to the Omaha Supernovas.

Laid over.

**LEGISLATIVE RESOLUTION 475.** Introduced by Vargas, 7.

WHEREAS, the South Omaha Community Care Council has served as an information and referral source that addresses the needs of the ever-changing and diverse south Omaha community for twenty-five years; and

WHEREAS, the South Omaha Community Care Council partners with community groups and organizations to enhance collaboration, communication, leadership, and services for the empowerment and well-being of the south Omaha community; and

WHEREAS, the South Omaha Community Care Council provides leadership and networking opportunities for the south Omaha community, which encourages relationships between neighbors, business owners, and leaders; and

WHEREAS, the Legislature appreciates the support, service, and contributions the South Omaha Community Care Council has provided for south Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes the South Omaha Community Care Council for twenty-five years of service to Omaha, Nebraska.
2. That a copy of this resolution be sent to the South Omaha Community Care Council.

Laid over.

**LEGISLATIVE RESOLUTION 476.** Introduced by Vargas, 7.

WHEREAS, Union Omaha, founded in May 2019, is the only professional soccer team in the State of Nebraska; and

WHEREAS, Union Omaha's new stadium in downtown Omaha will be open to the public by the spring of 2026 and will provide the Union Omaha team with its own facility; and

WHEREAS, Union Omaha's new stadium will have pickleball courts, practice fields, retailers, bars, housing, and hotels in the surrounding eighteen-acre area and will allow the creation of expanded opportunities for the community, including a women's soccer team and a youth training academy; and

WHEREAS, the evolution and growth of professional soccer in Omaha will continue to serve the community, the economy, and Nebraska's loyal soccer fans.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Union Omaha on their continued success and the announcement of their new stadium.

2. That a copy of this resolution be sent to Union Omaha.

Laid over.

**LEGISLATIVE RESOLUTION 477.** Introduced by Vargas, 7.

WHEREAS, the Nebraska School Counselor Association presented the 2024 Nebraska School Counselor of the Year award to Cami Oelsgle of Humphrey Public Schools; and

WHEREAS, school counselors work with all students to support them in three areas: academic achievement, career planning and readiness, and social and emotional development; and

WHEREAS, school counselors deliver their services through classroom instruction, small group intervention, and individual advisement and counseling; and

WHEREAS, Ms. Oelsgle demonstrated excellence as a school counselor by advocating for school counseling in her school district by helping school staff recognize the need for counseling interventions to increase social and emotional learning and giving staff the tools to interact with students in need of social and emotional support.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Cami Oelsgle on receiving the 2024 Nebraska School Counselor of the Year award.

2. That copies of this resolution be sent to Cami Oelsgle and Humphrey Public Schools.

Laid over.

**LEGISLATIVE RESOLUTION 478.** Introduced by Vargas, 7.

WHEREAS, volleyball players and coaches from the University of Nebraska-Lincoln, the University of Nebraska at Omaha, the University of Nebraska at Kearney, and Wayne State College made history with Volleyball Day in Nebraska on August 30, 2023; and

WHEREAS, the match between the University of Nebraska-Lincoln and the University of Nebraska at Omaha now holds the world record for attendance at a women's sporting event with a crowd of ninety-two thousand three fans beating the previous record set in Spain during a Champions League soccer match between Barcelona and Wolfsburg in 2022; and

WHEREAS, Volleyball Day showcased Nebraska's support and dedication to Nebraska volleyball; and

WHEREAS, Nebraska volleyball is an inspiration for young girls and women in sports around the world; and

WHEREAS, the Legislature appreciates the time, preparation, and hard work put in by all players, coaches, and staff to make Volleyball Day in Nebraska happen.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the players and coaches of the University of Nebraska-Lincoln and the University of Nebraska at Omaha for holding the world record for attendance at a women's sporting event.

2. That copies of this resolution be sent to the University of Nebraska-Lincoln, the University of Nebraska at Omaha, the University of Nebraska at Kearney, and Wayne State College volleyball teams.

Laid over.

**LEGISLATIVE RESOLUTION 479.** Introduced by Vargas, 7.

WHEREAS, mentorship relationships are transformative for young people, providing them with a safe space, a source of knowledge, and an advisor for their future endeavors; and

WHEREAS, when mentors contribute their time, young people are more likely to have increased confidence, self-esteem, improved academic performance, and improved relationships; and

WHEREAS, mentorship relationships positively impact both mentors and mentees with many relationships continuing and growing as the mentees become young adults; and

WHEREAS, the READ Nebraska program has invested in mentorship for Nebraska's youth by awarding funds to Bannisters Leadership Academy, Big Brothers Big Sisters of Central Nebraska, Big Brothers Big Sisters of Lincoln, Big Brothers Big Sisters of the Midlands, Community Connections of Lincoln County, Girls Inc. of Omaha, MENTOR Nebraska, MentoringWorks, Inc., Partnership 4 Kids, TeamMates Mentoring, and The Friends Program of Kearney.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature encourages participation in and support of mentorship programs across the state.

2. That the Legislature honors those who volunteer their time to make a difference in the lives of Nebraskans through mentorship.

Laid over.

**SELECT FILE**

**LEGISLATIVE BILL 1317.** Senator Erdman asked unanimous consent to withdraw [MO1179](#), found on page 588, to recommit to committee.

No objections. So ordered.

Senator Wayne offered the following motion:

[MO1413](#)

Reconsider the vote taken on AM3378.

Senator Wayne asked unanimous consent to withdraw his motion to reconsider.

No objections. So ordered.

Senator Wayne offered the following amendment:

[FA443](#)

Amend AM 3447

On page 7, line 21 strike "or are expected to be"

On page 7, line 22 after "Development Act", add ". Confirmation may include resolutions, meeting minutes, or other official measures adopted or taken by the City Council or Village Board of Trustees"

On pages 7-8, strike lines 24-31 on page 7, and lines 1-6 on page 8, and insert the following:

"(ii) Either the department has received written consent from the owners of real estate proposed to be removed from the good life district, or a hearing is held by the department in the manner described in this subdivision and the department finds that the removal of the affected property is in the best interests of the state and that the removal is consistent with the goals and purposes of the approved application for the good life district. In determining whether removal of the affected property is consistent with the goals and purposes of the approved application for the good life district, the department may consider any formal action taken by the city council or village board of trustees. Proof of such formal action may include resolutions, meeting minutes, or other official measures adopted or taken. Such hearing must be held at least ninety days after delivering written notice via certified mail to the owners of record for the affected real estate proposed to be removed from the good life district. The hearing must be open to the public and for the stated purpose of hearing testimony regarding the proposed removal of property from the good life district. Attendees must be given the opportunity to speak and submit documentary evidence at, prior to, or contemporaneously with such hearing for the department to consider in making its findings."

On page 10, strike lines 1-16.

**PRESIDENT KELLY PRESIDING**

The Wayne amendment was adopted with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 126.** [ER108](#), found on page 1364, was offered.

ER108 was adopted.

Senator Day offered [MO1344](#), found on page 1467, to bracket until April 18, 2024.

Senator Day asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator Day asked unanimous consent to withdraw the following motions:

[MO1342](#), found on page 1467, to recommit to committee.

[MO1343](#), found on page 1467, to indefinitely postpone.

No objections. So ordered.

Senator Linehan offered [AM3404](#), found on page 1586.

The Linehan amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1023.** [ER116](#), found on page 1392, was offered.

ER116 was adopted.

Senator von Gillern asked unanimous consent to withdraw the following motions:

[MO1351](#), found on page 1468, to bracket.

[MO1352](#), found on page 1468, to recommit to committee.

No objections. So ordered.

Senator von Gillern offered [AM3220](#), found on page 1472.

The von Gillern amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Senator von Gillern offered [AM3375](#), found on page 1561.

The von Gillern amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.



Senator Bostar offered the following amendment:

[AM3400](#)

(Amendments to Standing Committee amendments, AM3034)

1 1. On page 28, line 25, after "earned" insert "Only compensation  
2 paid to the individual for services performed within this state shall  
3 constitute income derived from sources within this state under this  
4 subdivision".

The Bostar amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 937.** [ER115](#), found on page 1401, was offered.

ER115 was adopted.

Senator M. Cavanaugh offered [MO1258](#), found on page 1036, to bracket until April 12, 2024.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1257](#), found on page 1036, to recommit to committee.

[MO1256](#), found on page 1036, to indefinitely postpone.

[MO1260](#), found on page 1037, to recommit to committee.

No objections. So ordered.

The M. Cavanaugh motion [MO1396](#), found on page 1595, to bracket, was not considered.

The M. Cavanaugh motion [MO1395](#), found on page 1595, to recommit to committee, was not considered.

The M. Cavanaugh motion [MO1394](#), found on page 1594, to indefinitely postpone pursuant to Rule 6, Sec. 3(f), was not considered.

The M. Cavanaugh motion [MO1402](#), found on page 1604, to bracket, was not considered.

The M. Cavanaugh motion [MO1403](#), found on page 1604, to recommit to committee, was not considered.

The M. Cavanaugh motion [MO1404](#), found on page 1604, to indefinitely postpone, was not considered.

The Linehan motion [MO1346](#), found on page 1467, to bracket, was not considered.

The Linehan motion [MO1347](#), found on page 1468, to recommit to committee, was not considered.

The Linehan motion [MO1345](#), found on page 1467, to indefinitely postpone, was not considered.

Senator Bostar offered the following amendment:  
[AM3420](#) is available in the Bill Room.

The Bostar amendment was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

Senator Wayne offered [AM3287](#), found on page 1547.

The Wayne amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

### MESSAGE(S) FROM THE GOVERNOR

April 10, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 130 and 130A were received in my office on April 5, 2024, and signed on April 10, 2024.

These bills were delivered to the Secretary of State on April 10, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

### COMMITTEE REPORT(S)

Agriculture

The Agriculture Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brenda R. Masek - Nebraska Brand Committee

Aye: 7. Brewer, Halloran, Hansen, Holdcroft, Hughes, Ibach, Riepe. Nay: 0.  
Absent: 1. Raybould. Present and not voting: 0.

(Signed) Steve Halloran, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 480.** Introduced by McDonnell, 5.

WHEREAS, Dr. Jeffrey Gold has served as Chancellor of the University of Nebraska Medical Center for the past ten years; and

WHEREAS, Dr. Gold has also served as Chancellor of the University of Nebraska at Omaha for four years; and

WHEREAS, Dr. Gold has been the author of more than two hundred peer-reviewed articles and more than forty books or chapters; and

WHEREAS, Dr. Gold has been active in the economic development arena by chairing various corporations including: the University Technology Development Corporation, the Medical Center Development Corporation, the University Technology Transfer Corporation, Nebraska Enterprises Corporation, and UNeTech Corporation; and

WHEREAS, during Dr. Gold's tenure, the University of Nebraska Medical Center has been highly ranked in a number of areas including research, primary care, and physician assistant programs among others; and

WHEREAS, Dr. Gold has worked with Chancellor Kristensen and President Carter to implement a collaborative rural health program and has worked with agricultural leaders across the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Dr. Jeffrey Gold on outstanding public service to the University of Nebraska system.
2. That a copy of this resolution be sent to Dr. Jeffrey Gold.

Laid over.

**LEGISLATIVE RESOLUTION 481.** Introduced by Cavanaugh, J., 9.

WHEREAS, Mike Kelley, an Omaha attorney and lobbyist, passed away on Friday, September 8, 2023, at the age of seventy-six; and

WHEREAS, Mike Kelley was a graduate of Creighton Preparatory School, Creighton University, and Creighton University School of Law; and

WHEREAS, after law school, Mike Kelley engaged in the private practice of law with his father, the late Thomas P. Kelley; and

WHEREAS, in 1981, Mike Kelley was appointed to the Douglas County Board of Commissioners and was subsequently elected to a second term; and

WHEREAS, after completing his term on the Douglas County Board, Mike Kelley's law practice centered on government relations and lobbying, primarily before the Legislature and the Nebraska Liquor Control Commission; and

WHEREAS, Mike Kelley represented a variety of interests with long time representation of Douglas County and the horse racing and gaming industries, and ultimately, shared a lobbying and government relations practice with his son, Sean; and

WHEREAS, Mike Kelley founded Clancy's Pub with his father, and was also owner of the original Zesto's across from Rosenblatt Stadium and the current Zesto's and Blatt Beer and Table, both located next to Charles Schwab Field; and

WHEREAS, Mike Kelley is survived by his wife, Kathleen, sons, Tom, James, and Sean, and seven grandchildren; and

WHEREAS, Mike Kelley, through his service to the Douglas County government and the Omaha community, through his activity in Nebraska politics, and through his lobbying of the Legislature, has left a lasting legacy and he will be sorely missed.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature sends condolences to the family of Mike Kelley.
2. That a copy of this resolution be sent to the family of Mike Kelley.

Laid over.

**LEGISLATIVE RESOLUTION 482.** Introduced by Cavanaugh, J., 9.

WHEREAS, the 2023 University of Nebraska at Omaha Mavericks men's soccer team won the Summit League Tournament Championship for the second time and reached the National Collegiate Athletic Association Division I Men's Soccer Tournament for the third time in program history; and

WHEREAS, the Mavericks finished the season with a record of eight wins, eight losses, and four draws; and

WHEREAS, Mavericks head coach Donovan Dowling led the program to its first conference title since 2017 and its first national tournament appearance since the 2020-21 season in only his second year with the team; and

WHEREAS, the Mavericks continue to be a source of pride for the community, students, alumni, and fans of the University of Nebraska at Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the 2023 University of Nebraska at Omaha Mavericks men's soccer team on winning the 2023 Summit League Tournament Championship and reaching the 2023 NCAA Division I Men's Soccer Tournament.

2. That copies of this resolution be sent to head coach Donovan Dowling and the University of Nebraska at Omaha Mavericks men's soccer team.

Laid over.

**LEGISLATIVE RESOLUTION 483.** Introduced by Cavanaugh, J., 9.

WHEREAS, the 2023 Creighton University Bluejays women's volleyball team won its tenth consecutive Big East regular season championship, the team's ninth Big East Tournament championship in the past ten seasons, and reached the Sweet 16 of the National Collegiate Athletic Association Division I Women's Volleyball Tournament for the third time in program history; and

WHEREAS, the Bluejays reached the regional semifinals of the National Collegiate Athletic Association Division I Women's Volleyball Tournament by sweeping Colgate University and the University of Minnesota in front of a home crowd at D.J. Sokol Arena in Omaha, Nebraska; and

WHEREAS, junior Kendra Wait was named Big East Player of the Year and earned third team American Volleyball Coaches Association All-American honors, sophomore Ava Martin earned honorable mention All-American honors, and Kendra and Ava, with junior Norah Sis and senior Kianna Schmitt, were all named to the All-Big East team; and

WHEREAS, Bluejays head coach Kirsten Bernthal Booth, in her twenty-first season at Creighton, has amassed a record of four hundred and seventy wins and one hundred eighty-nine losses at Creighton, reaching the National Collegiate Athletic Association Division tournament each of the last twelve seasons and thirteen of the last fourteen years; and

WHEREAS, the success of the Bluejays women's volleyball team is a source of pride for the Creighton community, and its students, alumni, and fans.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the 2023 Creighton University Bluejays women's volleyball team on winning the Big East regular season and Tournament Championships and reaching the Sweet 16 of the National Collegiate Athletic Association Division I Women's Volleyball Tournament.

2. That copies of this resolution be sent to head coach Kirsten Bernthal Booth and the Creighton University Bluejays women's volleyball team.

Laid over.

**LEGISLATIVE RESOLUTION 484.** Introduced by Cavanaugh, J., 9.

WHEREAS, the 2023 University of Nebraska at Omaha women's volleyball team won the Summit League Tournament Championship and reached the National Collegiate Athletic Association Division I Women's Volleyball Tournament for the first time in program history; and

WHEREAS, the Mavericks bounced back from losing their first nine matches of the season to finish the season with a record of fifteen wins and fourteen losses, including twelve wins and four losses in conference play; and

WHEREAS, the Mavericks won the Summit League Tournament Championship by defeating Denver University and the University of Missouri-Kansas City in five sets each; and

WHEREAS, head coach Matt Buttermore led the Mavericks to their first National Collegiate Athletic Association Tournament appearance in his fifth season with the team; and

WHEREAS, the Mavericks are a source of pride for the community, students, alumni, and fans of volleyball and the University of Nebraska at Omaha.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the 2023 University of Nebraska at Omaha women's volleyball team on winning the Summit League Tournament Championship and reaching the National Collegiate Athletic Association Division I Women's Volleyball Tournament for the first time.

2. That copies of this resolution be sent to head coach Matt Buttermore and the University of Nebraska at Omaha Mavericks women's volleyball team.

Laid over.

#### SELECT FILE

**LEGISLATIVE BILL 388.** [ER122](#), found on page 1453, was offered.

ER122 was adopted.

Committee [AM3203](#), found on page 1312, was not considered.

Senator M. Cavanaugh offered [MO555](#), found on page 959, First Session, 2023, to bracket until June 2, 2023.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO554](#), found on page 958, First Session, 2023, to recommit to committee.

[MO553](#), found on page 958, First Session, 2023, to indefinitely postpone.

No objections. So ordered.

Senator M. Cavanaugh asked unanimous consent to withdraw [FA327](#), found on page 1397, and replace it with the Linehan substitute amendment, [AM3468](#). No objections. So ordered. [AM3468](#) is available in the Bill Room.

#### **SENATOR FREDRICKSON PRESIDING**

#### **PRESIDENT KELLY PRESIDING**

Senator Slama offered the following amendment to the Linehan amendment: [FA444](#)  
Strike Sections 9-13.

Senator Slama moved for a call of the house. The motion prevailed with 11 ayes, 1 nay, and 37 not voting.

The Slama amendment, to the Linehan amendment, lost with 18 ayes, 18 nays, 11 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Hughes offered the following amendment to the Linehan amendment: [FA445](#)  
Amend AM3468:

On page 57, strike lines 20-23.

On page 57, strike lines 24-29 and insert the following:

(c) The tax on an electronic nicotine delivery system shall be twenty percent of (i) the purchase price of such electronic nicotine delivery system paid by the first owner or (ii) the price at which the first owner who made, manufactured, or fabricated the electronic nicotine delivery system sells the items to others.

Re-number the remaining subsections accordingly.

Senator Hughes moved for a call of the house. The motion prevailed with 19 ayes, 4 nays, and 26 not voting.

Senator Hughes requested a roll call vote, in reverse order, on her amendment to the Linehan amendment.

Voting in the affirmative, 25:

Albrecht	Bostelman	Clements	Fredrickson	Lippincott
Armendariz	Brandt	Day	Hardin	Meyer
Blood	Brewer	DeBoer	Holdcroft	Murman
Bosn	Cavanaugh, J.	Dorn	Hughes	Riepe
Bostar	Cavanaugh, M.	Dover	Ibach	von Gillern

Voting in the negative, 12:

Ballard	Hunt	McKinney	Slama
Conrad	Kauth	Moser	Vargas
Erdman	McDonnell	Sanders	Wayne

Present and not voting, 10:

Aguilar	Dungan	Hansen	Linehan	Walz
Arch	Halloran	Jacobson	Lowe	Wishart

Excused and not voting, 2:

DeKay      Raybould

The Hughes amendment, to the Linehan amendment, was adopted with 25 ayes, 12 nays, 10 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Bostar offered the following amendment to the Linehan amendment:

[FA446](#)

Amend AM3468:

On page 7, line 11, strike the current Sec. 8 and insert "News media entity means a broadcast radio or television station licensed by the Federal Communications Commission or an entity engaged primarily in the business of news gathering, reporting, or publishing articles or commentary about news, current events, culture or other matters of public interest. The term does not include an entity that is primarily an aggregator or re-publisher of third-party content."

The Bostar amendment, to the Linehan amendment, was withdrawn.

Senator Day offered the following amendment to the Linehan amendment:

[AM3473](#)

(Amendments to AM3468)

1 1. On page 3, strike lines 16 through 23 and insert the following  
 2 new subdivision:  
 3 "(4) The amount of property taxes budgeted;  
 4 (a) In support of a service relating to an imminent and significant  
 5 threat to public safety or public health that (i) was not previously  
 6 provided by the political subdivision and (ii) is the subject of an  
 7 agreement or a modification of an existing agreement executed after the  
 8 operative date of this act, whether provided by one of the parties to the  
 9 agreement or by an independent joint entity or joint public agency;



10 (b) In support of an interlocal agreement relating to public safety;  
11 (c) For vehicles, equipment, capital improvements, and technology  
12 specifically related to law enforcement, fire safety, corrections, and  
13 public safety communications; or  
14 (d) To fulfill law enforcement, fire safety, corrections, and public  
15 safety communications union agreement requirements, including  
16 compensation requirements, adopted prior to January 1, 2024;".

The Day amendment, to the Linehan amendment, lost with 10 ayes, 20 nays, 17 present and not voting, and 2 excused and not voting.

Senator Conrad offered the following amendment to the Linehan amendment:

[FA447](#)

Amend AM 3468

On page 3, line 29, strike "or corrections officer" and insert "corrections officer, county attorney, or public defender".

On page 4, line 4, after the period insert "For county attorney and public defender positions, understaffing shall be determined by the county board."

On page 31, line 21, strike "or corrections officer" and insert "corrections officer, county attorney, or public defender".

Senator Conrad moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 24 not voting.

The Conrad amendment lost with 15 ayes, 20 nays, 12 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Erdman offered the following amendment to the Linehan amendment:

[AM3475](#)

(Amendments to AM3468)

- 1 1. Strike sections 9 to 13, 25, 30 to 37, 41, 42, and 50.
- 2 2. Renumber the remaining sections, correct internal references, and
- 3 3 correct the repealer accordingly.

Senator Erdman moved for a call of the house. The motion prevailed with 22 ayes, 3 nays, and 24 not voting.

Senator Erdman requested a roll call vote, in reverse order, on his amendment, to the Linehan amendment.

Voting in the affirmative, 18:

Blood	Conrad	Fredrickson	Lippincott	Walz
Brewer	Day	Halloran	McKinney	Wayne
Cavanaugh, J.	Dungan	Hardin	Slama	
Cavanaugh, M.	Erdman	Hunt	Vargas	

Voting in the negative, 19:

Albrecht	Brandt	Ibach	Lowe	Murman
Arch	Dover	Jacobson	McDonnell	Riepe
Armendariz	Holdcroft	Kauth	Meyer	von Gillern
Bosn	Hughes	Linehan	Moser	

Present and not voting, 8:

Ballard	Bostelman	DeBoer	Sanders
Bostar	Clements	Hansen	Wishart

Excused and not voting, 4:

Aguilar	DeKay	Dorn	Raybould
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The Erdman amendment, to the Linehan amendment, lost with 18 ayes, 19 nays, 8 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

The Linehan amendment, as amended, was adopted with 28 ayes, 6 nays, 13 present and not voting, and 2 excused and not voting.

The M. Cavanaugh motion [MO551](#), found on page 958, First Session, 2023, to recommit to committee, was not considered.

The M. Cavanaugh motion [MO552](#), found on page 959, First Session, 2023, to bracket, was not considered.

The Linehan motion [MO1332](#), found on page 1454, to indefinitely postpone, was not considered.

The Linehan motion [MO1333](#), found on page 1454, to recommit to committee, was not considered.

The Linehan motion [MO1334](#), found on page 1454, to bracket, was not considered.

The Meyer amendment [AM3252](#), found on page 1335, was not considered.

The Dungan amendment [AM3242](#), found on page 1335, was not considered.

The J. Cavanaugh amendment [AM3243](#), found on page 1335, was not considered,

The J. Cavanaugh amendment [AM3239](#), found on page 1335, was not considered.

The Blood amendment [AM3268](#), found on page 1340, was not considered.

The Linehan amendment [AM3292](#), found on page 1429, was not considered.

The Slama amendment [AM3248](#), found on page 1393, was not considered.

The Lowe amendment [AM3298](#), found on page 1397, was not considered.

The Bostar amendment [FA329](#), found on page 1430, was not considered.

Senator M. Cavanaugh withdrew [FA424](#), found on page 1594.

Senator Linehan withdrew [AM3419](#), found on page 1608.

Senator Slama offered the following amendment:

[FA439](#)

Strike Sections 9-13.

The Slama amendment was withdrawn.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 28 ayes, 14 nays, 5 present and not voting, and 2 excused and not voting.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 485.** Introduced by Erdman, 47.

WHEREAS, the state motto of Nebraska is "Equality before the Law"; and  
WHEREAS, the Nebraska Supreme Court is the highest court in the State of Nebraska; and

WHEREAS, the Nebraska Supreme Court consists of one Chief Justice and six associate justices; and

WHEREAS, the current chief justice is Michael G. Heavican and the current associate justices are Stephanie F. Stacy, Lindsey Miller-Lerman, William B. Cassel, Jonathan J. Papik, Jeffrey J. Funke, and John R. Freudenberg; and

WHEREAS, the members of the Nebraska Supreme Court have devoted themselves faithfully to the work of jurisprudence, have worked tirelessly to

render just decisions, have demonstrated superior knowledge of the law, and have shown respect for the original intentions of the law; and

WHEREAS, the members of the Nebraska Supreme Court have demonstrated the utmost respect for the Constitution of the United States, the Constitution of Nebraska, and the statutes of Nebraska; and

WHEREAS, the members of the Nebraska Supreme Court have greatly increased happiness, peace, and prosperity by upholding the rights and liberties of the citizenry.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature honors the hard work of and good decisions made by the justices of the Nebraska Supreme Court.

2. That the Legislature encourages the justices of the Nebraska Supreme Court to continue in their work of applying the law justly and equitably with respect for the original intentions of the law and with deference to the actual language of the law and the meanings of words.

3. That copies of this resolution be sent to the Chief Justice Michael G. Heavican and each associate justice of the Nebraska Supreme Court.

Laid over.

**LEGISLATIVE RESOLUTION 486.** Introduced by Vargas, 7.

WHEREAS, Opioid Awareness Week is August 27, 2024, to September 2, 2024; and

WHEREAS, the Legislature honors the lives lost and the lives affected by Nebraska's opioid epidemic; and

WHEREAS, the Legislature recognizes the work to decrease opioid addiction, overdoses, and overdose fatalities across the state through the support and expansion of education, prevention, treatment, and recovery; and

WHEREAS, the Legislature extends sincere gratitude to Nebraska's public health departments and healthcare facilities, community nonprofits and organizations, behavioral health regions, and local first responders for their work in addressing and overcoming this crisis.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature recognizes August 27, 2024, to September 2, 2024, as Opioid Awareness Week in Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 487.** Introduced by Sanders, 45.

WHEREAS, Sarpy County Sheriff Jeff Davis has provided fifty years of devoted service to the Sarpy County community; and

WHEREAS, Jeff began his service at eighteen as a dispatcher for the Sarpy County Emergency 911 Operations Center; and

WHEREAS, Jeff obtained his law enforcement officer certification and later became the deputy sheriff for Sarpy County; and

WHEREAS, Jeff moved through the ranks to gain experience in multiple divisions of the sheriff's office such as Road Patrol, Investigations, Jail, and Administration. He was eventually promoted to chief deputy and was later sworn in as Sarpy County Sheriff in 2005; and

WHEREAS, Jeff also focused his efforts in community involvement projects earning him the Michael J. Elman Officer of the Year award and the Bellevue Kiwanis Chapter Officer of the Year award and was presented the Jewel of Bellevue in 1996 while he served on the Bellevue City Council; and

WHEREAS, Jeff's fifty years of service is worthy of recognition and admiration and has earned him several well-deserved awards and titles.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Sarpy County Sheriff Jeff Davis for fifty years of service to the Sarpy County community.
2. That a copy of this resolution be sent to Sheriff Jeff Davis.

Laid over.

**LEGISLATIVE RESOLUTION 488.** Introduced by Sanders, 45.

WHEREAS, Sarpy County Attorney Lee Kenneth Polikov has provided fifty years of advocacy and service to the Sarpy County community; and

WHEREAS, Lee was appointed as the Sarpy County Attorney in 1999 and has served five full terms; and

WHEREAS, Lee has worked for the Sarpy County Sheriff's Office for twenty-six years and grew the institution's staff from twenty-three people to over two hundred; and

WHEREAS, Lee's dedication to supporting mental health services and community development is seen through his continued involvement in Teen Court, Alcohol Diversion, Mental Health Diversion, Wellness Court, Werner Park, and the Sarpy County Wastewater Agency; and

WHEREAS, in 2022, Lee earned the Elected Official of the Year for Sarpy County; and

WHEREAS, Lee's fifty years of service and advocacy for the community is worthy of recognition and admiration.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Sarpy County Attorney Lee Kenneth Polikov for fifty years of service to the Sarpy County community.
2. That a copy of this resolution be sent to Sarpy County Attorney Lee Kenneth Polikov.

Laid over.

**LEGISLATIVE RESOLUTION 489.** Introduced by Slama, 1.

WHEREAS, Lila Tomek is a resident of Humboldt, Nebraska; and  
 WHEREAS, in 1942 at nineteen years of age, Lila took a job in Omaha building fighter planes; and

WHEREAS, Lila was one of the six million women, known as Rosie the Riveters, who worked in shipyards and factories during World War II; and

WHEREAS, the Rosie the Riveter Congressional Gold Medal Act of 2019 honors any woman who held employment or volunteered in support of the war efforts during World War II and recognizes their contributions to the United States war effort; and

WHEREAS, Lila Tomek received the Congressional Gold Medal at a ceremony in Washington, D.C., on April 10, 2024.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Lila Tomek on being awarded the Congressional Gold Medal and recognizes her work during World War II.
2. That a copy of this resolution be sent to Lila Tomek.

Laid over.

**LEGISLATIVE RESOLUTION 490.** Introduced by Kauth, 31.

WHEREAS, the Millard North High School Cheer Team won the 2024 Class A Traditional Performance Championship at the Nebraska State Cheer and Dance Competition scoring 93.30 points; and

WHEREAS, the Millard North Dance Team showcased their Pom routine winning first place with a score of 96.28 points and earning a trip to the National High School Cheerleading Championship; and

WHEREAS, Coach Connor Churchill and assistant coaches Emma Piffner and Courtney Jones provided the Millard North Cheer Team with leadership and guidance to excel at the state competition; and

WHEREAS, Coaches Andrea Feltz and Mila O'Brien provided the Millard North Dance Team with leadership and guidance to excel at the state competition; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard North High School Cheer Team, which includes Autumn Bravo, Presley Clark, Kendall Collins, Aubrey Deveney, Maria Hensley, Kaydence Hubby, Brooklyn Ilg, Peyton Johnson, Mia Kosel, Alivia Lane, Madeline McCall, Heidi Nordquist, Lily Norton, Kenzie Pettit, Ava Reisbig, Natalie Shnyder, Lauren Speckmann, Brooklynn Spence, Morgan Strong, Jaida Thorson, Ella Wurtele, and the members of the Millard North High School Dance Team, which includes Nora Baustert, Brooklyn Bratetic, Ella Broz, Alexis Christiansen, Kaitlyn Ellett, Elaina Etter, Delaney Feltz, Madeline Fischer,

Maggie Galligan, Payton Gocken, Grace Gottschalk, Caitlyn Gregg, Audra Hanson, Madeline Harris, Leila Klem, Sophia Mills-Herring, Shae Ozols, Ava Passo, Ella Quick, Madison Roberts, Addison Satterly, Gabriella Shuda, Jordan Speicher, and Jemma Syphers, for their outstanding performance at the 2024 Nebraska State Cheer and Dance Competition and at the National High School Cheerleading Championships.

2. That copies of this resolution be sent to the Millard North Cheer Team and Coach Connor Churchill and to the Millard North Dance Team and Coaches Andrea Feltz and Mila O'Brien.

Laid over.

**LEGISLATIVE RESOLUTION 491.** Introduced by Clements, 2; Brewer, 43; Dorn, 30; Erdman, 47; Halloran, 33; Lowe, 37.

WHEREAS, Samuel Clements is a senior at Elmwood-Murdock High School; and

WHEREAS, Samuel is a four-year honor roll student and a NCPA Academic All-State Student award recipient; and

WHEREAS, Samuel is a four-year student council member and a three-year Future Business Leaders of America member and officer; and

WHEREAS, Samuel has achieved many athletic honors throughout his high school career including Elmwood-Murdock Offensive Lineman of the Year, McCook Gazette First Team All-State Offensive Lineman, Huskerland Prep Second Team All-State Offensive Lineman, All-District First Team, All-Conference First Team, and many others; and

WHEREAS, Samuel has been selected for the Sertoma Eight Man All Star Game which will be held in Hastings on June 15, 2024; and

WHEREAS, Samuel is graduating from Elmwood-Murdock High School in May; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Samuel Clements on his athletic and academic accomplishments and his graduation from Elmwood-Murdock High School and wishes him the best in his future endeavors.

2. That a copy of this resolution be sent to Samuel Clements.

Laid over.

**LEGISLATIVE RESOLUTION 492.** Introduced by Kauth, 31.

WHEREAS, Millard West High School won three 2024 Class A Nebraska State titles at the Nebraska State Cheer and Dance Competition and went on to win three National Championship titles in two divisions at the National High School Cheerleading Championship in Orlando, Florida; and

WHEREAS, the Millard West Wildcats took home the first place win in Game Day A with 92.35 points; and

WHEREAS, Millard West Cheer Team also placed first in Tumbling A/B with 94.70 points and second in Unified Sideline with 84.43 points at the Nebraska State Championship; and

WHEREAS, Millard West Cheer Team took home two titles from the National High School Cheerleading Championship: the Varsity Non Building Division I Game Day with 91.6 points and the Varsity Non Building Division I with 94.3 points; and

WHEREAS, the Millard West Dance Team placed first in Hip Hop with 89.80 points at the Nebraska State Championship and took home a title at the National High School Cheerleading Championship in Game Day, Small Group, Division 1 with 89.1 points; and

WHEREAS, Coach Stefanie Lane provided the Millard West Cheer Team leadership and guidance to excel at the state and national competitions; and

WHEREAS, Coach Caroline Unger and Assistant Coach Lauren Hoff provided the Millard West Dance Team leadership and guidance to excel at the state and national competitions; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the members of the Millard West High School Cheer Team, which includes Ayda Matya, Erin Matthews, Haili Foster, Kennedy Cahoy, Kinsey Grause, Lilly Vazquez, Maddie Olsen, Madison Beecher, Skye Hester, Ava Frazier, Chloe Wellwood, Luci White, Maddie Pingel, Sophee Devitt, Abi Sadler, Charley Meisinger, Jordan Hosier, Kayleigh Grabenschroer, Bess Masat, Noelle Oswald, and Olivia Spracklin, and the members of the Millard West High School Dance Team, which includes Elaine Amenta, Bella Wanninger, Addisyn Hayduk, Jocelyn King, Ella Martinez, Brooklyn Maxon, Kate Hessel, Kara Stenger, Halle Hazuka, Sarah Lesley, Lexi Foster, Juliana Manzitto, Kenna Sellmeyer, Taylor Phillips, and Reagan Lane, for their outstanding performance at the 2024 Nebraska State Cheer and Dance Competition and at the National High School Cheerleading Championships.

2. That copies of this resolution be sent to the Millard West Cheer Team and Coach Stefanie Lane and to the Millard West Dance Team, Coach Caroline Unger, and Assistant Coach Lauren Hoff.

Laid over.

**LEGISLATIVE RESOLUTION 493.** Introduced by Erdman, 47.

WHEREAS, the state motto of Nebraska is "Equality before the Law"; and  
WHEREAS, the Nebraska Supreme Court is the highest court in the State of Nebraska; and

WHEREAS, the Nebraska Supreme Court consists of one Chief Justice and six associate justices; and



WHEREAS, the current chief justice is Michael G. Heavican and the current associate justices are Stephanie F. Stacy, Lindsey Miller-Lerman, William B. Cassel, Jonathan J. Papik, Jeffrey J. Funke, and John R. Freudenberg; and

WHEREAS, the members of the Nebraska Supreme Court have devoted themselves faithfully to the work of jurisprudence, have worked tirelessly to render just decisions, have demonstrated superior knowledge of the law, and have shown respect for the original intentions of the law; and

WHEREAS, the members of the Nebraska Supreme Court have demonstrated the utmost respect for the Constitution of the United States, the Constitution of Nebraska, and the statutes of Nebraska; and

WHEREAS, the members of the Nebraska Supreme Court have greatly increased happiness, peace, and prosperity by upholding the rights and liberties of the citizenry.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature honors the hard work of and good decisions made by the justices of the Nebraska Supreme Court.
2. That copies of this resolution be sent to the Chief Justice Michael G. Heavican and each associate justice of the Nebraska Supreme Court.

Laid over.

**LEGISLATIVE RESOLUTION 494.** Introduced by Brewer, 43.

WHEREAS, the 2024 Nebraska School Activities Association Boys Basketball State Championships was held from March 6 through March 9 in Lincoln, Nebraska; and

WHEREAS, the Ainsworth High School boys basketball team, coached by Jake Nelson, secured the Class D-1 Boys State Basketball runner-up title; and

WHEREAS, Ainsworth's runner-up title was secured by winning the quarter final round by beating Dundy County Stratton 62 to 55 and winning the semi-final round by beating Guardian Angels Central Catholic 54 to 53 before falling to Johnson-Brock in the championship game by a score of 52 to 45; and

WHEREAS, each student body class competes for a Sportsmanship Award during the Nebraska School Activities Association Boys State Basketball Championships and the Ainsworth student body received the Class D-1 Sportsmanship Award; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates the Ainsworth High School boys basketball team on achieving second place in the 2024 Class D-1 Boys State

Basketball Championship and the Ainsworth student body for receiving the Class D-1 Sportsmanship Award.

2. That a copy of this resolution be sent to Ainsworth High School.

Laid over.

### SELECT FILE

**LEGISLATIVE BILL 1363.** [ER133](#), found on page 1602, was offered.

ER133 was adopted.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1390](#), found on page 1594, to indefinitely postpone.

[MO1391](#), found on page 1594, to bracket.

[MO1392](#), found on page 1594, to recommit to commit.

No objections. So ordered.

Senator Clements offered the following amendment:

[AM3472](#)

(Amendments to E and R amendments, ER133)

1 1. Strike sections 3, 5, 6, 7, and 9 and insert the following new

2 sections:

3 Sec. 3. Section 76-903, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 76-903 The Tax Commissioner shall design such stamps in such

6 denominations as in his or her judgment will be the most advantageous to

7 all persons concerned. When any deed subject to the tax imposed by

8 section 76-901 is offered for recordation, the register of deeds shall

9 ascertain and compute the amount of the tax due thereon and shall collect

10 such amount as a prerequisite to acceptance of the deed for recordation.

11 If a dispute arises concerning the taxability of the transfer, the

12 register of deeds shall not record the deed until the disputed tax is

13 paid. If a disputed tax has been paid, the taxpayer may file for a refund

14 pursuant to section 76-908. The taxpayer may also seek a declaratory

15 ruling pursuant to rules and regulations adopted and promulgated by the

16 Department of Revenue. From each ~~three two~~ dollars and twenty-five cents

17 of tax collected pursuant to section 76-901, the register of deeds shall

18 retain ~~one dollar and fifteen~~ fifty cents to be placed in the county

19 general fund and shall remit the balance to the State Treasurer who shall

20 credit: ~~ninety-five cents of such amount to the Affordable Housing Trust~~

21 ~~Fund, twenty-five cents of such amount to the Site and Building~~

22 ~~Development Fund, twenty-five cents of such amount to the Homeless~~

23 ~~Shelter Assistance Trust Fund, and thirty cents of such amount to the~~

24 ~~Behavioral Health Services Fund.~~

25 (1) One dollar and thirteen cents of such amount to the Affordable

26 Housing Trust Fund;

1 (2) Twenty-five cents of such amount to the Site and Building

2 Development Fund;

3 (3) Twenty-five cents of such amount to the Homeless Shelter

4 Assistance Trust Fund;5 (4) Thirty-four cents of such amount to the Behavioral Health6 Services Fund;7 (5) Five cents of such amount to the Economic Recovery Contingency8 Fund for the establishment and operation of an office to pursue and9 coordinate grant funding on behalf of the state;10 (6) Five cents of such amount to the Military Base Development and11 Support Fund to provide funding to support businesses and amenities12 linked to military installations and to enhance business attraction and13 economic growth in Nebraska's military sector through the distributions14 described in subsection (2) of section 55-901; and15 (7) Three cents of such amount to the Health Care Homes for the16 Medically Underserved Fund for federally qualified health centers as17 grants to be used for persons receiving services under subsections (h)18 and (i) of section 330 of the federal Public Health Service Act, 4219 U.S.C. 254b, as such section existed on January 1, 2024.20 Sec. 5. Section 77-2005, Revised Statutes Cumulative Supplement,21 2022, is amended to read:22 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related23 to the deceased by blood or legal adoption, or other lineal descendant of24 the same, or the spouse or surviving spouse of any of such persons, the25 rate of tax shall be:26 (a) For decedents dying prior to January 1, 2023, thirteen percent27 of the clear market value of the property received by each person in28 excess of fifteen thousand dollars; and29 (b) For decedents dying on or after January 1, 2023, and before30 January 1, 2024, eleven percent of the clear market value of the property31 received by each person in excess of forty thousand dollars; and -1 (c) For decedents dying on or after January 1, 2024, eight percent2 of the clear market value of the property received by each person in3 excess of forty thousand dollars.4 (2) If the clear market value of the beneficial interest is less5 than or equal to the applicable exempt amount under subsection (1) of6 this section, it shall not be subject to tax. In addition, any interest7 passing to a person described in subsection (1) of this section who is8 under twenty-two years of age shall not be subject to tax.9 Sec. 6. Section 77-2006, Revised Statutes Cumulative Supplement,10 2022, is amended to read:11 77-2006 (1) In all other cases the rate of tax shall be:12 (a) For decedents dying prior to January 1, 2023, eighteen percent13 of the clear market value of the beneficial interests received by each14 person in excess of ten thousand dollars; and15 (b) For decedents dying on or after January 1, 2023, and before16 January 1, 2024, fifteen percent of the clear market value of the17 beneficial interests received by each person in excess of twenty-five18 thousand dollars; and -19 (c) For decedents dying on or after January 1, 2024, eight percent20 of the clear market value of the beneficial interests received by each21 person in excess of twenty-five thousand dollars.22 (2) If the clear market value of the beneficial interest is less23 than or equal to the applicable exempt amount under subsection (1) of24 this section, it shall not be subject to any tax. In addition, any25 interest passing to a person who is under twenty-two years of age shall26 not be subject to tax.27 Sec. 7. Section 77-2018, Reissue Revised Statutes of Nebraska, is28 amended to read:29 77-2018 (1) When any amount of inheritance tax shall have been paid30 erroneously to the county treasurer, he shall, upon a finding by the31 court and an order rendered to him of the erroneous payment, refund and1 pay to the executor, administrator or trustee, person or persons who have

2 paid any such tax in error the amount of such tax so paid. All  
 3 applications for the repayment of the tax shall be made to the county  
 4 court within two years of the date of payment. The county court shall  
 5 hear all evidence relevant to its finding whether or not any amount of  
 6 inheritance tax has been erroneously paid and if any refund of such  
 7 payment is due. The court shall notify the county treasurer of its final  
 8 determination.

9 (2) This subsection applies only to inheritance taxes that were paid  
 10 prior to the operative date of this act with respect to decedents dying  
 11 on or after January 1, 2024. If the amount of inheritance taxes paid is  
 12 more than the amount due after taking into consideration the changes made  
 13 in sections 77-2005 and 77-2006 by this legislative bill, the county  
 14 treasurer shall, upon a finding by the court and an order rendered to the  
 15 county treasurer, refund the overpayment to the executor, administrator  
 16 or trustee, or person who paid such tax. All applications for a refund  
 17 under this subsection shall be made to the county court within two years  
 18 after the date of payment. The county court shall hear all evidence  
 19 relevant to its finding whether or not a refund is due. The court shall  
 20 notify the county treasurer of its final determination.

21 Sec. 9. Section 81-3140, Revised Statutes Cumulative Supplement,  
 22 2022, is amended to read:

23 81-3140 (1)(a) The purpose of the Health Care Homes for the  
 24 Medically Underserved Fund is to enhance the ability of Nebraska's  
 25 federally qualified health centers to provide patient-centered medical  
 26 homes to low-income medically underserved populations. Twenty-five  
 27 percent of the state portion of medicaid fraud settlement funds deposited  
 28 into the Medicaid Fraud Settlement Fund in the Department of Health and  
 29 Human Services annually shall be transferred to the Health Care Homes for  
 30 the Medically Underserved Fund for distribution to federally qualified  
 31 health centers in Nebraska. Such funds shall be distributed  
 1 proportionately based on the unduplicated number of patients served in  
 2 the previous year by such federally qualified health centers as reported  
 3 through the uniform data system of the Health Resources and Services  
 4 Administration of the United States Department of Health and Human  
 5 Services.

6 (b) Five percent of the state portion of the medicaid fraud  
 7 settlement funds deposited into the Medicaid Fraud Settlement Fund in the  
 8 Department of Health and Human Services annually shall be transferred to  
 9 the Health Care Homes for the Medically Underserved Fund for distribution  
 10 to federally qualified health centers in Nebraska. Such funds shall be  
 11 used for persons receiving services under section 330(h) or 330(i) of the  
 12 federal Public Health Service Act, 42 U.S.C. 254b, as such section  
 13 existed on January 1, 2016.

14 (2) Funds distributed pursuant to subsection (1) of this section  
 15 shall be used for the following purposes:

- 16 (a) Hiring, training, certifying, and maintaining staff dedicated to
- 17 patient-centered chronic disease management, including, but not limited
- 18 to, case managers, health educators, social workers, outreach and
- 19 enrollment workers, and community health workers;
- 20 (b) Providing services, including, but not limited to, interpreter
- 21 services, transportation services, and social work assistance;
- 22 (c) Capital improvements, including, but not limited to, facility
- 23 expansion, leasing additional space, and furnishing, equipment, or
- 24 redesign of facilities to support patient-centered care;
- 25 (d) Medication management, including, but not limited to, clinical
- 26 pharmacy services, pharmacists, clinical pharmacists, technology for
- 27 monitoring and real-time notification, and care managers;
- 28 (e) Information technology, including, but not limited to,
- 29 telehealth services, analytics tools, patient registries, and updates to
- 30 electronic health records systems; and

31 (f) Reimbursement to health care providers, including, but not  
 1 limited to, physicians, nurse practitioners, dieticians, diabetic  
 2 educators, behavioral health providers, and oral health providers.  
 3 (3) Money transferred to the fund under section 76-903 shall be  
 4 distributed to federally qualified health centers as grants to be used  
 5 for persons receiving services under subsections (h) and (i) of section  
 6 330 of the federal Public Health Service Act, 42 U.S.C. 254b, as such  
 7 section existed on January 1, 2024.  
 8 2. Renumber the remaining sections and correct the repealer  
 9 accordingly.

## SENATOR VON GILLERN PRESIDING

## PRESIDENT KELLY PRESIDING

The Clements amendment was adopted with 26 ayes, 6 nays, 15 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1363A.** Senator McDonnell offered the following amendment:

### [AM3477](#)

1 1. Strike the original section and insert the following new  
 2 sections:  
 3 Section 1. There is hereby appropriated (1) \$344,852 from the Health  
 4 Care Homes for the Medically Underserved Fund for FY2024-25 and (2)  
 5 \$528,888 from the Health Care Homes for the Medically Underserved Fund  
 6 for FY2025-26 to the Department of Health and Human Services, for Program  
 7 502, to aid in carrying out the provisions of Legislative Bill 1363, One  
 8 Hundred Eighth Legislature, Second Session, 2024.  
 9 There is included in the appropriation to this program for FY2024-25  
 10 \$344,852 Cash Funds for state aid, which shall only be used for such  
 11 purpose. There is included in the appropriation to this program for  
 12 FY2025-26 \$528,888 Cash Funds for state aid, which shall only be used for  
 13 such purpose.  
 14 No expenditures for permanent and temporary salaries and per diems  
 15 for state employees shall be made from funds appropriated in this  
 16 section.  
 17 Sec. 2. There is hereby appropriated (1) \$574,753 from the Military  
 18 Installation Development and Support Fund for FY2024-25 and (2) \$881,480  
 19 from the Military Installation Development and Support Fund for FY2025-26  
 20 to the Department of Veterans' Affairs, for Program 511, to aid in  
 21 carrying out the provisions of Legislative Bill 1363, One Hundred Eighth  
 22 Legislature, Second Session, 2024.  
 23 There is included in the appropriation to this program for FY2024-25  
 24 \$431,065 Cash Funds for state aid, which shall only be used for such  
 25 purpose. There is included in the appropriation to this program for  
 26 FY2025-26 \$661,110 Cash Funds for state aid, which shall only be used for  
 27 such purpose.  
 1 No expenditures for permanent and temporary salaries and per diems  
 2 for state employees shall be made from funds appropriated in this  
 3 section.  
 4 Sec. 3. There is hereby appropriated (1) \$574,753 from the Economic  
 5 Recovery Contingency Fund for FY2024-25 and (2) \$881,480 from the  
 6 Economic Recovery Contingency Fund for FY2025-26 to the Department of  
 7 Economic Development, for Program 603, to aid in carrying out the

8 provisions of Legislative Bill 1363, One Hundred Eighth Legislature,

9 Second Session, 2024.

10 Total expenditures for permanent and temporary salaries and per

11 diems from funds appropriated in this section shall not exceed \$102,710

12 for FY2024-25 or \$136,950 for FY2025-26.

The McDonnell amendment was adopted with 27 ayes, 5 nays, 15 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 25.** [ER134](#), found on page 1608, was offered.

ER134 was adopted.

Senator Bosn asked unanimous consent to withdraw the following motions:

[MO1284](#), found on page 1156, to bracket.

[MO1285](#), found on page 1156, to recommit to committee.

[MO1286](#), found on page 1156, to indefinitely postpone.

No objections. So ordered.

Senator Wayne withdrew [FA387](#), found on page 1532.

Senator Wayne withdrew [FA389](#), found on page 1532.

Senator Wayne moved for a call of the house. The motion prevailed with 28 ayes, 3 nays, and 18 not voting.

Senator Holdcroft requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 28 ayes, 16 nays, 4 present and not voting, and 1 excused and not voting.

#### ANNOUNCEMENT

Speaker Arch announced a reordering of the agenda.

#### SELECT FILE

**LEGISLATIVE BILL 1317A.** Senator Linehan offered the following amendment:

[AM3464](#)

1 1. Strike the original section and insert the following new

2 sections:

3 Section 1. There is hereby appropriated (1) \$710,922 from the

4 General Fund and \$85,000 from the Department of Revenue Enforcement Fund

5 for FY2024-25 and (2) \$318,738 from the General Fund and \$65,000 from the

6 Department of Revenue Enforcement Fund for FY2025-26 to the Department of  
7 Revenue, for Program 102, to aid in carrying out the provisions of  
8 Legislative Bill 1317, One Hundred Eighth Legislature, Second Session,  
9 2024.  
10 Total expenditures for permanent and temporary salaries and per  
11 diems from funds appropriated in this section shall not exceed \$160,900  
12 for FY2024-25 or \$160,900 for FY2025-26.  
13 Sec. 2. There is hereby appropriated (1) \$5,000 from the Department  
14 of Motor Vehicles Cash Fund for FY2024-25 and (2) \$5,000 from the  
15 Department of Motor Vehicles Cash Fund for FY2025-26 to the Department of  
16 Motor Vehicles, for Program 70, to aid in carrying out the provisions of  
17 Legislative Bill 1317, One Hundred Eighth Legislature, Second Session,  
18 2024.  
19 No expenditures for permanent and temporary salaries and per diems  
20 for state employees shall be made from funds appropriated in this  
21 section.  
22 Sec. 3. There is hereby appropriated (1) \$925,000 from the General  
23 Fund for FY2024-25 and (2) \$75,000 from the General Fund for FY2025-26 to  
24 the Department of Environment and Energy for Program 513, to aid in  
25 carrying out the provisions of Legislative Bill 1317, One Hundred Eighth  
26 Legislature, Second Session, 2024.  
27 No expenditures for permanent and temporary salaries and per diems  
1 for state employees shall be made from funds appropriated in this  
2 section.  
3 Sec. 4. Since an emergency exists, this act takes effect when passed  
4 and approved according to law.

The Linehan amendment was adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 126A.** Senator Day withdrew [AM3275](#), found on page 1466.

Senator Day offered the following amendment:

[AM3451](#)

1 Strike the original sections and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$20,313 from the  
4 General Fund for FY2024-25 and (2) \$-0- from the General Fund for  
5 FY2025-26 to the Department of Revenue, for Program 102, to aid in  
6 carrying out the provisions of Legislative Bill 126, One Hundred Eighth  
7 Legislature, Second Session, 2024.  
8 No expenditures for permanent and temporary salaries and per diems  
9 for state employees shall be made from funds appropriated in this  
10 section.  
11 Sec. 2. There is hereby appropriated (1) \$-0- from the General Fund  
12 for FY2024-25 and (2) \$317,000 from the General Fund for FY2025-26 to the  
13 Department of Revenue, for Program 108, to aid in carrying out the  
14 provisions of Legislative Bill 126, One Hundred Eighth Legislature,  
15 Second Session, 2024.  
16 There is included in the appropriation to this program for FY2024-25  
17 \$-0- General Funds for state aid, which shall only be used for such  
18 purpose. There is included in the appropriation to this program for  
19 FY2025-26 \$317,000 General Funds for state aid, which shall only be used  
20 for such purpose.  
21 No expenditures for permanent and temporary salaries and per diems  
22 for state employees shall be made from funds appropriated in this  
23 section.

The Day amendment was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1023A.** Senator von Gillern offered [AM3276](#), found on page 1450.

The von Gillern amendment was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 937A.** Senator Bostar withdrew [AM3322](#), found on page 1513.

Senator Bostar offered the following amendment:

[AM3474](#)

1 1. Strike the original section and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$250,000 from the  
4 General Fund for FY2024-25 and (2) \$780,367 from the General Fund for  
5 FY2025-26 to the Department of Revenue, for Program 102, to aid in  
6 carrying out the provisions of Legislative Bill 937, One Hundred Eighth  
7 Legislature, Second Session, 2024.  
8 Total expenditures for permanent and temporary salaries and per  
9 diems from funds appropriated in this section shall not exceed \$-0- for  
10 FY2024-25 or \$218,800 for FY2025-26.  
11 Sec. 2. There is hereby appropriated (1) \$135,883 from the General  
12 Fund for FY2024-25 and (2) \$325,730 from the General Fund for FY2025-26  
13 to the Department of Economic Development, for Program 603, to aid in  
14 carrying out the provisions of Legislative Bill 937, One Hundred Eighth  
15 Legislature, Second Session, 2024.  
16 Total expenditures for permanent and temporary salaries and per  
17 diems from funds appropriated in this section shall not exceed \$72,650  
18 for FY2024-25 or \$124,010 for FY2025-26.

The Bostar amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

### **MOTION(S) - Return LB1317 to Select File**

Senator Bostar moved to return LB1317 to Select File for the following specific amendment:

[AM3479](#)

(Amendments to AM3378)

1 1. Strike sections 35 and 37 and all amendments thereto and insert  
2 the following new sections:  
3 Sec. 35. Section 13-3103, Revised Statutes Supplement, 2023, is  
4 amended to read:  
5 13-3103 (1) Any applicant may apply to the board for state  
6 assistance if (a) the applicant has acquired, constructed, improved, or



7 equipped an eligible sports arena facility, (b) the applicant has  
8 approved a revenue bond issue or a general obligation bond issue to  
9 acquire, construct, improve, or equip an eligible sports arena facility,  
10 (c) the applicant has adopted a resolution authorizing the applicant to  
11 pursue a general obligation bond issue to acquire, construct, improve, or  
12 equip an eligible sports arena facility, or (d) a building permit has  
13 been issued within the applicant's jurisdiction for an eligible sports  
14 arena facility that is a privately owned concert venue.

15 (2) The state assistance shall only be used by the applicant to pay  
16 back amounts expended or borrowed through one or more issues of bonds to  
17 be expended by the applicant to acquire, construct, improve, or equip the  
18 eligible sports arena facility and to acquire, construct, improve, or  
19 equip nearby parking facilities.

20 (3) For an eligible sports arena facility that is a privately owned  
21 concert venue, the state assistance shall only be used by the applicant  
22 (a) to pay back amounts expended or borrowed through one or more issues  
23 of bonds to be expended by the applicant to acquire, construct, improve,  
24 or equip a nearby parking facility or (b) to promote arts and cultural  
25 events which are open to or made available to the general public.

26 ~~(4) For applications for state assistance approved on or after  
1 October 1, 2016, (a) no more than fifty percent of the final cost of the  
2 project shall be funded by state assistance received pursuant to section  
3 13-3108 and~~

4 ~~(4) No (b) no more than ten years of funding for promotion of the  
5 arts and cultural events shall be paid by state assistance received  
6 pursuant to section 13-3108.~~

7 (5) For any application for state assistance for a large public  
8 stadium approved on or after the operative date of this section, up to  
9 one hundred percent of the final cost of the project may be funded by  
10 state assistance received pursuant to section 13-3108.

11 Sec. 37. Section 13-3108, Revised Statutes Supplement, 2023, is  
12 amended to read:

13 13-3108 (1) The Sports Arena Facility Support Fund is created. Any  
14 money in the fund available for investment shall be invested by the state  
15 investment officer pursuant to the Nebraska Capital Expansion Act and the  
16 Nebraska State Funds Investment Act.

17 (2)(a) Upon receiving the certification described in subsection (3)  
18 of section 13-3107, the State Treasurer shall transfer the amount  
19 certified to the fund.

20 (b) Upon receiving the quarterly certification described in  
21 subsection (4) of section 13-3107, the State Treasurer shall transfer the  
22 amount certified to the fund.

23 (3)(a) It is the intent of the Legislature to appropriate from the  
24 fund money to be distributed as provided in subsections (4) and (5) of  
25 this section to any political subdivision for which an application for  
26 state assistance under the Sports Arena Facility Financing Assistance Act  
27 has been approved an amount not to exceed seventy percent of the (i)  
28 state sales tax revenue collected by retailers doing business at eligible  
29 sports arena facilities on sales at such facilities, (ii) state sales tax  
30 revenue collected on primary and secondary box office sales of admissions  
31 to such facilities, and (iii) new state sales tax revenue collected by  
1 nearby retailers and sourced under sections 77-2703.01 to 77-2703.04 to  
2 the program area.

3 (b) The amount to be appropriated for distribution as state  
4 assistance to a political subdivision under this subsection for any one  
5 year after the tenth year shall not exceed the highest such amount  
6 appropriated under subdivision (3)(a) of this section during any one year  
7 of the first ten years of such appropriation. If seventy percent of the  
8 state sales tax revenue as described in subdivision (3)(a) of this  
9 section exceeds the amount to be appropriated under this subdivision,

10 such excess funds shall be transferred to the General Fund.

11 (4) The amount certified under subsection (3) of section 13-3107  
12 shall be distributed as state assistance on or before April 15, 2014.

13 (5) Beginning in 2014, quarterly distributions and associated  
14 transfers of state assistance shall be made. Such quarterly distributions  
15 and transfers shall be based on the certifications provided under  
16 subsection (4) of section 13-3107 and shall occur within fifteen days  
17 after receipt of such certification.

18 ~~(6)(a) Except as provided in subdivision (6)(b) of this section, the~~  
19 ~~(6) The total amount of state assistance approved for an eligible sports~~  
20 ~~arena facility shall not exceed one hundred million dollars.~~

21 (b) For any eligible sports arena facility that is a large public  
22 stadium:

23 (i) The total amount of state assistance approved for such facility  
24 shall not exceed twenty-five million dollars;

25 (ii) The amount of state assistance approved for such facility for  
26 any year shall not exceed one million two hundred fifty thousand dollars;  
27 and

28 (iii) No state assistance for any large public stadium shall be paid  
29 until after July 1, 2027.

30 (7)(a) Except as provided in subdivisions (b) and (c) of this  
31 subsection, state assistance to the political subdivision shall no  
1 longer be available upon the retirement of the bonds issued to acquire,  
2 construct, improve, or equip the facility or any subsequent bonds that  
3 refunded the original issue or when state assistance reaches the amount  
4 determined under subdivision (6)(a) ~~subsection (6)~~ of this section,  
5 whichever comes first.

6 (b) If the state assistance will be used to provide funding for  
7 promotion of the arts and cultural events, such state assistance to the  
8 political subdivision shall no longer be available after ten years of  
9 funding or when state assistance reaches the amount determined under  
10 subdivision (6)(a) ~~subsection (6)~~ of this section, whichever comes first.

11 (c) If the state assistance will be used to provide funding for a  
12 large public stadium, such state assistance to the political subdivision  
13 shall no longer be available after twenty years of funding or when state  
14 assistance reaches the amount determined under subdivision (6)(b)(i) of  
15 this section, whichever comes first.

16 (8) State assistance shall not be used for an operating subsidy.

17 (9) The thirty percent of state sales tax revenue remaining after  
18 the appropriation and transfer in subsection (3) of this section shall be  
19 appropriated by the Legislature and transferred quarterly as follows:

20 (a) If the revenue relates to an eligible sports arena facility that  
21 is a sports complex and that is approved for state assistance under  
22 section 13-3106 on or after May 26, 2021, eighty-three percent of such  
23 revenue shall be transferred to the Support the Arts Cash Fund and  
24 seventeen percent of such revenue shall be transferred to the Convention  
25 Center Support Fund; and

26 (b) If the revenue relates to any other eligible sports arena  
27 facility, such revenue shall be transferred to the Civic and Community  
28 Center Financing Fund.

29 (10) Except as provided in subsection (11) of this section for a  
30 city of the primary class, any municipality that has applied for and  
31 received a grant of assistance under the Civic and Community Center  
1 Financing Act shall not receive state assistance under the Sports Arena  
2 Facility Financing Assistance Act for the same project for which the  
3 grant was awarded under the Civic and Community Center Financing Act.

4 (11) A city of the primary class shall not be eligible to receive a  
5 grant of assistance from the Civic and Community Center Financing Act if  
6 the city has applied for and received a grant of assistance under the  
7 Sports Arena Facility Financing Assistance Act.

The Bostar motion to return prevailed with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 1317.** The Bostar specific amendment, [AM3479](#), found in this day's Journal, was adopted with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

Readvanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1402.** [ER135](#), found in this day's Journal, was offered.

ER135 was adopted.

Senator DeBoer offered [MO1387](#), found on page 1604, to bracket until April 18, 2024.

### SPEAKER ARCH PRESIDING

Senator Lippincott moved for a call of the house. The motion prevailed with 23 ayes, 2 nays, and 24 not voting.

Senator Linehan offered the following motion:

[MO1414](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Clements	Hardin	Lippincott	Sanders
Arch	DeKay	Holdcroft	Lowe	Slama
Armendariz	Dorn	Hughes	McDonnell	von Gillern
Ballard	Dover	Ibach	Meyer	Wayne
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 13:

Blood	Cavanaugh, J.	Day	Fredrickson	Wishart
Bostar	Cavanaugh, M.	DeBoer	Hunt	
Brandt	Conrad	Dungan	Vargas	

Present and not voting, 2:

McKinney Walz

Excused and not voting, 1:

Raybould

The Linehan motion to invoke cloture prevailed with 33 ayes, 13 nays, 2 present and not voting, and 1 excused and not voting.

The DeBoer motion to bracket failed with 8 ayes, 33 nays, 7 present and not voting, and 1 excused and not voting.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 30 ayes, 15 nays, 3 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 1402A.** Senator Linehan offered the following amendment:

[AM3478](#)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. There is hereby appropriated (1) \$10,000,000 from the

4 General Fund for FY2024-25 and (2) \$10,000,000 from the General Fund for

5 FY2025-26 to the State Treasurer, for Program 480, to aid in carrying out

6 the provisions of Legislative Bill 1402, One Hundred Eighth Legislature,

7 Second Session, 2024.

8 There is included in the appropriation to this program for FY2024-25

9 \$9,250,000 General Funds for state aid, which shall only be used for such

10 purpose. There is included in the appropriation to this program for

11 FY2025-26 \$9,250,000 General Funds for state aid, which shall only be

12 used for such purpose.

13 Total expenditures for permanent and temporary salaries and per

14 diems from funds appropriated in this section shall not exceed \$12,500

15 for FY2024-25 or \$13,125 for FY2025-26.

16 Sec. 2. Since an emergency exists, this act takes effect when

17 passed and approved according to law.

The Linehan amendment was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 388A.** Senator Linehan offered the following amendment:

[AM3480](#)

1 1. Strike the original section and insert the following new

2 sections:

3 Section 1. The State Treasurer shall transfer an amount equal to the

4 difference between \$750,000,000 and the amount transferred to the School

5 Property Tax Credit Fund pursuant to section 77-4602, if the difference  
 6 is a positive number, from the General Fund to the School Property Tax  
 7 Credit Fund on or before December 31, 2024, on such dates and in such  
 8 amounts as directed by the budget administrator of the budget division of  
 9 the Department of Administrative Services.  
 10 Sec. 2. There is hereby appropriated (1) \$757,581 from the General  
 11 Fund for FY2024-25 and (2) \$235,832 from the General Fund for FY2025-26  
 12 to the Department of Revenue, for Program 102, to aid in carrying out the  
 13 provisions of Legislative Bill 388, One Hundred Eighth Legislature,  
 14 Second Session, 2024.  
 15 Total expenditures for permanent and temporary salaries and per  
 16 diems from funds appropriated in this section shall not exceed \$98,900  
 17 for FY2024-25 or \$58,900 for FY2025-26.  
 18 Sec. 3. There is hereby appropriated (1) \$750,000,000 from the  
 19 School Property Tax Credit Fund for FY2024-25 and (2) \$780,000,000 from  
 20 the School Property Tax Credit Fund for FY2025-26 to the Department of  
 21 Revenue, for Program 121, to aid in carrying out the provisions of  
 22 Legislative Bill 388, One Hundred Eighth Legislature, Second Session,  
 23 2024.  
 24 There is included in the appropriation to this program for FY2024-25  
 25 \$750,000,000 Cash Funds for state aid, which shall only be used for such  
 26 purpose. There is included in the appropriation to this program for  
 27 FY2025-26 \$780,000,000 Cash Funds for state aid, which shall only be used  
 1 for such purpose.  
 2 No expenditures for permanent and temporary salaries and per diems  
 3 for state employees shall be made from funds appropriated in this  
 4 section.  
 5 Sec. 4. Since an emergency exists, this act takes effect when passed  
 6 and approved according to law.

The Linehan amendment was adopted with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**MOTION(S) - Confirmation Report(s)**

Senator Wayne moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 870:

- Crime Victim's Reparations Committee
- Ann E. Ames
- John Brazda
- Michael D. Jones

Voting in the affirmative, 35:

Albrecht	Bostelman	DeKay	Hughes	Moser
Arch	Brandt	Dorn	Ibach	Murman
Armendariz	Cavanaugh, J.	Dover	Jacobson	Sanders
Ballard	Clements	Erdman	Linehan	Slama
Blood	Conrad	Halloran	Lippincott	Vargas
Bosn	Day	Hardin	Lowe	von Gillern
Bostar	DeBoer	Holdcroft	Meyer	Walz

Voting in the negative, 0.

Present and not voting, 12:

Brewer	Fredrickson	Kauth	Riepe
Cavanaugh, M.	Hansen	McDonnell	Wayne
Dungan	Hunt	McKinney	Wishart

Excused and not voting, 2:

Aguilar      Raybould

The appointments were confirmed with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Senator Wayne moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 870:

Nebraska Crime Commission  
Bryan Tuma, Executive Director

Voting in the affirmative, 36:

Albrecht	Brandt	Halloran	Linehan	Slama
Arch	Cavanaugh, J.	Hansen	Lippincott	Vargas
Armendariz	Clements	Hardin	Lowe	von Gillern
Ballard	Conrad	Holdcroft	McDonnell	Walz
Blood	Day	Hughes	Meyer	
Bosn	DeBoer	Ibach	Moser	
Bostar	DeKay	Jacobson	Murman	
Bostelman	Dover	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 10:

Brewer	Dorn	Erdman	McKinney	Wayne
Cavanaugh, M.	Dungan	Hunt	Riepe	Wishart

Excused and not voting, 3:

Aguilar      Fredrickson      Raybould

The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Wayne moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 871:

Board of Parole  
Layne Gissler

Voting in the affirmative, 34:

Albrecht	Brandt	Dover	Jacobson	Murman
Arch	Cavanaugh, J.	Halloran	Kauth	Sanders
Armendariz	Clements	Hansen	Lippincott	Slama
Ballard	Conrad	Hardin	Lowe	Vargas
Blood	Day	Holdcroft	McDonnell	von Gillern
Bosn	DeBoer	Hughes	Meyer	Walz
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 1:

McKinney

Present and not voting, 11:

Bostar	Dorn	Hunt	Wayne
Brewer	Dungan	Linehan	Wishart
Cavanaugh, M.	Erdman	Riepe	

Excused and not voting, 3:

Aguilar      Fredrickson      Raybould

The appointment was confirmed with 34 ayes, 1 nay, 11 present and not voting, and 3 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1038:

Nebraska Educational Telecommunications Commission  
 Patricia M. Kircher  
 Courtney C. Wittstruck

Voting in the affirmative, 37:

Albrecht	Cavanaugh, J.	Halloran	Linehan	Sanders
Arch	Clements	Hansen	Lippincott	Slama
Armendariz	Conrad	Hardin	Lowe	Vargas
Ballard	Day	Holdcroft	McDonnell	von Gillern
Blood	DeKay	Hughes	Meyer	Walz
Bosn	Dorn	Ibach	Moser	
Bostelman	Dover	Jacobson	Murman	
Brandt	Dungan	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 9:

Bostar	Cavanaugh, M.	Erdman	McKinney	Wishart
Brewer	DeBoer	Hunt	Wayne	

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointments were confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1039:

Technical Advisory Committee for Statewide Assessment  
 Jeffrey Nellhaus  
 Linda Poole

Voting in the affirmative, 33:

Albrecht	Brandt	Dover	Kauth	Sanders
Arch	Cavanaugh, J.	Halloran	Lippincott	Slama
Armendariz	Clements	Hardin	McDonnell	Vargas
Ballard	Conrad	Holdcroft	Meyer	von Gillern
Blood	Day	Hughes	Moser	Walz
Bosn	DeKay	Ibach	Murman	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 13:

Bostar	DeBoer	Hansen	Lowe	Wishart
Brewer	Dungan	Hunt	McKinney	
Cavanaugh, M.	Erdman	Linehan	Wayne	

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointments were confirmed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1165:

Aeronautics Division  
 Jeremy S. Borrell

Voting in the affirmative, 37:



Albrecht	Cavanaugh, J.	Halloran	Linehan	Sanders
Arch	Clements	Hansen	Lippincott	Slama
Armendariz	Conrad	Hardin	Lowe	Vargas
Ballard	Day	Holdcroft	McDonnell	von Gillern
Blood	DeBoer	Hughes	Meyer	Walz
Bosn	DeKay	Ibach	Moser	
Bostelman	Dorn	Jacobson	Murman	
Brandt	Dover	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 9:

Bostar	Cavanaugh, M.	Erdman	McKinney	Wishart
Brewer	Dungan	Hunt	Wayne	

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointment was confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1165:

Board of Public Roads Classifications and Standards  
Brandon B. Varilek

Voting in the affirmative, 36:

Albrecht	Clements	Hansen	Lippincott	Slama
Arch	Conrad	Hardin	Lowe	Vargas
Armendariz	Day	Holdcroft	McDonnell	von Gillern
Ballard	DeBoer	Hughes	Meyer	Walz
Blood	DeKay	Ibach	Moser	
Bosn	Dorn	Jacobson	Murman	
Bostelman	Dover	Kauth	Riepe	
Brandt	Erdman	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, J.	Dungan	Hunt	Wayne
Brewer	Cavanaugh, M.	Halloran	McKinney	Wishart

Excused and not voting, 3:

Aguilar Fredrickson Raybould

The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Linehan moved the adoption of the Revenue Committee report for the confirmation of the following appointment(s) found on page 1306:

Department of Revenue  
Sarah Scott, Property Tax Administrator

Voting in the affirmative, 37:

Albrecht	Brandt	Dover	Kauth	Sanders
Arch	Cavanaugh, J.	Dungan	Linehan	Slama
Armendariz	Clements	Hansen	Lippincott	Vargas
Ballard	Conrad	Hardin	Lowe	von Gillern
Blood	Day	Holdcroft	McDonnell	Walz
Bosn	DeBoer	Hughes	Moser	
Bostar	DeKay	Ibach	Murman	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 9:

Brewer	Erdman	Hunt	Meyer	Wishart
Cavanaugh, M.	Halloran	McKinney	Wayne	

Excused and not voting, 3:

Aguilar Fredrickson Raybould

The appointment was confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Riepe moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment(s) found on page 1329:

Commission of Industrial Relations  
Spencer Hartman

Voting in the affirmative, 36:

Albrecht	Cavanaugh, J.	Dungan	Linehan	Slama
Arch	Clements	Halloran	Lippincott	Vargas
Armendariz	Conrad	Hardin	Lowe	von Gillern
Ballard	Day	Holdcroft	McDonnell	Walz
Blood	DeBoer	Hughes	Moser	
Bosn	DeKay	Ibach	Murman	
Bostelman	Dorn	Jacobson	Riepe	
Brandt	Dover	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, M.	Hansen	McKinney	Wayne
Brewer	Erdman	Hunt	Meyer	Wishart

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Riepe moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment(s) found on page 1328:

Boiler Safety Code Advisory Board  
Steven Bley

Voting in the affirmative, 33:

Albrecht	Clements	Hansen	Linehan	Sanders
Arch	Conrad	Hardin	Lippincott	Slama
Armendariz	Day	Holdcroft	McDonnell	Vargas
Ballard	DeBoer	Hughes	Meyer	von Gillern
Blood	Dorn	Ibach	Moser	Walz
Bosn	Dover	Jacobson	Murman	
Cavanaugh, J.	Dungan	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 13:

Bostar	Brewer	Erdman	Lowe	Wishart
Bostelman	Cavanaugh, M.	Halloran	McKinney	
Brandt	DeKay	Hunt	Wayne	

Excused and not voting, 3:

Aguilar Fredrickson Raybould

The appointment was confirmed with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1329:

State Board of Health  
J. Paul Cook

Voting in the affirmative, 38:

Albrecht	Cavanaugh, M.	Dungan	Kauth	Riepe
Arch	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Slama
Blood	Day	Hardin	Lowe	Vargas
Bosn	DeBoer	Holdcroft	McDonnell	von Gillern
Bostelman	DeKay	Hughes	Meyer	Walz
Brandt	Dorn	Ibach	Moser	
Cavanaugh, J.	Dover	Jacobson	Murman	

Voting in the negative, 0.

Present and not voting, 8:

Armendariz	Brewer	Hunt	Wayne
Bostar	Erdman	McKinney	Wishart

Excused and not voting, 3:

Aguilar Fredrickson Raybould

The appointment was confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1329:

State Board of Health  
Daniel J. Rosenthal

Voting in the affirmative, 37:

Albrecht	Cavanaugh, M.	Halloran	Linehan	Sanders
Arch	Clements	Hansen	Lippincott	Slama
Ballard	Conrad	Hardin	Lowe	Vargas
Blood	Day	Holdcroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Meyer	Walz
Bostelman	Dorn	Ibach	Moser	
Brandt	Dover	Jacobson	Murman	
Cavanaugh, J.	Dungan	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 9:

Armendariz	Brewer	Erdman	McKinney	Wishart
Bostar	DeBoer	Hunt	Wayne	

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointment was confirmed with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1329:

Stem Cell Research Advisory Committee  
 David Owens  
 Dennis Roop  
 Rui Yi

Voting in the affirmative, 38:

Albrecht	Cavanaugh, J.	Dover	Jacobson	Murman
Arch	Cavanaugh, M.	Dungan	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Slama
Blood	Day	Hardin	Lowe	Vargas
Bosn	DeBoer	Holdcroft	McDonnell	Walz
Bostelman	DeKay	Hughes	Meyer	
Brandt	Dorn	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 8:

Bostar	Erdman	McKinney	Wayne
Brewer	Hunt	von Gillern	Wishart

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointments were confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 1396:

Nebraska Brand Committee  
Christopher J. Gentry

Voting in the affirmative, 36:

Albrecht	Clements	Halloran	Linehan	Sanders
Arch	Conrad	Hansen	Lippincott	Slama
Armendariz	Day	Hardin	Lowe	Vargas
Ballard	DeBoer	Holdcroft	McDonnell	Walz
Blood	DeKay	Hughes	Meyer	
Bosn	Dorn	Ibach	Moser	
Bostelman	Dover	Jacobson	Murman	
Brandt	Dungan	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, J.	Erdman	McKinney	Wayne
Brewer	Cavanaugh, M.	Hunt	von Gillern	Wishart

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 1396:

Beginning Farmer Board  
Britt D. Anderson  
Bradley D. Lubben  
Lisa A. Lunz  
Wade E. Thornburg  
John E. Walvoord

Voting in the affirmative, 36:

Albrecht	Cavanaugh, J.	Hansen	Lippincott	Slama
Arch	Clements	Hardin	Lowe	Vargas
Armendariz	Day	Holdcroft	McDonnell	von Gillern
Ballard	DeBoer	Hughes	Meyer	Walz
Blood	DeKay	Ibach	Moser	
Bosn	Dorn	Jacobson	Murman	
Bostelman	Dover	Kauth	Riepe	
Brandt	Halloran	Linehan	Sanders	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, M.	Dungan	Hunt	Wayne
Brewer	Conrad	Erdman	McKinney	Wishart

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointments were confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1427:

Coordinating Commission for Postsecondary Education

Timothy Daniels  
Deborah Frison  
LeDonna Griffin  
Dennis Headrick  
Dannika L. Nelson

Voting in the affirmative, 31:

Albrecht	Clements	Holdcroft	McDonnell	Vargas
Arch	DeBoer	Hughes	Meyer	von Gillern
Armendariz	DeKay	Ibach	Moser	Walz
Ballard	Dorn	Jacobson	Murman	
Blood	Dover	Kauth	Riepe	
Bosn	Erdman	Lippincott	Sanders	
Bostelman	Hardin	Lowe	Slama	

Voting in the negative, 0.

Present and not voting, 15:

Bostar	Cavanaugh, J.	Day	Hansen	McKinney
Brandt	Cavanaugh, M.	Dungan	Hunt	Wayne
Brewer	Conrad	Halloran	Linehan	Wishart

Excused and not voting, 3:

Aguilar	Fredrickson	Raybould
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The appointments were confirmed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1428:

Board of Educational Lands and Funds  
 Jon W. Abegglen  
 Dwayne B. Probyn

Senator Erdman requested a division of the question on the confirmation report.

The Chair sustained the division of the question.

The first division is as follows:

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1428:

Board of Educational Lands and Funds  
 Jon W. Abegglen

Voting in the affirmative, 32:

Albrecht	Clements	Hansen	Lippincott	Sanders
Arch	Conrad	Hardin	Lowe	Vargas
Armendariz	DeBoer	Holdercroft	McDonnell	von Gillern
Ballard	DeKay	Hughes	Meyer	Walz
Blood	Dorn	Ibach	Moser	
Bosn	Dover	Jacobson	Murman	
Bostelman	Erdman	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 13:

Bostar	Cavanaugh, J.	Dungan	Linehan	Wishart
Brandt	Cavanaugh, M.	Halloran	McKinney	
Brewer	Day	Hunt	Wayne	

Excused and not voting, 4:



Aguilar Fredrickson Raybould Slama

The appointment was confirmed with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

The second division is as follows:

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1428:

Board of Educational Lands and Funds

Dwayne B. Probyn

Voting in the affirmative, 26:

Albrecht	Bostelman	Dover	McDonnell	von Gillern
Arch	Brandt	Hansen	Meyer	Walz
Armendariz	Conrad	Ibach	Moser	
Ballard	DeBoer	Jacobson	Murman	
Blood	DeKay	Kauth	Sanders	
Bosn	Dorn	Linehan	Vargas	

Voting in the negative, 4:

Clements Erdman Halloran Lippincott

Present and not voting, 15:

Bostar	Cavanaugh, M.	Hardin	Hunt	Riepe
Brewer	Day	Holdercroft	Lowe	Wayne
Cavanaugh, J.	Dungan	Hughes	McKinney	Wishart

Excused and not voting, 4:

Aguilar Fredrickson Raybould Slama

The appointment was confirmed with 26 ayes, 4 nays, 15 present and not voting, and 4 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1428:

Nebraska Educational Telecommunications Commission

Dorothy C. Anderson

Voting in the affirmative, 34:

Albrecht	Brandt	Erdman	Kauth	Murman
Arch	Clements	Halloran	Linehan	Riepe
Armendariz	Conrad	Hansen	Lippincott	Sanders
Ballard	DeBoer	Holdcroft	Lowe	Vargas
Blood	DeKay	Hughes	McDonnell	von Gillern
Bosn	Dorn	Ibach	Meyer	Walz
Bostelman	Dover	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 11:

Bostar	Cavanaugh, M.	Hardin	Wayne
Brewer	Day	Hunt	Wishart
Cavanaugh, J.	Dungan	McKinney	

Excused and not voting, 4:

Aguilar	Fredrickson	Raybould	Slama
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The appointment was confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1428:

Technical Advisory Committee for Statewide Assessment  
Christy Hovanetz

Voting in the affirmative, 34:

Albrecht	Brandt	Dover	Kauth	Murman
Arch	Cavanaugh, J.	Erdman	Linehan	Riepe
Armendariz	Clements	Halloran	Lippincott	Sanders
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Meyer	Walz
Bostelman	Dorn	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 11:

Bostar	Day	Hunt	Wayne
Brewer	Dungan	Ibach	Wishart
Cavanaugh, M.	Hardin	McKinney	

Excused and not voting, 4:

Aguilar Fredrickson Raybould Slama

The appointment was confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1428:

Nebraska Commission on Problem Gambling  
Dan Volnek

Voting in the affirmative, 35:

Albrecht	Brandt	Dover	Ibach	Meyer
Arch	Cavanaugh, J.	Erdman	Jacobson	Moser
Armendariz	Clements	Halloran	Kauth	Murman
Ballard	Conrad	Hansen	Linehan	Riepe
Blood	DeBoer	Hardin	Lippincott	Sanders
Bosn	DeKay	Holdcroft	Lowe	Vargas
Bostelman	Dorn	Hughes	McDonnell	von Gillern

Voting in the negative, 0.

Present and not voting, 9:

Bostar	Cavanaugh, M.	Dungan	McKinney	Wishart
Brewer	Day	Hunt	Wayne	

Excused and not voting, 5:

Aguilar Fredrickson Raybould Slama Walz

The appointment was confirmed with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1429:

Nebraska Commission on Problem Gambling  
Paul Leckband

Voting in the affirmative, 30:

Albrecht	Brandt	Dover	Jacobson	Moser
Arch	Cavanaugh, J.	Halloran	Kauth	Murman
Armendariz	Clements	Hansen	Lippincott	Riepe
Ballard	Conrad	Hardin	Lowe	Sanders
Bosn	DeKay	Holdcroft	McDonnell	Vargas
Bostelman	Dorn	Hughes	Meyer	von Gillern

Voting in the negative, 0.

Present and not voting, 13:

Bostar	Day	Erdman	Linehan	Wishart
Brewer	DeBoer	Hunt	McKinney	
Cavanaugh, M.	Dungan	Ibach	Wayne	

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointment was confirmed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1428:

Nebraska Commission on Problem Gambling  
Todd Zohner

Voting in the affirmative, 33:

Albrecht	Cavanaugh, J.	Erdman	Kauth	Murman
Arch	Clements	Halloran	Linehan	Riepe
Armendariz	Conrad	Hansen	Lippincott	Sanders
Ballard	DeBoer	Hardin	Lowe	Vargas
Bosn	DeKay	Holdcroft	McDonnell	von Gillern
Bostelman	Dorn	Hughes	Meyer	
Brandt	Dover	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, M.	Dungan	Ibach	Wayne
Brewer	Day	Hunt	McKinney	Wishart

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointment was confirmed with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1429:

State Electrical Board  
Stephen M. Farrington

Voting in the affirmative, 32:

Albrecht	Cavanaugh, J.	Halloran	Linehan	Riepe
Arch	Clements	Hansen	Lippincott	Sanders
Armendariz	Conrad	Hardin	Lowe	Vargas
Ballard	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	Dorn	Hughes	Meyer	
Bostelman	Dover	Jacobson	Moser	
Brandt	Erdman	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 11:

Bostar	Day	Hunt	Wayne
Brewer	DeKay	Ibach	Wishart
Cavanaugh, M.	Dungan	McKinney	

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointment was confirmed with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1429:

State Racing and Gaming Commission  
Helen Abbott Feller

Voting in the affirmative, 32:

Albrecht	Cavanaugh, J.	Halloran	Linehan	Riepe
Arch	Clements	Hansen	Lippincott	Sanders
Armendariz	Conrad	Hardin	Lowe	Vargas
Ballard	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Meyer	
Bostelman	Dorn	Jacobson	Moser	
Brandt	Dover	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 11:

Bostar	Day	Hunt	Wayne
Brewer	Dungan	Ibach	Wishart
Cavanaugh, M.	Erdman	McKinney	

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointment was confirmed with 32 ayes, 0 nays, 11 present and not voting, and 6 excused and not voting.

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 1439:

Public Employees Retirement Board  
Janis Elliott

Voting in the affirmative, 31:

Albrecht	Cavanaugh, J.	Halloran	Lippincott	Sanders
Arch	Clements	Hansen	Lowe	Vargas
Armendariz	Conrad	Hardin	McDonnell	von Gillern
Ballard	DeKay	Holdcroft	Meyer	
Bosn	Dorn	Jacobson	Moser	
Bostelman	Dover	Kauth	Murman	
Brandt	Erdman	Linehan	Riepe	

Voting in the negative, 0.

Present and not voting, 12:

Bostar	Day	Hughes	McKinney
Brewer	DeBoer	Hunt	Wayne
Cavanaugh, M.	Dungan	Ibach	Wishart

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointment was confirmed with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 1468:

Nebraska Natural Resources Commission

Larry Mohrman  
John Shadle

Voting in the affirmative, 33:

Albrecht	Cavanaugh, J.	Erdman	Jacobson	Murman
Arch	Clements	Halloran	Kauth	Riepe
Armendariz	Conrad	Hansen	Lippincott	Sanders
Ballard	DeBoer	Hardin	Lowe	Vargas
Bosn	DeKay	Holdcroft	McDonnell	von Gillern
Bostelman	Dorn	Hughes	Meyer	
Brandt	Dover	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Cavanaugh, M.	Dungan	Linehan	Wayne
Brewer	Day	Hunt	McKinney	Wishart

Excused and not voting, 6:

Aguilar	Fredrickson	Slama
Blood	Raybould	Walz

The appointments were confirmed with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 1468:

Environmental Quality Council  
Jill Becker  
Brad Bird  
Kurt Bogner  
Seth B. Harder  
Lisa A. Lunz  
Lynn Mayhew  
Marty Stange  
James E. Theiler  
Allison Willis

Voting in the affirmative, 33:

Albrecht	Cavanaugh, J.	Halloran	Kauth	Murman
Arch	Clements	Hansen	Linehan	Riepe
Armendariz	Conrad	Hardin	Lippincott	Sanders
Ballard	DeBoer	Holdcroft	Lowe	Vargas
Bosn	DeKay	Hughes	McDonnell	von Gillern
Bostelman	Dorn	Ibach	Meyer	
Brandt	Dover	Jacobson	Moser	

Voting in the negative, 0.

Present and not voting, 8:

Bostar	Day	Erdman	McKinney
Cavanaugh, M.	Dungan	Hunt	Wayne

Excused and not voting, 8:

Aguilar	Brewer	Raybould	Walz
Blood	Fredrickson	Slama	Wishart

The appointments were confirmed with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1543:

Health Information Technology Board  
Matt Ahern

Voting in the affirmative, 32:

Albrecht	Clements	Hansen	Linehan	Riepe
Arch	Conrad	Hardin	Lippincott	Sanders
Armendariz	DeBoer	Holdcroft	Lowe	Vargas
Bosn	DeKay	Hughes	McDonnell	von Gillern
Bostelman	Dorn	Ibach	Meyer	
Brandt	Dover	Jacobson	Moser	
Cavanaugh, J.	Halloran	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 9:

Ballard	Cavanaugh, M.	Dungan	Hunt	Wayne
Bostar	Day	Erdman	McKinney	

Excused and not voting, 8:



Aguilar	Brewer	Raybould	Walz
Blood	Fredrickson	Slama	Wishart

The appointment was confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1545:

State Board of Health  
 Brett Lindau  
 Connie Lynn Petersen  
 Jeffrey Wienke, Jr.

Voting in the affirmative, 32:

Albrecht	Cavanaugh, J.	Hansen	Linehan	Riepe
Arch	Clements	Hardin	Lippincott	Sanders
Armentariz	Conrad	Holdcroft	Lowe	Vargas
Ballard	DeBoer	Hughes	McDonnell	von Gillern
Bosn	DeKay	Ibach	Meyer	
Bostelman	Dorn	Jacobson	Moser	
Brandt	Dover	Kauth	Murman	

Voting in the negative, 0.

Present and not voting, 9:

Bostar	Day	Erdman	Hunt	Wayne
Cavanaugh, M.	Dungan	Halloran	McKinney	

Excused and not voting, 8:

Aguilar	Brewer	Raybould	Walz
Blood	Fredrickson	Slama	Wishart

The appointments were confirmed with 32 ayes, 0 nays, 9 present and not voting, and 8 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1561:

Board of Public Roads Classifications and Standards  
 Roger Figard  
 Russell L. Kreachbaum, Jr.  
 Steven Rames

Voting in the affirmative, 31:

Albrecht	Cavanaugh, J.	Hansen	Lippincott	Sanders
Arch	Clements	Hardin	Lowe	Vargas
Armendariz	Conrad	Holdcroft	McDonnell	von Gillern
Ballard	DeKay	Hughes	Meyer	
Bosn	Dorn	Ibach	Moser	
Bostelman	Dover	Kauth	Murman	
Brandt	Erdman	Linehan	Riepe	

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Day	Dungan	Hunt	McKinney
Cavanaugh, M.	DeBoer	Halloran	Jacobson	Wayne

Excused and not voting, 8:

Aguilar	Brewer	Raybould	Walz
Blood	Fredrickson	Slama	Wishart

The appointments were confirmed with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

### EASE

The Legislature was at ease from 10:41 p.m. until 11:31 p.m.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 25.** Placed on Final Reading.

**LEGISLATIVE BILL 126.** Placed on Final Reading.

#### [ST80](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "revenue" in line 1 through line 5 and all amendments thereto have been struck and "revenue and taxation; to amend sections 77-1613.02, 77-3501, 77-3506.03, 77-3511, 77-3521, and 77-3529, Reissue Revised Statutes of Nebraska, sections 77-3517 and 77-3523, Revised Statutes Cumulative Supplement, 2022, and sections 77-3522 and 77-4212, Revised Statutes Supplement, 2023; to change provisions relating to property assessment and tax rolls; to define a term; to change provisions relating to homestead exemptions; to harmonize provisions; to provide an operative date; and to repeal the original sections." inserted.

2. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 126A.** Placed on Final Reading.

**LEGISLATIVE BILL 388.** Placed on Final Reading.

#### [ST82](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "sales" in line 1 through line 4 and all amendments thereto have been struck and "revenue and taxation; to amend sections 13-518, 13-519,

13-2817, 29-3933, 72-2305, 72-2306, 77-2704.24, and 77-27,142, Reissue Revised Statutes of Nebraska, sections 77-382, 77-1776, 77-2602, 77-2701.16, 77-27,144, 77-3446, 77-4602, and 81-12,193, Revised Statutes Cumulative Supplement, 2022, and sections 77-1632, 77-1633, 77-1701, 77-2701, 77-2701.02, 77-2701.04, 77-2715.07, 77-4008, 77-6702, 77-6703, 79-3403, and 79-3406, Revised Statutes Supplement, 2023; to adopt the Property Tax Growth Limitation Act, the Advertising Services Tax Act, and the Property Tax Relief Act; to change provisions relating to budget limitations, the Property Tax Request Act, and tax statements; to change the rate and distribution of the cigarette tax; to change provisions relating to the sales tax rate; to impose sales tax on certain services; to define a term; to eliminate certain sales tax exemptions; to change the earned income tax credit; to change provisions relating to the base limitation, a tax on electronic nicotine delivery systems, certain transfers of excess General Fund receipts, the Nebraska Property Tax Incentive Act, and the School District Property Tax Limitation Act; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal section 77-2704.38, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.

2. Changes were made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 388A.** Placed on Final Reading.

**LEGISLATIVE BILL 937.** Placed on Final Reading.

**LEGISLATIVE BILL 937A.** Placed on Final Reading.

**LEGISLATIVE BILL 1023.** Placed on Final Reading.

[ST81](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "revenue" in line 1 through line 5 and all amendments thereto have been struck and "revenue and taxation; to amend sections 77-2733 and 86-704, Reissue Revised Statutes of Nebraska, sections 77-908, 77-3806, 77-6831, and 81-523, Revised Statutes Cumulative Supplement, 2022, and sections 77-2701, 77-2715.07, 77-2716, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Relocation Incentive Act; to provide for adjustments to federal adjusted gross income for nonresidents and for certain businesses for research or experimental expenditures and the cost of certain property; to change provisions relating to the taxation of nonresident income; to provide for additional incentives under the Imagine Nebraska Act; to change the occupation tax relating to telecommunications services; to harmonize provisions; to provide operative dates; to provide severability; and to repeal the original sections." inserted.

2. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 1023A.** Placed on Final Reading.

**LEGISLATIVE BILL 1317.** Placed on Final Reading.

[ST79](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. Changes have been made as necessary to incorporate all adopted amendments.

**LEGISLATIVE BILL 1317A.** Placed on Final Reading.

**LEGISLATIVE BILL 1363.** Placed on Final Reading.

[ST83](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. In the E&R amendment, ER133, on page 10, lines 13 and 19, "and 77-1327" has been struck and "77-1327, and 77-2018" inserted; in lines 15 and 20 "81-12,114," has been struck; in line 24 "the Innovation Hub Cash Fund," has been struck; and in line 26 "and provide for refunds" has been inserted after "rates".

**LEGISLATIVE BILL 1363A.** Placed on Final Reading.

**LEGISLATIVE BILL 1402.** Placed on Final Reading.

**LEGISLATIVE BILL 1402A.** Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator DeBoer filed the following amendment to LB1402:  
[AM3476](#)

(Amendments to AM3431)

- 1 1. On page 1, line 10, strike "Privately operated elementary" and  
2 insert "Elementary"; and in line 16 strike "privately operated".
- 3 2. On page 2, line 21, strike "nongovernmental, privately operated";  
4 and in line 26 strike "privately operated".

Senator DeBoer filed the following amendment to LB1402:  
[AM3459](#)

(Amendments to AM3431)

- 1 1. On page 2, line 27, strike "or approval".

**VISITOR(S)**

Visitors to the Chamber were Jon, Canyon, and Noah Day, Omaha; Julie Jacobson, North Platte; Chris Walz, Fremont; Dean Dennhardt.

The Doctor of the Day was Dr. Dave Hoelting of Pender.

**ADJOURNMENT**

At 11:33 p.m., on a motion by Senator Bostar, the Legislature adjourned until 9:00 a.m., Thursday, April 11, 2024.

Brandon Metzler  
Clerk of the Legislature

**FIFTY-NINTH DAY - APRIL 11, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**FIFTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, April 11, 2024

**PRAYER**

The prayer was offered by Pastor Les Beauchamp, Lifegate Church, Omaha.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Brandt.

**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 Bostar, M. Cavanaugh, Conrad, Day, Fredrickson, Hughes, Hunt, McDonnell, McKinney, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-eighth day was approved.

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of April 10, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Chamblee, Les  
U.S. Term Limits (Withdrawn 04/10/2024)

**REPORTS**

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

**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 LB1301 with 35 ayes, 4 nays, 2 present and not voting, and 8 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1301.**

A BILL FOR AN ACT relating to real property; to amend sections 4-107, 25-1081, 30-2312, 76-402, 76-404, 76-405, 76-406, 76-407, 76-412, 76-413, 76-414, 81-201, and 84-205, Reissue Revised Statutes of Nebraska; to adopt the Foreign-owned Real Estate National Security Act; to change provisions relating to nonresident aliens taking property by succession or testamentary disposition; to change and eliminate provisions relating to foreign ownership of real property; to provide duties for the Department of Agriculture and Attorney General; to harmonize provisions; to provide an operative date; to provide severability; to repeal the original sections; and to outright repeal sections 76-403, 76-408, 76-409, 76-410, 76-411, and 76-415, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Clements	Halloran	Lowe	von Gillem
Armendariz	Conrad	Hansen	McDonnell	Walz
Ballard	Day	Hardin	McKinney	Wayne
Blood	DeBoer	Holdcroft	Meyer	Wishart
Bosn	DeKay	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

Cavanaugh, M. Hunt Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1301A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1301, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Clements	Halloran	Lowe	von Gillem
Armendariz	Conrad	Hansen	McDonnell	Walz
Ballard	Day	Hardin	McKinney	Wayne
Blood	DeBoer	Holdcroft	Meyer	Wishart
Bosn	DeKay	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

Cavanaugh, M. Hunt Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB484 with 39 ayes, 4 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 484.**

A BILL FOR AN ACT relating to the Motor Vehicle Industry Regulation Act; to amend sections 60-1401 and 60-1404, Reissue Revised Statutes of Nebraska; to provide for continuing education for licensed motor vehicle dealers and for authorization to conduct an educational seminar for continuing education credit as prescribed; to eliminate a requirement for the Nebraska Motor Vehicle Industry Licensing Board to maintain an office in the State Capitol; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Brandt	Dungan	Jacobson	Riepe
Albrecht	Brewer	Erdman	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	Lowe	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdercroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	

Voting in the negative, 1:

Slama

Present and not voting, 2:

Dover            McDonnell

Excused and not voting, 3:

Cavanaugh, M.    Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 484A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 484, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "



Voting in the affirmative, 46:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Vargas
Arch	Cavanaugh, M.	Fredrickson	Lippincott	von Gillern
Armendariz	Clements	Halloran	Lowe	Walz
Ballard	Conrad	Hansen	McDonnell	Wayne
Blood	Day	Hardin	McKinney	Wishart
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 1:

Slama

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB880 with 43 ayes, 3 nays, 1 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 880.**

A BILL FOR AN ACT relating to the Drinking Water State Revolving Fund Act; to amend sections 71-5318 and 71-5322, Revised Statutes Cumulative Supplement, 2022; to change a requirement relating to the Land Acquisition and Source Water Loan Fund; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Armendariz	Clements	Halloran	Lowe	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdcroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB903 with 42 ayes, 4 nays, 1 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 903.**

A BILL FOR AN ACT relating to the Alzheimer's Disease and Other Dementia Advisory Council; to amend sections 71-564 and 71-567, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the membership of the council and the State Alzheimer's Plan; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Dungan	Linehan	Slama
Albrecht	Cavanaugh, J.	Erdman	Lippincott	Vargas
Arch	Cavanaugh, M.	Fredrickson	Lowe	von Gillern
Armendariz	Clements	Halloran	McDonnell	Walz
Ballard	Conrad	Hansen	McKinney	Wayne
Blood	Day	Hardin	Meyer	Wishart
Bosn	DeBoer	Holdcroft	Moser	
Bostar	DeKay	Hughes	Murman	
Bostelman	Dorn	Ibach	Riepe	
Brandt	Dover	Jacobson	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Kauth

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB910 with 38 ayes, 5 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 910.**

A BILL FOR AN ACT relating to emergency medical services; to amend sections 38-1201 and 38-3321, Revised Statutes Cumulative Supplement, 2022; to authorize an emergency medical service to transport an injured law enforcement canine; to authorize emergency care providers to provide emergency medical care to injured law enforcement canines; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Armendariz	Clements	Halloran	Lowe	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdcroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB926 with 41 ayes, 4 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 926.**

A BILL FOR AN ACT relating to museums; to amend sections 51-703, 51-705, 51-708, and 51-709, Reissue Revised Statutes of Nebraska; to change provisions of the Museum Property Act; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Dungan	Linehan	Slama
Albrecht	Cavanaugh, J.	Erdman	Lippincott	Vargas
Arch	Cavanaugh, M.	Fredrickson	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	DeKay	Ibach	Murman	
Bostelman	Dorn	Jacobson	Riepe	
Brandt	Dover	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Halloran

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1029 with 39 ayes, 6 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1029.**

A BILL FOR AN ACT relating to education; to amend section 79-201, Reissue Revised Statutes of Nebraska; to change provisions relating to compulsory attendance relating to illness; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Armendariz	Clements	Halloran	Lowe	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdcroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1070.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1461, Reissue Revised Statutes of Nebraska; to change closing dates and filing deadlines for campaign statements filed by a ballot question committee as prescribed; 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, 47:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Armendariz	Clements	Halloran	Lowe	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdcroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 1085.**

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend section 43-2,119, Revised Statutes Cumulative Supplement, 2022; to change population thresholds in determining the number of separate juvenile court judges for counties that have established a separate juvenile court; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Kauth	Sanders
Albrecht	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Armendariz	Clements	Halloran	Lowe	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Hardin	McKinney	Wayne
Bosn	DeBoer	Holdcroft	Meyer	Wishart
Bostar	DeKay	Hughes	Moser	
Bostelman	Dorn	Ibach	Murman	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1095 with 39 ayes, 5 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1095.**

A BILL FOR AN ACT relating to motor fuels; to amend sections 66-2210, 66-2211, 66-2215, and 77-7011, Revised Statutes Supplement, 2023; to change the E-15 Access Standard Act as prescribed; to change provisions relating to tax credits under the Nebraska Biodiesel Tax Credit Act; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

DeKay

Excused and not voting, 2:

Hunt            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 1167.**

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-404.02, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to individuals who are arrested without a warrant; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "



Voting in the affirmative, 40:

Aguilar	Brandt	Dover	Ibach	Murman
Arch	Brewer	Dungan	Jacobson	Riepe
Armendariz	Cavanaugh, J.	Erdman	Kauth	Slama
Ballard	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Blood	Conrad	Halloran	McDonnell	von Gillern
Bosn	Day	Hansen	McKinney	Walz
Bostar	DeBoer	Hardin	Meyer	Wayne
Bostelman	Dorn	Hughes	Moser	Wishart

Voting in the negative, 1:

Clements

Present and not voting, 5:

Albrecht	Holdcroft	Lippincott	Lowe	Sanders
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Excused and not voting, 3:

DeKay	Hunt	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 1214.**

A BILL FOR AN ACT relating to the Uniform Credentialing Act; to amend section 38-131, Revised Statutes Supplement, 2023; to change requirements relating to a criminal background check as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1270 with 41 ayes, 4 nays, 1 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 1270.**

A BILL FOR AN ACT relating to the Door to College Scholarship Act; to amend sections 85-3202, 85-3204, and 85-3205, Revised Statutes Supplement, 2023; to redefine a term; to change provisions relating to the powers and duties of an eligible postsecondary educational institution and the Coordinating Commission for Postsecondary Education under the act; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1326 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1326.**

A BILL FOR AN ACT relating to the Nebraska Housing Agency Act; to amend section 71-1590, Reissue Revised Statutes of Nebraska; to change a tax and assessment provision; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Cavanaugh, J.	Erdman	Linehan	Slama
Arch	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Ballard	Clements	Halloran	McDonnell	von Gillern
Blood	Conrad	Hansen	McKinney	Walz
Bosn	Day	Hardin	Meyer	Wayne
Bostar	DeBoer	Holdcroft	Moser	Wishart
Bostelman	Dorn	Hughes	Murman	
Brandt	Dover	Ibach	Riepe	
Brewer	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Present and not voting, 4:

Albrecht	Armendariz	Kauth	Lowe
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Excused and not voting, 3:

DeKay	Hunt	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1301, 1301A, 484, 484A, 880, 903, 910, 926, 1029, 1070e, 1085, 1095, 1167, 1214, 1270, and 1326.

**WITHDRAW - Motion(s) to LB20**

Senator M. Cavanaugh asked unanimous consent to withdraw [MO1367](#), found on page 1513, to recommit to committee.

No objections. So ordered.

**WITHDRAW - Amendment(s) to LB20**

Senator J. Cavanaugh withdrew [FA338](#), found on page 1447, to LB20.

Senator M. Cavanaugh withdrew [FA366](#), found on page 1513, to LB20.

**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 LB20 with 38 ayes, 7 nays, 1 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 20.**

A BILL FOR AN ACT relating to voting rights; to amend sections 29-112, 29-113, 32-313, and 32-1530, Reissue Revised Statutes of Nebraska, and sections 29-2264, 32-312, and 83-1,118, Revised Statutes Cumulative Supplement, 2022; to provide for the restoration of voting rights upon completion of a felony sentence; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Aguilar	Cavanaugh, J.	Erdman	Kauth	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Conrad	Halloran	McDonnell	von Gillern
Blood	Day	Hansen	McKinney	Walz
Bosn	DeBoer	Holdcroft	Meyer	Wayne
Bostar	Dorn	Hughes	Moser	Wishart
Brandt	Dover	Ibach	Murman	
Brewer	Dungan	Jacobson	Riepe	

Voting in the negative, 6:

Bostelman	Hardin	Lowe
Clements	Lippincott	Slama

Present and not voting, 2:

Albrecht	Ballard
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Excused and not voting, 3:

DeKay	Hunt	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 20A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 20, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Ballard	Conrad	Halloran	McDonnell	von Gillern
Blood	Day	Hansen	McKinney	Walz
Bosn	DeBoer	Holdcroft	Meyer	Wayne
Bostar	Dorn	Hughes	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 6:

Bostelman	Hardin	Lowe
Clements	Lippincott	Slama

Present and not voting, 1:

Albrecht

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 52.** With Emergency Clause.

A BILL FOR AN ACT relating to tuition credits; to amend section 85-505, Revised Statutes Cumulative Supplement, 2022; to eliminate a limitation on the amount of tuition credits available to National Guard members during a fiscal year; 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, 46:

Aguilar	Brewer	Erdman	Linchan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 52A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 52, One Hundred Eighth Legislature, Second Session, 2024; 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, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB62 with 39 ayes, 4 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 62.**

A BILL FOR AN ACT relating to public health and welfare; to amend section 68-908, Reissue Revised Statutes of Nebraska, section 68-996, Revised Statutes Cumulative Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023; to change provisions relating to the annual summary and analysis of the medical assistance program; to provide for coverage of translation and interpretation services under the medical assistance program; to change provisions relating to the Medicaid Managed Care Excess Profit Fund; to require a report relating to the Temporary Assistance for Needy Families program; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Aguilar	Brandt	Dorn	Hughes	Slama
Arch	Brewer	Dover	Linehan	Vargas
Armendariz	Cavanaugh, J.	Dungan	McDonnell	von Gillern
Ballard	Cavanaugh, M.	Erdman	McKinney	Walz
Blood	Conrad	Fredrickson	Moser	Wayne
Bosn	Day	Hansen	Riepe	Wishart
Bostar	DeBoer	Holdcroft	Sanders	

Voting in the negative, 6:

Clements	Ibach	Lippincott
Hardin	Kauth	Lowe

Present and not voting, 6:

Albrecht	Halloran	Meyer
Bostelman	Jacobson	Murman

Excused and not voting, 3:

DeKay	Hunt	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 62A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 62, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 34:

Aguilar	Brandt	Dorn	Ibach	Slama
Arch	Brewer	Dungan	Linehan	Vargas
Armendariz	Cavanaugh, J.	Erdman	McDonnell	von Gillern
Ballard	Cavanaugh, M.	Fredrickson	McKinney	Walz
Blood	Conrad	Hansen	Moser	Wayne
Bosn	Day	Holdercroft	Riepe	Wishart
Bostar	DeBoer	Hughes	Sanders	

Voting in the negative, 5:



Clements      Hardin      Kauth      Lippincott      Lowe

Present and not voting, 7:

Albrecht      Dover      Jacobson      Murman  
Bostelman      Halloran      Meyer

Excused and not voting, 3:

DeKay      Hunt      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB71 with 39 ayes, 5 nays, 2 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 71.**

A BILL FOR AN ACT relating to education; to amend sections 79-530, 79-531, 79-532, 79-533, 79-1101, and 79-1103, Reissue Revised Statutes of Nebraska, and section 79-1003, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the involvement of parents and guardians in the education of their children; to require each public school district to develop and adopt a policy relating to the rights of each parent and guardian to access testing information and curriculum and excuse their child from certain instruction or activities; to provide powers and duties to the Commissioner of Education and the State Board of Education; to redefine terms under the Tax Equity and Educational Opportunities Support Act; to restate legislative intent, redefine a term, and change provisions relating to early childhood education; to provide a process for a parent or guardian to request that such person's child repeat a grade under certain circumstances; to eliminate obsolete provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 71A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 71, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brewer	Dungan	Jacobson	Murman
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	Dorn	Hughes	Meyer	Wayne
Brandt	Dover	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Bostelman

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB164 with 33 ayes, 7 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 164.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 13-3301, 13-3302, 13-3303, 13-3304, 13-3305, 13-3306, 13-3310, and 13-3311, Reissue Revised Statutes of Nebraska, sections 81-12,195, 81-12,196, 81-12,201, 81-12,215, and 84-602, Revised Statutes Cumulative Supplement, 2022, sections 61-305, 72-819, 72-1001, 81-1239, 81-1243, 81-12,203, 81-12,241, 81-12,241.01, 81-12,243, and 81-12,244, Revised Statutes Supplement, 2023, and section 31, Legislative Bill 1413, One Hundred Eighth Legislature, Second Session, 2024; to change provisions relating to the Economic Recovery Act, the Municipal Inland Port Authority Act, and the Nebraska Rural Projects Act; to provide for a museum at Fort Robinson State Park; to provide for and change provisions relating to transfers and use of funds, investment earnings, and interest; to provide a duty for the State Treasurer; to eliminate obsolete provisions; to adopt the Child Care Capacity Building and Workforce Act; to provide operative dates; to repeal the original sections; 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, 37:

Aguilar	Brewer	Dungan	Linehan	Vargas
Arch	Cavanaugh, J.	Fredrickson	McDonnell	von Gillern
Armendariz	Cavanaugh, M.	Hansen	McKinney	Walz
Ballard	Conrad	Holdcroft	Meyer	Wayne
Blood	Day	Hughes	Moser	Wishart
Bosn	DeBoer	Ibach	Riepe	
Bostar	Dorn	Jacobson	Sanders	
Brandt	Dover	Kauth	Slama	

Voting in the negative, 6:

Bostelman	Erdman	Lippincott
Clements	Hardin	Lowe

Present and not voting, 3:

Albrecht	Halloran	Murman
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Excused and not voting, 3:

DeKay	Hunt	Raybould
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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 164A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 164, One Hundred Eighth Legislature, Second Session, 2024; 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, 36:

Aguilar	Cavanaugh, J.	Fredrickson	McDonnell	von Gillern
Arch	Cavanaugh, M.	Hansen	McKinney	Walz
Ballard	Conrad	Holdcroft	Meyer	Wayne
Blood	Day	Hughes	Moser	Wishart
Bosn	DeBoer	Ibach	Riepe	
Bostar	Dorn	Jacobson	Sanders	
Brandt	Dover	Kauth	Slama	
Brewer	Dungan	Linehan	Vargas	

Voting in the negative, 5:

Clements Erdman Hardin Lippincott Lowe

Present and not voting, 5:

Albrecht Armendariz Bostelman Halloran Murman

Excused and not voting, 3:

DeKay Hunt Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB196 with 38 ayes, 4 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 196.** With Emergency Clause.

A BILL FOR AN ACT relating to public safety officers; to amend sections 81-8,318 and 81-2017, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to claims under the In the Line of Duty Compensation Act; to change contributions and assessments under the Nebraska State Patrol Retirement Act; to harmonize provisions; to repeal the original sections; 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, 45:

Aguilar	Brandt	Dover	Ibach	Murman
Albrecht	Brewer	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Slama
Ballard	Clements	Halloran	Lippincott	Vargas
Blood	Conrad	Hansen	Lowe	von Gillern
Bosn	Day	Hardin	McDonnell	Walz
Bostar	DeBoer	Holdcroft	McKinney	Wayne
Bostelman	Dorn	Hughes	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Meyer

Excused and not voting, 3:

DeKay          Hunt          Raybould

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 bills were read and put upon final passage:

**LEGISLATIVE BILL 196A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 196, One Hundred Eighth Legislature, Second Session, 2024; 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, 45:

Aguilar	Brandt	Dover	Ibach	Moser
Albrecht	Brewer	Dungan	Jacobson	Murman
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Slama
Ballard	Clements	Halloran	Lippincott	Vargas
Blood	Conrad	Hansen	Lowe	von Gillern
Bosn	Day	Hardin	McDonnell	Walz
Bostar	DeBoer	Holdcroft	McKinney	Wayne
Bostelman	Dorn	Hughes	Meyer	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 204.** With Emergency Clause.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2023; to establish reimbursement for pharmacy dispensing fees for pharmacies participating in the medical assistance program; to harmonize provisions; 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	Ibach	Murman
Albrecht	Brewer	Dungan	Kauth	Sanders
Arch	Cavanaugh, J.	Erdman	Linehan	Slama
Armendariz	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Ballard	Clements	Halloran	Lowe	von Gillern
Blood	Conrad	Hansen	McDonnell	Walz
Bosn	Day	Hardin	McKinney	Wayne
Bostar	DeBoer	Holdcroft	Meyer	Wishart
Bostelman	Dorn	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 2:

Jacobson      Riepe

Excused and not voting, 3:

DeKay      Hunt      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB204A with 38 ayes, 3 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 204A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend section 70, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session,

2024; to appropriate funds to aid in carrying out the provisions of Legislative Bill 204, One Hundred Eighth Legislature, Second Session, 2024; to provide for expenditures for aid; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdercroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB233 with 38 ayes, 3 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 233.**

A BILL FOR AN ACT relating to child support; to amend sections 43-512, 43-512.07, and 68-1713, Reissue Revised Statutes of Nebraska, and section 68-1201, Revised Statutes Cumulative Supplement, 2022; to provide for a child support payment disregard; to provide for pass through of certain child support payments; to eliminate a portion of child support income for purposes of determining eligibility for the aid to dependent children program; to require implementation of a child support disregard policy; to harmonize provisions; and to repeal the original sections.



Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Kauth

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB253 with 37 ayes, 6 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 253.**

A BILL FOR AN ACT relating to criminal justice; to amend sections 28-1206, 29-2202, 29-2246, 29-2293, and 29-2294, Revised Statutes Cumulative Supplement, 2022; to provide for veteran justice programs as prescribed; to define terms; to provide requirements and duties relating to sentencing veterans; to provide duties for law enforcement, court, and correctional personnel and the State Court Administrator; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Cavanaugh, J.	Erdman	Jacobson	Riepe
Arch	Cavanaugh, M.	Fredrickson	Kauth	Sanders
Armendariz	Clements	Halloran	Linchan	Slama
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bostar	DeBoer	Holdcroft	McKinney	Walz
Bostelman	Dorn	Hughes	Meyer	Wayne
Brandt	Dover	Hunt	Moser	Wishart
Brewer	Dungan	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Albrecht      Bosn      Lowe

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB262 with 41 ayes, 4 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 262.**

A BILL FOR AN ACT relating to agriculture; to amend sections 2-501, 2-503, 2-505, 2-509, 2-515, 2-518, 2-958, 2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, 2-3635, 2-3804, 2-3966, 75-902, 75-903, 75-903.02, 81-2,251.03, 88-526, 88-527, 88-528.01, 88-541, and 88-549, Reissue Revised Statutes of Nebraska, sections 28-401, 28-476, 75-156, 81-2,162.27, 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,263, 81-2,270, 81-2,271, 81-2,280, 81-2,281, and 88-530, Revised Statutes Cumulative Supplement, 2022, and sections 81-2,239 and 81-2,240, Revised Statutes Supplement, 2023; to change and eliminate provisions of the Nebraska Hemp Farming Act and the Uniform Controlled Substances Act relating to hemp; to change provisions relating to the Nebraska Corn

Resources Act, the Nebraska Agricultural Products Marketing Act, warehouse operators, the Grain Dealer Act, the Nebraska Pure Food Act, and the Grain Warehouse Act; to eliminate provisions relating to hemp, the Nebraska Corn Resources Act, and the Nebraska Pure Food Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 2-502, 2-504, 2-506, 2-507, 2-508, 2-510, 2-511, 2-512, 2-513, 2-514, 2-516, 2-517, 2-519, 2-3616, 2-3627, 2-3628, 2-5701, 81-2,242.03, and 81-2,251.02, Reissue Revised Statutes of Nebraska, and sections 81-2,245, 81-2,251.01, and 81-2,272.31, Revised Statutes Cumulative Supplement, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 262A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 262, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Motion(s) to LB287**

Senator Hunt asked unanimous consent to withdraw [MO1325](#), found on page 1451, to recommit to committee.

No objections. So ordered.

#### **WITHDRAW - Amendment(s) to LB287**

Senator Hunt withdrew [FA340](#), found on page 1451, to LB287.

#### **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 LB287 with 41 ayes, 4 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 287.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 2-3213, 2-3214, 16-202, 18-2518, 25-1274, 32-233, 32-564, 32-565, 32-569, 32-613, 32-617, 32-630, 32-632, 32-713, 32-1205, 32-1301, 32-1304, 32-1308, 32-1546, 49-1499.03, 58-230, 58-817, 60-483, 60-484.02, 84-217, and 85-1514, Reissue Revised Statutes of Nebraska, sections 31-727.02, 32-304, 32-320.01, 32-330, 32-404, 32-405, 32-552, 32-553, 32-570, 32-606,

32-607, 32-608, 32-615, 32-716, 32-802, 32-808.01, 32-903, 32-947, 32-950.01, 32-1203, 32-1303, 32-1305, 32-1306, 32-1405, 32-1407, 32-1524, 32-1525, 70-663, 79-1218, and 84-1411, Revised Statutes Cumulative Supplement, 2022, and sections 32-101, 32-103, 32-123, 32-202.01, 32-308, 32-318.01, 32-912.01, 32-912.02, 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115, Revised Statutes Supplement, 2023; to eliminate obsolete provisions relating to adjusting certain boundaries after the federal decennial census and charter amendment procedures for certain public power districts; to change provisions relating to remonstrance petitions in the sale and conveyance of real estate owned by a city of the first class; to change provisions relating to the Election Act; to provide and change penalty provisions; to change provisions relating to conflicts of interest by certain officeholders and public employees; to change provisions relating to state identification cards; to change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act; to eliminate provisions relating to opinions of the Attorney General regarding the unconstitutionality of legislative bills; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 84-215, Reissue Revised Statutes of Nebraska; 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, 46:

Aguilar	Brewer	Erdman	Kauth	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Vargas
Arch	Cavanaugh, M.	Halloran	Lippincott	von Gillern
Armendariz	Clements	Hansen	Lowe	Walz
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	Day	Holdcroft	McKinney	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Meyer

Excused and not voting, 2:

DeKay      Raybould

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 bills were read and put upon final passage:

**LEGISLATIVE BILL 287A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 287, One Hundred Eighth Legislature, Second Session, 2024; 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, 46:

Aguilar	Brewer	Erdman	Linchan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hardin	McDonnell	Walz
Ballard	Conrad	Holdcroft	McKinney	Wayne
Blood	Day	Hughes	Meyer	Wishart
Bosn	DeBoer	Hunt	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Hansen

Excused and not voting, 2:

DeKay      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**LEGISLATIVE BILL 358.** With Emergency Clause.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2023; to state legislative intent for dental services reimbursement; to harmonize provisions; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdercroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB358A with 41 ayes, 4 nays, 1 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 358A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 96; and section 70, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to provide for use of appropriated funds to aid in carrying out the provisions of Legislative Bill 358, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original sections; 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, 45:

Aguilar	Brandt	Dover	Ibach	Murman
Albrecht	Brewer	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Linehan	Sanders
Armendariz	Cavanaugh, M.	Fredrickson	Lippincott	Slama
Ballard	Clements	Halloran	Lowe	Vargas
Blood	Conrad	Hansen	McDonnell	von Gillern
Bosn	Day	Hardin	McKinney	Walz
Bostar	DeBoer	Holdcroft	Meyer	Wayne
Bostelman	Dorn	Hughes	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 1:

Kauth

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB399 with 37 ayes, 5 nays, 4 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 399.**

A BILL FOR AN ACT relating to the Nebraska Power Review Board; to amend section 70-1014, Reissue Revised Statutes of Nebraska, sections 70-1014.02 and 84-1411, Revised Statutes Cumulative Supplement, 2022, and section 70-1001.01, Revised Statutes Supplement, 2023; to redefine terms; to provide a public meeting and report requirement for board approval of certain proposed electric generation facilities; to change and provide certification requirements for issuance of an acknowledgment of exemption by the board of a proposed privately developed renewable energy generation facility; to provide an exception to a virtual conferencing requirement under the Open Meetings Act; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "



Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Linehan	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Arch	Cavanaugh, M.	Halloran	Lowe	von Gillern
Armendariz	Clements	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bostelman	Dover	Jacobson	Riepe	
Brandt	Dungan	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay          Hunt          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB600 with 39 ayes, 4 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 600.** With Emergency Clause.

A BILL FOR AN ACT relating to cities and villages; to amend section 84-612, Revised Statutes Supplement, 2023; to adopt the Municipality Infrastructure Aid Act; to transfer funds from the Cash Reserve Fund; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

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 600A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 600, One Hundred Eighth Legislature, Second Session, 2024; 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, 45:

Aguilar	Brewer	Dungan	Ibach	Moser
Arch	Cavanaugh, J.	Erdman	Jacobson	Murman
Armendariz	Cavanaugh, M.	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	Day	Hardin	Lowe	von Gillern
Bostar	DeBoer	Holdcroft	McDonnell	Walz
Bostelman	Dorn	Hughes	McKinney	Wayne
Brandt	Dover	Hunt	Meyer	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Albrecht Slama

Excused and not voting, 2:

DeKay Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Motion(s) to LB631**

Senator Conrad asked unanimous consent to withdraw the following motions:

[MO746](#), found on page 968, First Session, 2023, to indefinitely postpone.

[MO747](#), found on page 969, First Session, 2023, to recommit to committee.

[MO748](#), found on page 969, First Session, 2023, to bracket.

[MO749](#), found on page 969, First Session, 2023, to recommit to committee.

No objections. So ordered.

#### **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 LB631 with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 631.**

A BILL FOR AN ACT relating to criminal justice; to amend section 83-190, Reissue Revised Statutes of Nebraska, sections 28-936, 83-171, 83-184, 83-192, 83-1,100, 83-1,100.03, 83-1,101, 83-1,102, 83-1,107, 83-901, 83-903, 83-904, and 83-962, Revised Statutes Cumulative Supplement, 2022, and sections 29-2269, 83-1,114, 83-1,122.02, and 83-1,135, Revised Statutes Supplement, 2023; to adopt the Community Work Release and Reentry Centers Act; to require reports concerning reentry service center pilot programs and post-release supervision; to prohibit exclusion of current and former parolees and probationers from grant programs; to change provisions relating to bringing electronic communication devices into prisons; to provide for performance metrics for probation, parole, and correctional staff; to transfer the Division of Parole Supervision to the Department of Correctional Services; to change

provisions relating to the powers and duties of the Board of Parole; to provide powers and duties for the department, board, and Director of Supervision and Services; to change provisions relating to parole eligibility; to provide for Parole School and book donations; to create the National Career Readiness Certificate Pilot Program; to state legislative intent regarding appropriations; to provide for reentry plans; to change provisions relating to the Vocational and Life Skills Programming Fund; to eliminate obsolete provisions; to eliminate, change and transfer provisions relating to reentry programs and providing identification cards or operator's licenses; to harmonize provisions; to repeal the original sections; and to outright repeal section 83-933, Revised Statutes Cumulative Supplement, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Brandt	Dover	Ibach	Sanders
Arch	Brewer	Dungan	Jacobson	Slama
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Vargas
Ballard	Cavanaugh, M.	Halloran	Linehan	von Gillern
Blood	Conrad	Hansen	McDonnell	Walz
Bosn	Day	Holdcroft	McKinney	Wayne
Bostar	DeBoer	Hughes	Moser	Wishart
Bostelman	Dorn	Hunt	Riepe	

Voting in the negative, 4:

Clements	Erdman	Lippincott	Lowe
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Present and not voting, 4:

Albrecht	Hardin	Meyer	Murman
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Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB631A with 37 ayes, 6 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 631A.**

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB50A, section 5; Laws 2023, LB814, section 67; and section 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to appropriate funds and reduce appropriations to aid in carrying out the provisions of Legislative Bill 631, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Brandt	Dover	Hunt	Riepe
Arch	Brewer	Dungan	Ibach	Sanders
Armendariz	Cavanaugh, J.	Erdman	Jacobson	Slama
Ballard	Cavanaugh, M.	Fredrickson	Kauth	Vargas
Blood	Conrad	Halloran	Linehan	von Gillern
Bosn	Day	Hansen	McDonnell	Walz
Bostar	DeBoer	Holdcroft	McKinney	Wayne
Bostelman	Dorn	Hughes	Moser	Wishart

Voting in the negative, 3:

Clements      Lippincott      Lowe

Present and not voting, 4:

Albrecht      Hardin      Meyer      Murman

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 20, 20A, 52e, 52Ae, 62, 62A, 71, 71A, 164e, 164Ae, 196e, 196Ae, 204e, 204Ae, 233, 253, 262, 262A, 287e, 287Ae, 358e, 358Ae, 399, 600e, 600Ae, 631, and 631A.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 11, 2024, at 10:20 a.m. were the following: LBs 1301, 1301A, 484, 484A, 880, 903, 910, 926, 1029, 1070e, 1085, 1095, 1167, 1214, 1270, and 1326.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**VISITOR(S)**

Visitors to the Chamber were students from Newell Elementary, Grand Island; Skyler Cornish, McCook; Susan Adams, York; Stacy Dick, York; students and teachers from St. Gerald's Catholic School, Ralston; Greenheart Exchange students from eleven countries, Lincoln, Fremont, and Cedar Bluffs; Kelli Miller, Elkhorn; Jill Hansen, Elkhorn; Olivia Hansen, Blair.

**RECESS**

At 11:54 a.m., on a motion by Senator Blood, 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 Conrad, Day, DeKay, Fredrickson, Hansen, Hunt, McDonnell, Moser, Raybould, Vargas, and Wayne who were excused until they arrive.

**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 LB685 with 36 ayes, 3 nays, 4 present and not voting, and 6 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 685.**

A BILL FOR AN ACT relating to law; to amend sections 77-3002, 77-3003, 77-3004, 77-3005, and 77-3009, Reissue Revised Statutes of Nebraska, sections 77-3001, 77-3003.01, 77-3003.02, 77-3006, 77-3007, 77-3008, 77-3011, and 81-3729, Revised Statutes Cumulative Supplement, 2022, and sections 9-1,101 and 53-101, Revised Statutes Supplement, 2023; to provide

for the use of certain funds; to provide requirements for licensees under the Nebraska Liquor Control Act selling co-branded alcoholic beverages; to provide, change, and eliminate definitions; to change and eliminate provisions of the Mechanical Amusement Device Tax Act relating to licensure, powers and duties of the Department of Revenue and Tax Commissioner, operation of cash devices, taxes, and penalties; to change the age at which a person may play a mechanical amusement device; to prohibit taxes by political subdivisions; to provide for a central server; to provide a tax on cash devices; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, J.	Halloran	Lippincott	Vargas
Arch	Cavanaugh, M.	Hansen	Lowe	von Gillern
Armendariz	Clements	Hardin	McDonnell	Walz
Ballard	Day	Holdercroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostar	Dover	Ibach	Murman	
Bostelman	Dungan	Jacobson	Riepe	
Brandt	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

Conrad      DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendment(s) to LB685A**

Senator M. Cavanaugh withdrew [FA363](#), found on page 1513, to LB685A.

#### **BILLS ON FINAL READING**

The following bill was read and put upon final passage:

#### **LEGISLATIVE BILL 685A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 685, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB686 with 38 ayes, 3 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 686.**

A BILL FOR AN ACT relating to retirement; to amend sections 16-1020, 16-1021, 16-1023, 16-1024, 16-1025, 16-1030, 16-1033, 16-1034, 16-1036, 16-1037, 16-1038, 16-1041, 18-1723, and 68-621, Reissue Revised Statutes of Nebraska, and sections 35-1001 and 81-8,317, Revised Statutes Cumulative Supplement, 2022; to name the Cities of the First Class Firefighters Retirement Act; to change provisions relating to retirement plans for firefighters employed by a city of the first class; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "



Voting in the affirmative, 43:

Aguilar	Cavanaugh, J.	Erdman	Jacobson	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Slama
Ballard	Clements	Halloran	Lippincott	Vargas
Blood	Conrad	Hansen	McDonnell	von Gillern
Bosn	Day	Hardin	McKinney	Walz
Bostar	DeBoer	Holdcroft	Meyer	Wayne
Bostelman	Dorn	Hughes	Moser	Wishart
Brandt	Dover	Hunt	Murman	
Brewer	Dungan	Ibach	Riepe	

Voting in the negative, 2:

Albrecht      Lowe

Present and not voting, 2:

Armendariz      Kauth

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 829.**

A BILL FOR AN ACT relating to insurance; to amend section 44-7,102, Revised Statutes Supplement, 2023; to change provisions relating to coverage for screening for colorectal cancer; to provide an operative date; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Brewer	Fredrickson	Linehan	Vargas
Arch	Cavanaugh, J.	Halloran	Lippincott	von Gillern
Armendariz	Cavanaugh, M.	Hansen	McDonnell	Walz
Ballard	Conrad	Hardin	McKinney	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 5:

Albrecht	Clements	Erdman	Lowe	Slama
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Present and not voting, 1:

Kauth

Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 829A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 829, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Brandt	Dover	Ibach	Murman
Arch	Brewer	Dungan	Jacobson	Riepe
Armendariz	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Ballard	Cavanaugh, M.	Halloran	Lippincott	Vargas
Blood	Conrad	Hardin	McDonnell	von Gillern
Bosn	Day	Holdcroft	McKinney	Walz
Bostar	DeBoer	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart

Voting in the negative, 5:

Albrecht      Clements      Erdman      Hansen      Slama

Present and not voting, 2:

Kauth      Lowe

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB840 with 37 ayes, 7 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 840.**

A BILL FOR AN ACT relating to cities; to amend sections 71-1572, 71-1594, 71-1598, 71-15,104, 71-15,106, 71-15,139, and 71-15,150, Reissue Revised Statutes of Nebraska, and sections 81-1237 and 81-1238, Revised Statutes Supplement, 2023; to adopt the Poverty Elimination Action Plan Act; to change provisions of the Nebraska Housing Agency Act relating to commissioners and staff, conflicts of interest, notices, and requirements for certain housing agencies relating to meetings, complaints, compliance with federal law relating to administrative grievance procedures, and appointment of counsel for public housing residents in termination hearings and eviction proceedings; to redefine a term and change requirements for workforce housing grants under the Middle Income Workforce Housing Investment Act; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Aguilar	Brandt	DeBoer	Linehan	von Gillern
Arch	Brewer	Dorn	McDonnell	Walz
Armendariz	Cavanaugh, J.	Dungan	McKinney	Wayne
Ballard	Cavanaugh, M.	Fredrickson	Riepe	Wishart
Blood	Conrad	Hughes	Sanders	
Bostar	Day	Hunt	Vargas	

Voting in the negative, 19:

Albrecht	Dover	Hardin	Kauth	Moser
Bosn	Erdman	Holdcroft	Lippincott	Murman
Bostelman	Halloran	Ibach	Lowe	Slama
Clements	Hansen	Jacobson	Meyer	

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB852 with 41 ayes, 3 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 852.**

A BILL FOR AN ACT relating to the Medicare Supplement Insurance Minimum Standards Act; to amend sections 44-3601 and 44-3602, Reissue Revised Statutes of Nebraska; to define terms; to change provisions relating to durable medical equipment, prosthetics, orthotics, and supplies; to provide certain requirements relating to individuals who are under sixty-five years of age and qualify for medicare by reason of disability; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wishart
Bosn	DeBoer	Hughes	Meyer	
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB856 with 37 ayes, 4 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 856.**

A BILL FOR AN ACT relating to the child care subsidy program; to amend section 68-1206, Revised Statutes Supplement, 2023; to change eligibility requirements; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Aguilar	Brandt	Dungan	Linehan	Slama
Arch	Brewer	Fredrickson	McDonnell	Vargas
Armendariz	Cavanaugh, J.	Hansen	McKinney	von Gillern
Ballard	Cavanaugh, M.	Holdcroft	Meyer	Walz
Blood	Conrad	Hughes	Moser	Wayne
Bosn	Day	Hunt	Murman	Wishart
Bostar	DeBoer	Ibach	Riepe	
Bostelman	Dorn	Jacobson	Sanders	

Voting in the negative, 7:

Albrecht	Erdman	Hardin	Low
Clements	Halloran	Lippincott	

Present and not voting, 2:

Dover	Kauth
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Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB867 with 40 ayes, 5 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 867.** With Emergency Clause.

A BILL FOR AN ACT relating to natural resources; to amend sections 37-420 and 37-421, Reissue Revised Statutes of Nebraska, and sections 37-201, 37-438, 66-1519, 66-1523, 66-1525, 66-1529.02, and 70-1003, Revised Statutes Cumulative Supplement, 2022; to provide under the Game Law for a database for guides and outfitters, a migratory waterfowl hunting season for veterans as prescribed, a one-day hunting permit and stamps for certain veterans for use on Veterans Day, and active-duty military permits as a type of state park motor vehicle entry permit; to change reimbursement, transfer, investment, and remedial action provisions relating to the Petroleum Release Remedial Action Cash Fund; to change provisions relating to service on the Nebraska Power Review Board; to prohibit restrictions on the provision of certain energy services; to harmonize

provisions; to provide operative dates; to repeal the original sections; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

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 bills were read and put upon final passage:

**LEGISLATIVE BILL 867A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 867, One Hundred Eighth Legislature, Second Session, 2024; 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, 46:

Aguilar	Cavanaugh, J.	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, M.	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	Day	Holdcroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	
Brewer	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Bostar

Excused and not voting, 2:

DeKay        Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **LEGISLATIVE BILL 870.**

A BILL FOR AN ACT relating to the Sexual Assault Victims' Bill of Rights Act; to amend section 29-4313, Revised Statutes Cumulative Supplement, 2022; to provide for rights of notification and information for victims of sexual assault as prescribed; to require preservation of sexual assault forensic evidence as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	



Voting in the negative, 0.

Excused and not voting, 2:

DeKay        Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 870A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 870, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay        Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB874 with 41 ayes, 3 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 874.**

A BILL FOR AN ACT relating to child care licensing and child care facilities; to amend sections 71-1911 and 71-1911.03, Reissue Revised Statutes of Nebraska, and sections 28-713, 71-1908, 71-1912, and 77-202, Revised Statutes Cumulative Supplement, 2022; to change requirements for child care licensing, liability insurance for child care license applicants, background checks for child care employees, and use of blankets in child care facilities; to provide reporting requirements to the Legislature for the Department of Health and Human Services, the State Fire Marshal, and municipalities; to provide a property tax exemption; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	Day	Holdcroft	McKinney	Wishart
Bosn	DeBoer	Hughes	Meyer	
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Walz

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 876.**

A BILL FOR AN ACT relating to infants; to amend section 29-121, Reissue Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act; to change provisions relating to the act of leaving a child as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **LEGISLATIVE BILL 876A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 876, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB904 with 41 ayes, 3 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 904.**

A BILL FOR AN ACT relating to public health and welfare; to amend sections 43-536 and 68-996, Revised Statutes Cumulative Supplement, 2022; to change child care reimbursement rates; to create the Intergenerational Care Facility Incentive Grant Program; to provide for grants; to provide powers and duties; to provide an additional use for the Medicaid Managed Care Excess Profit Fund; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brewer	Erdman	Jacobson	Murman
Arch	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Armendariz	Cavanaugh, M.	Halloran	Linehan	Sanders
Ballard	Clements	Hansen	Lippincott	Slama
Blood	Conrad	Hardin	Lowe	Vargas
Bosn	Day	Holdcroft	McDonnell	von Gillern
Bostar	DeBoer	Hughes	McKinney	Walz
Bostelman	Dover	Hunt	Meyer	Wayne
Brandt	Dungan	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Albrecht          Dorn

Excused and not voting, 2:

DeKay Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 904A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 904, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brewer	Dungan	Ibach	Murman
Arch	Cavanaugh, J.	Erdman	Jacobson	Riepe
Armendariz	Cavanaugh, M.	Fredrickson	Kauth	Sanders
Ballard	Clements	Halloran	Linehan	Slama
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	Day	Hardin	McDonnell	von Gillern
Bostar	DeBoer	Holdcroft	McKinney	Walz
Bostelman	Dorn	Hughes	Meyer	Wayne
Brandt	Dover	Hunt	Moser	Wishart

Voting in the negative, 1:

Albrecht

Present and not voting, 1:

Lowe

Excused and not voting, 2:

DeKay Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB932 with 40 ayes, 2 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 932.**

A BILL FOR AN ACT relating to public health and welfare; to amend section 38-130, Reissue Revised Statutes of Nebraska, sections 28-327, 38-2101, 38-2116, and 38-2139, Revised Statutes Cumulative Supplement, 2022, and section 38-131, Revised Statutes Supplement, 2023; to adopt the Social Worker Licensure Compact; to change provisions of the Uniform Credentialing Act and the Mental Health Practice Act; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Brewer	Dungan	Jacobson	Sanders
Arch	Cavanaugh, J.	Erdman	Linehan	Slama
Armendariz	Cavanaugh, M.	Fredrickson	Lippincott	Vargas
Ballard	Clements	Hansen	McDonnell	von Gillern
Blood	Conrad	Hardin	McKinney	Walz
Bosn	Day	Holdcroft	Meyer	Wayne
Bostar	DeBoer	Hughes	Moser	Wishart
Bostelman	Dorn	Hunt	Murman	
Brandt	Dover	Ibach	Riepe	

Voting in the negative, 0.

Present and not voting, 4:

Albrecht	Halloran	Kauth	Lowe
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Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Motion(s) to LB934**

Senator Bosn asked unanimous consent to withdraw [MO1302](#), found on page 1196, to recommit to committee.

No objections. So ordered.

**WITHDRAW - Amendment(s) to LB934**

Senator Bosn withdrew [FA310](#), found on page 1196, to LB934.

Senator Bosn withdrew [FA311](#), found on page 1196, to LB934.

**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 LB934 with 36 ayes, 4 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 934.** With Emergency Clause.

A BILL FOR AN ACT relating to consumer protection; to amend sections 59-1608.01, 59-1611, 59-1623, 87-303.02, 87-303.11, and 87-306, Reissue Revised Statutes of Nebraska, and section 87-302, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to venue for actions under the Consumer Protection Act; to change enforcement and investigation powers of the Attorney General for violations of such act and the Uniform Deceptive Trade Practices Act; to provide for jury trials; to designate certain activity as a deceptive trade practice that makes certain sexually explicit, obscene, or harmful material publicly available; to harmonize provisions; to provide severability; to repeal the original sections; 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, 46:

Aguilar	Brewer	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, J.	Halloran	Lippincott	Vargas
Arch	Cavanaugh, M.	Hansen	Lowe	von Gillern
Armendariz	Clements	Hardin	McDonnell	Walz
Ballard	Conrad	Holdercroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostar	Dover	Ibach	Murman	
Bostelman	Dungan	Jacobson	Riepe	
Brandt	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Day

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1017 with 37 ayes, 5 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1017.**

A BILL FOR AN ACT relating to workers' compensation; to amend section 48-121, Reissue Revised Statutes of Nebraska; to change the schedule of compensation for loss or loss of use of more than one specific part of the body from injury or illness resulting in disability as prescribed; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 38:

Aguilar	Brandt	Fredrickson	Jacobson	Murman
Albrecht	Brewer	Halloran	Kauth	Riepe
Arch	Clements	Hansen	Linehan	Sanders
Armendariz	Day	Hardin	Lippincott	Slama
Ballard	DeBoer	Holdcroft	Lowe	von Gillern
Bosn	Dorn	Hughes	McDonnell	Walz
Bostar	Dover	Hunt	Meyer	
Bostelman	Erdman	Ibach	Moser	

Voting in the negative, 8:

Blood	Conrad	McKinney	Wayne
Cavanaugh, J.	Dungan	Vargas	Wishart

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:



DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1027 with 37 ayes, 6 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1027.**

A BILL FOR AN ACT relating to education; to amend section 79-1601, Reissue Revised Statutes of Nebraska, and section 79-1605, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to schools that elect not to meet accreditation or approval requirements; to define a term; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

Aguilar	Brewer	Fredrickson	Kauth	Riepe
Albrecht	Clements	Halloran	Linehan	Sanders
Arch	Conrad	Hansen	Lippincott	Slama
Armendariz	Day	Hardin	Lowe	Vargas
Ballard	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	Dorn	Hughes	McKinney	Walz
Bostar	Dover	Hunt	Meyer	Wayne
Bostelman	Dungan	Ibach	Moser	Wishart
Brandt	Erdman	Jacobson	Murman	

Voting in the negative, 1:

Blood

Present and not voting, 2:

Cavanaugh, J.      Cavanaugh, M.

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**MOTION(S) - Return LB1027A to Select File**

Senator Clements moved to return LB1027A to Select File for the following specific amendment:

[FA448](#)

Strike the enacting clause

The Clements motion to return prevailed with 39 ayes, 3 nays, 5 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1027A.** The Clements specific amendment, [FA448](#), found in this day's Journal, was adopted with 44 ayes, 0 nays, 3 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 LB1030 with 36 ayes, 4 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1030.** With Emergency Clause.

A BILL FOR AN ACT relating to highways and roads; to amend sections 39-2805 and 66-4,100, Revised Statutes Supplement, 2023; to create a working group; to change the County Bridge Match Program; to provide for transfers of funds; to repeal the original sections; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay        Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1031 with 35 ayes, 7 nays, 5 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1031.** With Emergency Clause.

A BILL FOR AN ACT relating to telecommunications and technology; to amend section 86-314, Reissue Revised Statutes of Nebraska, sections 86-124, 86-324.02, 86-515, 86-577, 86-1001, 86-1003, 86-1004, 86-1029, 86-1101, 86-1102, and 86-1301, Revised Statutes Cumulative Supplement, 2022, and section 75-109.01, Revised Statutes Supplement, 2023; to change provisions relating to the Public Service Commission; to change speed test requirements for ongoing high-cost support from the Nebraska Telecommunications Universal Service Fund; to change provisions relating to the Nebraska Information Technology Commission; to change provisions relating to the lease or license of dark fiber by any agency or political subdivision of the state and broadband services; to change provisions relating to the 911 Service System Act and the Nebraska Broadband Bridge Act; to require a report; to change legislative intent; to harmonize provisions; to provide operative dates; to repeal the original sections; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

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 1031A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1031, One Hundred Eighth Legislature, Second Session, 2024; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1035 with 39 ayes, 5 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 1035.**

A BILL FOR AN ACT relating to public health and welfare; to adopt the Prescription Drug Donation Program Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1035A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1035, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1051 with 42 ayes, 3 nays, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1051.**

A BILL FOR AN ACT relating to juveniles; to amend sections 29-2257, 29-2258, 43-246.01, 43-247, 43-254.01, 43-256, 43-258, 43-272.01, and 43-284, Reissue Revised Statutes of Nebraska, and sections 29-1816, 43-247.02, 43-248, 43-250, 43-251.01, 43-253, 43-254, and 43-281, Revised Statutes Cumulative Supplement, 2022; to eliminate obsolete provisions; to reorganize and harmonize provisions; to provide duties for the Revisor of Statutes; to repeal the original sections; and to outright repeal section 43-247.04, Revised Statutes Cumulative Supplement, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	
Brewer	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Albrecht

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1069 with 38 ayes, 5 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1069.** With Emergency Clause.

A BILL FOR AN ACT relating to the State Fire Marshal; to amend sections 28-1250, 81-520.01, 81-546, 81-547, 81-550, and 81-5,159, Reissue Revised Statutes of Nebraska, and sections 81-502 and 81-5,172, Revised Statutes Cumulative Supplement, 2022; to eliminate the Nebraska Fire Safety Appeals Board; to change open burning permit requirements; to change and provide enforcement, civil penalty, and appeals procedures under the Nebraska Natural Gas Pipeline Safety Act of 1969; to change a pipeline facility assessment under the Nebraska Natural Gas Pipeline Safety Cash Fund; to change a renewal application deadline for a contractor certificate relating to fire protection systems; to change exception provisions under the Boiler Inspection Act; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; to outright repeal section 81-502.01, Reissue Revised Statutes of Nebraska, section 81-502.02, Revised Statutes Cumulative Supplement, 2022, and section 81-502.03, Revised Statutes Supplement, 2023; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	



Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 685, 685A, 686, 829, 829A, 840, 852, 856, 867e, 867Ae, 870, 870A, 874, 876, 876A, 904, 904A, 932, 934e, 1017, 1027, 1030e, 1031e, 1031Ae, 1035, 1035A, 1051, and 1069e.

### **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 LB1073 with 34 ayes, 7 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1073. With Emergency Clause.**

A BILL FOR AN ACT relating to law; to amend sections 44-7,115, 44-1308, 44-19,116, 44-5807, 48-2706, 68-956, 76-2,122, 76-856, 81-885.10, and 81-885.55, Reissue Revised Statutes of Nebraska, and sections 44-4603, 44-4604, 76-2,121, 81-885.01, 81-885.17, 81-885.24, and 87-302, Revised Statutes Cumulative Supplement, 2022; to adopt the Peer-to-Peer Vehicle Sharing Program Act; to prohibit certain actions relating to insurance for lung cancer screening; to change requirements relating to step-therapy override exceptions, documents and information provided to an independent review organization, title insurance, index-linked variable annuity contracts, the Pharmacy Benefit Manager Licensure and Regulation Act, pharmacy benefit managers, onsite audits of the operations of third-party administrators, health benefit plans offered by professional employer organizations, the Medicaid Prescription Drug Act, requirements for real estate closing agents, the Nebraska Condominium Act, the Nebraska Real Estate License Act, and deceptive trade practices; to prohibit and require certain actions relating to right-to-list home sale agreements; to define and redefine terms; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide operative dates; to repeal the original sections; 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	Riepe
Albrecht	Brewer	Dungan	Ibach	Sanders
Arch	Cavanaugh, J.	Erdman	Kauth	Slama
Armendariz	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Ballard	Clements	Halloran	Lippincott	von Gillern
Blood	Conrad	Hansen	McDonnell	Walz
Bosn	Day	Hardin	McKinney	Wayne
Bostar	DeBoer	Holdcroft	Moser	Wishart
Bostelman	Dorn	Hughes	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Jacobson      Lowe      Meyer

Excused and not voting, 2:

DeKay      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1074 with 37 ayes, 6 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1074.** With Emergency Clause.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-1116, 8-1120, 8-1726, 8-2504, 8-2729, 8-2730, 8-2735, 13-609, 21-1701, 21-1702, 21-1705, 21-1729, 21-1736, 21-1743, 21-1749, 21-1767, 21-17,102, 21-17,109, 30-3801, 45-346, 45-346.01, 45-354, 45-737, 45-905.01, 45-912, 45-1005, 45-1018, 45-1033.01, 71-605.02, 71-616, 77-2341, and 81-118.01, Reissue Revised Statutes of Nebraska, section 84-712.05, Revised Statutes Cumulative Supplement, 2022, sections 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 21-17,115, 59-1722, 69-2103, 69-2104, 69-2112, and 71-612, Revised Statutes Supplement, 2023, and section 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2023; to adopt the Data Privacy Act; to adopt the Public Entities Pooled Investment Act; to adopt updates to federal law

and change provisions relating to banking and finance; to change provisions of the Securities Act of Nebraska, the Commodity Code, the Credit Union Act, and the Nebraska Uniform Trust Code; to change provisions relating to breaches of security relating to computerized data and criminal history record information checks; to change provisions relating to the preservation and use of certain certificates and information relating to vital records; to provide for certain records to be exempt from public disclosure; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to provide for severability; to repeal the original sections; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay      Raybould

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 1074A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1074, One Hundred Eighth Legislature, Second Session, 2024; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Motion(s) to LB1088**

Senator M. Cavanaugh asked unanimous consent to withdraw [MO1406](#) found on page 1605, to recommit to committee.

No objections. So ordered.

#### **WITHDRAW - Amendment(s) to LB1088**

Senator M. Cavanaugh withdrew [FA428](#), found on page 1603, to LB1088.

#### **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 LB1088 with 38 ayes, 3 nays, 6 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1088.**

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend sections 77-5723, 77-5727, and 77-5735, Revised Statutes Cumulative Supplement, 2022; to change the time period in which the required levels of employment and investment must be met for certain projects; to provide for applicability; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, J.	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	Day	Holdcroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostar	Dover	Ibach	Murman	
Bostelman	Dungan	Jacobson	Riepe	
Brandt	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1092 with 35 ayes, 8 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1092.**

A BILL FOR AN ACT relating to civil liability; to adopt the Online Age Verification Liability Act.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Aguilar	Brandt	Halloran	Kauth	Murman
Albrecht	Brewer	Hansen	Linehan	Riepe
Arch	Clements	Hardin	Lippincott	Sanders
Armendariz	DeBoer	Holdcroft	Lowe	Slama
Ballard	Dorn	Hughes	McDonnell	Vargas
Bosn	Dover	Ibach	Meyer	von Gillern
Bostelman	Erdman	Jacobson	Moser	Walz

Voting in the negative, 3:

Conrad          Dungan          Hunt

Present and not voting, 9:

Blood	Cavanaugh, J.	Day	McKinney	Wishart
Bostar	Cavanaugh, M.	Fredrickson	Wayne	

Excused and not voting, 2:

DeKay          Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1108 with 37 ayes, 3 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1108.** With Emergency Clause.

A BILL FOR AN ACT relating to the Nebraska Emergency Medical System Operations Fund; to amend section 71-51,103, Reissue Revised Statutes of Nebraska, section 37-327.02, Revised Statutes Cumulative Supplement, 2022, and section 77-27,132, Revised Statutes Supplement, 2023; to provide for transfers to the Nebraska Emergency Medical System Operations Fund; to change the permitted uses of the fund; to provide for a report; to harmonize provisions; to repeal the original sections; 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, 46:

Aguilar	Brewer	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, J.	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	Day	Holdcroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostar	Dover	Ibach	Murman	
Bostelman	Dungan	Jacobson	Riepe	
Brandt	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 2:

DeKay          Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Amendment to LB1120**

Senator M. Cavanaugh withdrew [FA333](#), found on page 1444, to LB1120.

#### **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 LB1120 with 38 ayes, 2 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1120.**

A BILL FOR AN ACT relating to real property; to amend section 76-214, Reissue Revised Statutes of Nebraska; to define a term; to require affidavits for certain purchases of real estate; to change provisions relating to a real estate transfer statement; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Erdman	Kauth	Riepe
Arch	Cavanaugh, J.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	Dorn	Hughes	Meyer	Wayne
Bostelman	Dover	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 2:

DeKay Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendment to LB1169**

Senator M. Cavanaugh withdrew [FA334](#), found on page 1444, to LB1169.

#### **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 LB1169 with 35 ayes, 3 nays, 9 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1169.**

A BILL FOR AN ACT relating to the Nebraska State Historical Society; to amend sections 81-1108.26, 82-101, 82-101.02, 82-102, 82-105, 82-106, 82-107, and 82-108, Reissue Revised Statutes of Nebraska, and section 82-101.01, Revised Statutes Cumulative Supplement, 2022; to provide, change, and eliminate provisions relating to the Nebraska State Historical Society; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "



Voting in the affirmative, 39:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Clements	Hardin	Lippincott	Sanders
Arch	Conrad	Holdcroft	Lowe	Slama
Armendariz	Day	Hughes	McDonnell	Vargas
Ballard	Dorn	Hunt	McKinney	von Gillern
Bosn	Dover	Ibach	Meyer	Walz
Bostelman	Erdman	Jacobson	Moser	Wayne
Brandt	Halloran	Kauth	Murman	

Voting in the negative, 4:

Blood	Dungan	Fredrickson	Wishart
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Present and not voting, 4:

Bostar	Cavanaugh, J.	Cavanaugh, M.	DeBoer
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Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1195 with 39 ayes, 5 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1195.**

A BILL FOR AN ACT relating to law; to amend sections 25-3003, 25-3004, 30-2446, 30-2603, 30-3816, 30-3828, 30-4002, 40-101, 40-103, 43-2707, 71-5905, and 84-168, Reissue Revised Statutes of Nebraska, and sections 30-24,129 and 30-3402, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to grants for service providers by the Commission on Public Advocacy; to change provisions of the Nebraska Probate Code relating to bonds, small estate affidavits, and certain payments and transfers to minors; to redefine adult for purposes of health care powers of attorney; to change provisions of the Nebraska Uniform Trust Code relating to registration of trusts and the requirements to be a settlor; to change the definition of principal under the Nebraska Uniform Power of Attorney Act; to change and eliminate provisions relating to homestead

exemptions for judgment liens and executions; to change provisions relating to irrevocable transfers under the Nebraska Uniform Transfers to Minors Act; to provide restrictions and requirements relating to third-party guarantees of payment under the Assisted-Living Facility Act; to authorize acceptance of cession or retrocession of federal jurisdiction for juvenile matters; to change provisions and provide duties relating to such acceptance and to authorize certain agreements; to harmonize provisions; to repeal the original sections; and to outright repeal section 40-102, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brewer	Dungan	Ibach	Murman
Albrecht	Cavanaugh, J.	Erdman	Jacobson	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Ballard	Clements	Halloran	Lippincott	Slama
Blood	Conrad	Hansen	Lowe	Vargas
Bosn	Day	Hardin	McDonnell	von Gillern
Bostar	DeBoer	Holdcroft	McKinney	Walz
Bostelman	Dorn	Hughes	Meyer	Wayne
Brandt	Dover	Hunt	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Armendariz Kauth

Excused and not voting, 2:

DeKay Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1197 with 41 ayes, 2 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1197.**

A BILL FOR AN ACT relating to economic development; to amend section 13-3101, Reissue Revised Statutes of Nebraska, and sections 13-3102, 13-3103, 13-3104, 13-3108, and 82-335, Revised Statutes Supplement, 2023; to define and redefine terms and change provisions relating to the use of state assistance, applications, and certain limitations on state assistance under the Sports Arena Facility Financing Assistance Act; to change provisions relating to a competitive grant program established by the Nebraska Arts Council; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 43:

Aguilar	Brandt	Halloran	Linehan	Sanders
Albrecht	Brewer	Hansen	Lippincott	Slama
Arch	Conrad	Hardin	Lowe	Vargas
Armendariz	Day	Holdcroft	McDonnell	von Gillern
Ballard	Dorn	Hughes	McKinney	Walz
Blood	Dover	Hunt	Meyer	Wayne
Bosn	Dungan	Ibach	Moser	Wishart
Bostar	Erdman	Jacobson	Murman	
Bostelman	Fredrickson	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh, J.    Cavanaugh, M.    Clements    DeBoer

Excused and not voting, 2:

DeKay            Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1200 with 41 ayes, 3 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1200.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 18-1737, 43-3314, 43-3318, 60-164.01, 60-172, 60-3,162, 60-3,202, 60-3,205, 60-480, 60-497.01, 60-4,131, 60-4,131.01, 60-4,139, 60-4,143, 60-4,144.03, 60-4,146.01, 60-4,148, 60-4,148.01, 60-4,149, 60-4,150, 60-4,151, 60-6,123, 60-6,254, 60-6,290, 60-1401.24, 60-1438.01, and 66-4,144, Reissue Revised Statutes of Nebraska, sections 39-2817, 60-144, 60-146, 60-149, 60-3,198, 60-490, 86-1025, and 86-1029.02, Revised Statutes Cumulative Supplement, 2022, and sections 30-24,125, 60-107, 60-119.01, 60-169, 60-302.01, 60-336.01, 60-386, 60-3,113.04, 60-3,193.01, 60-462, 60-462.01, 60-479.01, 60-4,111.01, 60-4,115, 60-4,132, 60-4,134, 60-4,142, 60-4,144, 60-4,147.02, 60-4,168, 60-501, 60-628.01, 60-6,265, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-369.03, 75-392, and 75-393, Revised Statutes Supplement, 2023; to adopt updates to federal law and update certain federal references; to change provisions relating to certificates of title under the Nebraska Probate Code, construction manager-general contractor contracts and public-private partnerships under the Transportation Innovation Act, delivery of certain notifications relating to operator's licenses, the Motor Vehicle Certificate of Title Act, the Motor Vehicle Registration Act, the Motor Vehicle Operator's License Act, the Motor Vehicle Safety Responsibility Act, the Nebraska Rules of the Road, the Motor Vehicle Industry Regulation Act, excise tax rates on certain fuels, federal motor carrier safety regulations, federal hazardous materials regulations, and the unified carrier registration plan; to change certain civil penalties; to provide for coordination of the 911 service system and the 988 suicide and crisis lifeline; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; 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, 47:

Aguilar	Brewer	Erdman	Kauth	Sanders
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Slama
Arch	Cavanaugh, M.	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Excused and not voting, 2:

DeKay Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1200A with 37 ayes, 3 nays, 7 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1200A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend sections 64 and 65, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to reduce appropriations to aid in carrying out the provisions of Legislative Bill 1200, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original sections; 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, 46:

Aguilar	Cavanaugh, J.	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, M.	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	Day	Holdercroft	McKinney	Wayne
Blood	DeBoer	Hughes	Meyer	Wishart
Bosn	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	
Brewer	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Bostar

Excused and not voting, 2:

DeKay Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1284 with 35 ayes, 4 nays, 8 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1284.** With Emergency Clause.

A BILL FOR AN ACT relating to education; to amend section 38-3113, Reissue Revised Statutes of Nebraska, sections 79-8,146, 79-8,147, 79-8,148, 79-8,149, 79-8,150, 79-8,151, 79-2607, 79-3301, and 85-3004, Revised Statutes Cumulative Supplement, 2022, and sections 79-8,114, 79-1021, 85-3103, 85-3105, and 85-3112, Revised Statutes Supplement, 2023; to define and redefine terms; to develop a pilot program to make menstrual products available to schools as prescribed; to create a Dyslexia Research Grant Program; to make changes to the Psychology Practice Act and the Nebraska Teacher Recruitment and Retention Act; to change provisions relating to the eligible uses of the Education Future Fund; to terminate loan repayment assistance and provide grants to teachers under the Teach in Nebraska Today Act; to provide powers and duties to the State Department of Education, the State Board of Education, and the Commissioner of Education; to provide for the creation and support of a professional learning system and regional coaches relating to instruction in reading; to require the State Department of Education to establish a statewide computer science and technology education expansion program under the Computer Science and Technology Education Act; to create the Computer Science and Technology Education Fund; to add an additional eligible program of study offered by the University of Nebraska under the Nebraska Career Scholarship Act; to change provisions relating to the Attracting Excellence to Teaching Program and eligible uses for the Excellence in Teaching Cash Fund; to state intent regarding appropriations; to harmonize provisions; to provide operative dates; to repeal the original sections; 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	Brewer	Erdman	Kauth	Slama
Arch	Cavanaugh, J.	Fredrickson	Linehan	Vargas
Armendariz	Cavanaugh, M.	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	McDonnell	Walz
Blood	Day	Holdcroft	McKinney	Wayne
Bosn	DeBoer	Hughes	Meyer	Wishart
Bostar	Dorn	Hunt	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Present and not voting, 5:

Albrecht	Clements	Hardin	Lowe	Riepe
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Excused and not voting, 2:

DeKay	Raybould
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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 1284A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to transfer and appropriate funds to aid in carrying out the provisions of Legislative Bill 1284, One Hundred Eighth Legislature, Second Session, 2024; 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, 43:

Aguilar	Brewer	Erdman	Jacobson	Sanders
Arch	Cavanaugh, J.	Fredrickson	Kauth	Slama
Armendariz	Cavanaugh, M.	Halloran	Linehan	Vargas
Ballard	Conrad	Hansen	Lippincott	von Gillern
Blood	Day	Hardin	McDonnell	Walz
Bosn	DeBoer	Holdcroft	McKinney	Wayne
Bostar	Dorn	Hughes	Meyer	Wishart
Bostelman	Dover	Hunt	Moser	
Brandt	Dungan	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 4:

Albrecht      Clements      Lowe      Riepe

Excused and not voting, 2:

DeKay      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1288 with 36 ayes, 2 nays, 9 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1288.**

A BILL FOR AN ACT relating to tribal matters; to amend sections 53-167.02, 53-180.06, 69-2404, 69-2430, 71-901, 71-902, 71-903, 71-910, 71-912, 71-919, 71-920, 71-926, 71-929, 71-936, 71-937, 71-939, 71-958, 71-961, 71-1201, 71-1203, 71-1204, 71-1206, 71-1210, 71-1213, 71-1220, 71-1221, and 71-1223, Reissue Revised Statutes of Nebraska, section 83-338, Revised Statutes Cumulative Supplement, 2022, and section 28-1202.03, Revised Statutes Supplement, 2023; to allow the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws; to provide for recognition of tribal mental health and dangerous sex offender commitment orders as prescribed; to provide for tribal law enforcement officers to take a subject into emergency protective custody; to provide for transportation of and commitment of persons committed under tribal law and for payment of related costs; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 30:



Aguilar	Brandt	DeBoer	Hughes	Sanders
Arch	Brewer	Dorn	Hunt	Vargas
Armendariz	Cavanaugh, J.	Dover	McDonnell	von Gillern
Blood	Cavanaugh, M.	Dungan	McKinney	Walz
Bosn	Conrad	Fredrickson	Moser	Wayne
Bostar	Day	Hansen	Riepe	Wishart

Voting in the negative, 8:

Clements	Hardin	Jacobson	Lowe
Erdman	Ibach	Lippincott	Slama

Present and not voting, 9:

Albrecht	Bostelman	Holdcroft	Linehan	Murman
Ballard	Halloran	Kauth	Meyer	

Excused and not voting, 2:

DeKay	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **WITHDRAW - Amendment(s) to LB1300**

Senator M. Cavanaugh withdrew [FA382](#), found on page 1531, to LB1300.

Senator M. Cavanaugh withdrew [FA383](#), found on page 1531, to LB1300.

Senator M. Cavanaugh withdrew [FA384](#), found on page 1531, to LB1300.

Senator Bostar withdrew [FA400](#), found on page 1609, to LB1300.

Senator Bostar withdrew [FA402](#), found on page 1609, to LB1300.

#### **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 LB1300 with 39 ayes, 2 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1300.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 14-137, 14-211, 14-217.02, 14-2104, 15-309, 19-412, 19-616, 23-1114, 23-1114.07, 70-624.02, 80-102, 81-503, and 81-830, Reissue Revised Statutes of Nebraska, and sections 80-104 and 80-316, Revised Statutes Cumulative Supplement, 2022; to adopt the Pacific Conflict Stress Test Act, the Foreign Adversary Contracting Prohibition Act, the Nebraska Nonprofit Security Grant Program Act, and the Wildland Fire Response Act; to define terms; to provide security requirements for chemical facilities; to provide for preemption; to create the Commission on Asian American Affairs and provide for its membership, powers, duties, and compensation; to change provisions relating to salaries of governing bodies and require approval of registered voters for increases; to change provisions relating to county veterans service committees and certain veterans aid programs; to provide duties for the State Fire Marshal and Homeland Security Policy Group; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; 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, 46:

Aguilar	Brewer	Erdman	Kauth	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Vargas
Arch	Cavanaugh, M.	Halloran	Lippincott	von Gillern
Armendariz	Clements	Hansen	Lowe	Walz
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	Day	Holdercroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay      McKinney      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1300A with 37 ayes, 4 nays, 5 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1300A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1300, One Hundred Eighth Legislature, Second Session, 2024; 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, 46:

Aguilar	Brewer	Erdman	Kauth	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Linchan	Vargas
Arch	Cavanaugh, M.	Halloran	Lippincott	von Gillern
Armendariz	Clements	Hansen	Lowe	Walz
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay      McKinney      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1306 with 38 ayes, 2 nays, 6 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1306.**

A BILL FOR AN ACT relating to education; to amend sections 79-860, 79-866, 79-867, and 79-868, Reissue Revised Statutes of Nebraska, and sections 79-810 and 79-870, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to fees for a certificate or permit issued by the Commissioner of Education; to eliminate and change funds; to change, provide, and eliminate powers and duties of the State Board of

Education and the Commissioner of Education relating to standards of professional practices for teachers and administrators, investigations and hearings relating to misconduct by certificate holders, and the power to issue writs of subpoena or subpoena witnesses as part of an investigation of misconduct; to eliminate provisions relating to the Professional Practices Commission; to harmonize provisions; to repeal the original sections; and to outright repeal sections 79-862, 79-864, 79-865, 79-869, and 79-871, Reissue Revised Statutes of Nebraska, and sections 79-861 and 79-863, Revised Statutes Cumulative Supplement, 2022.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

Aguilar	Brewer	Erdman	Kauth	Slama
Albrecht	Cavanaugh, J.	Fredrickson	Linehan	Vargas
Arch	Cavanaugh, M.	Halloran	Lippincott	von Gillern
Armendariz	Clements	Hansen	Lowe	Walz
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	Day	Holdcroft	Meyer	Wishart
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Hunt	Murman	
Bostelman	Dover	Ibach	Riepe	
Brandt	Dungan	Jacobson	Sanders	

Voting in the negative, 0.

Excused and not voting, 3:

DeKay      McKinney      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1306A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 56; to change and eliminate appropriations to aid in carrying out the provisions of Legislative Bill 1306, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original section; to outright repeal section 16, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; 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	Dungan	Jacobson	Riepe
Albrecht	Brewer	Erdman	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linchan	Slama
Armendariz	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hansen	Lowe	von Gillern
Blood	Day	Hardin	McDonnell	Walz
Bosn	DeBoer	Holdcroft	Meyer	Wayne
Bostar	Dorn	Hughes	Moser	Wishart
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 4:

DeKay          Hunt          McKinney      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1329 with 37 ayes, 1 nay, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1329.**

A BILL FOR AN ACT relating to education; to amend sections 32-543, 32-811, 79-201, 79-205, 79-206, 79-207, 79-210, 79-2,141, 79-2,145, 79-474, 79-475, 79-520, 79-534, 79-549, 79-555, 79-589, 79-590, 79-5,105, 79-5,106, 79-1093, 79-1107, and 79-1108.03, Reissue Revised Statutes of Nebraska, sections 28-1204.04, 32-405, 32-618, 79-102, 79-104, 79-209, 79-234, 79-237, 79-407, 79-413, 79-451, 79-458, 79-470, 79-473, 79-499, 79-4,108, 79-4,129, 79-501, 79-524, 79-525, 79-526, 79-547, 79-550, 79-554, 79-559, 79-564, 79-569, 79-570, 79-572, 79-576, 79-577, 79-578, 79-579, 79-580, 79-581, 79-586, 79-587, 79-588, 79-594, 79-5,104, 79-611, 79-810, 79-813, 79-8,150, 79-1045, 79-1084, 79-10,110.02, 79-10,114, 79-10,117, 79-10,118, 79-10,141, 79-1108.02, 79-11,159, 79-3105, 85-3002, 85-3003, 85-3004, 85-3005, and 85-3006, Revised Statutes Cumulative Supplement, 2022, and sections 28-1201, 28-1202.01, 79-101, 79-238, 79-239, 79-262.01, 79-2,146, 79-729, 79-8,145.01, 79-1054, 79-10,150, 79-3501, 79-3602, 79-3603, and 79-3703, Revised Statutes Supplement,

2023; to define and redefine terms; to change provisions relating to carrying a concealed handgun, possession of a firearm in certain school environments, the classification of school districts, excessive absenteeism and truancy, the enrollment option program, issuance and eligibility for certificates, permits, and endorsements issued by the Commissioner of Education, high school graduation requirements, student loan repayment assistance, innovation and improvement grant programs, the Summer Food Service Program, special education expenditures, programs for learners with high ability, behavioral health points of contact, state lottery funds used for education, behavioral awareness training, the College Pathway Program, and certain tax levy and bonding authority of school districts; to change requirements relating to certain training as prescribed; to provide for grants for public and private schools to provide emergency response mapping data to public safety agencies; to create the School Emergency Response Mapping Fund; to prohibit the use of certain maps in schools; to prohibit schools from taking certain debt collection actions relating to student meals; to eliminate an innovation grant program established by the department and a mental health first aid training program; to change provisions of the Nebraska Career Scholarship Act relating to scholarships, eligible programs of study, reports, and powers and duties; to harmonize provisions; to repeal the original sections; and to outright repeal section 79-11,160, Revised Statutes Supplement, 2023.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 40:

Aguilar	Brandt	Fredrickson	Kauth	Riepe
Albrecht	Brewer	Halloran	Linehan	Sanders
Arch	Clements	Hansen	Lippincott	Slama
Armendariz	Conrad	Hardin	Lowe	Vargas
Ballard	DeBoer	Holderoft	McDonnell	von Gillern
Blood	Dorn	Hughes	Meyer	Walz
Bosn	Dover	Ibach	Moser	Wayne
Bostelman	Erdman	Jacobson	Murman	Wishart

Voting in the negative, 0.

Present and not voting, 4:

Bostar	Cavanaugh, J.	Cavanaugh, M.	Dungan
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Excused and not voting, 5:

Day	DeKay	Hunt	McKinney	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1073e, 1074e, 1074Ae, 1088, 1092, 1108e, 1120, 1169, 1195, 1197, 1200e, 1200Ae, 1284e, 1284Ae, 1288, 1300e, 1300Ae, 1306, 1306Ae, and 1329.

**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 LB1329A with 35 ayes, 3 nays, 6 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1329A.**

A BILL FOR AN ACT relating to appropriations; to amend sections 106 and 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024, and section 2, Legislative Bill 1413, One Hundred Eighth Legislature, Second Session, 2024; to transfer funds, appropriate funds, and reduce appropriations to aid in carrying out the provisions of Legislative Bill 1329, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Brewer	Fredrickson	Linehan	Slama
Albrecht	Cavanaugh, J.	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	DeBoer	Holdcroft	Meyer	Wayne
Blood	Dorn	Hughes	Moser	Wishart
Bosn	Dover	Ibach	Murman	
Bostelman	Dungan	Jacobson	Riepe	
Brandt	Erdman	Kauth	Sanders	

Voting in the negative, 0.

Present and not voting, 2:

Bostar            Cavanaugh, M.

Excused and not voting, 5:

Day            DeKay            Hunt            McKinney      Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1335 with 31 ayes, 3 nays, 8 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1335.**

A BILL FOR AN ACT relating to the Nongame and Endangered Species Conservation Act; to amend sections 37-801, 37-802, and 37-807, Reissue Revised Statutes of Nebraska, and sections 37-201 and 37-806, Revised Statutes Cumulative Supplement, 2022; to define terms; to change provisions of and provide duties and exemptions under the Nongame and Endangered Species Conservation Act relating to designation of endangered species and critical habitat and transportation infrastructure; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 35:

Aguilar	Brewer	Fredrickson	Jacobson	Moser
Arch	Clements	Halloran	Kauth	Murman
Armendariz	Conrad	Hansen	Linehan	Riepe
Ballard	DeBoer	Hardin	Lippincott	Vargas
Bosn	Dorn	Holdcroft	Lowe	von Gillern
Bostelman	Dover	Hughes	McDonnell	Walz
Brandt	Erdman	Ibach	Meyer	Wayne

Voting in the negative, 3:

Blood            Cavanaugh, J.      Dungan

Present and not voting, 4:

Albrecht      Bostar            Cavanaugh, M.      Wishart

Excused and not voting, 7:



Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LBLB1344 with 33 ayes, 6 nays, 3 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1344.**

A BILL FOR AN ACT relating to economic development; to amend sections 13-201, 13-203, 13-204, 13-205, 13-206, 13-207, 13-208, and 81-1201.12, Reissue Revised Statutes of Nebraska, sections 77-908, 77-3806, 81-12,108, and 81-12,112, Revised Statutes Cumulative Supplement, 2022, and sections 77-2715.07, 77-2734.03, 77-4403, 77-4404, 77-4405, 81-12,109, and 81-12,110, Revised Statutes Supplement, 2023; to rename and change provisions of the Creating High Impact Economic Futures Act; to change provisions relating to good life districts, innovation hubs, and inland port districts; to require a report to the Legislature; to define and redefine terms; to harmonize provisions; to provide operative dates; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Jacobson	Vargas
Albrecht	Brewer	Erdman	Kauth	von Gillern
Arch	Cavanaugh, J.	Fredrickson	Linchan	Walz
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Wayne
Ballard	Clements	Hansen	Lowe	Wishart
Blood	Conrad	Hardin	McDonnell	
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	Dorn	Hughes	Murman	
Bostelman	Dover	Ibach	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Moser

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1344A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1344, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Albrecht	Brandt	Dover	Ibach	Murman
Arch	Brewer	Dungan	Kauth	Riepe
Armendariz	Cavanaugh, J.	Erdman	Linehan	Vargas
Ballard	Cavanaugh, M.	Fredrickson	Lippincott	von Gillern
Blood	Clements	Hansen	Lowe	Walz
Bosn	Conrad	Hardin	McDonnell	Wayne
Bostar	DeBoer	Holdcroft	Meyer	Wishart
Bostelman	Dorn	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 3:

Aguilar	Halloran	Jacobson
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Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1355 with 31 ayes, 3 nays, 8 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1355.** With Emergency Clause.

A BILL FOR AN ACT relating to public health and welfare; to amend section 81-5,153, Reissue Revised Statutes of Nebraska, and sections 38-1201, 38-1225, 71-2485, 71-2486, 71-2487, 71-2488, 71-2489, 71-2490, and 81-3119, Revised Statutes Cumulative Supplement, 2022; to provide for release of certain patient data by an emergency medical service; to restate the purpose and findings of the Opioid Prevention and Treatment Act; to define terms; to create, rename, and provide for additional uses and distribution of funds; to provide for aid programs; to provide for research, support and training for first responders, and staff to carry out the Overdose Fatality Review Teams Act; to harmonize provisions; to provide operative dates; to repeal the original sections; 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, 41:

Albrecht	Brewer	Erdman	Kauth	Vargas
Arch	Cavanaugh, J.	Fredrickson	Linehan	von Gillern
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Walz
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	Dorn	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Aguilar

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1355A with 34 ayes, 4 nays, 4 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1355A. With Emergency Clause.**

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB227A, section 1; Laws 2023, LB814, sections 80 and 304; and sections 66 and 111, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to transfer funds, appropriate funds, and change appropriations to aid in carrying out the provisions of Legislative Bill 1355, One Hundred Eighth Legislature, Second Session, 2024; to harmonize provisions; to provide an operative date; to repeal the original sections; 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, 41:

Aguilar	Brandt	Dungan	Kauth	Vargas
Albrecht	Brewer	Fredrickson	Linehan	von Gillern
Arch	Cavanaugh, J.	Halloran	Lippincott	Walz
Armendariz	Cavanaugh, M.	Hansen	Lowe	Wayne
Ballard	Clements	Hardin	McDonnell	Wishart
Blood	Conrad	Holdcroft	Meyer	
Bosn	DeBoer	Hughes	Moser	
Bostar	Dorn	Ibach	Murman	
Bestelman	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1368 with 33 ayes, 4 nays, 5 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1368.**

A BILL FOR AN ACT relating to natural resources; to amend section 46-296, Reissue Revised Statutes of Nebraska, and section 61-218, Revised Statutes Supplement, 2023; to adopt the Nitrogen Reduction Incentive Act; to repeal certain administrative fees relating to the Department of Natural Resources; to provide for a transfer from the Water Resources Cash Fund; to harmonize provisions; to repeal the original sections; and to outright repeal section 33-105, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Jacobson	Riepe
Albrecht	Brewer	Erdman	Kauth	Vargas
Arch	Cavanaugh, J.	Fredrickson	Linehan	von Gillern
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Walz
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	Dorn	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1368A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1368, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 39:

Aguilar	Brandt	Erdman	Jacobson	Murman
Albrecht	Brewer	Fredrickson	Kauth	Riepe
Arch	Cavanaugh, J.	Halloran	Linehan	Vargas
Armendariz	Cavanaugh, M.	Hansen	Lippincott	von Gillern
Ballard	Conrad	Hardin	Lowe	Walz
Blood	DeBoer	Holdcroft	McDonnell	Wayne
Bosn	Dorn	Hughes	Meyer	Wishart
Bostar	Dungan	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 3:

Bostelman      Clements      Dover

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1370 with 33 ayes, 5 nays, 4 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1370. With Emergency Clause.**

A BILL FOR AN ACT relating to electricity; to amend sections 70-624.04, 70-637, and 70-1012, Reissue Revised Statutes of Nebraska, sections 70-1014.02 and 84-1411, Revised Statutes Cumulative Supplement, 2022, and section 70-1001.01, Revised Statutes Supplement, 2023; to provide requirements relating to the closing or decommissioning of a dispatchable electric generation facility; to change provisions relating to directors of public power and irrigation districts; to change provisions relating to contracts entered into by public power districts; to require certain actions by a developer, owner, or operator of a wind energy conversion system; to provide certain requirements relating to the construction or acquisition of an electric generation facility or transmission lines; to exempt certain entities

from certain meeting requirements; to define terms; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 70-1029, 70-1030, 70-1031, and 70-1033, Reissue Revised Statutes of Nebraska, and section 70-1032, 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?' "

Voting in the affirmative, 40:

Aguilar	Brandt	Dover	Hughes	Meyer
Albrecht	Brewer	Dungan	Ibach	Moser
Arch	Cavanaugh, J.	Erdman	Jacobson	Murman
Armendariz	Cavanaugh, M.	Fredrickson	Kauth	Vargas
Ballard	Clements	Halloran	Linehan	von Gillern
Blood	Conrad	Hansen	Lippincott	Walz
Bosn	DeBoer	Hardin	Lowe	Wayne
Bostelman	Dorn	Holdcroft	McDonnell	Wishart

Voting in the negative, 0.

Present and not voting, 2:

Bostar            Riepe

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1393 with 32 ayes, 3 nays, 7 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1393.** With Emergency Clause.

A BILL FOR AN ACT relating to labor; to amend sections 48-3602, 48-3603, 48-3604, and 48-3606, Revised Statutes Cumulative Supplement, 2022, and section 48-649.03, Revised Statutes Supplement, 2023; to change provisions relating to the combined tax rate under the Employment Security

Law; to change provisions relating to the Nebraska Student-Athlete Name, Image, or Likeness Rights Act; to provide severability; to repeal the original sections; 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	Dungan	Jacobson	Riepe
Albrecht	Brewer	Erdman	Kauth	Vargas
Arch	Cavanaugh, J.	Fredrickson	Linehan	von Gillem
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Walz
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdercroft	Meyer	
Bostar	Dorn	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Amendment(s) to LB1394**

Senator M. Cavanaugh withdrew [FA335](#), found on page 1444, to LB1394.

#### **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 LB1394 with 35 ayes, 5 nays, 2 present and not voting, and 7 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 1394.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2023; to exempt Nebraska National Guard income from state income taxation as prescribed; and to repeal the original section.



Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Jacobson	Vargas
Albrecht	Brewer	Erdman	Kauth	von Gillern
Arch	Cavanaugh, J.	Fredrickson	Linchan	Walz
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Wayne
Ballard	Clements	Hansen	Lowe	Wishart
Blood	Conrad	Hardin	McDonnell	
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	Dorn	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1394A.**

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.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Jacobson	Vargas
Albrecht	Brewer	Erdman	Kauth	von Gillern
Arch	Cavanaugh, J.	Fredrickson	Linchan	Walz
Armendariz	Cavanaugh, M.	Halloran	Lippincott	Wayne
Ballard	Clements	Hansen	Lowe	Wishart
Blood	Conrad	Hardin	McDonnell	
Bosn	DeBoer	Holdcroft	Meyer	
Bostar	Dorn	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 1:

Riepe

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 1329A, 1335, 1344, 1344A, 1355e, 1355Ae, 1368, 1368A, 1370e, 1393e, 1394, and 1394A.

#### **SPEAKER ARCH PRESIDING**

##### **MOTION(S) - Confirmation Report(s)**

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1381:

State Electrical Board  
 Don F. Gerjevic  
 Michael M. Hunsberger

Voting in the affirmative, 35:

Aguilar	Brewer	Erdman	Ibach	Moser
Albrecht	Cavanaugh, J.	Fredrickson	Jacobson	Murman
Arch	Cavanaugh, M.	Halloran	Kauth	Riepe
Bosn	Clements	Hansen	Linehan	Vargas
Bostar	Conrad	Hardin	Lowe	von Gillern
Bostelman	DeBoer	Holdcroft	McDonnell	Walz
Brandt	Dungan	Hughes	Meyer	Wishart

Voting in the negative, 0.

Present and not voting, 7:

Armendariz	Blood	Dover	Wayne
Ballard	Dorn	Lippincott	

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

The appointments were confirmed with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 1381:

Nebraska Arts Council  
Jeanne Salerno

Voting in the affirmative, 36:

Aguilar	Brewer	Fredrickson	Kauth	Vargas
Albrecht	Cavanaugh, J.	Halloran	Linehan	von Gillern
Arch	Cavanaugh, M.	Hansen	Lippincott	Walz
Ballard	Clements	Hardin	McDonnell	Wishart
Bosn	Conrad	Holdcroft	Meyer	
Bostar	DeBoer	Hughes	Moser	
Bostelman	Dover	Ibach	Murman	
Brandt	Dungan	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 6:

Armendariz	Dorn	Lowe
Blood	Erdman	Wayne

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

The appointment was confirmed with 36 ayes, 0 nays, 6 present and not voting, and 7 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 1635:

Nebraska Brand Committee  
Brenda R. Masek

Voting in the affirmative, 33:

Aguilar	Brandt	Erdman	Jacobson	Riepe
Albrecht	Brewer	Fredrickson	Kauth	Vargas
Arch	Cavanaugh, J.	Halloran	Linehan	Walz
Ballard	Clements	Hansen	Lippincott	Wayne
Bosn	Conrad	Hardin	Meyer	Wishart
Bostar	DeBoer	Holdcroft	Moser	
Bostelman	Dover	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 9:

Armendariz	Cavanaugh, M.	Dungan	Lowe	von Gillern
Blood	Dorn	Hughes	McDonnell	

Excused and not voting, 7:

Day	Hunt	Raybould	Slama
DeKay	McKinney	Sanders	

The appointment was confirmed with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 11, 2024, at 1:20 p.m. were the following: LBs 20, 20A, 52e, 52A, 62, 62A, 71, 71A, 164e, 164Ae, 196e, 196Ae, 204e, 204Ae, 233, 253, 262, 262A, 287e, 287Ae, 358e, 358Ae, 399, 600e, 600Ae, 631, and 631A.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

Presented to the Governor on April 11, 2024, at 2:50 p.m. were the following: LBs 685, 685A, 686, 829, 829A, 840, 852, 856, 867e, 867Ae, 870, 870A, 874, 876, 876A, 904, 904A, 932, 934e, 1017, 1027, 1030e, 1031e, 1031Ae, 1035, 1035A, 1051, and 1069e.

(Signed) Sarah Skirry  
Clerk of the Legislature's Office

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 495.** Introduced by Judiciary Committee: Wayne, 13, Chairperson; Bosn, 25; DeBoer, 10; Holdcroft, 36; McKinney, 11.

**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, SECOND 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.

### **EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LB20.

(Signed) Megan Hunt

### **UNANIMOUS CONSENT - Add Cointroducer(s)**

Unanimous consent to add Senator(s) as cointroducer(s). No objections. So ordered.

Senator Conrad name added to LB25.  
Senator Ballard name added to LB71.  
Senator Fredrickson name added to LB196.  
Senator Blood name added to LB196.  
Senator Ballard name added to LB196.  
Senator M. Cavanaugh name added to LB233.  
Senator Ballard name added to LB934.  
Senator Vargas name added to LB937.

Senator McDonnell name added to LB937.  
Senator Brewer name added to LB1300.  
Senator Ballard name added to LB1300.  
Senator Ballard name added to LB1329.  
Senator Ballard name added to LB1394.  
Senator Vargas name added to LB1394.

### **VISITOR(S)**

Visitors to the Chamber were Lila Ramsey; Debra McKnight; Kathy and Whitney Murman, Glenvil; Caroline Conrad, Lincoln; students from Creighton Community Schools, Creighton; students from Sumner-Eddyville-Miller Schools, Sumer.

The Doctor of the Day was Dr. Daniel Rosenquist of Columbus.

### **ADJOURNMENT**

At 4:39 p.m., on a motion by Senator Walz, the Legislature adjourned until 9:00 a.m., Thursday, April 18, 2024.

Brandon Metzler  
Clerk of the Legislature

**SIXTIETH DAY - APRIL 18, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**SIXTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, April 18, 2024

**PRAYER**

The prayer was offered by Senator Arch.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Brewer.

**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 Bosn, Hunt, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-ninth day was approved.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 11, 2024, at 4:50 p.m. were the following: LBs 1073e, 1074e, 1074Ae, 1088, 1092, 1108e, 1120, 1169, 1195, 1197, 1200e, 1200Ae, 1284e, 1284Ae, 1288, 1300e, 1300Ae, 1306, 1306Ae, 1329, 1329A, 1335, 1344, 1344A, 1355e, 1355Ae, 1368, 1368A, 1370e, 1393e, 1394, and 1394A.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**MESSAGE(S) FROM THE GOVERNOR**

April 15, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 1027, 1029, 1030e, 1031e/1031Ae, 1035/1035A, 1051, 1069e, 1073e, 1085, 1088, 1095, 1108e, 1167, 1195, 1200e/1200Ae, 1214, 1270, 1326, 1370e, 484/484A, 685/685A, 686, 71/71A, 829/829A, 852, 856, 867e/867Ae, 870/870A, 874, 876/876A, 880, 903, 904/904A, 926, 932, 934e were received in my office on April 11, 2024, and signed on April 15, 2024.

These bills were delivered to the Secretary of State on April 15, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

April 16, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 52/52A, 164e/164Ae, 196e/196Ae, 204/204Ae, 253, 287e/287Ae, 358e/358Ae, 399, 600e/600Ae, 631/631A, 1017, 1070e, 1092, 1120, 1169, 1284e/1284Ae, 1288, 1300e/1300Ae, 1301/1301A, 1306/1306Ae, 1329/1329A, 1335, 1344/1344A, 1355e/1355Ae, 1368/1368A, 1393e, 1394/1394A were received in my office on April 11, 2024, and signed on April 16, 2024.

These bills were delivered to the Secretary of State on April 16, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

April 17, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509



Dear Clerk Metzler:

Engrossed Legislative Bills 1197, 262/262A, 910 were received in my office on April 11, 2024, and signed on April 16, 2024.

These bills were delivered to the Secretary of State on April 17, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

April 17, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 62/62A, 233, 840, 1074e/1074Ae were received in my office on April 11, 2024, and signed on April 17, 2024.

These bills were delivered to the Secretary of State on April 17, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

#### **EXPLANATION(S) OF VOTE(S)**

Had I been present, I would have voted "aye" on final passage of LBs 1214, 1270, 52e, 52Ae, 71, 71A, 196e, 196Ae, 204e, 204Ae, 233, 358e, 358Ae, 399, 600e, 600Ae, 685, 685A, 867e, 867Ae, 874, 876, 876A, 904, 904A, 932, 934e, 1030e, 1031e, 1031Ae, 1035, 1035A, 1069, 1092, 1108e, 1120, 1200e, 1200Ae, 1288, 1300e, 1300Ae, 1306, 1306Ae, 1329, 1329A, 1335, 1368, 1368A, 1370e, 1394, and 1394A.

(Signed) Barry DeKay

#### **ANNOUNCEMENT(S)**

The LR298 Legislative Oversight Review Special Committee elected Senator Arch as Chairperson.

The LR298 Legislative Oversight Review Special Committee elected Senator Wayne as Vice Chairperson.

#### **REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

**LB/LR**      **Committee**  
LR495      Judiciary

(Signed) Raymond Aguilar, Chairperson  
Executive Board

### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of April 17, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Bromm, Curt  
Bromm & Associates  
Bromm, Jason  
Bromm & Associates  
Huber, Eli  
Heritage Action for America (Withdrawn 04/12/2024)  
Keener, Chris  
U.S. Term Limits (Withdrawn 04/17/2024)

### **REPORTS**

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

### **RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 466, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 486, 487, 488, 489, 490, 491, 492, 493, and 494 were adopted.

### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 466, 470, 471, 472, 473, 474, 475, 476, 477, 478, 479, 480, 481, 482, 483, 484, 486, 487, 488, 489, 490, 491, 492, 493, and 494.

### **WITHDRAW - Motion(s) to LB25**

Senator Bosn asked unanimous consent to withdraw [MO1287](#), found on page 1156, to recommit to committee.

No objections. So ordered.

**MOTION(S) - Return LB25 to Select File**

Senator Wayne moved to return LB25 to Select File for his specific amendment, [FA388](#), found on page 1532.

Senator Wayne withdrew his motion to return.

The Wayne amendment was withdrawn.

**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 LB25 with 37 ayes, 7 nays, and 5 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 25.**

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend section 13-910, Reissue Revised Statutes of Nebraska; to allow tort claims involving child abuse or sexual assault of a child under the act; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 28:

Blood	Day	Fredrickson	McKinney	von Gillern
Bostar	DeBoer	Halloran	Murman	Walz
Brewer	Dorn	Hansen	Raybould	Wayne
Cavanaugh, J.	Dover	Hunt	Sanders	Wishart
Cavanaugh, M.	Dungan	Linehan	Slama	
Conrad	Erdman	McDonnell	Vargas	

Voting in the negative, 17:

Albrecht	Brandt	Hughes	Lippincott	Riepe
Armendariz	Clements	Ibach	Lowe	
Bosn	Hardin	Jacobson	Meyer	
Bostelman	Holdcroft	Kauth	Moser	

Present and not voting, 4:

Aguilar	Arch	Ballard	DeKay
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB126 with 38 ayes, 5 nays, and 6 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 126.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1613.02, 77-3501, 77-3506.03, 77-3511, 77-3521, and 77-3529, Reissue Revised Statutes of Nebraska, sections 77-3517 and 77-3523, Revised Statutes Cumulative Supplement, 2022, and sections 77-3522 and 77-4212, Revised Statutes Supplement, 2023; to change provisions relating to property assessment and tax rolls; to define a term; to change provisions relating to homestead exemptions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 126A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 126, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 496.** Introduced by Education Committee: Murman, 38, Chairperson; Albrecht, 17; Conrad, 46; Linehan, 39; Meyer, 41; Sanders, 45; Walz, 15; Wayne, 13.

**PURPOSE:** The purpose of this resolution is to propose an interim study to examine issues relating to the State Department of Education.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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.

### MOTION(S) - Return LB388 to Select File

Senator Slama moved to return LB388 to Select File for the following specific amendment:

[FA451](#)

Strike the enacting clause.

Pending.

**ANNOUNCEMENT**

Speaker Arch requested LB388 be passed over on Final Reading.

**WITHDRAW - Motion(s) to LB937**

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1397](#), found on page 1595, to recommit to committee.

[MO1405](#), found on page 1604, to recommit to committee.

No objections. So ordered.

**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 LB937 with 39 ayes, 4 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 937.**

A BILL FOR AN ACT relating to revenue and taxation; to amend section 66-489, Reissue Revised Statutes of Nebraska, sections 66-482, 77-908, 77-3806, and 81-1220, Revised Statutes Cumulative Supplement, 2022, and sections 77-2701, 77-2701.04, 77-2701.41, 77-2704.12, 77-2711, 77-2713, 77-2715.07, 77-2716, 77-2717, 77-2734.03, 77-27,223, 77-27,241, 77-7012, and 77-7015, Revised Statutes Supplement, 2023; to adopt the Cast and Crew Nebraska Act, the Nebraska Shortline Rail Modernization Act, the Nebraska Pregnancy Help Act, the Individuals with Intellectual and Developmental Disabilities Support Act, the Medical Debt Relief Act, the Sustainable Aviation Fuel Tax Credit Act, the Caregiver Tax Credit Act, and the Reverse Osmosis System Tax Credit Act; to change provisions relating to fuel tax; to provide for sales and use tax exemptions; to change provisions relating to tax credits; to provide for grant programs for the film industry; to define and redefine terms; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal section 66-4,146.01, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brandt	Erdman	Jacobson	Murman
Albrecht	Brewer	Fredrickson	Kauth	Riepe
Arch	Cavanaugh, J.	Halloran	Linehan	Sanders
Armendariz	Cavanaugh, M.	Hansen	Lippincott	Slama
Ballard	Clements	Hardin	Lowe	Vargas
Blood	DeKay	Holdcroft	McDonnell	von Gillern
Bosn	Dorn	Hughes	McKinney	Walz
Bostar	Dover	Hunt	Meyer	Wayne
Bostelman	Dungan	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 4:

Conrad	Day	DeBoer	Raybould
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 937A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 937, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Aguilar	Brewer	Erdman	Jacobson	Murman
Albrecht	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Arch	Cavanaugh, M.	Halloran	Linehan	Sanders
Armendariz	Clements	Hansen	Lippincott	Slama
Ballard	Conrad	Hardin	Lowe	Vargas
Bosn	DeKay	Holdcroft	McDonnell	von Gillern
Bostar	Dorn	Hughes	McKinney	Walz
Bostelman	Dover	Hunt	Meyer	Wayne
Brandt	Dungan	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 4:

Blood Day DeBoer Raybould

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB1023 with 40 ayes, 3 nays, and 6 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1023.**

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2733 and 86-704, Reissue Revised Statutes of Nebraska, sections 77-908, 77-3806, 77-6831, and 81-523, Revised Statutes Cumulative Supplement, 2022, and sections 77-2701, 77-2715.07, 77-2716, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to adopt the Relocation Incentive Act; to provide for adjustments to federal adjusted gross income for nonresidents and for certain businesses for research or experimental expenditures and the cost of certain property; to change provisions relating to the taxation of nonresident income; to provide for additional incentives under the ImagiNE Nebraska Act; to change the occupation tax relating to telecommunications services; to harmonize provisions; to provide operative dates; to provide severability; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.



A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1023A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1023, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**WITHDRAW - Motion(s) to LB1317**

Senator M. Cavanaugh asked unanimous consent to withdraw [MO1398](#), found on page 1604, to recommit to committee.

No objections. So ordered.

**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 LB1317 with 41 ayes, 6 nays, and 2 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1317.** With Emergency Clause.

A BILL FOR AN ACT relating to law; to amend sections 2-1207, 9-810, 9-1104, 13-520, 18-1208, 18-2103, 44-314, 60-301, 60-302, 60-3,191, 66-4,105, 70-1002.02, 77-101, 77-106, 77-1333, 77-1359, 77-2704.66, 77-3002, 77-3003, 77-5005, 77-5017, and 77-5018, Reissue Revised Statutes of Nebraska, sections 43-512.12, 66-482, 77-202, 77-202.01, 77-202.03, 77-3011, 77-5601, and 77-6831, Revised Statutes Cumulative Supplement, 2022, and sections 9-1110, 13-3102, 13-3103, 13-3104, 13-3108, 70-1001.01, 77-2015, 77-2701, 77-2701.02, 77-2701.04, 77-2716, 77-4405, 77-4406, 85-2601, 85-2602, 85-2603, 85-2603.01, and 85-2605, Revised Statutes Supplement, 2023; to adopt the Good Life District Economic Development Act, the Financial Institution Data Match Act, and the Gambling Winnings Setoff for Outstanding Debt Act; to require certain actions relating to underutilized tax-exempt property and certain parimutuel, lottery, gaming, and gambling winnings; to redefine a term under the Community Development Law; to change provisions and define and redefine terms relating to health insurance coverage for first responders and dependents; to change provisions and define terms under the Motor Vehicle Registration Act; to change provisions and define and redefine terms relating to motor fuel taxation; to change and provide provisions relating to electric energy, electric suppliers, and electric and hybrid motor vehicles and charging stations; to change provisions relating to occupation taxes and property taxation; to restate legislative findings and change provisions relating to rent-restricted housing projects; to state legislative findings, define terms, and provide provisions relating to sales-restricted houses; to change provisions relating to inheritance taxes; to change provisions relating to the Nebraska Revenue Act of 1967, the Good Life Transformational Projects Act, the Sports Arena Facility Financing Assistance Act, the Tax Equalization and Review Commission Act, and the First Responder Recruitment and Retention Act; to provide and change sales and use tax rates, exemptions, and incentives; to state intent relating to appropriations for nitrate sensors; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; 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, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.

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 1317A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1317, One Hundred Eighth Legislature, Second Session, 2024; 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, 49:

Aguilar	Brewer	Dungan	Jacobson	Raybould
Albrecht	Cavanaugh, J.	Erdman	Kauth	Riepe
Arch	Cavanaugh, M.	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hansen	Lowe	Vargas
Blood	Day	Hardin	McDonnell	von Gillern
Bosn	DeBoer	Holdcroft	McKinney	Walz
Bostar	DeKay	Hughes	Meyer	Wayne
Bostelman	Dorn	Hunt	Moser	Wishart
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Not voting, 0.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Motion(s) to LB1363**

Senator M. Cavanaugh asked unanimous consent to withdraw [MO1393](#), found on page 1594, to recommit to committee.

No objections. So ordered.

**MOTION(S) - Return LB1363 to Select File**

Senator Dover moved to return LB1363 to Select File for the following specific amendment:

[FA449](#)

Strike the enacting clause.

Pending.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 25, 126, 126A, 937, 937A, 1023, 1023A, 1317e, and 1317Ae.

**MOTION(S) - Return LB1363 to Select File**

Senator Dover renewed his motion, found and considered in this day's Journal, to return LB1363 to Select File for his specific amendment, [FA449](#), found in this day's Journal.

Pending.

**MESSAGE(S) FROM THE GOVERNOR**

April 17, 2024

Mr. President, Mr. Speaker, and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

Pursuant to Article IV, Section 15, of the Nebraska Constitution, I have allowed LB20 & LB20A to become law without my signature. The Attorney General and Secretary of State have identified significant potential infirmities regarding the bill. These issues relate to LB20's compliance with several provisions of the Nebraska Constitution, including, but not limited to, Article II, Section 1, Article IV, Section 13, and Article VI, Section 2.

Although there are potential constitutional issues with LB20 and related provisions of existing law, I will allow LB20 and LB20A to become law with neither my signature nor my endorsement of LB20's constitutional validity. I encourage the Attorney General and the Secretary of State to promptly take such measures as are appropriate in light of the constitutional infirmities referenced above.

Sincerely,  
(Signed) Jim Pillen  
Governor

**MESSAGE(S) FROM THE SECRETARY OF STATE**

April 18, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
P.O. Box 94604  
Lincoln, NE 68509-4604

Dear Mr. Metzler:

This letter is to inform you and also place in the Legislative Journal the fact that Engrossed Legislative Bill 20 was filed in the Office of the Secretary of State at 5:36 P.M. on April 17, 2024. Please be advised that Governor Jim Pillen did not sign Engrossed Legislative Bill 20 nor did he veto said measure. The Governor allowed Engrossed Legislative Bill 20 to become law without his signature pursuant to Article IV, Section 15 of the Nebraska Constitution.

Respectfully submitted,  
(Signed) Robert B. Evnen  
Nebraska Secretary of State

Enclosure

**CERTIFICATE**

State of Nebraska

United States of America, )  
State of Nebraska ) ss.

Secretary of State  
State Capitol  
Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the State of Nebraska, do hereby certify that Engrossed Legislative Bill 20 was filed in the Office of the Secretary of State at 5:36 P.M. on April 17, 2024.

Further I hereby certify that Governor Jim Pillen attached to the bill and delivered to my office a letter dated April 17, 2024, the contents of which

included the following, "Pursuant to Article IV, Section 15, of the Nebraska Constitution, I have allowed LB 20 to become law without my signature".

Therefore, this bill having remained with the Governor five days, Sunday excepted, the Legislature being in session, the Governor having failed to sign it, and having to return it to the Legislature with his objections, it has thereby become a law.

Nothing further is considered.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of April 18, 2024.

(SEAL) (Signed) Robert B. Evnen  
Secretary of State

**MESSAGE(S) FROM THE SECRETARY OF STATE**

April 18, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
P.O. Box 94604  
Lincoln, NE 68509-4604

Dear Mr. Metzler:

This letter is to inform you and also place in the Legislative Journal the fact that Engrossed Legislative Bill 20A was filed in the Office of the Secretary of State at 5:36 P.M. on April 17, 2024. Please be advised that Governor Jim Pillen did not sign Engrossed Legislative Bill 20A nor did he veto said measure. The Governor allowed Engrossed Legislative Bill 20A to become law without his signature pursuant to Article IV, Section 15 of the Nebraska Constitution.

Respectfully submitted,  
(Signed) Robert B. Evnen  
Nebraska Secretary of State

Enclosure

**CERTIFICATE**

State of Nebraska

United States of America, )  
State of Nebraska ) ss. Secretary of State  
State Capitol  
Lincoln, Nebraska

I, Robert B. Evnen, Secretary of State of the State of Nebraska, do hereby certify that Engrossed Legislative Bill 20A was filed in the Office of the Secretary of State at 5:36 P.M. on April 17, 2024.

Further I hereby certify that Governor Jim Pillen attached to the bill and delivered to my office a letter dated April 17, 2024, the contents of which included the following, "Pursuant to Article IV, Section 15, of the Nebraska Constitution, I have allowed LB 20A to become law without my signature".

Therefore, this bill having remained with the Governor five days, Sunday excepted, the Legislature being in session, the Governor having failed to sign it, and having to return it to the Legislature with his objections, it has thereby become a law.

Nothing further is considered.

In Testimony Whereof, I have hereunto set my hand and affixed the Great Seal of the State of Nebraska on this date of April 18, 2024.

(SEAL) (Signed) Robert B. Evnen  
Secretary of State

### EXECUTIVE BOARD COMMUNICATION

April 18, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
PO Box 94604  
Lincoln, NE 68509

Dear Mr. Clerk,

Under the *Legislature's Workplace Harassment Policy*, training on the subject of workplace harassment is required at least once each biennium for all members and employees of the Legislature, and a report of all who have not taken the training must be published in the legislative journal at the end of each biennium. As required under the *Policy*, in-person workplace harassment training was held on January 13, 2023, and all members and employees who did not attend the in-person training were provided with the opportunity to watch a video of the training.

Pursuant to the *Policy*, this letter is to inform you that all members and employees of the 108th Legislature either attended the in-person training or watched a video of the training during the current biennium.

Should you have any questions, please contact my office.

(Signed) Sincerely,  
Ray Aguilar, Chairperson  
Executive Board

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

**LB/LR**      **Committee**  
LR496      Education

(Signed) Raymond Aguilar, Chairperson  
Executive Board

**VISITOR(S)**

Visitors to the Chamber were students and teachers from St. Pius X and St. Leo School, Omaha; members of Urban League of Nebraska; students, teachers and sponsor from North Star High School, Lincoln; students and teachers from Karen Western, Omaha.

**RECESS**

At 11:59 a.m., on a motion by Senator M. Cavanaugh, 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 Blood, Bosn, Brewer, Conrad, Dorn, Hansen, Hunt, Raybould, Slama, and Wayne who were excused until they arrive.

**MOTION(S) - Return LB1363 to Select File**

Senator Dover renewed his motion, found and considered in this day's Journal, to return LB1363 to Select File for his specific amendment, [FA449](#), found in this day's Journal.

Pending.

**ANNOUNCEMENT**

Speaker Arch requested LB1363 and LB1363A be passed over on Final Reading.

**MOTION(S) - Recommit LB1402 to Committee**

Senator DeBoer offered [MO1388](#), found on page 1604, recommit to the Appropriations Committee.



**SPEAKER ARCH PRESIDING****PRESIDENT KELLY PRESIDING**

Senator Linehan offered the following motion:

[MO1418](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

The Linehan motion to invoke cloture prevailed with 33 ayes, 14 nays, and 2 present and not voting.

The DeBoer motion to recommit to committee failed with 12 ayes, 33 nays, and 4 present and not voting.

Senator DeBoer motion [MO1389](#), found on page 1604, to indefinitely postpone, was not considered.

The Linehan amendment [AM2590](#), found on page 734, was not considered.

The Linehan amendment [FA220](#), found on page 734, was not considered.

The Linehan amendment [FA221](#), found on page 734, was not considered.

The Linehan amendment [FA222](#), found on page 734, was not considered.

The Linehan amendment [FA223](#), found on page 734, was not considered.

The Linehan amendment [FA224](#), found on page 734, was not considered.

The M. Cavanaugh amendment [FA421](#), found on page 1603, was not considered.

The M. Cavanaugh amendment [FA422](#), found on page 1603, was not considered.

The DeBoer amendment [AM3476](#), found on page 1684, was not considered.

The DeBoer amendment [AM3459](#), found on page 1684, was not considered.

**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 LB1402 with 41 ayes, 4 nays, and 4 present and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 1402.** With Emergency Clause.

A BILL FOR AN ACT relating to education scholarships; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to provide for education scholarships; to repeal the Opportunity Scholarships Act; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 77-7101, 77-7102, 77-7103, 77-7104, 77-7105, 77-7106, 77-7107, 77-7108, 77-7109, 77-7110, 77-7111, 77-7112, and 77-7113, Revised Statutes Supplement, 2023; 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, 32:

Aguilar	Brewer	Hardin	Lippincott	Sanders
Albrecht	Clements	Holdcroft	Lowe	Slama
Arch	DeKay	Hughes	McDonnell	von Gillern
Armendariz	Dover	Ibach	Meyer	Wayne
Ballard	Erdman	Jacobson	Moser	
Bosn	Halloran	Kauth	Murman	
Bostelman	Hansen	Linehan	Riepe	

Voting in the negative, 15:

Blood	Cavanaugh, J.	Day	Dungan	Raybould
Bostar	Cavanaugh, M.	DeBoer	Fredrickson	Vargas
Brandt	Conrad	Dorn	Hunt	Wishart

Present and not voting, 2:

McKinney      Walz

Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached. The question is, "Shall the bill pass with the emergency clause stricken?"

Voting in the affirmative, 32:

Albrecht	Clements	Hardin	Lippincott	Sanders
Arch	DeKay	Holdcroft	Lowe	Slama
Armendariz	Dorn	Hughes	McDonnell	von Gillern
Ballard	Dover	Ibach	Meyer	Wayne
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	
Brewer	Hansen	Linehan	Riepe	

Voting in the negative, 14:

Blood	Cavanaugh, J.	Day	Fredrickson	Vargas
Bostar	Cavanaugh, M.	DeBoer	Hunt	Wishart
Brandt	Conrad	Dungan	Raybould	

Present and not voting, 3:

Aguilar	McKinney	Walz
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A constitutional majority having voted in the affirmative, the bill was declared passed with the emergency clause stricken.

### **COMMITTEE REPORT(S)**

Enrollment and Review

Correctly Enrolled

The following bill was correctly enrolled: LB1402.

(Signed) Beau Ballard, Chairperson

### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB1402.

### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 1402A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1402, One Hundred Eighth Legislature, Second Session, 2024; 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, 34:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Clements	Hardin	Lippincott	Sanders
Arch	DeKay	Holdcroft	Lowe	Slama
Armendariz	Dorn	Hughes	McDonnell	Vargas
Ballard	Dover	Ibach	Meyer	von Gillern
Bosn	Erdman	Jacobson	Moser	Wayne
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 8:

Blood	Cavanaugh, M.	DeBoer	Hunt
Brandt	Day	Fredrickson	Raybould

Present and not voting, 7:

Bostar	Conrad	McKinney	Wishart
Cavanaugh, J.	Dungan	Walz	

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LB1402Ae.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 18, 2024, at 2:58 p.m. were the following: LBs 25, 126, 126A, 937, 937A, 1023, 1023A, 1317e, and 1317Ae.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

#### **MOTION - Notify Governor**

Senator Brewer moved that a committee of six be appointed to notify the Governor that the One Hundred Eighth Legislature, Second Session, 2024, of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Albrecht, Halloran, Lowe, McDonnell, Walz, and Vargas to serve on said committee.

The committee returned and escorted Governor Pillen to the rostrum where he delivered a message to the members.

The committee escorted Governor Pillen from the Chamber.

### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 18, 2024, at 4:23 p.m. were the following: LBs 1402 and 1402Ae.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

### **MOTION - Disposition of Bills**

Senator Erdman moved that all bills not otherwise disposed of, excluding bills on Final Reading and vetoed or line-item vetoed bills on this date, be indefinitely postponed.

The motion prevailed.

### **MOTION - Committee Records**

Senator Blood moved that the chairpersons of all standing committees file with the Clerk of the Legislature all standing committee records so that a proper record may be made of the final disposition of all bills.

The motion prevailed.

### **MOTION - Legislative Journal, Session Laws, and Indexes**

Senator Wishart moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Brandon Metzler and that he be directed to send to each member of the Legislature a copy of the permanent Legislative Journal and Session Laws.

The motion prevailed.

### **MOTION - Sixtieth Day Journal**

Senator Linehan moved that the Journal for the Sixtieth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

**VISITOR(S)**

Visitors to the Chamber were Joe Coleman, David Wishart, Sarah Disbrow, Lincoln; Kara Acino, Zoey, Nora and Lucca Drew, Cathy Erdman; students from Bryan Elementary, Lexington; students from Emerson Hubbard Elementary, Emerson; Isaac and Lisa Albrecht; Craig and Lois Padgett, Omaha; Mark Dahlheim, Omaha; Ann Dover, Norfolk.

**MOTION - Adjourn Sine Die**

Senator Wayne moved that the One Hundred Eighth Legislature, Second Session, 2024 Session of the Nebraska Legislature, having finished all business before it, now at 6:35 p.m., adjourn sine die.

The motion prevailed.

Brandon Metzler  
Clerk of the Legislature

**RECEIVED AFTER ADJOURNMENT**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED EIGHTH LEGISLATURE**  
**SECOND SESSION**

**MESSAGE(S) FROM THE GOVERNOR**

April 23, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 126, 126A, 937, 937A, 1023, 1023A, 1317e, 1317Ae, were received in my office on April 18, 2024, and signed on April 23, 2024.

These bills were delivered to the Secretary of State on April 23, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

April 24, 2024

Mr. President, Mr. Speaker, and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Mr. Speaker, and Members of the Legislature:

With this letter, I am returning LB 25 without my approval and without my signature. LB 25 would substantially erode sovereign immunity protections that have protected public funds through the Political Subdivision Tort Claims Act (PSTCA) for more than half a century. LB 25 creates a new body of law and would substantially increase the costs Nebraska taxpayers must bear for claims of abuse by both government employees and even non-employees.

The sovereign immunity of the State and its political subdivisions is preserved in Article 5, Section 22 of Nebraska's Constitution. The PSTCA allows a limited waiver of a political subdivision's sovereign immunity and

prescribes the procedure for maintenance of a suit against a political subdivision for some types of tort claims, but the waiver excepts certain intentional torts, including assault and battery.

As Nebraskans, we must protect our children, but LB 25 does not achieve that goal. It is overbroad, applying to all political subdivisions instead of being narrowly tailored to specific entities. Claims against the government are paid by taxpayers. LB 25 would make taxpayers the insurers for villages, cities, school districts, learning communities, public power districts, and all other units of local government when illegal acts of abuse are committed by employees or third parties.

We must hold perpetrators accountable and protect children from abuse by enforcing the criminal laws that exist and by targeting the wrongdoer. Taxpayers should not bear this burden. There are also existing civil remedies available for children and their families that allow compensation for harm caused by abuse. These remedies balance the need to provide compensation with the need to manage risk and protect taxpayer dollars. If a valid claim exists, these remedies should be pursued.

It is for these reasons that I have vetoed LB 25.

Sincerely,  
(Signed) Jim Pillen  
Governor

April 24, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Clerk Metzler:

Engrossed Legislative Bills 1402 and 1402Ae, were received in my office on April 18, 2024, and signed on April 24, 2024.

These bills were delivered to the Secretary of State on April 24, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor



**CERTIFICATE**

I, Brandon Metzler, Clerk of the Legislature, hereby certify that the foregoing communications are true and correct copies provided concerning action on bills after adjournment of the One Hundred Eighth Legislature, Second Session.

Brandon Metzler  
Clerk of the Legislature

April 25, 2024  
Lincoln, Nebraska

