

FIFTY-SECOND DAY - MARCH 28, 2025**LEGISLATIVE JOURNAL****ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION****FIFTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, March 28, 2025

PRAYER

The prayer was offered by Reverend William Holoubek, St. Anthony Catholic Church, Bruno.

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., Speaker Arch presiding.

The roll was called and all members were present except Senators Bostar, Brandt, Dover, Hunt, Raybould, and Sanders who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-first day was approved.

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 27, 2025, 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

Brown, Darryl
 Darryl Brown
 CP Strategies LLC
 Conservative Energy Network
 Kissel Kohout ES Associates, LLC
 Exodus Movement, Inc.
 Nebraska Strategies
 Entertainment Software Association
 Rubin, Barry R.
 Kelley Plucker, LLC
 Segel, Aaron
 Entertainment Software Association
 Watkins, Braden
 RAI Services Co. (Reynolds American Inc.)
 Weissen, Alan
 RAI Services Co. (Reynolds American Inc.)

GENERAL FILE

LEGISLATIVE BILL 415. The first committee amendment, [AM770](#), found on page 888 and considered on pages 890 and 906, was renewed.

Senator McKinney renewed [MO111](#), found on page 858 and considered on pages 890 and 906, to bracket until June 9, 2025.

SENATOR DEBOER PRESIDING

SPEAKER ARCH PRESIDING

Senator Ballard offered the following motion:

[MO137](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Ballard moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Ballard requested a roll call vote on his motion to invoke cloture.

Voting in the affirmative, 34:

Andersen	Clouse	Holdcroft	McKeon	Sorrentino
Arch	DeKay	Hughes	Meyer	Storer
Armendariz	Dorn	Ibach	Moser	Storm
Ballard	Dover	Jacobson	Murman	Strommen
Bosn	Hallstrom	Kauth	Raybould	von Gillern
Brandt	Hansen	Lippincott	Riepe	Wordekemper
Clements	Hardin	Lonowski	Sanders	

Voting in the negative, 15:

Bostar	Conrad	Fredrickson	Juarez	Quick
Cavanaugh, J.	DeBoer	Guereca	McKinney	Rountree
Cavanaugh, M.	Dungan	Hunt	Prokop	Spivey

The Ballard motion to invoke cloture prevailed with 34 ayes, 15 nays, and 0 not voting.

Senator McKinney requested a roll call vote on his motion to bracket.

Voting in the affirmative, 15:

Bostar	Conrad	Fredrickson	Juarez	Quick
Cavanaugh, J.	DeBoer	Guereca	McKinney	Rountree
Cavanaugh, M.	Dungan	Hunt	Prokop	Spivey

Voting in the negative, 34:

Andersen	Clouse	Holdcroft	McKeon	Sorrentino
Arch	DeKay	Hughes	Meyer	Storer
Armendariz	Dorn	Ibach	Moser	Storm
Ballard	Dover	Jacobson	Murman	Strommen
Bosn	Hallstrom	Kauth	Raybould	von Gillern
Brandt	Hansen	Lippincott	Riepe	Wordekemper
Clements	Hardin	Lonowski	Sanders	

The McKinney motion to bracket failed with 15 ayes, 34 nays, and 0 not voting.

The first committee [AM770](#), found on page 726, was not further considered.

The second committee amendment, [AM771](#), found on page 890, was not considered.

Senator M. Cavanaugh requested a roll call vote, in reverse order, on the original undivided committee amendment, [AM545](#).

Voting in the affirmative, 34:

Andersen	Clouse	Holdcroft	McKeon	Sorrentino
Arch	DeKay	Hughes	Meyer	Storer
Armendariz	Dorn	Ibach	Moser	Storm
Ballard	Dover	Jacobson	Murman	Strommen
Bosn	Hallstrom	Kauth	Raybould	von Gillern
Brandt	Hansen	Lippincott	Riepe	Wordekemper
Clements	Hardin	Lonowski	Sanders	

Voting in the negative, 15:

Bostar	Conrad	Fredrickson	Juarez	Quick
Cavanaugh, J.	DeBoer	Guereca	McKinney	Rountree
Cavanaugh, M.	Dungan	Hunt	Prokop	Spivey

The original undivided committee amendment, [AM545](#), found on page 726 and considered on page 888, was adopted with 34 ayes, 15 nays, and 0 not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 34:

Andersen	Clouse	Holdcroft	McKeon	Sorrentino
Arch	DeKay	Hughes	Meyer	Storer
Armendariz	Dorn	Ibach	Moser	Storm
Ballard	Dover	Jacobson	Murman	Strommen
Bosn	Hallstrom	Kauth	Raybould	von Gillern
Brandt	Hansen	Lippincott	Riepe	Wordekemper
Clements	Hardin	Lonowski	Sanders	

Voting in the negative, 14:

Bostar	Conrad	Guereca	McKinney	Rountree
Cavanaugh, J.	DeBoer	Hunt	Prokop	Spivey
Cavanaugh, M.	Dungan	Juarez	Quick	

Present and not voting, 1:

Fredrickson

Advanced to Enrollment and Review Initial with 34 ayes, 14 nays, and 1 present and not voting.

The Chair declared the call raised.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 177A. Introduced by Clouse, 37.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 177, One Hundred Ninth Legislature, First Session, 2025.

AMENDMENT(S) - Print in Journal

Senator Bostar filed the following amendment to [LB380](#):
[AM814](#) is available in the Bill Room.

SELECT FILE

LEGISLATIVE BILL 22A. Senator Dungan offered [AM780](#), found on page 895.

The Dungan amendment was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 148A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 41A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 529. [ER27](#), found on page 870, was offered.

ER27 was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 457. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 84. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 355. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 97. [ER26](#), found on page 871, was offered.

ER26 was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 390. Senator Murman offered [AM653](#), found on page 911.

The Murman amendment was adopted with 30 ayes, 2 nays, 14 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 135. Senator Holdcroft offered [AM779](#), found on page 905.

SENATOR DORN PRESIDING

SPEAKER ARCH PRESIDING

Senator Holdcroft moved for a call of the house. The motion prevailed with 22 ayes, 0 nays, and 27 not voting.

The Holdcroft amendment was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator von Gillern requested a record vote on the advancement of the bill.

Voting in the affirmative, 16:

Andersen	Clements	Holdcroft	Lippincott
Arch	Clouse	Ibach	Moser
Armendariz	Dorn	Jacobson	Storm
Bosn	Hansen	Kauth	Strommen

Voting in the negative, 16:

Bostar	Fredrickson	McKinney	Riepe
Brandt	Hardin	Meyer	Spivey
DeKay	Hunt	Prokop	von Gillern
Dungan	Juarez	Quick	Wordekemper

Present and not voting, 14:

Ballard	DeBoer	Hughes	Murman	Sorrentino
Cavanaugh, M.	Dover	Lonowski	Rountree	Storer
Conrad	Hallstrom	McKeon	Sanders	

Excused and not voting, 3:

Cavanaugh, J.	Guereca	Raybould
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Failed to advance to Enrollment and Review for Engrossment with 16 ayes, 16 nays, 14 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 326. Senator Hallstrom offered [AM836](#), found on page 911.

The Hallstrom 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.

AMENDMENT(S) - Print in Journal

Senator Hallstrom filed the following amendment to [LB398](#):

[AM765](#)

1 1. Insert the following new sections:

2 Sec. 27. Section 74-1335, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 74-1335 (1) For purposes of this section, successor in interest
5 includes any agent, successor, assignee, trustee, receiver, or other
6 person acquiring interests or rights in railroad land, including the
7 owner or holder of any servient estate or right of reversion relating to
8 railroad land.

9 (2) Whenever any person owns land on both sides of the right-of-way
10 of any railroad or its successor in interest, such railroad or its
11 successor in interest shall provide and keep in repair at least one
12 adequate means for such landowner to cross the right-of-way. Any
13 interested landowner with land on both sides of the right-of-way of any
14 railroad or its successor in interest may file written complaint with the
15 Department of Transportation against any such railroad or its successor
16 in interest that the crossing is not adequate or is unsafe and dangerous
17 to the life and property of those who use it, and the department
18 thereupon shall make such investigation, hold such hearing, and issue
19 such orders as it deems necessary, proper, and adequate. If circumstances
20 warrant, the department may require overhead, underground, or grade
21 crossings and wing fences at underground crossings or may require
22 existing crossings to be relocated so as to be safe to those who use

23 them, but when a special crossing involves an expenditure of more than
24 one thousand five hundred dollars, the landowner shall bear one-half the
25 expenses in excess of one thousand five hundred dollars.

26 Sec. 35. Sections 27 and 36 of this act become operative three
27 calendar months after the adjournment of this legislative session. The

1 other sections of this act become operative on their effective date.

2 Sec. 36. Original section 74-1335, Reissue Revised Statutes of
3 Nebraska, is repealed.

4 2. Renumber the remaining sections accordingly.

Senator Dover filed the following amendment to [LB113](#):

[AM843](#)

1 1. Insert the following new section:

2 Sec. 4. Section 53-123.17, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 53-123.17 (1) A local governing body may designate an entertainment
5 district in which a commons area may be used by retail, craft brewery,
6 and microdistillery licensees and holders of a manufacturer's license
7 which obtain an entertainment district license. The local governing body
8 may, at any time, revoke such designation if it finds that the commons
9 area threatens the health, safety, or welfare of the public or has become
10 a common nuisance. The local governing body shall file the designation or
11 the revocation of the designation with the commission.

12 (2) An entertainment district license allows the sale of alcoholic
13 liquor for consumption on the premises within the confines of a commons
14 area. The consumption of alcoholic liquor in the commons area shall only

15 occur during the hours authorized for sale of alcoholic liquor for
16 consumption on the premises under section 53-179 and while food service
17 is available in the commons area or is available for sale by at least one
18 holder of an entertainment district license. Only the holder of an
19 entertainment district license or employees of such licensee may sell or
20 dispense alcoholic liquor in the commons area.

21 (3) An entertainment district licensee shall serve alcoholic liquor
22 to be consumed in the commons area in containers that prominently
23 display displays the licensee's trade name or logo or some other mark that
24 is unique to the licensee under the licensee's retail license, craft
25 brewery license, microdistillery license, or manufacturer's license. An
26 entertainment district licensee may allow alcohol sold by another
27 entertainment district licensee to enter the licensed premises of either
1 licensee. No entertainment district licensee shall allow alcoholic liquor
2 to leave the commons area or the premises licensed under its retail
3 license, craft brewery license, microdistillery license, or
4 manufacturer's license.

5 (4) If the licensed premises of the holder of a license to sell
6 alcoholic liquor at retail issued under subsection (6) of section 53-124,
7 a craft brewery license, a microdistillery license, or a manufacturer's
8 license is adjacent to a commons area in an entertainment district
9 designated by a local governing body pursuant to this section, the holder
10 of the license may obtain an annual entertainment district license as
11 prescribed in this section. The entertainment district license shall be
12 issued for the same period and may be renewed in the same manner as the
13 retail license, craft brewery license, microdistillery license, or
14 manufacturer's license.

15 (5) In order to obtain an entertainment district license, a person
16 eligible under subsection (4) of this section shall:

17 (a) File an application with the commission upon such forms as the
18 commission prescribes; and

19 (b) Pay an additional license fee of three hundred dollars for the
20 privilege of serving alcohol in the entertainment district payable to the
21 clerk of the local governing body in the same manner as license fees
22 under subdivision (4) of section 53-134.

23 (6) When an application for an entertainment district license is
24 filed, the commission shall notify the clerk of the local governing body.
25 The commission shall include with such notice one copy of the application
26 by mail or electronic delivery. The local governing body and the
27 commission shall process the application in the same manner as provided
28 in section 53-132.

29 (7) The local governing body may impose an occupation tax on the
30 business of an entertainment district licensee doing business within the
31 liquor license jurisdiction of the local governing body as provided in
1 subdivision (11)(b) of this section in accordance with section 53-132.

2 (8) The local governing body with respect to entertainment district
3 licensees within its liquor license jurisdiction as provided in
4 subdivision (11)(b) of this section may cancel an entertainment district
5 license for cause for the remainder of the period for which such
6 entertainment district license is issued. Any person whose entertainment
7 district license is canceled may appeal to the commission in accordance
8 with section 53-134.

9 (9) A local governing body may regulate by ordinance, not
10 inconsistent with the Nebraska Liquor Control Act, any area it designates
11 as an entertainment district.

12 (10) Violation of any provision of this section or any rules or
13 regulations adopted and promulgated pursuant to this section by an
14 entertainment district licensee may be cause to revoke, cancel, or
15 suspend the retail license issued under subsection (6) of section 53-124,
16 craft brewery license, microdistillery license, or manufacturer's license

17 held by such licensee.
 18 (11) For purposes of this section:
 19 (a)(i)(a) Commons area means an area:
 20 (A)(i) Within an entertainment district designated by a local
 21 governing body;
 22 (B)(ii) Shared by authorized licensees with entertainment district
 23 licenses;
 24 (C)(iii) Abutting the licensed premises of such licensees;
 25 (D) With reasonable safety measures in place to protect pedestrians,
 26 including signage, lighting, and reduced motor vehicle speeds when motor
 27 vehicles will be in close proximity to pedestrians(iv) Having limited
 28 pedestrian accessibility by use of a physical barrier, either on a
 29 permanent or temporary basis; and
 30 (E) With a prohibition on the carrying of open alcoholic liquor
 31 containers and the consumption of alcoholic liquor on any open street or
 1 highway except when necessary to cross the same at a designated
 2 crosswalk(v) Closed to vehicular traffic when used as a commons area.
 3 (ii) Commons area may include any area of a public or private right-
 4 of-way if the area otherwise meets the requirements of this section; and
 5 (b) Local governing body means the governing body of the city or
 6 village in which the entertainment district licensee is located.
 7 2. Renumber the remaining sections and correct the repealer
 8 accordingly.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motions to LB415:

[MO138](#)

Bracket until May 31, 2025.

[MO139](#)

Recommit to the Business and Labor Committee.

[MO140](#)

Indefinitely postpone.

NOTICE OF COMMITTEE HEARING(S)

Transportation and Telecommunications
 Room 1510 12:45 PM

Tuesday, April 8, 2025

Kyle Anderson - Board of Public Roads Classifications and Standards

Nathan J Sorben - Board of Public Roads Classifications and Standards

(Signed) Mike Moser, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 95. Introduced by Cavanaugh, J., 9; Arch, 14; Ballard, 21; Cavanaugh, M., 6; Dover, 19; Dungan, 26; Fredrickson, 20; Guereca, 7; Holdcroft, 36; Hughes, 24; Hunt, 8; Juarez, 5; Lonowski, 33; McKinney, 11; Moser, 22; Riepe, 12; Rountree, 3; Spivey, 13; Strommen, 47; Wordekemper, 15.

WHEREAS, the University of Nebraska at Omaha Mavericks men's basketball team earned its first Summit League regular season championship in 2025; and

WHEREAS, the Mavericks secured the first Summit League Tournament championship in program history on March 9, 2025, by defeating the St. Thomas Tommies 85-75; and

WHEREAS, the Summit League Tournament title earned the Mavericks the first NCAA Division I men's basketball tournament appearance in program history; and

WHEREAS, head coach Chris Crutchfield led the Mavericks to a record of 22-13, including a 13-3 record in conference play; and

WHEREAS, the Mavericks captured the imagination of college basketball fans across the nation with their trash can celebrations; and

WHEREAS, the Omaha community celebrates the historic achievements of the Mavericks men's basketball team.

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

1. That the Legislature congratulates the University of Nebraska at Omaha Mavericks men's basketball team on reaching its first NCAA Division I tournament in program history.

2. That copies of this resolution be sent to the Mavericks and head coach Chris Crutchfield.

Laid over.

LEGISLATIVE RESOLUTION 96. Introduced by Nebraska Retirement Systems Committee: Ballard, 21, Chairperson; Clements, 2; Hardin, 48; Juarez, 5; Sorrentino, 39.

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, the Nebraska Judges Retirement System, and 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 administration of each retirement system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST 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 97. Introduced by Nebraska Retirement Systems Committee: Ballard, 21, Chairperson; Clements, 2; Hardin, 48; Juarez, 5; Sorrentino, 39.

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 NINTH LEGISLATURE OF NEBRASKA, FIRST 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 98. Introduced by Nebraska Retirement Systems Committee: Ballard, 21, Chairperson; Clements, 2; Hardin, 48; Juarez, 5; Sorrentino, 39.

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

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST 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.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator DeKay name added to LR92.

VISITOR(S)

Visitors to the Chamber were members of Empowering Families, Scottsbluff; members of Urban League of Nebraska, Omaha; Cole Ballard, Omaha; students from Our Redeemer Lutheran School, Staplehurst; students from St. Columbkille Catholic School, Papillion.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Sanders, the Legislature adjourned until 10:00 a.m., Monday, March 31, 2025.

Brandon Metzler
Clerk of the Legislature