

FORTY-THIRD DAY - MARCH 13, 2025**LEGISLATIVE JOURNAL****ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION****FORTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 13, 2025

PRAYER

The prayer was offered by Pastor Michael Eckelkamp, Christ Lincoln, Lincoln.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Andersen.

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 J. Cavanaugh, M. Cavanaugh, Conrad, Dorn, and Guereca, who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-second day was approved.

**COMMITTEE REPORT(S)
Judiciary**

LEGISLATIVE BILL 6. Placed on General File.

LEGISLATIVE BILL 93. Placed on General File with amendment.

[AM362](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 29-1912, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:
5 29-1912 (1) When a defendant is charged with a felony or when a
6 defendant is charged with a misdemeanor or a violation of a city or
7 village ordinance for which imprisonment is a possible penalty, he or she
8 may request the court where the case is to be tried, at any time after

9 the filing of the indictment, information, or complaint, to order the
10 prosecuting attorney to permit the defendant to inspect and copy or
11 photograph:
12 (a) The defendant's statement, if any. For purposes of this
13 subdivision, statement includes any of the following which relate to the
14 investigation of the underlying charge or charges in the case and which
15 were developed or received by law enforcement agencies:
16 (i) Written or recorded statements;
17 (ii) Written summaries of oral statements; and
18 (iii) The substance of oral statements;
19 (b) The defendant's prior criminal record, if any;
20 (c) The defendant's recorded testimony before a grand jury;
21 (d) The names and addresses of witnesses on whose evidence the
22 charge is based;
23 (e) The results and reports, in any form, of physical or mental
24 examinations, and of scientific tests, or experiments made in connection
25 with the particular case, or copies thereof;
26 (f) Documents, papers, books, accounts, letters, photographs,
27 objects, or other tangible things of whatsoever kind or nature which
1 could be used as evidence by the prosecuting authority; and
2 (g) Reports developed or received by law enforcement agencies when
3 such reports directly relate to the investigation of the underlying
4 charge or charges in the case.
5 (2) The court may issue such an order pursuant to ~~the provisions of~~
6 this section. In the exercise of its judicial discretion, the court shall
7 consider, among other things, whether:
8 (a) The request is material to the preparation of the defense;
9 (b) The request is not made primarily for the purpose of harassing
10 the prosecution or its witnesses;
11 (c) The request, if granted, would not unreasonably delay the trial
12 of the offense and an earlier request by the defendant could not have
13 reasonably been made;
14 (d) There is no substantial likelihood that the request, if granted,
15 would preclude a just determination of the issues at the trial of the
16 offense; or
17 (e) The request, if granted, would not result in the possibility of
18 bodily harm to, or coercion of, witnesses.
19 (3) Whenever the court refuses to grant an order pursuant to the
20 provisions of this section, it shall render its findings in writing
21 together with the facts upon which the findings are based.
22 (4) Whenever the prosecuting attorney believes that the granting of
23 an order under the provisions of this section will result in the
24 possibility of bodily harm to witnesses or that witnesses will be
25 coerced, the court may permit him or her to make such a showing in the
26 form of a written statement to be inspected by the court alone. The
27 statement shall be sealed and preserved in the records of the court to be
28 made available to the appellate court in the event of an appeal by the
29 defendant.
30 (5) This section is subject to the continuing duty of disclosure
31 under section 29-1918.
1 ~~(6)(5)~~ This section does not apply to jailhouse informants as
2 defined in section 29-4701. Sections 29-4701 to 29-4706 govern jailhouse
3 informants.
4 Sec. 2. Section 29-1918, Revised Statutes Cumulative Supplement,
5 2024, is amended to read:
6 29-1918 A party who discovers additional evidence or material before
7 or during trial must promptly disclose its existence to the other party
8 or the court if:
9 (1) The evidence or material is subject to discovery or inspection
10 under sections 29-1912 to 29-1921; and

11 ~~(2) The other party previously requested, or the court ordered, the~~
 12 ~~production of such evidence or material. If, subsequent to compliance with~~
 13 ~~an order for discovery under the provisions of sections 29-1912 to~~
 14 ~~29-1921, and prior to or during trial, a party discovers additional~~
 15 ~~material which the party would have been under a duty to disclose or~~
 16 ~~produce at the time of such previous compliance, the party shall promptly~~
 17 ~~notify the other party or the other party's attorney and the court of the~~
 18 ~~existence of the additional material. Such notice shall be given at the~~
 19 ~~time of the discovery of such additional material.~~
 20 Sec. 3. Original sections 29-1912 and 29-1918, Revised Statutes
 21 Cumulative Supplement, 2024, are repealed.

LEGISLATIVE BILL 475. Placed on General File with amendment.

[AM572](#)

1 1. Insert the following new sections:
 2 Sec. 2. This act becomes operative on July 1, 2025.
 3 Sec. 4. Since an emergency exists, this act takes effect when passed
 4 and approved according to law.
 5 2. On page 24, line 8, strike "or" and show as stricken; in line 10
 6 strike the period, show as stricken, and insert "; or"; and after line 10
 7 insert the following new subdivision:
 8 "~~(4) Tianeptine, its salts, isomers, and salts of isomers whenever~~
 9 ~~the existence of such salts, isomers, and salts of isomers is possible~~
 10 ~~within the specific chemical designation.~~".
 11 3. On page 33, lines 28 through 30, strike the new matter and
 12 reinstate the stricken matter.
 13 4. Renumber the remaining section accordingly.

LEGISLATIVE BILL 641. Placed on General File with amendment.

[AM538](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 68-919, Revised Statutes Cumulative Supplement,
 4 2024, is amended to read:
 5 68-919 (1) The recipient of medical assistance under the medical
 6 assistance program shall be indebted to the department for the total
 7 amount paid for medical assistance on behalf of the recipient if:
 8 (a) The recipient was fifty-five years of age or older at the time
 9 the medical assistance was provided; or
 10 (b) The recipient resided in a medical institution and, at the time
 11 of institutionalization or application for medical assistance, whichever
 12 is later, the department determines that the recipient could not have
 13 reasonably been expected to be discharged and resume living at home. For
 14 purposes of this section, medical institution means a nursing facility,
 15 an intermediate care facility for persons with developmental
 16 disabilities, an assisted living facility, or an inpatient hospital.
 17 ~~(2)(a)(2)~~ The debt accruing under subsection (1) of this section
 18 arises during the life of the recipient but shall be held in abeyance
 19 until the death of the recipient. Any such debt to the department that
 20 exists when the recipient dies shall be recovered only after the death of
 21 the recipient's spouse, if any, and only after the recipient is not
 22 survived by a child who either is under twenty-one years of age or is
 23 blind or totally and permanently disabled as defined by the Supplemental
 24 Security Income criteria. In recovering such debt, the department shall
 25 not foreclose on a lien on the home of the recipient ~~(i)(a)~~ if a sibling
 26 of the recipient with an equity interest in the home has lawfully resided
 27 in the home for at least one year before the recipient's admission and
 1 has lived there continuously since the date of the recipient's admission
 2 or ~~(ii)(b)~~ while the home is the residence of an adult child who has

3 lived in the recipient's home for at least two years immediately before
4 the recipient was institutionalized, has lived there continuously since
5 that time, and can establish to the satisfaction of the department that
6 he or she provided care that delayed the recipient's admission.

7 (b) A written attestation by a physician stating that a sibling or
8 an adult child of a recipient provided care that delayed the recipient's
9 admission to a medical institution shall be sufficient documentation for
10 the department to avoid foreclosure on the lien described in this
11 subsection.

12 (3) The debt shall include the total amount of medical assistance
13 provided when the recipient was fifty-five years of age or older or
14 during a period of institutionalization as described in subsection (1) of
15 this section and shall not include interest.

16 (4)(a) It is the intent of the Legislature that the debt specified
17 in subsection (1) of this section be collected by the department before
18 any portion of the estate of a recipient of medical assistance is enjoyed
19 by or transferred to a person not specified in subsection (2) of this
20 section as a result of the death of such recipient. The debt may be
21 recovered from the estate of a recipient of medical assistance. The
22 department shall undertake all reasonable and cost-effective measures to
23 enforce recovery under the Medical Assistance Act. All persons specified
24 in subsections (2) and (4) of this section shall cooperate with the
25 department in the enforcement of recovery under the act.

26 (b) For purposes of this section:

27 (i) Estate of a recipient of medical assistance means any real
28 estate, personal property, or other asset in which the recipient had any
29 legal title or interest at or immediately preceding the time of the
30 recipient's death, to the extent of such interests. In furtherance and
31 not in limitation of the foregoing, the estate of a recipient of medical
1 assistance also includes:

2 (A) Assets to be transferred to a beneficiary described in section
3 77-2004 or 77-2005 in relation to the recipient through a revocable trust
4 or other similar arrangement which has become irrevocable by reason of
5 the recipient's death; and

6 (B) Notwithstanding anything to the contrary in subdivision (3) or
7 (4) of section 68-923, assets conveyed or otherwise transferred to a
8 survivor, an heir, an assignee, a beneficiary, or a devisee of the
9 recipient of medical assistance through joint tenancy, tenancy in common,
10 transfer on death deed, survivorship, conveyance of a remainder interest,
11 retention of a life estate or of an estate for a period of time, living
12 trust, or other arrangement by which value or possession is transferred
13 to or realized by the beneficiary of the conveyance or transfer at or as
14 a result of the recipient's death. Such other arrangements include
15 insurance policies or annuities in which the recipient of medical
16 assistance had at the time of death any incidents of ownership of the
17 policy or annuity or the power to designate beneficiaries and any pension
18 rights or completed retirement plans or accounts of the recipient. A
19 completed retirement plan or account is one which because of the death of
20 the recipient of medical assistance ceases to have elements of retirement
21 relating to such recipient and under which one or more beneficiaries
22 exist after such recipient's death; and

23 (ii) Notwithstanding anything to the contrary in subdivision (4)(b)
24 of this section, estate of a recipient of medical assistance does not
25 include:

26 (A) Insurance proceeds, any trust account subject to the Burial Pre-
27 Need Sale Act, or any limited lines funeral insurance policy to the
28 extent used to pay for funeral, burial, or cremation expenses of the
29 recipient of medical assistance;

30 (B) Conveyances of real estate made prior to August 24, 2017, that
31 are subject to the grantor's retention of a life estate or an estate for

1 a period of time;
2 (C) Life estate interests in real estate after sixty months from the
3 date of recording a deed with retention of a life estate by the recipient
4 of medical assistance; ~~and~~
5 (D) Any pension rights or completed retirement plans to the extent
6 that such rights or plans are exempt from claims for reimbursement of
7 medical assistance under federal law; ~~and~~.
8 (E) Life estate interests in real estate after twelve months from
9 the recording of a deed with retention of a life estate by the recipient
10 of medical assistance if a relative resides solely and continuously with
11 the recipient and establishes to the satisfaction of the department that
12 the relative provided care that delayed the recipient's admission to a
13 medical institution. A written attestation by a physician stating that
14 the relative of the recipient provided care that delayed the recipient's
15 admission to a medical institution shall be sufficient documentation to
16 exclude the life estate interest from the recipient's estate under this
17 subdivision.
18 (c) The department, upon application of the personal representative
19 of an estate, any person or entity otherwise authorized under the
20 Nebraska Probate Code to act on behalf of a decedent, any person or
21 entity having an interest in assets of the decedent which are subject to
22 this subsection, a successor trustee of a revocable trust or other
23 similar arrangement which has become irrevocable by reason of the
24 decedent's death, or any other person or entity holding assets of the
25 decedent described in this subsection, shall timely certify to the
26 applicant, that as of a designated date, whether medical assistance
27 reimbursement is due or an application for medical assistance was pending
28 that may result in medical assistance reimbursement due. An application
29 for a certificate under this subdivision shall be provided to the
30 department in a delivery manner and at an address designated by the
31 department, which manner may include email. The department shall post the
1 acceptable manner of delivery on its website. Any application that fails
2 to conform with such manner is void. Notwithstanding the lack of an order
3 by a court designating the applicant as a person or entity who may
4 receive information protected by applicable privacy laws, the applicant
5 shall have the authority of a personal representative for the limited
6 purpose of seeking and obtaining from the department this certification.
7 If, in response to a certification request, the department certifies that
8 reimbursement for medical assistance is due, the department may release
9 some or all of the property of a decedent from the provisions of this
10 subsection.
11 (d) An action for recovery of the debt created under subsection (1)
12 of this section may be brought by the department against the estate of a
13 recipient of medical assistance as defined in subdivision (4)(b) of this
14 section at any time before five years after the last of the following
15 events:
16 (i) The death of the recipient of medical assistance;
17 (ii) The death of the recipient's spouse, if applicable;
18 (iii) The attainment of the age of twenty-one years by the youngest
19 of the recipient's minor children, if applicable; or
20 (iv) A determination that any adult child of the recipient is no
21 longer blind or totally and permanently disabled as defined by the
22 Supplemental Security Income criteria, if applicable.
23 (5) In any probate proceedings in which the department has filed a
24 claim under this section, no additional evidence of foundation shall be
25 required for the admission of the department's payment record supporting
26 its claim if the payment record bears the seal of the department, is
27 certified as a true copy, and bears the signature of an authorized
28 representative of the department.
29 (6) The department may waive or compromise its claim, in whole or in

30 part, if the department determines that enforcement of the claim would
 31 not be in the best interests of the state or would result in undue
 1 hardship as provided in rules and regulations of the department.

2 (7)(a) Whenever the department has provided medical assistance
 3 because of sickness or injury to any person resulting from a third
 4 party's wrongful act or negligence and the person has recovered damages
 5 from such third party, the department shall have the right to recover the
 6 medical assistance it paid from any amounts that the person has received
 7 as follows:

8 (i) In those cases in which the person is fully compensated by the
 9 recovery, the department shall be fully reimbursed subject to its
 10 contribution to attorney's fees and costs as provided in subdivision (b)
 11 of this subsection; or

12 (ii) In those cases in which the person is not fully compensated by
 13 the recovery, the department shall be reimbursed that portion of the
 14 recovery that represents the same proportionate reduction of medical
 15 expenses paid that the recovery amount bears to full compensation of the
 16 person subject to its contributions to attorney's fees and costs as
 17 provided in subdivision (b) of this subsection.

18 (b) When an action or claim is brought by the person and the person
 19 incurs or will incur a personal liability to pay attorney's fees and
 20 costs of litigation or costs incurred in pursuit of a claim, the
 21 department's claim for reimbursement of the medical assistance provided
 22 to the person shall be reduced by an amount that represents the
 23 department's reasonable pro rata share of attorney's fees and costs of
 24 litigation or the costs incurred in pursuit of a claim.

25 (8) The department may adopt and promulgate rules and regulations to
 26 carry out this section.

27 (9) The changes made to this section by Laws 2019, LB593, shall
 28 apply retroactively to August 30, 2015.

29 Sec. 2. Original section 68-919, Revised Statutes Cumulative
 30 Supplement, 2024, is repealed.

LEGISLATIVE BILL 704. Placed on General File with amendment.

AM575

1 1. Strike the original sections and insert the following new
 2 sections:

3 Section 1. Section 43-512.12, Revised Statutes Cumulative
 4 Supplement, 2024, is amended to read:

5 43-512.12 (1) Child support orders in cases in which a party has
 6 applied for services under Title IV-D of the federal Social Security Act,
 7 as amended, shall be reviewed by the Department of Health and Human
 8 Services to determine whether to refer such orders to the county attorney
 9 or authorized attorney for filing of an application for modification. An
 10 order shall be reviewed by the department upon its own initiative or at
 11 the request of either parent when such review is required by Title IV-D
 12 of the federal Social Security Act, as amended. After review the
 13 department shall refer an order to a county attorney or authorized
 14 attorney when the verifiable financial information available to the
 15 department indicates:

16 (a) The present child support obligation varies from the Supreme
 17 Court child support guidelines pursuant to section 42-364.16 by more than
 18 the percentage, amount, or other criteria established by Supreme Court
 19 rule, and the variation is due to financial circumstances which have
 20 lasted at least three months and can reasonably be expected to last for
 21 an additional six months; or

22 (b) Health care coverage meeting the requirements of subsection (2)
 23 of section 42-369 is available to either party and the children do not
 24 have health care coverage other than the medical assistance program under
 25 the Medical Assistance Act.

26 Health care coverage cases may be modified within three years of
27 entry of the order.

1 (2) Orders that are not addressed under subsection (1) of this
2 section shall not be reviewed by the department if it has not been three
3 years since the present child support obligation was ordered unless the
4 requesting party demonstrates a substantial change in circumstances that
5 is expected to last for the applicable time period established by
6 subdivision (1)(a) of this section. Such substantial change in
7 circumstances may include, but is not limited to, change in employment,
8 earning capacity, or income or receipt of an ongoing source of income
9 from a pension, gift, lottery winnings, casino winnings, parimutuel
10 winnings, sports wagering winnings, or cash device winnings. An order may
11 be reviewed after one year if the department's determination after the
12 previous review was not to refer to the county attorney or authorized
13 attorney for filing of an application for modification because financial
14 circumstances had not lasted or were not expected to last for the time
15 periods established by subdivision (1)(a) of this section.

16 ~~(3)(a)(3)~~ Notwithstanding the time periods set forth in subdivision
17 (1)(a) of this section, within fifteen business days of learning that a
18 noncustodial parent will be incarcerated for more than one hundred eighty
19 calendar days, the department shall initiate a review of the noncustodial
20 parent's child support order. ~~The~~ department shall send notice by
21 first-class mail to both parents informing them of such review and
22 require the parties to submit financial information as provided in
23 sections 43-512.14 and 43-512.17 within thirty days after the date of the
24 notice. ~~the right to request the state to review and, if appropriate,~~
25 ~~adjust the order.~~ Such notice shall be sent to the incarcerated parent at
26 the address of the facility at which the parent is incarcerated and to
27 the administrator of such facility as defined in section 47-1003.
28 (b) The department shall, within one hundred twenty calendar days
29 after the date the department learned the noncustodial parent was to be
30 incarcerated:

31 (i) Complete such review; and

1 (ii) Notify the parties of its determination pursuant to section
2 43-512.13.

3 Sec. 2. Section 43-512.13, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 43-512.13 ~~(1)(a)(4)~~ When review of a child support order pursuant to
6 subsection (1) or (2) of section 43-512.12 has been requested by one of
7 the parents or initiated by the Department of Health and Human Services,
8 the department shall send notice of the pending review to each parent
9 affected by the order at the parent's last-known mailing address thirty
10 days before the review is conducted. Such review shall require the
11 parties to submit financial information as provided in sections 43-512.14
12 and 43-512.17.

13 (b) ~~Except as provided in subsection (2) of this section, after~~
14 ~~After~~ the department completes the review of the child support order in
15 accordance with section 43-512.12, it shall send notice to each parent of
16 the determination to refer or not refer the order to the county attorney
17 or authorized attorney for filing of an application for modification of
18 the order in the district court.

19 (c) Each parent shall be allowed thirty days to submit to the
20 department a written request for a review of such determination. The
21 parent requesting review shall submit the request in writing to the
22 department, stating the reasons for the request and providing written
23 evidence to support the request.

24 (d) The department shall review the available verifiable financial
25 information and make a final determination whether or not to refer the
26 order to the county attorney or authorized attorney for filing of an
27 application for modification of the child support order. Written notice

28 of such final determination shall be sent to each parent affected by the
29 order at the parent's last-known mailing address.

30 (e) A final determination under this subsection shall not be
31 considered a contested case for purposes of the Administrative Procedure
1 Act.

2 (2)(a) If, upon the completion of a review initiated pursuant to
3 subsection (3) of section 43-512.12, the department finds a decrease in
4 the amount of the present child support obligation is not warranted
5 because it does not meet the criteria in subsection (1) or (2) of section
6 43-512.12, the department shall grant the incarcerated parent a
7 conference to review the department's findings. Such conference shall be
8 scheduled within thirty days after the completion of the department's
9 review and may be conducted in person or by means of virtual
10 conferencing. The department shall send notice of such conference by
11 first-class mail to both parents. The notice shall include the following:
12 (i) The department's findings;

13 (ii) Whether the conference will be conducted in person or
14 virtually;

15 (iii) The date, time, and location of the conference;

16 (iv) That the parties may submit any additional written evidence to
17 the department at least ten business days prior to the conference;

18 (v) That the incarcerated parent may waive the conference and that
19 such request shall be filed at least five business days prior to the
20 conference date; and

21 (vi) Any other information the department deems necessary.

22 (b) The department shall review all available verifiable financial
23 information and, within thirty days after the conference, make a final
24 determination whether or not a decrease in the present child support
25 obligation is warranted in accordance with the criteria in subsection (1)
26 or (2) of section 43-512.12 and whether or not to refer the order to the
27 county attorney or authorized attorney. Written notice of such final
28 determination shall be sent to each parent by first-class mail.

29 (c) If the incarcerated parent waives the conference under this
30 subsection, the department shall make a final determination and send
31 written notice of such final determination to each parent by first-class
1 mail.

2 (d) Notices required to be sent to an incarcerated parent under this
3 section shall be sent to the address of the facility at which the parent
4 is incarcerated and to the administrator of such facility as defined in
5 section 47-1003.

6 (e) A final determination under this subsection shall not be
7 considered a contested case for purposes of the Administrative Procedure
8 Act.

9 Sec. 3. Original section 43-512.13, Reissue Revised Statutes of
10 Nebraska, and section 43-512.12, Revised Statutes Cumulative Supplement,
11 2024, are repealed.

(Signed) Carolyn Bosn, Chairperson

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.

Nebraska State Fair Board:
Anna Castner Wightman

Aye: 8. DeKay, Hansen, Holdcroft, Ibach, Kauth, McKeon, Raybould, Storm. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Barry DeKay, Chairperson

MESSAGE(S) FROM THE GOVERNOR

March 5, 2025

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 State Racing and Gaming Commission - District 3 - Independent - horse racing experience:

J 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

March 7, 2025

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 Cherlyn Hunt from consideration for confirmation to the Rural Health Advisory Board. The appointee has resigned from her current position on the Board.

Please contact my office if you have any questions.

Sincerely,
(Signed) Jim Pillen
Governor

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems
Room 1510 12:00 PM

Monday, March 31, 2025

Presentation of Nebraska Investment Council Annual Reports to the
Nebraska Retirement Systems Committee pursuant to section 72-1243
Note: Invited Testifiers Only

(Signed) Beau Ballard, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Transportation and Telecommunications - LB398 and LB311
Meyer - LB382
Hughes - LB303
Sanders - LB649

MOTION(S) - Withdraw LB605

Senator Raybould offered [MO65](#), found on page 734, to withdraw LB605.

The Raybould motion to withdraw prevailed with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

BILL ON FINAL READING

The following bill was put upon final passage:

LEGISLATIVE BILL 241.

A BILL FOR AN ACT relating to data privacy; to define terms; and to provide exemption from liability for certain private entities 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, 36:

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

Voting in the negative, 11:

Cavanaugh, J.	DeBoer	Hunt	Rountree
Cavanaugh, M.*	Dungan	Juarez	Spivey
Conrad	Fredrickson	McKinney	

Excused and not voting, 2:

Dorn	Guereca
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* Senator was Present Not Voting at the time of the recorded vote (Rule 6, Sec. 9).

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB247 to Select File

Senator M. Cavanaugh moved to return LB247 to Select File for the following specific amendment:

[FA34](#)

Strike the enacting clause

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

Voting in the affirmative, 0.

Voting in the negative, 45:

Andersen	Clouse	Hardin	McKeon	Rountree
Arch	Conrad	Holdcroft	McKinney	Sanders
Armendariz	DeBoer	Hughes	Meyer	Sorrentino
Ballard	DeKay	Hunt	Moser	Spivey
Bosn	Dover	Jacobson	Murman	Storer
Bostar	Dungan	Juarez	Prokop	Storm
Brandt	Fredrickson	Kauth	Quick	Strommen
Cavanaugh, J.	Hallstrom	Lippincott	Raybould	von Gillern
Clements	Hansen	Lonowski	Riepe	Wordekemper

Present and not voting, 1:

M. Cavanaugh.

Excused and not voting, 3:

Dorn Guereca Ibach

The M. Cavanaugh motion to return failed with 0 ayes, 45 nays, 1 present and not voting, and 3 excused and not voting.

The M. Cavanaugh amendment, FA34, was not considered.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Sec. 8, the Legislature approved the dispensing of the reading at large of LB247 with 42 ayes, 1 nay, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 247. With Emergency Clause.

A BILL FOR AN ACT relating to the Department of Environment and Energy; to amend section 13-2042, Reissue Revised Statutes of Nebraska, and section 66-1519, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to fees and distribution of proceeds under the Integrated Solid Waste Management Act and uses of and transfers from the Petroleum Release Remedial Action Cash Fund; 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, 44:

Andersen	Clouse	Holdcroft	McKinney	Sanders
Arch	DeBoer	Hughes	Meyer	Sorrentino
Armendariz	DeKay	Hunt	Moser	Spivey
Ballard	Dover	Ibach	Murman	Storer
Bosn	Dungan	Jacobson	Prokop	Storm
Bostar	Fredrickson	Kauth	Quick	Strommen
Brandt	Hallstrom	Lippincott	Raybould	von Gillern
Cavanaugh, J.	Hansen	Lonowski	Riepe	Wordekemper
Clements	Hardin	McKeon	Rountree	

Voting in the negative, 3:

Cavanaugh, M. Conrad Juarez*

Excused and not voting, 2:

Dorn Guereca

*Senator was Present Not Voting at the time of the recorded vote (Rule 6, Sec. 9).

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 286.

A BILL FOR AN ACT relating to economic development; to amend sections 81-12,110 and 81-12,208, Reissue Revised Statutes of Nebraska; to provide an application deadline under the Nebraska Innovation Hub Act; to change an application deadline under the Nebraska Rural Projects 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, 47:

Andersen	Clouse	Holdcroft	McKinney	Sorrentino
Arch	Conrad	Hughes	Meyer	Spivey
Armendariz	DeBoer	Hunt	Moser	Storer
Ballard	DeKay	Ibach	Murman	Storm
Bosn	Dover	Jacobson	Prokop	Strommen
Bostar	Dungan	Juarez	Quick	von Gillern
Brandt	Fredrickson	Kauth	Raybould	Wordekemper
Cavanaugh, J.	Hallstrom	Lippincott	Riepe	
Cavanaugh, M.	Hansen	Lonowski	Rountree	
Clements	Hardin	McKeon	Sanders	

Voting in the negative, 0.

Excused and not voting, 2:

Dorn Guereca

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, Sec. 8, the Legislature approved the dispensing of the reading at large of LB289 with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 289.

A BILL FOR AN ACT relating to cities and villages; to amend sections 17-201, 17-202, and 19-911, Reissue Revised Statutes of Nebraska, and section 18-2709, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the incorporation of a village and the number, election, and term of members on a village board of trustees; to provide a procedure for changing the number of members on a village board of trustees; to allow certain city councils to constitute a board of adjustment; to redefine qualifying business under the Local Option Municipal Economic Development 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, 47:

Andersen	Clouse	Holdcroft	McKinney	Sorrentino
Arch	Conrad	Hughes	Meyer	Spivey
Armendariz	DeBoer	Hunt	Moser	Storer
Ballard	DeKay	Ibach	Murman	Storm
Bosn	Dover	Jacobson	Prokop	Strommen
Bostar	Dungan	Juarez	Quick	von Gillern
Brandt	Fredrickson	Kauth	Raybould	Wordekemper
Cavanaugh, J.	Hallstrom	Lippincott	Riepe	
Cavanaugh, M.	Hansen	Lonowski	Rountree	
Clements	Hardin	McKeon	Sanders	

Voting in the negative, 0.

Excused and not voting, 2:

Dorn Guereca

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB377 to Select File

Senator M. Cavanaugh moved to return LB377 to Select File for the following specific amendment:

[FA36](#)

Strike the enacting clause

The M. Cavanaugh motion to return failed with 0 ayes, 44 nays, 2 present and not voting, and 3 excused and not voting.

The M. Cavanaugh amendment, FA36, was not considered.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 377.

A BILL FOR AN ACT relating to the Game and Parks Commission; to amend section 37-101, Reissue Revised Statutes of Nebraska; to change provisions relating to term limits; 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, 40:

Andersen	Conrad	Hardin	Lippincott	Riepe
Arch	DeBoer	Holdcroft	Lonowski	Rountree
Armendariz	DeKay	Hughes	McKeon	Sanders
Ballard	Dorn	Hunt	McKinney	Sorrentino
Bosn	Dover	Ibach	Moser	Spivey
Bostar	Fredrickson	Jacobson	Prokop	Storm
Brandt	Hallstrom	Juarez	Quick	von Gillern
Clouse	Hansen	Kauth	Raybould	Wordekemper

Voting in the negative, 6:

Cavanaugh, M.*	Meyer	Storer
Clements	Murman	Strommen*

Excused and not voting, 3:

Cavanaugh, J.	Dungan	Guereca
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* Senator was Present Not Voting at the time of the recorded vote (Rule 6, Sec. 9).

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

MOTION(S) - Return LB396 to Select File

Senator M. Cavanaugh moved to return LB396 to Select File for the following specific amendment:

FA37

Strike the enacting clause

Senator M. Cavanaugh withdrew her motion to return to Select File.

The M. Cavanaugh amendment, FA37, was not considered.

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 396.

A BILL FOR AN ACT relating to political subdivisions; to amend sections 13-516 and 70-623, Reissue Revised Statutes of Nebraska; to change provisions relating to proposed budgets of certain districts and agencies and the filing of fiscal audits of certain districts; 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:

Andersen	Conrad	Holdcroft	McKinney	Sorrentino
Arch	DeBoer	Hughes	Meyer	Spivey
Armendariz	DeKay	Hunt	Moser	Storer
Ballard	Dorn	Ibach	Murman	Storm
Bosn	Dover	Jacobson	Prokop	Strommen
Bostar	Dungan	Juarez	Quick	von Gillern
Brandt	Fredrickson	Kauth	Raybould	Wordekemper
Cavanaugh, J.	Hallstrom	Lippincott	Riepe	
Clements	Hansen	Lonowski	Rountree	
Clouse	Hardin	McKeon	Sanders	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.*

Excused and not voting, 1:

Guereca

* Senator was Present Not Voting at the time of the recorded vote (Rule 6, Sec. 9).

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 593.

A BILL FOR AN ACT relating to fuels; to amend section 66-1226, Reissue Revised Statutes of Nebraska; to adopt updated standards relating to automotive spark-ignition engine fuel; 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:

Andersen	Conrad	Holdcroft	McKinney	Sorrentino
Arch	DeBoer	Hughes	Meyer	Spivey
Armendariz	DeKay	Hunt	Moser	Storer
Ballard	Dorn	Ibach	Murman	Storm
Bosn	Dover	Jacobson	Prokop	Strommen
Bostar	Dungan	Juarez	Quick	von Gillern
Brandt	Fredrickson	Kauth	Raybould	Wordekemper
Cavanaugh, J.	Hallstrom	Lippincott	Riepe	
Clements	Hansen	Lonowski	Rountree	
Clouse	Hardin	McKeon	Sanders	

Voting in the negative, 0.

Excused and not voting, 2:

Cavanaugh, M. Guereca

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

ANNOUNCEMENT(S)

Priority designation(s) received:

Riepe - LB556
 Lonowski - LB632
 Wordekemper - LB608
 Health and Human Services - LB332
 Revenue - LB 650 and LB647
 Urban Affairs - LB288
 DeBoer - LB235
 Government, Military and Veterans Affairs - LB521 and LB660
 Legislature's Planning Committee - LR27CA

ATTORNEY GENERAL'S OPINION

Attorney General's Opinion [25-001](#) is on file in the Clerk's Office and available digitally.

GENERAL FILE

LEGISLATIVE BILL 97. Title read. Considered.

Pending.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 241, 247e, 286, 289, 377, 396, and 593.

GENERAL FILE

LEGISLATIVE BILL 97. Committee [AM292](#), found on page 527, was offered.

Senator Dover offered the following amendment to the committee amendment:

[FA33](#)

In AM292 in Sec. 22, Page 23, Line 2 strike "four" and insert "eight" and on Line 3, strike "and twenty-five cents."

The Dover amendment, to the committee amendment, was adopted with 26 ayes, 0 nays, 22 present and not voting, and 1 excused and not voting.

Senator von Gillern offered the following amendment to the committee amendment:

[AM507](#)

(Amendments to Standing Committee amendments, AM292)

- 1 1. Strike section 20 and insert the following new section:
- 2 Sec. 20. Section 60-3,100, Revised Statutes Cumulative Supplement,
- 3 2024, is amended to read:
- 4 60-3,100 (1) The department shall issue to every person whose motor
- 5 vehicle or trailer is registered one or two fully reflectorized license
- 6 plates upon which shall be displayed (a) the registration number
- 7 consisting of letters and numerals assigned to such motor vehicle or
- 8 trailer in figures not less than two and one-half inches nor more than
- 9 three inches in height and (b) also the word Nebraska suitably lettered
- 10 so as to be attractive. The license plates shall be of a color designated
- 11 by the director. The color of the plates shall be changed each time the
- 12 license plates are changed. Each time the license plates are changed, the
- 13 director shall secure competitive bids for materials pursuant to the
- 14 State Procurement Act. Autocycle, motorcycle, minitruck, low-speed
- 15 vehicle, and trailer license plate letters and numerals may be one-half
- 16 the size of those required in this section.
- 17 (2)(a) This subsection applies on and before December 31, 2028.

18 ~~(b)(2)(a)~~ Except as otherwise provided in this subsection, two
19 license plates shall be issued for every motor vehicle.
20 ~~(c)(b)~~ One license plate shall be issued for (i) apportionable
21 vehicles, (ii) buses, (iii) dealers, (iv) minitrucks, (v) motorcycles,
22 other than autocycles, (vi) special interest motor vehicles that use the
23 special interest motor vehicle license plate authorized by and issued
24 under section 60-3,135.01, (vii) trailers, and (viii) truck-tractors.
25 ~~(d)(i)(e)(i)~~ One license plate shall be issued, upon request and
26 compliance with this subdivision, for any passenger car which is not
1 manufactured to be equipped with a bracket on the front of the vehicle to
2 display a license plate. A license decal shall be issued with the license
3 plate as provided in subdivision (ii) of this subdivision and shall be
4 displayed on the driver's side of the windshield. In order to request a
5 single license plate and license decal, there shall be an additional
6 annual nonrefundable registration fee of fifty dollars plus the cost of
7 the decal paid to the county treasurer at the time of registration. All
8 fees collected under this subdivision shall be remitted to the State
9 Treasurer for credit to the Highway Trust Fund.
10 (ii) The department shall design, procure, and furnish to the county
11 treasurers a license decal which shall be displayed as evidence that a
12 license plate has been obtained under this subdivision. Each county
13 treasurer shall furnish a license decal to the person obtaining the
14 plate.
15 ~~(e)(d)~~ When two license plates are issued, one shall be prominently
16 displayed at all times on the front and one on the rear of the registered
17 motor vehicle or trailer. When only one plate is issued, it shall be
18 prominently displayed on the rear of the registered motor vehicle or
19 trailer. When only one plate is issued for motor vehicles registered
20 pursuant to section 60-3,198 and truck-tractors, it shall be prominently
21 displayed on the front of the apportionable vehicle.
22 (3)(a) This subsection applies on and after January 1, 2029.
23 (b) One license plate shall be issued for every registered motor
24 vehicle or trailer.
25 (c) Except as otherwise provided in this subsection, the license
26 plate for a registered motor vehicle or trailer shall be prominently
27 displayed on the rear of the registered motor vehicle or trailer.
28 (d) When a license plate is issued for motor vehicles registered
29 pursuant to section 60-3,198 and truck-tractors, such license plate shall
30 be prominently displayed on the front of the apportionable vehicle or
31 truck-tractor.
1 (4)(a) The director shall designate an implementation date for this
2 subsection that is on or before January 1, 2029. Beginning on such
3 implementation date, the department may deliver any license plate or
4 registration certificate to the applicant or to the county treasurer of
5 the county in which the motor vehicle, trailer, or semitrailer is
6 registered by United States mail or through an alternative shipping
7 service. The delivery of such license plate or registration certificate
8 shall be made through a secure process.
9 (b) If delivery of any license plate or registration certificate is
10 made by the department to the applicant, the department may charge a
11 postage and handling fee in an amount not more than necessary to recover
12 the cost of postage and handling for the specific items mailed to the
13 applicant. The department shall remit the fee to the State Treasurer for
14 credit to the Department of Motor Vehicles Cash Fund.
15 (5) Any person who presents proof of registration shall be permitted
16 to operate the registered motor vehicle or tow the registered trailer for
17 a period of thirty days without a mailed license plate displayed.

The von Gillern amendment, to the committee amendment, was adopted with 30 ayes, 5 nays, 13 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 245. Title read. Considered.

Committee [AM501](#), found on page 709, was offered.

Senator M. Cavanaugh offered the following motion:

[MO72](#)

Bracket until March 19, 2025.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 13, 2025, at 11:14 a.m. were the following: LBs 241, 247e, 286, 289, 377, 396, and 593.

(Signed) Mataya Douty
Clerk of the Legislature's Office

ANNOUNCEMENT(S)

Priority designation(s) received:

Prokop - LR20CA
Banking, Commerce and Insurance - LB474

AMENDMENT(S) - Print in Journal

Senator Bosn filed the following amendment to [LB230](#):

[AM600](#)

(Amendments to AM381)

1 1. Strike section 16 and insert the following new sections:
2 Sec. 16. Section 28-416, Revised Statutes Cumulative Supplement,
3 2024, is amended to read:
4 28-416 (1) Except as authorized by the Uniform Controlled Substances
5 Act, it shall be unlawful for any person knowingly or intentionally: (a)
6 To manufacture, distribute, deliver, dispense, or possess with intent to
7 manufacture, distribute, deliver, or dispense a controlled substance; or
8 (b) to create, distribute, or possess with intent to distribute a
9 counterfeit controlled substance.
10 (2) Except as provided in subsections (4), (5), (7), (8), (9), and
11 (10) of this section, any person who violates subsection (1) of this
12 section with respect to: (a) A controlled substance classified in
13 Schedule I, II, or III of section 28-405 which is an exceptionally
14 hazardous drug shall be guilty of a Class II felony; (b) any other
15 controlled substance classified in Schedule I, II, or III of section

16 28-405 shall be guilty of a Class IIA felony; or (c) a controlled
17 substance classified in Schedule IV or V of section 28-405 shall be
18 guilty of a Class IIIA felony.

19 (3) A person knowingly or intentionally possessing a controlled
20 substance, except marijuana or any substance containing a quantifiable
21 amount of the substances, chemicals, or compounds described, defined, or
22 delineated in subdivision (c)(27) of Schedule I of section 28-405, unless
23 such substance was obtained directly or pursuant to a medical order
24 issued by a practitioner authorized to prescribe while acting in the
25 course of his or her professional practice, or except as otherwise
26 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
 8 possessed~~possessing~~ a firearm while in violation of subsection (1) of
 9 this 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, shall be punished by the next higher penalty
 13 classification than the penalty prescribed in subsection (2), (7), (8),
 14 (9), or (10) of this section, but in no event shall such person be
 15 punished by

16 (b) A penalty enhanced under this subsection shall in no event
 17 result in a penalty greater than a Class 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. 17. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,
 19 17, and 19 of this act become operative on July 1, 2025. The other
 20 sections of this act become operative three calendar months after the
 21 adjournment of this legislative session.
 22 Sec. 18. Original section 28-416, Revised Statutes Cumulative
 23 Supplement, 2024, is repealed.
 24 2. Renumber the remaining section.

MOTION(S) - Print in Journal

Senator M. Cavanaugh filed the following motions to LR25CA:

MO67

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

MO73

Recommit to the Executive Board.

MO74

Bracket until April 30, 2025.

Senator M. Cavanaugh filed the following motions to LB376:

MO68

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

[MO75](#)

Bracket until April 30, 2025.

Senator M. Cavanaugh filed the following motion to [LB299](#):

[MO69](#)

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

Senator M. Cavanaugh filed the following motions to [LB245](#):

[MO66](#)

Indefinitely postpone.

[MO71](#)

Recommit to the Agriculture Committee.

ANNOUNCEMENT

Senator von Gillern announced the Revenue Committee will hold an executive session Friday, March 14, 2025, at 10:30 a.m., in Room 2102.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator McKinney name added to LB215.

Senator Andersen name added to LB694.

WITHDRAW - Cointroducer(s)

Senator Ibach name withdrawn from LB299.

VISITOR(S)

Visitors to the Chamber were Nemaha County Leadership and Leadership Nebraska City; Reagan McIntosh, Syracuse; students from St. Thomas More, Omaha; Beatriz Polo Diz; Keith County Leadership; Sean, Kelsie, Ryan and Remi O'Neill, North Platte; students and teacher from Southwest High School, Bartley; Ambie Custard, Bartley; students from Peter Sarpy Elementary, Bellevue.

The Doctor of the Day was Dr. Matthew Halfar, Omaha.

ADJOURNMENT

At 11:59 a.m., on a motion by Senator J. Cavanaugh the Legislature adjourned until 9:00 a.m., Friday, March 14, 2025.

Brandon Metzler
Clerk of the Legislature

