

FORTY-SEVENTH DAY - MARCH 19, 2025**LEGISLATIVE JOURNAL****ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION****FORTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 19, 2025

PRAYER

The prayer was offered by Pastor LuRae Hallstrom, Chaplain at Grand Lodge in Lincoln, St. John's, Otoe, Syracuse.

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., Speaker Arch presiding.

The roll was called and all members were present except Senator Conrad who was excused; and Senators Bostar, Dungan, Hansen, and Hunt who were excused until they arrive.

SENATOR DEKAY PRESIDING**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-sixth day was approved.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 76. Introduced by McKeon, 41; Andersen, 49; DeKay, 40; Guereca, 7; Hallstrom, 1; Hughes, 24; Kauth, 31; Lippincott, 34; Lonowski, 33; Meyer, 17; Sanders, 45; Sorrentino, 39; Storm, 23; Strommen, 47.

WHEREAS, the 2025 Nebraska School Activities Association State Wrestling Tournament was held from February 20 through February 22 at the CHI Health Center Omaha; and

WHEREAS, the Central Valley High School boys wrestling team secured the runner-up Class D Wrestling State Championship title; and

WHEREAS, the Central Valley's Cougars worked hard and ended the championship with individual gold medalists Lincoln Nekoliczak at 120 pounds and Grady Kelly at 190 pounds, silver medalist William Pokorny at 157 pounds, and Dallas Wadsworth at 113 pounds claimed fifth place to secure the runner-up title for Central Valley; and

WHEREAS, Dalton Dugan at 106 pounds, Landon Shoemaker at 138 pounds, Luke Shoemaker at 150 pounds, and Jairo Lazos at 165 pounds all won in the first round individual skirmishes; and

WHEREAS, Central Valley entered the championship with eight wrestlers and each wrestler left with at least one win; 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 NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the members of Central Valley's wrestling team on earning the runner-up 2025 Class D State Wrestling Championship title.

2. That a copy of this resolution be sent to Central Valley High School.

Laid over.

LEGISLATIVE RESOLUTION 77. Introduced by McKeon, 41; Andersen, 49; DeKay, 40; Guereca, 7; Hallstrom, 1; Hughes, 24; Kauth, 31; Lippincott, 34; Lonowski, 33; Meyer, 17; Sanders, 45; Sorrentino, 39; Storm, 23; Strommen, 47.

WHEREAS, the 2025 Nebraska School Activities Association Class D-1 Girls State Basketball Championship was held on March 15, 2025, at Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the Elm Creek High School girls basketball team competed in the 2025 Class D-1 Girls State Basketball Championship; and

WHEREAS, the Elm Creek Buffaloes earned the runner-up title after a tough battle with the Pender Pendragons; and

WHEREAS, remaining true to the Buffaloes team motto "fearless pursuit", the team kept fighting and remained united until the end; 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 NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Elm Creek girls basketball team on earning the 2025 Class D-1 Runner-up Girls State Basketball Championship title.

2. That copies of this resolution be sent to the Elm Creek High School girls basketball team.

Laid over.

LEGISLATIVE RESOLUTION 78. Introduced by McKeon, 41; Andersen, 49; DeKay, 40; Guereca, 7; Hallstrom, 1; Hughes, 24; Kauth, 31; Lippincott, 34; Lonowski, 33; Meyer, 17; Sanders, 45; Sorrentino, 39; Storm, 23; Strommen, 47.

WHEREAS, Ravenna High School took the stage on December 12, 2024, as their twelfth state bid in as many years; and

WHEREAS, Ravenna secured the Class C-2 One-Act State Championship title; and

WHEREAS, in addition to winning the state championship title, Ravenna also earned second place in the technical theatre category; and

WHEREAS, Ravenna's cast also earned individual awards including the two available Outstanding Performer Awards to Maggie Huryta and Owen Standage; and

WHEREAS, the superior acting awards went to Maggie Huryta, Owen Standage, Abby Lewadowski, Matti Lyons, Wyton Fiddelike, and Noah Schroeder; 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 NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates the Ravenna High School one-act team on winning the Class C-2 One-Act State Championship title.

2. That a copy of this resolution be sent to Ravenna High School.

Laid over.

MOTION - Suspend Rules

Senator Ballard moved to suspend Rule 3, Sec. 14, to permit cancellation of the public hearing by the Nebraska Retirement Systems Committee to receive the Nebraska Public Employees Retirement Systems Experience Study and the Nebraska Public Employees Retirement Systems Annual Report

The Ballard motion to suspend the rules prevailed with 43 ayes, 0 nays, 1 present and not voting, and 5 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems
Room 1525 12:00 PM

Wednesday, March 19, 2025

Presentation of the Nebraska Public Employees Retirement System
Experience Study to the Retirement Committee pursuant to
section 84-1503(4)(a) (cancel)

Note: Invited Testimony Only

Presentation of the Nebraska Public Employees Retirement System
Annual Report to the Retirement Committee pursuant to section 84-
1503(3) (cancel)

Note: Invited Testimony Only

(Signed) Beau Ballard, Chairperson

GENERAL FILE

LEGISLATIVE BILL 376. Committee [AM411](#), found on page 640, and considered on pages 802 and 808, was renewed.

Senator M. Cavanaugh renewed [MO86](#), found on page 802, and considered on pages 802 and 808, to recommit to the Health and Human Services Committee.

SENATOR DEBOER PRESIDING

Speaker Arch requested to pass over LB376.

SELECT FILE

LEGISLATIVE BILL 168. Senator M. Cavanaugh offered [MO58](#), found on page 646, to bracket until May 1, 2025.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator M. Cavanaugh asked unanimous consent to withdraw [MO57](#), to recommit to the Banking, Commerce and Insurance Committee.

No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 9. Title read. Considered.

Committee [AM549](#), found on page 708, was offered.

Senator Raybould offered the following amendment to the committee amendment:

[AM646](#)

(Amendments to Standing Committee amendments, AM549)

- 1 1. On page 19, line 11, after "snuff" insert "and alternative
- 2 nicotine products".
- 3 2. On page 20, strike lines 2 through 5; in line 6 strike "(g)" and
- 4 reinstate the stricken "(f)"; and in line 12 strike "(h)" and reinstate
- 5 the stricken "(g)".

The Raybould amendment lost with 5 ayes, 24 nays, 17 present and not voting, and 3 excused and not voting.

The committee amendment 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 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 7. Placed on Final Reading.

LEGISLATIVE BILL 143. Placed on Final Reading.

LEGISLATIVE BILL 179. Placed on Final Reading with the attached statement.

[ST13](#)

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

1. On page 1, the matter beginning with "retirement" in line 1 through line 4 has been struck and "retirement; to amend sections 16-1005 and 16-1027, Reissue Revised Statutes of Nebraska; to change contribution rates for police officers employed by cities of the first class; to change provisions of the Cities of the First Class Firefighters Retirement Act relating to optional benefit forms for retiring firefighters; to eliminate obsolete provisions; to provide operative dates; and to repeal the original sections." inserted.

LEGISLATIVE BILL 195. Placed on Final Reading.

LEGISLATIVE BILL 294. Placed on Final Reading.

LEGISLATIVE BILL 312. Placed on Final Reading with the attached statement.

[ST12](#)

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

1. On page 1, the matter beginning with "to" in line 3 through "anesthetists" in line 5 has been struck and "to provide for student loans to certain students and loan repayments for nurse anesthetists and dietitian nutritionists under the Rural Health Systems and Professional Incentive Act" inserted.

LEGISLATIVE BILL 341. Placed on Final Reading.

LEGISLATIVE BILL 372. Placed on Final Reading.

LEGISLATIVE BILL 501. Placed on Final Reading.

LEGISLATIVE BILL 592. Placed on Final Reading.

LEGISLATIVE BILL 390. Placed on Select File.

LEGISLATIVE BILL 527A. Placed on Select File.

(Signed) Dunixi Guereca, Chairperson

Urban Affairs

LEGISLATIVE BILL 614. Placed on General File.

(Signed) Terrell McKinney, Chairperson

AMENDMENT(S) - Print in Journal

Senator Lonowski filed the following amendment to LB689:

AM734

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 79-930, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 79-930 (1)(a) A member who experiences a separation from service
 6 with the member's employer but has not submitted a retirement application
 7 or a request for distribution pursuant to section 79-955, or received a
 8 retirement benefit, disability retirement benefit, or distribution
 9 pursuant to section 79-955, from the retirement system, may return to
 10 work as a temporary employee, substitute employee, or volunteer for any
 11 employer participating in the retirement system. Such an employee:
 12 (i) Shall be deemed to have incurred a termination for purposes of
 13 sections 79-921, 79-932, 79-933.02 to 79-933.06, and 79-933.08;
 14 (ii) Shall not be deemed to have incurred a termination for purposes
 15 of sections 79-933, 79-951, and 79-955, and shall not be eligible to
 16 receive a retirement benefit, disability retirement benefit, or
 17 distribution pursuant to section 79-955, from the retirement system,
 18 until the member incurs a termination of employment as described in
 19 subdivision (45) of section 79-902; and
 20 (iii) Except as provided in subdivision (1)(b) of this section,
 21 shall not be eligible to contribute to the retirement system pursuant to
 22 section 79-958 or accrue service credit in the retirement system pursuant
 23 to section 79-927.
 24 (b)(i) A member as described in subdivision (1)(a) of this section
 25 who becomes a regular employee for an employer participating in the
 26 retirement system shall immediately begin making contributions pursuant
 27 to section 79-958 on all compensation paid by such employer and accrue
 1 service credit pursuant to section 79-927 for all such service performed
 2 for such employer, including any work as a temporary employee or
 3 substitute employee.
 4 (ii) A member as described in subdivision (1)(a) of this section who
 5 has not established eligibility as a regular employee at another employer
 6 shall not make contributions pursuant to section 79-958 on all
 7 compensation paid by such employer nor accrue service credit pursuant to
 8 section 79-927 for work performed by the member as a temporary employee
 9 or substitute employee for such employer.
 10 (c) Work performed while the member is not contributing to the
 11 retirement system pursuant to subdivision (1)(a) of this section shall

12 not accrue service credit in the retirement system pursuant to section
13 79-927 and cannot be purchased as service credit under sections 79-933.03
14 to 79-933.06 and 79-933.08.

15 (2)(a) A member who experiences a separation from service with the
16 member's employer and has submitted a retirement application or a request
17 for distribution pursuant to section 79-955, or received a retirement
18 benefit, disability retirement benefit, or distribution pursuant to
19 section 79-955, from the retirement system, shall not be deemed to have
20 incurred a termination of employment if the member subsequently returns
21 to work for any employer participating in the retirement system within
22 one hundred eighty days after separating from service, unless such work
23 is limited to:

24 (i) Intermittent work as a volunteer or substitute employee. For
25 purposes of this subsection:

26 (A) Intermittent work means work provided on a day-to-day basis not
27 to exceed forty days per semester that is not greater than eight days of
28 work during a calendar month; and

29 (B) Day of work means any length of work as a volunteer or
30 substitute employee provided during a single calendar day; or

31 (ii) Work as authorized by, and performed in accordance with,

1 section 79-920.

2 (b) The one-hundred-eighty-day period begins on the later of:

3 (i) The date the member experienced a bona fide separation from
4 service of all employment with all employers participating in the
5 retirement system; or

6 (ii) The date the Nebraska Public Employees Retirement Systems
7 receives the member's retirement application or request for distribution
8 pursuant to section 79-955.

9 (c)(i) A member may seek a determination from the director of the
10 Nebraska Public Employees Retirement Systems that it has been at least
11 one hundred eighty days since the member satisfied the requirements
12 described in this subsection. The director shall make such determination
13 if the member produces clear and convincing evidence that is received by
14 the director within forty-five days after the later of:

15 (A) The date the member experienced a bona fide separation of
16 service of all employment with all employers participating in the
17 retirement system; or

18 (B) The date the member's retirement application or request for
19 distribution pursuant to section 79-955 is received by the Nebraska
20 Public Employees Retirement Systems.

21 (ii) A member may appeal the director's determination to the board
22 within thirty days after receiving such determination.

23 (iii) The board's determination on the appeal shall be final and
24 shall not be appealable to any court.

25 Sec. 2. Section 79-992, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 79-992 (1) A member who has five years or more of creditable
28 service, excluding years of prior service acquired pursuant to section
29 79-990, 79-991, 79-994, 79-995, or 79-997, and who terminates his or her
30 employment may elect to leave his or her contributions in the retirement
31 system, in which event he or she shall receive a retirement allowance at
1 normal retirement age based on the annuity earned to the date of such
2 termination of employment. Such member may elect to receive a retirement
3 allowance at early retirement age if such member retires at an early
4 retirement date. Such annuity shall be adjusted in accordance with
5 section 79-9,100. Upon termination of employment, except on account of
6 retirement, a member shall be entitled to receive refunds as follows: (a)
7 An amount equal to the accumulated contributions to the retirement system
8 by the member; and (b) any contributions made to a previously existing
9 system which were refundable under the terms of that system. Any member

10 receiving a refund of contributions shall thereby forfeit and relinquish
11 all accrued rights in the retirement system including all accumulated
12 creditable service, except that if any member who has withdrawn his or
13 her contributions as provided in this section reenters the service of the
14 district and again becomes a member of the retirement system, he or she
15 may restore any or all money previously received by him or her as a
16 refund, including the interest on the amount of the restored refund for
17 the period of his or her absence from the district's service as
18 determined using the interest rate for interest on such restored refunds,
19 and he or she shall then again receive credit for that portion of service
20 which the restored money represents. Such restoration may be made as the
21 board may direct until September 1, 2024, and as the retirement board may
22 direct beginning September 1, 2024, through direct payments to the system
23 or on an installment basis pursuant to a binding irrevocable payroll
24 deduction authorized between the member and the school district over a
25 period of not to exceed five years from the date of reemployment.
26 Interest on delayed payments shall be at the rate of interest for
27 determining interest on delayed payments by members to the retirement
28 system. Creditable service may be purchased only in one-tenth-year
29 increments, starting with the most recent years' salary.

30 (2) Except as provided in section 79-992.01:

31 (a)(i) A retired member, or a member described in subdivision (2)(c)
1 or (d) of this subsection, who returns to employment as or again becomes
2 an employee of the school district shall again participate in the
3 retirement system as a new member and shall make contributions to the
4 retirement system commencing upon reemployment as an employee.

5 (ii) The retirement annuity of a retired member who returns to
6 employment with the school district shall continue to be paid by the
7 retirement system. A retired member who returns to employment as an
8 employee of the school district shall receive creditable service only for
9 service performed after his or her return to employment and in no event
10 shall creditable service which accrues or the compensation paid to the
11 member after such return to employment after retirement increase the
12 amount of the member's original retirement annuity;

13 (b) Upon termination of employment of the reemployed member, the
14 member shall receive in addition to the retirement annuity which
15 commenced at the time of the previous retirement (i) if the member has
16 accrued five years or more of creditable service after his or her return
17 to employment, excluding years of prior service acquired pursuant to
18 section 79-990, 79-991, 79-994, 79-995, or 79-997, a retirement annuity
19 as provided in section 79-999 or 79-9,100, as applicable, calculated
20 solely on the basis of creditable service and final average compensation
21 accrued and earned after the member's return to employment after his or
22 her original retirement, and as adjusted to reflect any payment in other
23 than the normal form or (ii) if the member has not accrued five years or
24 more of creditable service after his or her return to employment, a
25 refund equal to the member's accumulated contributions which were
26 credited to the member after the member's return to employment. In no
27 event shall the member's creditable service which accrued prior to a
28 previous retirement be considered as part of the member's creditable
29 service after his or her return to employment for any purpose of the
30 Class V School Employees Retirement Act;

31 (c) A member who experiences a separation from service but has not
1 submitted a retirement application or request for distribution pursuant
2 to this section or as described in subdivision (32) of section 79-978, or
3 received a retirement benefit, disability retirement benefit, or refund
4 may return to work as a temporary employee, substitute employee, or
5 volunteer. Such a temporary employee, substitute employee, or volunteer:
6 (i) Shall be deemed to have incurred a termination of employment for
7 purposes of section 79-991;

8 (ii) Shall not be deemed to have incurred a termination of
9 employment for purposes of this section or section 79-992.01, 79-9,105,
10 or 79-9,106, or for any other purposes under the Class V School Employees
11 Retirement Act, and shall not be eligible to receive a retirement
12 benefit, disability retirement benefit, or distribution pursuant to this
13 section, until the member incurs a termination of employment as described
14 in subdivision (42) of section 79-978; and
15 (iii) Except as provided in subdivision (2)(a)(i) of this section,
16 shall not be eligible to contribute to the retirement system pursuant to
17 section 79-9,113 or earn membership service credit in the retirement
18 system as described in subdivision (23) of section 79-978; and
19 (d)(i) A member who experiences a separation from service and has
20 submitted a retirement application or request for distribution pursuant
21 to this section or as described in subdivision (32) of section 79-978, or
22 received a retirement benefit, disability retirement benefit, or
23 distribution, shall not be deemed to have incurred a termination of
24 employment if the member subsequently returns to work for the district
25 within one hundred eighty days after separating from service, unless such
26 work is limited to:
27 (A) Bona fide unpaid voluntary service;
28 (B) Work performed as a substitute employee on an intermittent
29 basis; or
30 (C) Work as a temporary employee following a bona fide separation of
31 service of not less than thirty calendar days and which is provided to
1 accomplish a specific purpose or task for a limited period not to exceed
2 one year.
3 (ii) For purposes of subdivision (2)(d) of this section:
4 (A) Intermittent basis means work provided on a day-to-day basis not
5 to exceed forty days per semester that is not greater than eight days of
6 work during a calendar month; and
7 (B) Day of work means any length of work as a substitute employee
8 provided during a single calendar day.
9 (iii) The one-hundred-eighty-day period described in subdivision (2)
10 (d)(i) of this section begins on the later of:
11 (A) The date the member experienced a bona fide separation from
12 service of all employment as an employee with the school district; or
13 (B) The date the board receives the member's retirement application
14 or request for distribution as described in subdivision (32) of section
15 79-978.
16 (iv) A member may seek a determination from the administrator that
17 it has been at least one hundred eighty days since the member satisfied
18 the requirements described in this subdivision (2)(d). The administrator
19 shall make such determination if the member produces clear and convincing
20 evidence that is received by the administrator within forty-five days
21 after the later of:
22 (A) The date the member experienced a bona fide separation of
23 service of all employment as an employee with the district; or
24 (B) The date the board receives the member's retirement application
25 or request for distribution as described in subdivision (32) of section
26 79-978.
27 (v) A member may appeal the administrator's determination to the
28 board within thirty days after the determination by the administrator.
29 The board's determination on appeal shall be final and shall not be
30 appealable to any court.
31 (3) In the event a member is entitled to receive a refund of
1 contributions pursuant to subsection (1) or subdivision (2)(b)(ii) of
2 this section in an amount greater than one thousand dollars, if the
3 member does not elect to have the refund paid directly to himself or
4 herself or transferred to an eligible retirement plan designated by the
5 member as a direct rollover pursuant to section 79-998, then the refund

6 of contributions shall be paid in a direct rollover to an individual
 7 retirement plan as designated by the board until September 1, 2024, and
 8 as designated by the retirement board beginning September 1, 2024.
 9 Sec. 3. Original sections 79-930 and 79-992, Reissue Revised
 10 Statutes of Nebraska, are repealed.

MOTION(S) - Print in Journal

Senator DeBoer filed the following motions to LB322:

MO106

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

MO107

Bracket until June 9, 2025.

MO108

Recommit to the Judiciary Committee.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems

Room 1524 12:00 PM

Thursday, April 3, 2025

Presentation of the Nebraska Public Employees Retirement System
 Experience Study to the Retirement Committee pursuant to
 section 84-1503(4)(a) (reschedule)

Note: Invited Testimony Only

Presentation of the Nebraska Public Employees Retirement System
 Annual Report to the Retirement Committee pursuant to section 84-
 1503(3) (reschedule)

Note: Invited Testimony Only

(Signed) Beau Ballard, Chairperson

GENERAL FILE

LEGISLATIVE BILL 78. Title read. Considered.

Senator Guereca offered the following amendment:

AM737

1 1. Insert the following new section:

2 Sec. 5. Section 29-2260, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 29-2260 (1) Whenever a person is adjudicated to be as described in

5 subdivision (1), (2), (3)(b), or (4) of section 43-247, his or her

6 disposition shall be governed by the Nebraska Juvenile Code.

7 (2) Whenever a court considers sentence for an offender convicted of

8 either a misdemeanor or a felony for which mandatory or mandatory minimum

9 imprisonment is not specifically required, the court may withhold

10 sentence of imprisonment unless, having regard to the nature and

11 circumstances of the crime and the history, character, and condition of

12 the offender, the court finds that imprisonment of the offender is

13 necessary for protection of the public because:

- 14 (a) The risk is substantial that during the period of probation the
 15 offender will engage in additional criminal conduct;
 16 (b) The offender is in need of correctional treatment that can be
 17 provided most effectively by commitment to a correctional facility; or
 18 (c) A lesser sentence will depreciate the seriousness of the
 19 offender's crime or promote disrespect for law.
 20 (3) The following grounds, while not controlling the discretion of
 21 the court, shall be accorded weight in favor of withholding sentence of
 22 imprisonment:
 23 (a) The crime neither caused nor threatened serious harm;
 24 (b) The offender did not contemplate that his or her crime would
 25 cause or threaten serious harm;
 26 (c) The offender acted under strong provocation;
 27 (d) Substantial grounds were present tending to excuse or justify
 1 the crime, though failing to establish a defense;
 2 (e) The victim of the crime induced or facilitated commission of the
 3 crime;
 4 (f) The offender has compensated or will compensate the victim of
 5 his or her crime for the damage or injury the victim sustained;
 6 (g) The offender has no history of prior delinquency or criminal
 7 activity and has led a law-abiding life for a substantial period of time
 8 before the commission of the crime;
 9 (h) The crime was the result of circumstances unlikely to recur;
 10 (i) The character and attitudes of the offender indicate that he or
 11 she is unlikely to commit another crime;
 12 (j) The offender is likely to respond affirmatively to probationary
 13 treatment; ~~and~~
 14 (k) Imprisonment of the offender would entail excessive hardship to
 15 his or her dependents;:-
 16 (l) The offender has been abused physically, sexually, or
 17 psychologically by a family or household member as defined in section
 18 42-903, a sexual partner, or a person who used the offender for financial
 19 gain; or
 20 (m) The offender is a trafficking victim as defined in section
 21 28-830.
 22 (4) When an offender who has been convicted of a crime is not
 23 sentenced to imprisonment, the court may sentence him or her to
 24 probation.
 25 2. Renumber the remaining sections and correct the repealer
 26 accordingly.

The Guereca amendment was adopted with 33 ayes, 2 nays, 8 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

MOTION - Suspend Rules

Senator Hardin moved to suspend Rule 3, Sec. 14, to permit cancellation of Senator Hunt's legislative bills having public hearings on Wednesday, March 19, 2025, in Health and Human Services Committee and Judiciary Committee.

The Hardin motion to suspend the rules prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Wednesday, March 19, 2025
LB367 (cancel)

Room 1510 1:30 PM

Thursday, March 27, 2025
LB367 (reschedule)

(Signed) Brian Hardin, Chairperson

Judiciary
Room 1525 1:30 PM

Wednesday, March 19, 2025
LB273 (cancel)

(Signed) Carolyn Bosn, Chairperson

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 463. Placed on General File.

(Signed) Brian Hardin, Chairperson

General Affairs

LEGISLATIVE RESOLUTION 20CA. Placed on General File.

(Signed) Rick Holdcroft, Chairperson

Business and Labor

LEGISLATIVE BILL 320. Placed on General File with amendment.

AM687

1 1. On page 6, strike beginning with "task" in line 15 through
2 "establishments" in line 17 and insert "Attorney General, the Department
3 of Labor, and hotels and similar public lodging establishments may work
4 together"; in line 30 strike "National" and insert "Nebraska"; and in
5 line 31 strike "Resource Center".

6 2. On page 7, strike beginning with "within" in line 22 through
7 "establishment" in line 23; and in line 25 strike "National" and insert
8 "Nebraska" and strike "Resource Center".

LEGISLATIVE BILL 532. Placed on General File with amendment.
[AM692](#) is available in the Bill Room.

(Signed) Kathleen Kauth, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hardin filed the following amendment to [LB629](#):
[AM415](#) is available in the Bill Room.

Senator Strommen filed the following amendment to [LB415](#):
[AM722](#)

(Amendments to Standing Committee amendments, AM545)

1 1. Strike section 4 and insert the following new section:

2 Sec. 4. Section 8, Initiative Law 2024, No. 436, is amended to
 3 read:

4 Sec. 8. (1) The Commissioner of Labor shall issue a citation to an
 5 employer when an investigation reveals that the employer may have
 6 violated the Nebraska Healthy Families and Workplaces Act.

7 (2) When a citation is issued, the commissioner shall notify the
 8 employer of the proposed administrative penalty, if any, by certified
 9 mail, by any other manner of delivery by which the United States Postal
 10 Service can verify delivery, or by any method of service recognized under
 11 Chapter 25, article 5. The administrative penalty shall not be more than
 12 five hundred dollars in the case of a first violation and not more than
 13 five thousand dollars in the case of a second or subsequent violation.

14 (3) The employer has fifteen working days after the date of the
 15 citation or penalty to contest such citation or penalty. Notice of
 16 contest shall be sent to the commissioner who shall provide a hearing in
 17 accordance with the Administrative Procedure Act.

18 (4) Any employer who has an unpaid citation for a violation of the
 19 Nebraska Healthy Families and Workplaces Act shall be barred from
 20 contracting with the state or any political subdivision until such
 21 citation is paid. If a citation has been contested as described in
 22 subsection (3) of this section, it shall not be considered an unpaid
 23 citation under this subsection until after such contest has been
 24 resolved.

25 (5) Citations issued under this section and the names of employers
 26 who have been issued a citation shall be made available to the public
 1 upon request, except that this subsection shall not apply to any
 2 citations that are being contested as described in subsection (3) of this
 3 section.

4 (6) An employee having a claim for a violation of the Nebraska
 5 Healthy Families and Workplaces Act may institute suit for legal and
 6 equitable relief in the ~~district proper court in the county where the~~
 7 employer's principal place of business is located. In any action brought
 8 to enforce the Nebraska Healthy Families and Workplaces Act, the court
 9 shall have jurisdiction to grant such legal or equitable relief as the
 10 court deems appropriate to effectuate the purposes of the act. If an
 11 employee establishes a claim and secures judgment on the claim, such
 12 employee shall also be entitled to recover the full amount of the
 13 judgment ~~and all costs of such suit, including reasonable attorney's~~
 14 ~~fees~~.

15 (7) If an employee institutes suit against an employer under
 16 subsection (6) of this section, any citation that is issued against an
 17 employer under subsection (1) of this section and that relates directly
 18 to the facts in dispute shall be admitted into evidence unless

19 specifically excluded by the court. If a citation has been contested as
 20 described in subsection (3) of this section, it shall not be admitted
 21 into evidence under this subsection until such contest has been resolved.
 22 (8) A civil action brought under this section shall be commenced no
 23 later than ~~one~~^{four} calendar ~~year~~^{years} after the cause of action accrues.

Senator Raybould filed the following amendment to LB415:

FA53

In AM545, change the start date on page 4 from "October 1, 2025" to "January 1, 2026" and on page 4 strike "(4)" lines 13 through 16 and renumber the remaining sections accordingly.

Senator Strommen filed the following amendment to LB415:

AM743

(Amendments to Standing Committee amendments, AM545)

1 1. Strike section 4 and insert the following new section:
 2 Sec. 4. Section 8, Initiative Law 2024, No. 436, is amended to
 3 read:
 4 Sec. 8. (1) The Commissioner of Labor shall issue a citation to an
 5 employer when an investigation reveals that the employer may have
 6 violated the Nebraska Healthy Families and Workplaces Act.
 7 (2) When a citation is issued, the commissioner shall notify the
 8 employer of the proposed administrative penalty, if any, by certified
 9 mail, by any other manner of delivery by which the United States Postal
 10 Service can verify delivery, or by any method of service recognized under
 11 Chapter 25, article 5. The administrative penalty shall not be more than
 12 five hundred dollars in the case of a first violation and not more than
 13 five thousand dollars in the case of a second or subsequent violation.
 14 (3) The employer has fifteen working days after the date of the
 15 citation or penalty to contest such citation or penalty. Notice of
 16 contest shall be sent to the commissioner who shall provide a hearing in
 17 accordance with the Administrative Procedure Act.
 18 (4) Any employer who has an unpaid citation for a violation of the
 19 Nebraska Healthy Families and Workplaces Act shall be barred from
 20 contracting with the state or any political subdivision until such
 21 citation is paid. If a citation has been contested as described in
 22 subsection (3) of this section, it shall not be considered an unpaid
 23 citation under this subsection until after such contest has been
 24 resolved.
 25 (5) Citations issued under this section and the names of employers
 26 who have been issued a citation shall be made available to the public
 1 upon request, except that this subsection shall not apply to any
 2 citations that are being contested as described in subsection (3) of this
 3 section.
 4 (6) An employee having a claim for a violation of the Nebraska
 5 Healthy Families and Workplaces Act may institute suit for legal and
 6 equitable relief in the ~~district~~^{proper} court in the county where the
 7 employer's principal place of business is located. In any action brought
 8 to enforce the Nebraska Healthy Families and Workplaces Act, the court
 9 shall have jurisdiction to grant such legal or equitable relief as the
 10 court deems appropriate to effectuate the purposes of the act. If an
 11 employee establishes a claim and secures judgment on the claim, such
 12 employee shall also be entitled to recover the full amount of the
 13 judgment ~~and all costs of such suit, including reasonable attorney's~~
 14 ~~fees~~.
 15 (7) If an employee institutes suit against an employer under
 16 subsection (6) of this section, any citation that is issued against an
 17 employer under subsection (1) of this section and that relates directly
 18 to the facts in dispute shall be admitted into evidence unless
 19 specifically excluded by the court. If a citation has been contested as

20 described in subsection (3) of this section, it shall not be admitted
 21 into evidence under this subsection until such contest has been resolved.
 22 (8) A civil action brought under this section shall be commenced no
 23 later than ~~onefour~~ calendar ~~year~~years after the cause of action accrues.

Senator Hughes filed the following amendment to LB176:

AM716

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 86-1504, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 86-1504 When determining a deployment project area, the granting
 6 agency shall collaborate with the Nebraska Broadband Office and the
 7 commission to ensure compliance with the Rural Communications
 8 Sustainability Act. For all broadband deployment programs not funded by
 9 the federal Infrastructure Investment and Jobs Act, granting agencies
 10 shall require grant applicants to provide a resolution of project
 11 acknowledgment adopted by the city or village in which the proposed
 12 deployment project area will be located or, if such area will not be
 13 located in a city or village, the county in which such area will be
 14 located. When requesting a resolution of project acknowledgment, the
 15 grant applicant shall provide at least the following information to the
 16 relevant city, village, or county:
 17 (1) A map of the proposed deployment project area;
 18 (2) Acknowledgment that the grant applicant will be applying for
 19 appropriate permits; and
 20 (3) A proposed timeline for the proposed project.
 21 Sec. 2. Original section 86-1504, Reissue Revised Statutes of
 22 Nebraska, is repealed.

ANNOUNCEMENT

Senator Kauth announced the Business and Labor Committee will hold an executive session Thursday, March 20, 2025, at 12:00 p.m., in Room 2022.

VISITOR(S)

Visitors to the Chamber were Congressman Adrian Smith and Josh Jackson.

ADJOURNMENT

At 11:45 a.m., on a motion by Senator Andersen, the Legislature adjourned until 9:00 a.m., Thursday, March 20, 2025.

Brandon Metzler
 Clerk of the Legislature

