

**FIFTY-SIXTH DAY - APRIL 5, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION****FIFTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, April 5, 2024

**PRAYER**

The prayer was offered by Pastor Tom Starkjohn, Louisville Evangelical Free Church, Louisville.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Albrecht.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Kelly presiding.

The roll was called and all members were present except Senators Bostelman, Conrad, Day, DeBoer, Dover, Hansen, Hunt, McKinney, Raybould, Slama, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-fifth day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Holdcroft filed the following amendment to [LB253](#):  
[AM3366](#)

(Amendments to Standing Committee amendments, AM2978)

- 1 1. Insert the following new sections:
- 2 Sec. 8. Section 28-394, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 28-394 (1) A person who causes the death of an unborn child
- 5 unintentionally while engaged in the operation of a motor vehicle in
- 6 violation of the law of the State of Nebraska or in violation of any city
- 7 or village ordinance commits motor vehicle homicide of an unborn child.
- 8 (2) Except as provided in subsection (3) of this section, motor
- 9 vehicle homicide of an unborn child is a Class I misdemeanor.
- 10 (3)(a) If the proximate cause of the death of an unborn child is the

11 operation of a motor vehicle in violation of section 60-6,213 or  
 12 60-6,214, motor vehicle homicide of an unborn child is a Class IIIA  
 13 felony.

14 (b) Except as provided in subdivision (3)(c) of this section, if the  
 15 proximate cause of the death of an unborn child is the operation of a  
 16 motor vehicle in violation of section 60-6,196 or 60-6,197.06, motor  
 17 vehicle homicide of an unborn child is a Class IIA ~~IIIA~~ felony and the  
 18 court shall, as part of the judgment of conviction, order the person not  
 19 to drive any motor vehicle for any purpose for a period of at least sixty  
 20 days and not more than fifteen years after the date ordered by the court  
 21 and shall order that the operator's license of such person be revoked for  
 22 the same period. The revocation shall not run concurrently with any jail  
 23 term imposed.

24 (c) If the proximate cause of the death of an unborn child is the  
 25 operation of a motor vehicle in violation of section 60-6,196 or  
 26 60-6,197.06 and the defendant has a prior conviction for a violation of  
 1 section 60-6,196 or a city or village ordinance enacted in conformance  
 2 with section 60-6,196, motor vehicle homicide of an unborn child is a  
 3 Class II ~~IIIA~~ HA felony and the court shall, as part of the judgment of  
 4 conviction, order the person not to drive any motor vehicle for any  
 5 purpose for a period of at least sixty days and not more than fifteen  
 6 years after the date ordered by the court and shall order that the  
 7 operator's license of such person be revoked for the same period. The  
 8 revocation shall not run concurrently with any jail term imposed.

9 (4) The crime punishable under this section shall be treated as a  
 10 separate and distinct offense from any other offense arising out of acts  
 11 alleged to have been committed while the person was in violation of this  
 12 section.

13 Sec. 10. Original section 28-394, Reissue Revised Statutes of  
 14 Nebraska, is repealed.

15 2. Renumber the remaining section and correct the operative date  
 16 section so that the sections added by this amendment become operative  
 17 three calendar months after the adjournment of this legislative session.

#### REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LR303	Education
LR314	Revenue
LR319	Education
LR320	Education
LR321	Education
LR324	Revenue
LR325	Judiciary
LR332	Judiciary
LR333	Education
LR334	Executive Board
LR336	Appropriations
LR337	Health and Human Services
LR338	Health and Human Services
LR339	Judiciary
LR340	Judiciary
LR341	Education

LR342 Judiciary  
LR344 General Affairs  
LR345 General Affairs  
LR346 Judiciary  
LR347 Judiciary  
LR348 Judiciary  
LR349 Revenue  
LR351 Judiciary  
LR352 Natural Resources  
LR353 General Affairs  
LR354 Business and Labor  
LR355 Government, Military and Veterans Affairs  
LR356 Executive Board  
LR357 Government, Military and Veterans Affairs  
LR358 Banking, Commerce and Insurance  
LR359 Urban Affairs  
LR360 Urban Affairs  
LR361 Appropriations  
LR362 Government, Military and Veterans Affairs  
LR363 Government, Military and Veterans Affairs  
LR364 Government, Military and Veterans Affairs  
LR365 Education  
LR366 Health and Human Services  
LR367 Revenue  
LR368 Education  
LR369 Government, Military and Veterans Affairs  
LR370 Banking, Commerce and Insurance  
LR371 Judiciary  
LR372 Health and Human Services  
LR373 Health and Human Services  
LR374 Agriculture  
LR375 Agriculture  
LR376 Transportation and Telecommunications  
LR377 Health and Human Services  
LR378 Education  
LR379 Banking, Commerce and Insurance  
LR380 Transportation and Telecommunications  
LR381 Judiciary  
LR382 Education  
LR383 Education  
LR384 Revenue  
LR385 Education  
LR386 Health and Human Services  
LR387 Health and Human Services  
LR388 Appropriations  
LR389 Appropriations  
LR390 Judiciary  
LR391 Executive Board  
LR392 Health and Human Services

LR393 Executive Board  
LR394 Government, Military and Veterans Affairs  
LR395 Transportation and Telecommunications  
LR396 Health and Human Services  
LR397 Health and Human Services  
LR398 Agriculture  
LR399 Agriculture  
LR400 Agriculture  
LR401 Judiciary  
LR402 Transportation and Telecommunications  
LR403 Transportation and Telecommunications  
LR404 Health and Human Services  
LR405 Health and Human Services  
LR406 Government, Military and Veterans Affairs  
LR407 Nebraska Retirement Systems  
LR409 Nebraska Retirement Systems  
LR410 Appropriations  
LR411 Revenue  
LR412 Government, Military and Veterans Affairs  
LR413 Judiciary  
LR414 Revenue  
LR415 Health and Human Services  
LR416 Appropriations  
LR417 Transportation and Telecommunications  
LR418 Revenue  
LR419 Education  
LR420 Appropriations  
LR421 Health and Human Services  
LR422 Health and Human Services  
LR423 Health and Human Services  
LR424 Revenue  
LR425 Education  
LR426 Government, Military and Veterans Affairs  
LR427 Health and Human Services  
LR428 Health and Human Services  
LR429 Health and Human Services  
LR430 Banking, Commerce and Insurance  
LR431 Banking, Commerce and Insurance  
LR432 Banking, Commerce and Insurance  
LR433 Health and Human Services  
LR434 Government, Military and Veterans Affairs  
LR435 Revenue  
LR436 Government, Military and Veterans Affairs  
LR437 Urban Affairs  
LR438 Urban Affairs  
LR439 Education  
LR440 Education  
LR441 Urban Affairs  
LR442 Health and Human Services

LR443 Health and Human Services  
LR444 Business and Labor  
LR469 Natural Resources

(Signed) Raymond Aguilar, Chairperson  
Executive Board

### REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of April 4, 2024, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Brandon Metzler  
Clerk of the Legislature

Hines, James  
Meta Platforms, Inc.  
Kelley Plucker, LLC  
NetChoice  
Klute, Anne M. N.  
Associated Builders and Contractors, Inc. (Withdrawn 04/03/2024)  
Koenen, Kristopher  
Americans for Prosperity  
Mallory, Jesse  
Americans for Prosperity  
Radcliffe, Walter H. of Radcliffe Gilbertson & Brady  
Civic Nebraska  
Sachs, Daniel  
Meta Platforms, Inc.

### REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

### BILLS ON FINAL READING

The following bills were read and put upon final passage:

#### LEGISLATIVE BILL 130.

A BILL FOR AN ACT relating to nursing facilities; to amend sections 68-949 and 68-1917, Reissue Revised Statutes of Nebraska; to state intent regarding medicaid nursing facility rates; to provide for reports; to change the amount of quality assurance assessments; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Cavanaugh, J.	Erdman	Kauth	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	Lowe	Walz
Blood	Day	Hardin	McDonnell	Wayne
Bosn	DeBoer	Holdcroft	McKinney	Wishart
Bostar	DeKay	Hughes	Meyer	
Bostelman	Dorn	Hunt	Moser	
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 2:

Raybould Slama

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

#### **LEGISLATIVE BILL 130A.**

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 130, One Hundred Eighth Legislature, Second Session, 2024.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Cavanaugh, J.	Erdman	Kauth	Sanders
Arch	Cavanaugh, M.	Fredrickson	Linehan	Vargas
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Conrad	Hansen	Lowe	Walz
Blood	Day	Hardin	McDonnell	Wayne
Bosn	DeBoer	Holdercroft	McKinney	Wishart
Bostar	DeKay	Hughes	Meyer	
Bostelman	Dorn	Hunt	Moser	
Brandt	Dover	Ibach	Murman	

Voting in the negative, 0.

Excused and not voting, 2:

Raybould Slama

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

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 130 and 130A.

**MOTION(S) - Return LB874 to Select File**

Senator Bostar moved to return LB874 to Select File for his specific amendment, [AM3385](#), found on page 1532.

The Bostar motion to return prevailed with 47 ayes, 0 nays, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 874.** The Bostar specific amendment, [AM3385](#), found on page 1532, was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

Readvanced to Enrollment and Review for Engrossment.

**MOTION(S) - Return LB52A to Select File**

Senator Lippincott moved to return LB52A to Select File for his specific amendment, [AM3048](#), found on page 1114.

The Lippincott motion to return prevailed with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 52A.** The Lippincott specific amendment, [AM3048](#), found on page 1114, was adopted with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB1344 to Select File**

Senator McKinney moved to return LB1344 to Select File for his specific amendment, [AM3301](#), found on page 1505.

The McKinney motion to return prevailed with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 1344.** The McKinney specific amendment, [AM3301](#), found on page 1505, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB358 to Select File**

Senator Walz moved to return LB358 to Select File for the following specific amendment:

[AM3387](#)

(Amendments to Final Reading copy)

1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. Section 68-901, Revised Statutes Supplement, 2023, is  
 4 amended to read:  
 5 68-901 Sections 68-901 to 68-9,104 and section 2 of this act shall  
 6 be known and may be cited as the Medical Assistance Act.  
 7 Sec. 2. It is the intent of the Legislature to increase  
 8 reimbursement rates by twelve and one-half percent for fiscal year  
 9 2024-25 for dental services provided under the Medical Assistance Act.  
 10 Sec. 3. Original section 68-901, Revised Statutes Supplement, 2023,  
 11 is repealed.  
 12 Sec. 4. Since an emergency exists, this act takes effect when  
 13 passed and approved according to law.  
 14 2. On page 1, strike beginning with "and" in line 3 through line 4  
 15 and insert "to harmonize provisions; to repeal the original section; and  
 16 to declare an emergency."

The Walz motion to return prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 358.** The Walz specific amendment, [AM3387](#), found in this day's Journal, was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**MOTION(S) - Return LB358A to Select File**

Senator Walz moved to return LB358A to Select File for her specific amendment, [AM3377](#), found on page 1532.

The Walz motion to return prevailed with 44 ayes, 0 nays, 2 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 358A.** The Walz specific amendment, [AM3377](#), found on page 1532, was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

**ANNOUNCEMENT**

Speaker Arch requested LB1344A be passed over on Select File.

**GENERAL FILE**

**LEGISLATIVE BILL 62A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

**SELECT FILE**

**LEGISLATIVE BILL 904.** [ER87](#), found on page 1023, was offered.

ER87 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 904A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 62.** [ER90](#), found on page 1071, was offered.

ER90 was adopted.

Senator M. Cavanaugh asked unanimous consent to withdraw the following motions:

[MO1242](#), found on page 974, to bracket.

[MO1243](#), found on page 974, to recommit to committee.

No objections. So ordered.

Senator Hunt withdrew [AM2824](#), found on page 943.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 164.** [ER120](#), found on page 1399, was offered.

ER120 was adopted.

Senator McKinney offered [AM3323](#), found on page 1478.

The McKinney amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 164A.** Senator McKinney offered [AM3370](#), found on page 1530.

The McKinney amendment was adopted with 28 ayes, 0 nays, 17 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1074.** [ER99](#), found on page 1322, was offered.

ER99 was adopted.

Senator DeBoer offered the following amendment:

[AM3279](#)

(Amendments to E&R amendments, ER99)

1 1. On page 97, line 25, after "of" insert "an achieving a better  
2 life experience account established as provided in sections 77-1401 to  
3 77-1409 under a qualified ABL program as defined under section 529A of  
4 the Internal Revenue Code of 1986, as amended, and any regulations  
5 promulgated thereunder or".

The DeBoer amendment was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Senator Slama offered the following amendment:

[AM3253](#)

(Amendments to E&R amendments, ER99)

1 1. On page 28, line 16, strike "this" and after "subdivision" insert  
2 "(1) of this section".

The Slama amendment was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1074A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1073.** [ER121](#), found on page 1501, was offered.

ER121 was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1073A.** Senator Slama offered the following motion:

[MO1374](#)

Indefinitely postpone.

The Slama motion to indefinitely postpone prevailed with 37 ayes, 1 nay, 7 present and not voting, and 4 excused and not voting.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on April 5, 2024, at 9:36 a.m. were the following: LBs 130 and 130A.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

#### **GENERAL FILE**

**LEGISLATIVE BILL 575.** Senator Hunt offered [MO10](#), found on page 289, First Session, 2023, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Senator Kauth opened on her bill, LB575.

Senator Hunt opened on her motion, MO10.

Pending.

#### **AMENDMENT(S) - Print in Journal**

Senator Wayne filed the following amendment to [LB1344A](#):

[FA398](#)

Amend AM3352: Sec. 2, line 11, strike \$364,350 and replace with \$269,350; and in Sec. 2, line 17, strike \$141,120 and replace with \$70,560.

Senator McKinney filed the following amendment to [LB840](#):

[AM3351](#) is available in the Bill Room.

#### **COMMITTEE REPORT(S)**

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Matt Ahern - Health Information Technology Board

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 575.** Senator Hunt renewed [MO10](#), found on page 289, First Session, 2023, and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6 Sec. 3(f).

Senator Kauth offered the following motion:

[MO1375](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Kauth moved for a call of the house. The motion prevailed with 28 ayes, 3 nays, and 18 not voting.

Senator Kauth requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 31:

Aguilar	Brewer	Hansen	Linehan	Sanders
Albrecht	Clements	Hardin	Lippincott	Slama
Arch	DeKay	Holdcroft	Lowe	von Gillern
Armendariz	Dorn	Hughes	McDonnell	
Ballard	Dover	Ibach	Meyer	
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 15:

Blood	Cavanaugh, M.	DeBoer	Hunt	Walz
Bostar	Conrad	Dungan	McKinney	Wayne
Cavanaugh, J.	Day	Fredrickson	Vargas	Wishart

Present and not voting, 2:

Brandt      Riepe

Excused and not voting, 1:

Raybould

The Kauth motion to invoke cloture failed with 31 ayes, 15 nays, 2 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 399.** Placed on Select File with amendment.  
[ER130](#) is available in the Bill Room.

**LEGISLATIVE BILL 685A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 856.** Placed on Final Reading.  
[ST64](#)

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

1. In lieu of the Fredrickson amendment, FA354, in the Fredrickson amendment, AM3218, on page 3, after line 8 the following new subdivision has been inserted: "(iv) Subdivisions (2)(b)(ii) and (2)(b)(iii) of this section shall become operative on July 1, 2025. The department shall promulgate rules and regulations consistent with these subdivisions.".

**LEGISLATIVE BILL 876.** Placed on Final Reading.  
[ST62](#)

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

1. On page 1, the matter beginning with "infants" in line 1 through line 4 has been struck and "infants; to amend section 29-121, Reissue Revised Statutes of Nebraska; to adopt the Newborn Safe Haven Act; to change provisions relating to the act of leaving a child as prescribed; and to repeal the original section." inserted.

**LEGISLATIVE BILL 876A.** Placed on Final Reading.

**LEGISLATIVE BILL 1051.** Placed on Final Reading.

**LEGISLATIVE BILL 1393.** Placed on Final Reading.  
[ST66](#)

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

1. On page 1, the matter beginning with "the" in line 1 through line 7 and all amendments thereto have been struck and "labor; to amend sections 48-3602, 48-3603, 48-3604, and 48-3606, Revised Statutes Cumulative Supplement, 2022, and section 48-649.03, Revised Statutes Supplement, 2023; to change provisions relating to the combined tax rate under the Employment Security Law; to change provisions relating to the Nebraska Student-Athlete Name, Image, or Likeness Rights Act; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

2. On page 8, the matter beginning with "48-3606" in line 6 through "48-3608" in line 7 has been struck and "and 48-3606" inserted.

(Signed) Beau Ballard, Chairperson

Health and Human Services

The Health and Human Services Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Brett Lindau - State Board of Health  
Connie Lynn Petersen - State Board of Health  
Jeffrey, Jr. Wienke - State Board of Health

Aye: 7. Ballard, Cavanaugh, M., Day, Hansen, Hardin, Riepe, Walz. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Ben Hansen, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator McDonnell filed the following amendment to LB196A:  
AM3371

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. There is hereby appropriated (1) \$2,770,810 from the  
4 General Fund, \$62,809 from the Nebraska State Patrol Cash Fund, and  
5 \$81,097 from federal funds for FY2024-25 and (2) \$2,770,810 from the  
6 General Fund, \$62,809 from the Nebraska State Patrol Cash Fund, and  
7 \$142,720 from federal funds for FY2025-26 to the Nebraska State Patrol,  
8 for Program 100, to aid in carrying out the provisions of Legislative  
9 Bill 196, One Hundred Eighth Legislature, Second Session, 2024.  
10 No expenditures for permanent and temporary salaries and per diems  
11 for state employees shall be made from funds appropriated in this  
12 section.  
13 Sec. 2. There is hereby appropriated (1) \$608,970 from the Carrier  
14 Enforcement Cash Fund and \$36,369 from federal funds for FY2024-25 and  
15 (2) \$608,970 from the Carrier Enforcement Cash Fund and \$36,369 from  
16 federal funds for FY2025-26 to the Nebraska State Patrol, for Program  
17 205, to aid in carrying out the provisions of Legislative Bill 196, One  
18 Hundred Eighth Legislature, Second Session, 2024.  
19 No expenditures for permanent and temporary salaries and per diems  
20 for state employees shall be made from funds appropriated in this  
21 section.  
22 Sec. 3. There is hereby appropriated (1) \$11,427 from the Capitol  
23 Security Revolving Fund for FY2024-25 and (2) \$11,427 from the Capitol  
24 Security Revolving Fund for FY2025-26 to the Nebraska State Patrol, for  
25 Program 630, to aid in carrying out the provisions of Legislative Bill  
26 196, One Hundred Eighth Legislature, Second Session, 2024.  
27 No expenditures for permanent and temporary salaries and per diems  
1 for state employees shall be made from funds appropriated in this  
2 section.  
3 Sec. 4. There is hereby appropriated (1) \$31,335 from the Workers'  
4 Compensation Claims Revolving Fund for FY2024-25 and (2) \$31,761 from the  
5 Workers' Compensation Claims Revolving Fund for FY2025-26 to the  
6 Department of Administrative Services, for Program 535, to aid in  
7 carrying out the provisions of Legislative Bill 196, One Hundred Eighth  
8 Legislature, Second Session, 2024.  
9 Total expenditures for permanent and temporary salaries and per  
10 diems from funds appropriated in this section shall not exceed \$14,940  
11 for FY2024-25 or \$15,687 for FY2025-26.  
12 Sec. 5. There is hereby appropriated (1) \$15,433 from the State  
13 Insurance Fund for FY2024-25 and (2) \$15,643 from the State Insurance  
14 Fund for FY2025-26 to the Department of Administrative Services, for  
15 Program 535, to aid in carrying out the provisions of Legislative Bill  
16 196, One Hundred Eighth Legislature, Second Session, 2024.  
17 Total expenditures for permanent and temporary salaries and per  
18 diems from funds appropriated in this section shall not exceed \$7,358 for  
19 FY2024-25 or \$7,726 for FY2025-26.  
20 Sec. 6. There is hereby appropriated (1) \$20,000 from the State  
21 Patrol Retirement Act Expense Fund for FY2024-25 and (2) \$-0- from the  
22 State Patrol Retirement Act Expense Fund for FY2025-26 to the Public

23 Employees Retirement Board, for Program 41, to aid in carrying out the  
24 provisions of Legislative Bill 196, One Hundred Eighth Legislature,  
25 Second Session, 2024.

26 No expenditures for permanent and temporary salaries and per diems  
27 for state employees shall be made from funds appropriated in this  
28 section.

29 Sec. 7. Since an emergency exists, this act takes effect when  
30 passed and approved according to law.

Senator Murman filed the following amendment to LB1329:  
AM3382 is available in the Bill Room.

Senator Wayne filed the following amendment to LB937:  
AM3287

(Amendments to E & R amendments, ER115)

1 1. Insert the following new sections:

2 Sec. 81. Section 77-4008, Revised Statutes Supplement, 2023, is  
3 amended to read:

4 77-4008 (1)(a) A tax is hereby imposed upon the first owner of  
5 tobacco products to be sold in this state.

6 (b) The tax on cigars, cheroots, and stogies shall be twenty percent  
7 of (i) the purchase price of the cigars, cheroots, or stogies paid by the  
8 first owner or (ii) the price at which a first owner who made,  
9 manufactured, or fabricated the cigars, cheroots, or stogies sells the  
10 items to others, except that the maximum tax imposed under this  
11 subdivision (b) shall be fifty cents for each cigar, cheroot, or stogie.

12 (c) ~~(b)~~ The tax on snuff shall be forty-four cents per ounce and a  
13 proportionate tax at the like rate on all fractional parts of an ounce.  
14 Such tax shall be computed based on the net weight as listed by the  
15 manufacturer.

16 (d) ~~(e)~~ The tax on an electronic nicotine delivery system containing  
17 three milliliters or less of consumable material shall be five cents per  
18 milliliter of consumable material and a proportionate tax at the like  
19 rate on all fractional parts of a milliliter.

20 (e) ~~(d)~~ The tax on an electronic nicotine delivery system containing  
21 more than three milliliters of consumable material shall be ten percent  
22 of (i) the purchase price of such electronic nicotine delivery system  
23 paid by the first owner or (ii) the price at which the first owner who  
24 made, manufactured, or fabricated the electronic nicotine delivery system  
25 sells the item to others.

26 (f) ~~(e)~~ For electronic nicotine delivery systems in the possession  
1 of retail dealers for which tax has not been paid, the tax under this  
2 subsection shall be imposed at the earliest time the retail dealer: (i)  
3 Brings or causes to be brought into the state any electronic nicotine  
4 delivery system for sale; (ii) makes, manufactures, or fabricates any  
5 electronic nicotine delivery system in this state for sale in this state;  
6 or (iii) sells any electronic nicotine delivery system to consumers  
7 within this state.

8 (g) ~~(f)~~ The tax on tobacco products other than cigars, cheroots,  
9 stogies, snuff, and electronic nicotine delivery systems shall be twenty  
10 percent of (i) the purchase price of such tobacco products paid by the  
11 first owner or (ii) the price at which a first owner who made,  
12 manufactured, or fabricated the tobacco product sells the items to  
13 others.

14 (h) ~~(g)~~ The tax on tobacco products shall be in addition to all  
15 other taxes.

16 (2) Whenever any person who is licensed under section 77-4009  
17 purchases tobacco products from another person licensed under section  
18 77-4009, the seller shall be liable for the payment of the tax.

19 (3) Amounts collected pursuant to this section shall be used and  
20 distributed pursuant to section 77-4025.  
21 Sec. 88. Original section 77-4008, Revised Statutes Supplement,  
22 2023, is repealed.  
23 2. Renumber the remaining sections, correct internal references, and  
24 correct the operative date section so that the sections added by this  
25 amendment become operative on July 1, 2025.

Senator Kauth filed the following amendment to [LB575](#):  
[AM3368](#)

(Amendments to Standing Committee amendments, AM2049)

1 1. On page 2, line 16, after the semicolon insert "and"; strike  
2 lines 17 through 21; and in line 22 strike "(d)" and insert "(e)".  
3 2. On page 3, line 30, strike "(i)" and strike beginning with "or"  
4 in line 30 through line 31 and insert an underscored period.  
5 3. On page 4, strike line 1.

Senator Hunt filed the following amendment to [LB575](#):  
[FA391](#)

Strike Section 1 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA392](#)

Strike Section 2 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA393](#)

Strike Section 3 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA394](#)

Strike Section 4 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA395](#)

Strike Section 5 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA396](#)

Strike Section 6 of AM2049.

Senator Hunt filed the following amendment to [LB575](#):  
[FA397](#)

Strike Section 7 of AM2049.

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Dover name added to LB130.

**VISITOR(S)**

Visitors to the Chamber were Eliza Starkjohn, Louisville; students and teachers from Shoemaker Elementary, Grand Island; students and teachers from Cedar Bluffs Public School; members and advisor of Fillmore Central FFA; students from Wheeler Elementary, Omaha; Sophira and Traci Sunde, Omaha; Michael Roscoe, Saint Edwards; students, teachers, and sponsor from Keya Paha County Schools, Springview; Corey Uldrich, Hartington; Robert Navarro, Atlanta; students from Perkins County Christian, Grant.

**ADJOURNMENT**

At 2:04 p.m., on a motion by Speaker Arch, the Legislature adjourned until 9:00 a.m., Tuesday, April 9, 2024.

Brandon Metzler  
Clerk of the Legislature

