

FOURTEENTH DAY - AUGUST 16, 2024**LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE
FIRST SPECIAL SESSION****FOURTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Friday, August 16, 2024

PRAYER

The prayer was offered by Senator Dover.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Kauth.

ROLL CALL

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

The roll was called and all members were present except Senators Hunt, Raybould, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirteenth day was approved.

SELECT FILE

LEGISLATIVE BILL 34. Senator Linehan renewed her motion, [MO133](#), found on page 126 and considered on page 173, to bracket until September 3, 2024.

Senator Kauth moved the previous question. The question is, "Shall the debate now close?"

Senator Kauth moved for a call of the house. The motion prevailed with 23 ayes, 7 nays, and 19 not voting.

Senator DeBoer requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 34:

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

Voting in the negative, 10:

Cavanaugh, J.	Conrad	DeBoer	Fredrickson	McKinney
Cavanaugh, M.	Day	Dungan	Hunt	Walz

Present and not voting, 2:

Bostar	Wishart
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Excused and not voting, 3:

Raybould	Vargas	Wayne
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The motion to cease debate prevailed with 34 ayes, 10 nays, 2 present and not voting, and 3 excused and not voting.

Senator M. Cavanaugh requested a roll call vote, in reverse order, on the Linehan motion to bracket.

Voting in the affirmative, 7:

Blood	Conrad	Hunt	Wayne
Cavanaugh, J.	Dungan	McKinney	

Voting in the negative, 36:

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

Present and not voting, 4:

Cavanaugh, M.	Day	DeBoer	Walz
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Excused and not voting, 2:

Raybould Vargas

The Linehan motion to bracket failed with 7 ayes, 36 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Hansen offered the following motion:

[MO162](#)

Reconsider the vote taken on MO133.

Senator Moser moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 7 nays, and 25 not voting.

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

Voting in the affirmative, 33:

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

Voting in the negative, 13:

Blood	Day	Fredrickson	Raybould	Wayne
Cavanaugh, J.	DeBoer	Hunt	Vargas	
Conrad	Dungan	McKinney	Walz	

Present and not voting, 3:

Bostar Cavanaugh, M. Wishart

The motion to cease to debate prevailed with 33 ayes, 13 nays, and 3 present and not voting.

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

Voting in the affirmative, 11:

Blood	Conrad	Hunt	Walz
Cavanaugh, J.	DeBoer	McKinney	Wayne
Cavanaugh, M.	Dungan	Raybould	

Voting in the negative, 37:

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

Present and not voting, 1:

Day

The Hansen motion to reconsider failed with 11 ayes, 37 nays, and 1 present and not voting.

The Chair declared the call raised.

The M. Cavanaugh motion, [MO140](#), found on page 127, was not considered.

Senator Linehan offered [MO134](#), found on page 126, to recommit to the Revenue Committee.

Senator Linehan moved the previous question. The question is, "Shall the debate now close?"

Senator Linehan moved for a call of the house. The motion prevailed with 19 ayes, 1 nay, and 29 not voting.

Senator M. Cavanaugh requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 33:

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

Voting in the negative, 11:

Blood	Day	Fredrickson	Raybould
Cavanaugh, J.	DeBoer	Hunt	Vargas
Conrad	Dungan	McKinney	

Present and not voting, 5:

Bostar	Cavanaugh, M.	Hansen	Walz	Wishart
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The motion to cease debate prevailed with 33 ayes, 11 nays, and 5 present and not voting.

Senator M. Cavanaugh requested a roll call vote on the Linehan motion to recommit to committee.

Voting in the affirmative, 7:

Cavanaugh, J.	Dungan	McKinney	Wayne
Conrad	Hunt	Raybould	

Voting in the negative, 36:

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

Present and not voting, 6:

Blood	Day	Fredrickson
Cavanaugh, M.	DeBoer	Hansen

The Linehan motion to recommit to committee failed with 7 ayes, 36 nays, and 6 present and not voting.

The Chair declared the call raised.

Senator Hansen offered the following motion:

[MO163](#)

Reconsider the vote taken on MO134.

Senator DeKay moved the previous question. The question is, "Shall the debate now close?"

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 17 ayes, 8 nays, and 24 not voting.

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

Voting in the affirmative, 34:

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

Voting in the negative, 9:

Blood	Conrad	Dungan	McKinney	Wayne
Cavanaugh, J.	Day	Hunt	Raybould	

Present and not voting, 6:

Bostar	DeBoer	Walz
Cavanaugh, M.	Hansen	Wishart

The motion to cease debate prevailed with 34 ayes, 9 nays, and 6 present and not voting.

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

Voting in the affirmative, 11:

Blood	Conrad	Fredrickson	Walz
Cavanaugh, J.	Day	McKinney	Wayne
Cavanaugh, M.	Dungan	Raybould	

Voting in the negative, 37:

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

Present and not voting, 1:

DeBoer

The Hansen motion to reconsider failed with 11 ayes, 37 nays, and 1 present and not voting.

The Chair declared the call raised.

The M. Cavanaugh motion, [MO141](#), found on page 127, to recommit to the Revenue Committee, was not considered.

Senator Linehan asked unanimous consent to withdraw [FA90](#), found on page 127, and substitute with amendment, [AM109](#), found on page 174.

Senator M. Cavanaugh objected.

Senator Linehan offered the following motion:

[MO187](#)

Withdraw and substitute FA109.

Senator Brandt moved the previous question. The question is, "Shall the debate now close?"

Senator Holdcroft moved for a call of the house. The motion prevailed with 12 ayes, 6 nays, and 31 not voting.

Senator DeBoer requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 38:

Aguilar	Brewer	Erdman	Kauth	Riepe
Albrecht	Clements	Halloran	Linehan	Sanders
Arch	Conrad	Hansen	Lippincott	Slama
Armendariz	Day	Hardin	Lowe	Vargas
Ballard	DeBoer	Holdercroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Meyer	Walz
Bostelman	Dorn	Ibach	Moser	
Brandt	Dover	Jacobson	Murman	

Voting in the negative, 6:

Blood	Hunt	Raybould
Cavanaugh, J.	McKinney	Wayne

Present and not voting, 5:

Bostar	Cavanaugh, M.	Dungan	Fredrickson	Wishart
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The motion to cease debate prevailed with 38 ayes, 6 nays, and 5 present and not voting.

The Linehan motion to withdraw and substitute prevailed with 41 ayes, 5 nays, and 3 present and not voting.

The Chair declared the call raised.

Senator Linehan offered [AM109](#), found on page 174.

Senator Linehan offered [AM124](#), found on page 174, to AM109.

Senator Slama raised a point of order on whether or not Senator Linehan's AM124 is germane to LB34 as the language came from General Affairs and was indefinitely postponed in committee.

The Chair ruled the Linehan amendment, AM124, is not germane.

Senator Linehan challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 34A. Placed on Select File.

(Signed) Beau Ballard, Chairperson

VISITOR(S)

Visitor to the Chamber was Mattie Miller, Arizona.

MOTION - Recess

Senator Fredrickson moved to recess until 1:00 p.m.

Senator Wayne requested a machine vote on the motion to recess.

The Fredrickson motion to recess prevailed with 23 ayes, 4 nays, 21 present and not voting, and 1 excused and not voting, and at 11:58 a.m., the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Kelly presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood, Conrad, Hughes, and Jacobson who were excused until they arrive.

SELECT FILE

LEGISLATIVE BILL 34. Senator Linehan renewed her motion to overrule the Chair, found in this day's Journal.

The Linehan motion to overrule the Chair failed with 15 ayes, 30 nays, 3 present and not voting, and 1 excused and not voting.

The Chair was sustained.

Senator Linehan renewed [AM109](#), found on page 174 and considered in this day's Journal.

Senator Linehan withdrew the following amendments:

- [FA91](#), found on page 127.
- [FA139](#), found on page 175.
- [FA140](#), found on page 175.
- [FA141](#), found on page 175.
- [FA142](#), found on page 175.
- [FA151](#), found on page 176.
- [FA152](#), found on page 176.
- [FA153](#), found on page 176.
- [FA154](#), found on page 175.
- [FA155](#), found on page 175.
- [FA156](#), found on page 175.
- [FA157](#), found on page 175.
- [FA158](#), found on page 175.
- [FA159](#), found on page 175.
- [FA160](#), found on page 175.
- [FA161](#), found on page 176.

Senator Wayne offered the following amendment to the Linehan amendment:

[FA164](#)

In AM109 strike Section 1.

Senator Wayne withdrew his amendment.

Senator Wayne offered the following amendment to the Linehan amendment:

[FA165](#)

In AM109 to LB34, on page 3, line 8, strike "zero" and insert "2.5 percent,".

Senator Brewer offered the following motion:

[MO189](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

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

Voting in the affirmative, 41:

Aguilar	Brandt	Erdman	Linehan	Slama
Albrecht	Brewer	Halloran	Lippincott	Vargas
Arch	Clements	Hansen	Lowe	von Gillern
Armendariz	Conrad	Hardin	McDonnell	Walz
Ballard	Day	Holdcroft	Meyer	Wishart
Blood	DeBoer	Hughes	Moser	
Bosn	DeKay	Ibach	Murman	
Bostar	Dorn	Jacobson	Riepe	
Bostelman	Dover	Kauth	Sanders	

Voting in the negative, 7:

Cavanaugh, J.	Dungan	McKinney	Wayne
Cavanaugh, M.	Hunt	Raybould	

Present and not voting, 1:

Fredrickson

The Brewer motion to invoke cloture prevailed with 41 ayes, 7 nays, and 1 present and not voting.

Senator Wayne requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 18:

Aguilar	Cavanaugh, J.	DeBoer	Hughes	Walz
Blood	Cavanaugh, M.	Dorn	Hunt	Wayne
Brandt	Conrad	Dungan	McKinney	
Brewer	Day	Fredrickson	Raybould	

Voting in the negative, 27:

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

Present and not voting, 4:

Arch	Bostar	Riepe	Wishart
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The Wayne amendment lost with 18 ayes, 27 nays, and 4 present and not voting.

The Linehan amendment was adopted with 37 ayes, 11 nays, and 1 present and not voting.

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

Advanced to Enrollment and Review for Engrossment with 39 ayes, 8 nays, and 2 present and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 34A. Senator Brewer withdrew [FA113](#), found on page 138.

Senator Brewer withdrew [FA114](#), found on page 138.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE RESOLUTION 2CA. Senator Brandt offered the following motion:

[MO181](#)

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

Senator Brandt opened on LR2CA.

Senator Brandt opened on his motion, MO181.

The Wayne motion, [MO155](#), found on page 142, to place on General File pursuant to Rule 9, Sec. 5, was not considered.

Senator Brandt moved for a call of the house. The motion prevailed with 24 ayes, 2 nays, and 23 not voting.

The Brandt motion to indefinitely postpone failed with 10 ayes, 34 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Considered.

Senator Brandt offered the following amendment:

[AM131](#)

1 1. On page 1, line 3, strike the first "the" and insert "a special
2 election to be held in conjunction with the statewide".

Senator Brandt moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 23 not voting.

Senator Brandt requested a roll call vote on his amendment.

Voting in the affirmative, 28:

Aguilar	Cavanaugh, M.	Erdman	Hughes	Meyer
Blood	Day	Fredrickson	Hunt	Moser
Bostar	DeBoer	Halloran	Kauth	Vargas
Brandt	Dorn	Hansen	Linehan	Wishart
Brewer	Dover	Hardin	McDonnell	
Cavanaugh, J.	Dungan	Holdcroft	McKinney	

Voting in the negative, 17:

Arch	Clements	Jacobson	Riepe	Walz
Armendariz	Conrad	Lippincott	Sanders	
Bosn	DeKay	Lowe	Slama	
Bostelman	Ibach	Murman	von Gillern	

Present and not voting, 3:

Albrecht	Ballard	Wayne
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Excused and not voting, 1:

Raybould

The Brandt amendment was adopted with 28 ayes, 17 nays, 3 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 32 ayes, 14 nays, 2 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 2. [ER2](#), found in this day's Journal, was offered.

ER2 was adopted.

Senator Conrad asked unanimous consent to withdraw her motion, [MO12](#), found on page 19, to bracket until January 7, 2025.

Senator Wayne objected.

Senator Conrad opened on [MO12](#), found on page 19.

The Conrad motion to bracket failed with 2 ayes, 38 nays, 7 present and not voting, and 2 excused and not voting.

The M. Cavanaugh motion, [MO20](#), found on page 26, to bracket until January 7, 2025, was not considered.

Senator Conrad asked unanimous consent to withdraw her motion, [MO26](#), found on page 36, to recommit to the Appropriations Committee.

No objections. So ordered.

The M. Cavanaugh motion, [MO24](#), found on page 36, to recommit to the Appropriations Committee, was not considered.

Senator Conrad withdrew her motion, [MO13](#), found on page 19, to indefinitely postpone.

The M. Cavanaugh motion, [MO21](#), found on page 26, to indefinitely postpone, was not considered.

Senator Clements withdrew [FA7](#), found on page 19.

Senator Clements withdrew [FA8](#), found on page 20.

Senator M. Cavanaugh withdrew the following amendments:

[FA28](#), found on page 24

[FA29](#), found on page 24.

[FA30](#), found on page 24.

[FA31](#), found on page 24.

Senator M. Cavanaugh offered her amendment, [AM114](#), found on page 172.

SPEAKER ARCH PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 28 ayes, 7 nays, and 14 not voting.

Senator M. Cavanaugh requested the roll call vote, in reverse order on her amendment.

Voting in the affirmative, 15:

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

Voting in the negative, 29:

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

Present and not voting, 2:

Bostar	Riepe
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Excused and not voting, 3:

Dorn	Raybould	Slama
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The M. Cavanaugh amendment lost with 15 ayes, 29 nays, 2 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Senator McKinney offered his amendment [AM123](#), found on page 172.

PRESIDENT KELLY PRESIDING

Senator McKinney moved for a call of the house. The motion prevailed with 16 ayes, 3 nays, and 30 not voting.

Senator McKinney requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 15:

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

Voting in the negative, 28:

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

Present and not voting, 4:

Aguilar	Bosn	Linehan	Riepe
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Excused and not voting, 2:

Dorn	Raybould
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The McKinney amendment lost with 15 ayes, 28 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh withdrew the following amendments:

[FA24](#), found on page 24.

[FA25](#), found on page 24.

[FA26](#), found on page 24.

[FA27](#), found on page 24.

Senator Aguilar withdrew [AM1](#), found on page 86.

Senator Conrad withdrew [AM61](#), found on page 108.

Senator Ibach withdrew the following amendments:

[AM8](#), found on page 65.

[AM9](#), found on page 66.

Senator Bostelman withdrew [AM31](#), found on page 98.

Senator DeKay withdrew [AM30](#), found on page 98.

Senator Conrad asked unanimous consent to withdraw her motion, [MO25](#), found on page 36, to recommit to the Appropriations Committee.

No objections. So ordered.

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

Advanced to Enrollment and Review for Engrossment with 32 ayes, 8 nays, 5 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 3. Placed on Select File with amendment.

[ER3](#)

1 1. In the Standing Committee amendments, AM41:
 2 a. On page 61, line 31, strike "81-1120.29, and 83-913.01," and
 3 insert "and 81-1120.29,"; and
 4 b. On page 62, line 3, strike "83-150,".
 5 2. On page 1, strike beginning with "funds" in line 1 through line
 6 23 and insert "funds; to amend sections 8-604, 9-1107, 13-2704, 37-345,
 7 44-116, 48-1.103, 60-3.201.01, 60-1505, 60-1509, 60-1513, 72-232.02,
 8 74-1317, 81-1010, 81-1110.04, 81-1117, and 81-1120.29, Reissue Revised
 9 Statutes of Nebraska; sections 37-327.03, 37-1017, 38-157, 39-1390,
 10 61-222, 81-179, 81-829.33, 81-8,239.03, 81-1108.22, 81-12,224, 81-1558,
 11 81-3714, and 84-1227, Revised Statutes Cumulative Supplement, 2022;
 12 sections 79-3109, 81-12,218, 81-15,174, 81-3142, and 85-2009, Revised
 13 Statutes Supplement, 2023; section 8-1120, Reissue Revised Statutes of
 14 Nebraska, as amended by Laws 2024, LB1074, section 48; section 48-621,
 15 Reissue Revised Statutes of Nebraska, as amended by Laws 2024, LB1413,
 16 section 36; section 59-1608.04, Reissue Revised Statutes of Nebraska, as
 17 amended by Laws 2024, LB1413, section 41; section 37-327.02, Revised
 18 Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1108,
 19 section 1; section 55-901, Revised Statutes Cumulative Supplement, 2022,
 20 as amended by Laws 2024, LB1413, section 39; section 61-405, Revised
 21 Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1413,
 22 section 42; section 68-996, Revised Statutes Cumulative Supplement, 2022,
 23 as amended by Laws 2024, LB62, section 3, Laws 2024, LB857, section 9,
 24 Laws 2024, LB904, section 3, Laws 2024, LB905, section 2, and Laws 2024,
 25 LB1413, section 43; section 77-5601, Revised Statutes Cumulative
 26 Supplement, 2022, as amended by Laws 2024, LB1317, section 95; section
 27 37-1804, Revised Statutes Supplement, 2023, as amended by Laws 2024,
 1 LB1413, section 34; section 61-218, Revised Statutes Supplement, 2023, as
 2 amended by Laws 2024, LB1368, section 9; section 77-4025, Revised
 3 Statutes Supplement, 2023, as amended by Laws 2024, LB1204, section 36;
 4 section 84-612, Revised Statutes Supplement, 2023, as amended by Laws
 5 2024, LB600, section 9, and Laws 2024, LB1413, section 58; and section
 6 86-324, Revised Statutes Supplement, 2023, as amended by Laws 2024,
 7 LB1413, section 59; to provide for, change, and eliminate fund transfers;
 8 to provide powers and duties; to change the use of certain funds and the
 9 investment earnings of certain funds; to eliminate obsolete provisions;
 10 to harmonize provisions; to repeal the original sections; and to declare
 11 an emergency."
 12 3. On page 2, strike lines 1 through 20.

(Signed) Beau Ballard, Chairperson

SELECT FILE

LEGISLATIVE BILL 3. [ER3](#), found in this day's Journal, was offered.

ER3 was adopted.

Senator Wayne asked unanimous consent to withdraw his motion, [MO167](#), found on page 172, to reorder the Speaker's agenda pursuant to Rule 1, Sec. 16 to allow for the immediate debate of LR1CA before LB3.

No objections. So ordered.

Senator Conrad asked unanimous consent to withdraw the following motions:

[MO16](#), found on page 19.

[MO17](#), found on page 19.

[MO31](#), found on page 36.

No objections. So ordered.

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

[MO22](#), found on page 26.

[MO28](#), found on page 36.

[MO23](#), found on page 26.

No objections. So ordered.

Senator M. Cavanaugh withdrew the following amendments:

[FA33](#), found on page 25.

[FA34](#), found on page 25.

[FA35](#), found on page 25.

[FA36](#), found on page 25.

[FA37](#), found on page 25.

[FA38](#), found on page 25.

[FA39](#), found on page 25.

[FA40](#), found on page 25.

[AM107](#), found on page 170.

Senator Clements withdrew the following amendments:

[FA11](#), found on page 20.

[FA12](#), found on page 20.

Senator Ibach withdrew the following amendment:

[AM11](#), found on page 66.

Senator Bostelman withdrew the following amendment:

[AM33](#), found on page 98.

Senator DeKay withdrew the following amendment:
[AM32](#), found on page 98.

Senator Wayne offered the following amendment:
[AM132](#)

(Amendments to Standing Committee amendments, AM41)

1 1. Insert the following new section:
 2 Sec. 28. Section 77-2704.13, Reissue Revised Statutes of Nebraska,
 3 is amended to read:
 4 77-2704.13 Sales and use taxes shall not be imposed on the gross
 5 receipts from the sale, lease, or rental of and the storage, use, or
 6 other consumption in this state of:
 7 (1) Sales and purchases of electricity, coal, gas, fuel oil, diesel
 8 fuel, tractor fuel, propane, gasoline, coke, nuclear fuel, butane, wood
 9 as fuel, and corn as fuel when more than fifty percent of the amount
 10 purchased is for use directly in irrigation or farming;
 11 (2) Sales and purchases of such energy sources or fuels when more
 12 than fifty percent of the amount purchased is for use directly in
 13 processing, manufacturing, or refining, in the generation of electricity,
 14 in the compression of natural gas for retail sale as a vehicle fuel, or
 15 by any hospital. For purposes of this subdivision, processing includes
 16 the drying and aerating of grain in commercial agricultural facilities;
 17 ~~and~~
 18 (3) Sales and purchases of water used for irrigation of agricultural
 19 lands and manufacturing purposes; ~~and -~~
 20 (4) Beginning October 1, 2024, sales and purchases of electricity
 21 for residential use.
 22 2. Renumber the remaining sections and correct the repealer
 23 accordingly.

Senator Clements requested a point of order on whether the Wayne amendment is germane to the bill.

The Chair ruled the Wayne amendment is not germane to the bill.

Senator Wayne challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Wayne moved for a call of the house. The motion prevailed with 25 ayes, 6 nays, and 18 not voting.

Senator Wayne requested a roll call vote, in reverse order, on his motion to overrule the Chair.

Voting in the affirmative, 21:

Arch	Cavanaugh, M.	Dungan	Moser	Wishart
Blood	Conrad	Halloran	Riepe	
Bostar	Day	Hansen	Vargas	
Brewer	DeBoer	McDonnell	Walz	
Cavanaugh, J.	DeKay	McKinney	Wayne	

Voting in the negative, 17:

Aguilar	Brandt	Holdcroft	Lippincott	von Gillern
Albrecht	Clements	Hughes	Meyer	
Armandariz	Dover	Jacobson	Murman	
Bostelman	Hardin	Kauth	Sanders	

Present and not voting, 5:

Ballard	Bosn	Ibach	Linehan	Lowe
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Excused and not voting, 6:

Dorn	Fredrickson	Raybould
Erdman	Hunt	Slama

The Wayne motion to overrule the Chair failed with 21 ayes, 17 nays, 5 present and not voting, and 6 excused and not voting.

The Chair was sustained.

The Chair declared the call raised.

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

Advanced to Enrollment and Review for Engrossment with 32 ayes, 7 nays, 4 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE RESOLUTION 2CA. Placed on Select File.

(Signed) Beau Ballard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB34:
[AM130](#)

(Amendments to AM109)

- 1 1. Insert the following new amendments:
- 2 4. Insert the following new section:
- 3 Sec. 24. Section 77-2704.13, Reissue Revised Statutes of Nebraska,
- 4 is amended to read:
- 5 77-2704.13 Sales and use taxes shall not be imposed on the gross
- 6 receipts from the sale, lease, or rental of and the storage, use, or
- 7 other consumption in this state of:
- 8 (1) Sales and purchases of electricity, coal, gas, fuel oil, diesel
- 9 fuel, tractor fuel, propane, gasoline, coke, nuclear fuel, butane, wood
- 10 as fuel, and corn as fuel when more than fifty percent of the amount
- 11 purchased is for use directly in irrigation or farming;

12 (2) Sales and purchases of such energy sources or fuels when more
13 than fifty percent of the amount purchased is for use directly in
14 processing, manufacturing, or refining, in the generation of electricity,
15 in the compression of natural gas for retail sale as a vehicle fuel, or
16 by any hospital. For purposes of this subdivision, processing includes
17 the drying and aerating of grain in commercial agricultural facilities;
18 and
19 (3) Sales and purchases of water used for irrigation of agricultural
20 lands and manufacturing purposes; and -
21 (4) Beginning October 1, 2024, sales and purchases of electricity
22 for residential use.
23 5. Renumber the remaining sections and correct the repealer
24 accordingly.

VISITOR(S)

Visitor to the Chamber was Paul Weber, Lincoln.

ADJOURNMENT

At 5:44 p.m., on a motion by Senator Moser, the Legislature adjourned until
9:00 a.m., Saturday, August 17, 2024.

Brandon Metzler
Clerk of the Legislature