

**SEVENTEENTH DAY - AUGUST 20, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SPECIAL SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, August 20, 2024

**PRAYER**

The prayer was offered by Senator Lowe.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Brandt.

**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 Blood who was excused; and Senators Bostar, M. Cavanaugh, McKinney, Raybould, Slama, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixteenth day was approved.

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

Senator Wayne filed the following motion:

To overrule the Speaker's Agenda pursuant to Rule 1, Sec. 16, to allow for the immediate consideration of LR2CA.

**WITHDRAW - Motion to LB34**

Senator Linehan asked unanimous consent to withdraw her motion, [MO135](#), found on page 126, to recommit to the Revenue Committee.

No objections. So ordered.

**MOTION(S) - Not Considered to LB34**

The M. Cavanaugh motion, [MO142](#), found on page 127, to recommit to the Revenue Committee, was not considered.

**WITHDRAW - Amendment to LB34**

Senator Linehan withdrew [FA92](#), found on page 127.

**MOTION(S) - Return LB34 to Select File**

Senator Wayne moved to return LB34 to Select File for the following specific amendment:

[AM137](#) is available in the Bill Room.

**SENATOR DEBOER PRESIDING**

Senator Brandt moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 29 ayes, 3 nays, and 17 not voting.

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

The Wayne motion to return failed with 19 ayes, 21 nays, 5 present and not voting, and 4 excused and not voting.

The Wayne amendment, AM137, was not considered.

**WITHDRAW - Amendments to LB34**

Senator M. Cavanaugh withdrew [FA97](#), found on page 128.

Senator Wayne withdrew [AM130](#), found on page 195.

**MOTION(S) - Return LB34 to Select File**

Senator Wayne moved to return LB34 to Select File for the following specific amendment:

[AM141](#) is available in the Bill Room.

**SPEAKER ARCH PRESIDING**

Senator Brewer offered the following motion:

[MO195](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

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

The Brewer motion to invoke cloture prevailed with 39 ayes, 6 nays, 1 present and not voting, and 3 excused and not voting.

The Wayne motion to return failed with 15 ayes, 26 nays, 5 present and not voting, and 3 excused and not voting.

The Wayne amendment, AM141, was not considered.

#### **AMENDMENT(S) - Not Considered to LB34**

The M. Cavanaugh amendment, [FA95](#), found on page 128, was not considered.

The M. Cavanaugh amendment, [FA96](#), found on page 128, was not considered.

The Erdman amendment, [FA121](#), found on page 157, was not considered.

The Riepe amendment, [AM115](#), found on page 175, was not considered.

#### **BILL ON FINAL READING**

##### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB34 with 37 ayes, 6 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

#### **LEGISLATIVE BILL 34.** With Emergency Clause.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 13-508, 13-518, 13-2817, 29-3933, 72-2305, 72-2306, and 77-27,142, Reissue Revised Statutes of Nebraska, sections 77-1776, 77-27,144, 77-4602, and 81-12,193, Revised Statutes Cumulative Supplement, 2022, and sections 77-1632, 77-1633, 77-1701, 77-6702, and 77-6703, Revised Statutes Supplement, 2023; to adopt the Property Tax Growth Limitation Act and the School District Property Tax Relief Act; to change provisions relating to the Nebraska Budget Act, budget limitations, payments to municipal counties, county reimbursement for indigent defense systems, the Public Facilities Construction and Finance Act, the Property Tax Request Act, collection of taxes, the Local Option Revenue Act, revenue forecasting, the Nebraska Property Tax Incentive Act, and the Nebraska Transformational Project Fund; to redefine terms; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 40:

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

Voting in the negative, 3:

Erdman      Halloran      Wayne

Present and not voting, 3:

Cavanaugh, J.      Cavanaugh, M.      Dungan

Excused and not voting, 3:

Blood      McKinney      Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Amendment to LB34A**

Senator Brewer withdrew [FA115](#), found on page 138.

#### **BILL ON FINAL READING**

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 34A.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 34, One Hundred Eighth Legislature, First Special Session, 2024; and to declare an emergency.

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

Voting in the affirmative, 42:

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

Voting in the negative, 1:

Erdman

Present and not voting, 3:

Cavanaugh, M. Halloran Wayne

Excused and not voting, 3:

Blood McKinney Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **WITHDRAW - Motion to LB2**

Senator Conrad asked unanimous consent to withdraw her motion, [MO27](#), found on page 36, to recommit to the Appropriations Committee.

No objections. So ordered.

#### **WITHDRAW - Amendments to LB2**

Senator Clements withdrew the following amendments:

[FA9](#), found on page 20.

[FA10](#), found on page 20.

Senator M. Cavanaugh withdrew the following amendments:

[FA32](#), found on page 24.

[FA42](#), found on page 24.

[FA43](#), found on page 24.

Senator Hunt withdrew [AM48](#), found on page 110.

**BILL ON FINAL READING****Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB2 with 39 ayes, 4 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 2.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, sections 13, 29, 30, 31, 40, 112, 138, 147, 148, 151, 152, 205, 207, 214, 220, 227, 238, 239, 240, 271, 275, and 293; Laws 2024, LB1200A, section 2; and Laws 2024, LB1412, sections 57, 58, 59, 61, 86, 87, 89, and 107; to define terms; to provide, change, and eliminate appropriations for operation of state government, state aid, and capital construction; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 33:

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

Voting in the negative, 11:

Bostar	Conrad	Erdman	Vargas
Cavanaugh, J.	DeBoer	Fredrickson	Wayne
Cavanaugh, M.	Dungan	Hunt	

Present and not voting, 2:

Walz	Wishart
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Excused and not voting, 3:

Blood	McKinney	Raybould
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**WITHDRAW - Motion to LB3**

Senator Conrad asked unanimous consent to withdraw her motion, [MO32](#), found on page 36, to recommit to the Appropriations Committee.

Senator Wayne objected.

**MOTION(S) - Recommit LB3 to Committee**

Senator Conrad offered [MO32](#), found on page 36, to recommit to the Appropriations Committee.

The Conrad motion to recommit to committee failed with 7 ayes, 38 nays, 1 present and not voting, and 3 excused and not voting.

**WITHDRAW - Amendments to LB3**

Senator Clements withdrew the following amendments:

[FA13](#), found on page 20.

[FA14](#), found on page 20.

Senator M. Cavanaugh withdrew the following amendments:

[FA41](#), found on page 25.

[FA44](#), found on page 25.

[FA45](#), found on page 25.

**BILL ON FINAL READING**

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB3 with 38 ayes, 5 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 3.** With Emergency Clause.

A BILL FOR AN ACT relating to funds; to amend sections 8-604, 9-1107, 13-2704, 37-345, 44-116, 48-1,103, 60-3,201.01, 60-1505, 60-1509, 60-1513, 72-232.02, 74-1317, 81-1010, 81-1110.04, 81-1117, and 81-1120.29, Reissue Revised Statutes of Nebraska; sections 37-327.03, 37-1017, 38-157, 39-1390, 61-222, 81-179, 81-829.33, 81-8,239.03, 81-1108.22, 81-12,224, 81-1558, 81-3714, and 84-1227, Revised Statutes Cumulative Supplement, 2022; sections 79-3109, 81-12,218, 81-15,174, 81-3142, and 85-2009, Revised Statutes Supplement, 2023; section 8-1120,

Reissue Revised Statutes of Nebraska, as amended by Laws 2024, LB1074, section 48; section 48-621, Reissue Revised Statutes of Nebraska, as amended by Laws 2024, LB1413, section 36; section 59-1608.04, Reissue Revised Statutes of Nebraska, as amended by Laws 2024, LB1413, section 41; section 37-327.02, Revised Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1108, section 1; section 55-901, Revised Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1413, section 39; section 61-405, Revised Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1413, section 42; section 68-996, Revised Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB62, section 3, Laws 2024, LB857, section 9, Laws 2024, LB904, section 3, Laws 2024, LB905, section 2, and Laws 2024, LB1413, section 43; section 77-5601, Revised Statutes Cumulative Supplement, 2022, as amended by Laws 2024, LB1317, section 95; section 37-1804, Revised Statutes Supplement, 2023, as amended by Laws 2024, LB1413, section 34; section 61-218, Revised Statutes Supplement, 2023, as amended by Laws 2024, LB1368, section 9; section 77-4025, Revised Statutes Supplement, 2023, as amended by Laws 2024, LB1204, section 36; section 84-612, Revised Statutes Supplement, 2023, as amended by Laws 2024, LB600, section 9, and Laws 2024, LB1413, section 58; and section 86-324, Revised Statutes Supplement, 2023, as amended by Laws 2024, LB1413, section 59; to provide for, change, and eliminate fund transfers; to provide powers and duties; to change the use of certain funds and the investment earnings of certain funds; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 36:

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

Voting in the negative, 9:

Cavanaugh, J.	Conrad	Erdman	Halloran	Wayne
Cavanaugh, M.	Dungan	Fredrickson	Hunt	

Present and not voting, 1:



Walz

Excused and not voting, 3:

Blood        McKinney     Raybould

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 34e, 34Ae, 2e, and 3e.

#### **VISITOR(S)**

Visitors to the Chamber were John and Kate Cavanaugh, Omaha; Peter Kostmayer.

#### **RECESS**

At 11:55 a.m., on a motion by Senator Hughes, the Legislature recessed until 1:00 p.m.

#### **AFTER RECESS**

The Legislature reconvened at 1:00 p.m., Senator DeBoer presiding.

#### **ROLL CALL**

The roll was called and all members were present except Senator Blood who was excused; and Senators Ballard, Hunt, McKinney, Raybould, Walz, and Wayne who were excused until they arrive.

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

Presented to the Governor on August 20, 2024, at 11:58 a.m. were the following: LBs 34e, 34Ae, 2e, and 3e.

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

#### **MOTION - Not Considered to LB4**

The Conrad motion, [MO95](#), found on page 106, was not considered.

The J. Cavanaugh motion, [MO121](#), found on page 116, to bracket until August 13, 2024, was not considered.

**WITHDRAW - Amendments to LB4**

Senator Conrad withdrew the following amendments:

[FA72](#), found on page 108.

[FA73](#), found on page 108.

**BILL ON FINAL READING**

The following bill was put upon final passage:

**LEGISLATIVE BILL 4.** With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the expenses incurred during the One Hundred Eighth Legislature, First Special Session, 2024; and to declare an emergency.

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

Voting in the affirmative, 41:

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

Voting in the negative, 3:

Erdman	Halloran	Slama
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Excused and not voting, 5:

Ballard	Blood	McKinney	Raybould	Wayne
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A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

**MOTION(S) - Adjourn Sine Die**

Senator Lowe moved to adjourn sine die.

Senator Erdman requested a roll call vote on the motion to adjourn sine die.

The Lowe motion to adjourn sine die failed with 14 ayes, 25 nays, 6 present and not voting, and 4 excused and not voting.

**SELECT FILE**

**LEGISLATIVE RESOLUTION 2CA.** Senator Jacobson offered [FA175](#), found on page 200.

**SPEAKER ARCH PRESIDING**

Pending.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB4e.

**SENATOR DEBOER PRESIDING**

**SELECT FILE**

**LEGISLATIVE RESOLUTION 2CA.** Senator Jacobson renewed [FA175](#), found on page 200 and considered in this day's Journal.

Senator Slama offered the following amendment to the Jacobson amendment:

[FA179](#)

In FA175, remove "strike section 3" and add "strike section 2,".

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

Senator Slama moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

The motion to cease debate prevailed with 27 ayes, 12 nays, and 10 not voting.

Senator Slama requested a roll call vote, reverse order, on her amendment.

Voting in the affirmative, 9:

DeKay	Jacobson	Lowe	Moser	von Gillern
Ibach	Lippincott	Meyer	Riepe	

Voting in the negative, 27:

Aguilar	Brandt	Dorn	Hardin	McDonnell
Albrecht	Brewer	Dover	Holdcroft	Vargas
Arch	Cavanaugh, J.	Dungan	Hughes	Wayne
Armendariz	Clements	Erdman	Hunt	
Ballard	Day	Halloran	Kauth	
Bostar	DeBoer	Hansen	Linehan	

Present and not voting, 9:

Bosn	Conrad	Murman	Slama	Wishart
Bostelman	Fredrickson	Sanders	Walz	

Excused and not voting, 4:

Blood	Cavanaugh, M.	McKinney	Raybould
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The Slama amendment lost with 9 ayes, 27 nays, 9 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Wayne requested a point of order on the germaneness of the Jacobson amendment, FA175, and Slama's FA179 as they deal with Section 3 and Section 3 does not exist in LR2CA.

The Chair ruled the Slama amendment, FA179, if adopted, would replace FA175 and be in order.

Senator Slama offered the following motion:

[MO196](#)

Reconsider the vote on FA179.

Senator Erdman moved the previous question. The question is, "Shall the debate now close?" The motion failed with 22 ayes, 13 nays, 9 present and not voting, and 5 excused and not voting.

Senator Brandt offered the following motion:

[MO197](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brandt moved for a call of the house. The motion prevailed with 31 ayes, 8 nays, and 10 not voting.

The Brandt motion to invoke cloture failed with 26 ayes, 16 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on August 20, 2024, at 1:55 p.m. was the following: LB4e.

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

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of August 19, 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

Zulkoski Weber LLC  
COMPASS Pathways, Inc c/o National Strategies, LLC

**REPORTS**

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

**MOTION - Adjournment**

Senator Wayne moved to adjourn until November 18, 2024, at 10:00 a.m.

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

The Wayne motion to adjourn failed with 15 ayes, 29 nays, and 5 excused and not voting.

**MOTION - Seventeenth Day Journal**

Senator Fredrickson moved that the Journal for the Seventeenth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed with 39 ayes, 1 nay, 4 present and not voting, and 5 excused and not voting.

**MOTION - Adjourn Sine Die**

Senator Dorn moved that the One Hundred Eighth Legislature, First Special Session of the Nebraska Legislature, having finished all business before it, now at 2:22 p.m., adjourn sine die.

Senator Wayne requested a roll call vote, in reverse order, on the motion to adjourn sine die.

The Dorn motion prevailed with 29 ayes, 15 nays, and 5 excused and not voting

Brandon Metzler  
Clerk of the Legislature