

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 4, 2024

KELLY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the second day of the One Hundred Eightieth [SIC] Legislature, Second Session. Our chaplain today is Pastor Tevin Eddy from the Berean Bible Church, Hastings, Nebraska, in Senator Halloran's district. Please rise.

PASTOR EDDY: Would you pray with me? Heavenly Father, thank you for-- God, thank you for showing up in the world that you created. And we're so grateful, God, that we get an opportunity like this to come together and work through a legislative process. God, I, I pray that your spirit would be in this place, and you would give wisdom and clarity and unity to the proceedings, God. Lord, I, I pray for each of these men and women outside of work as well, that you would protect them and keep their families safe and help them to grow. And, God, we just ask that in your world you are honored and you are on display. Jesus, thank you for coming to this earth to die for our sins. We love you. Teach us more and more how we can love you, God, and love the people around us. Bind us together in unity. It's in the name of your son, Jesus, I pray. Amen.

KELLY: Thank you. I recognize Senator Albrecht for the Pledge of Allegiance.

ALBRECHT: Please join me in the pledge. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

KELLY: Thank you. I call to order the second day of the One Hundred Eightieth [SIC] Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: There's a quorum present, Mr. President.

KELLY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

CLERK: There is one, Mr. President. On page 154, line 22, strike "Erin" and insert "Eric". It's the only correction I have, Mr. President.

KELLY: Are there any messages, reports or announcements?

CLERK: There are, Mr. President. The 2023 interim report on the disposition of interim study resolutions has been filed. Additionally,

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Senator Lippincott has prioritized LB600 as his personal priority bill. That's all I have this time.

KELLY: Senator Erdman, you're recognized for an announcement.

ERDMAN: Thank you, Mr. President, and good morning. Good news, bad news. The good news is this is my last year, and the bad news is this is my last year. So today is Day 2 already. I appreciate that. You have seen the notice about turning in rule changes. If you're going to submit rule changes they need to be in by noon today, by adjournment today. And so I want to update you. Yesterday, we dropped in 29 rule changes. Those are the ones introduced so far. Currently, you can find those rule changes on the Nebraska website, Nebraska legislative website. It's a second link in the middle of the page following the recent legislative information. You can see those rules that have been submitted. This link will allow you to make comments about the rules and also make sure that you get your rule changes in by today. We will have a Rules Committee hearing on Monday, January 8 at 1:30 p.m. and so we'll be scheduling that. So for information for those who are in the public listening today, there will be a hearing on January 8 at 1:30. I was asked this morning, will we have a 10-hour rules hearing like we did last year? The answer is we will not. So we're going to figure out how to make this a streamlined process that we're not there till midnight. But I encourage you, if you have rule changes that you'd like us to consider and get those in and we'll listen to those on Monday and then it is probably going to be on Tuesday morning we'll have an Executive Session on the Rules Committee to decide which ones come to the floor. If you have any questions, please stop by and ask me or send me an email and we'll try to discuss and talk to you about how to get the rules submitted in a way that they're going to be appropriate for us to hear. And please tell all your constituents or anybody interested in the rules hearing it'll be Monday. Thank you very much.

KELLY: Thank you, Senator Erdman. Mr. Clerk, for items and new bills.

ASSISTANT CLERK: Thank you. LB901 offered by Senator Linehan. It's a bill for an act relating to revenue and taxation; provide a sales and use tax exemption for purchases by certain nonprofit organizations as prescribed. LB902 by Senator DeBoer. It's a bill for an act relating to assisted-living facilities; to prohibit a facility from requiring a third-party guarantee of payment as prescribed; repeal the original sections. LB903 by Senator DeBoer. It's a bill for an act relating to Alzheimer's Disease and Other Dementia Advisory Council; change provisions relating to the membership of the council and the State

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Alzheimer's Plan; repeal the original sections. LB904 by Senator DeBoer. A bill for an act relating to childcare; to change childcare reimbursement rates; and repeal the original sections. LB905 by Senator Riepe. It's a bill for an act relating to the medical assistance program; amend Section 68-911; to require the Department of Health and Human Services to submit a waiver or state plan amendment for medical respite care as prescribed; and repeal the original sections. LB906 by Senator Riepe. A bill for an act relating to child labor laws; change penalties; provide enforcement powers for the Department of Labor; and repeal the original sections. LB907 by Senator Riepe. It's a bill for an act relating to the Medical Assistance Act; to require comprehensive coverage for treatment of obesity; and repeal the original sections. LB908 by Senator Aguilar. It's a bill for an act relating to the Legislature; to eliminate provisions relating to legislative policy on telephones and telefax machines; to outright repeal Section 50-401.05, Reissue Revised Statutes of Nebraska. That's all I have at this time, Mr. President.

KELLY: Thank you, Mr. Clerk. Senator Sanders announces some guests under the south balcony, friends Travis Beck and Suzanne LaChasse from Los Angeles, California. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for bill introductions.

ASSISTANT CLERK: Thank you, Mr. President. LB909 by Senator Aguilar. It's a bill for an act relating to the Administrative Procedures Act; to change a requirement relating to agency notice to the Executive Board of the Legislative Council; repeal the original sections. LB910 by Senator Riepe. It's a bill for an act relating to emergency medical services; to authorize emergency care providers to provide emergency medical care to injured law enforcement canines; harmonize provisions; repeal the original sections. LB911 by Senator Blood. It's a bill for an act relating to the Nebraska Indian Child Welfare Act; provide duties for the Department of Health and Human Services, the Office of Probation Administration relating to cases under the act; harmonize provisions; and repeal the original sections. LB912 by Senator Slama. It's a bill for an act relating to the Uninsured and Underinsured Motorist Insurance Coverage Act; to authorize provisions and contract limitation period for insured claims; to harmonize provisions; and repeal the original section. LB913 by Senator Hunt. It's a bill for an act relating to the Medical Assistance Act; to require the Department of Health and Human Services to submit a state plan amendment for postpartum coverage into the Children's Health Insurance Program as prescribed; and to repeal the original sections. LB914 by Senator Cavanaugh, Senator John Cavanaugh. It's a bill for an act relating to real property; to adopt the Uniform Unlawful Restrictions in Land

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Records Act; and provide severability. LB915 by Senator Brewer. It's a bill for an act relating to the Board of Trustees of Nebraska State Colleges; change and provide powers and duties of the board of trustees; to harmonize provisions; repeal the original sections. LB916 by Senator Brewer. It's a bill for an act relating to forfeiture; to adopt the Controlled Substance Offenses Forfeiture Act; to eliminate and transfer provisions relating to the forfeiture and disposition of seized contraband; to eliminate obsolete provisions; to harmonize provisions; repeal the original sections. LB917 by Senator Wayne. It's a bill for an act relating to insurance; to require the establishment of a standard prior authorization process; to require approval and prior authorization forms as prescribed; provide certain response time requirements for prior authorization requests; and repeal the original sections. LB918, Senator Wayne. A bill for an act relating to law enforcement; to allow individuals who have received Deferred Action for Childhood Arrivals status to receive law enforcement officer training and certification; to allow persons to participate in retirement programs for such law enforcement provisions; harmonize provisions; and repeal the original sections. LB919 by Senator McKinney. It's a bill for an act relating to correctional facilities; to define terms; to require demolition of the Nebraska State Penitentiary as prescribed. Legis-- legis-- excuse me, LB920 offered by Senator McKinney. It's a bill for an act relating to Supplemental Nutrition Assistance Program; to require the Department of Health and Human Services to establish a Restaurant Meals Program; and repeal the original sections. LB921 by Senator McKinney. It's a bill for an act relating to criminal justice; to provide for mentorship programs by probation and parole officers; to state legislative purpose; define terms; provide duties; and require evaluation and reports. That's all I have at this time, Mr. President.

KELLY: Mr. Clerk, for new bills.

ASSISTANT CLERK: Thank you, Mr. President. LB922 offered by Senator McKinney. It's a bill for an act relating to criminal justice; to adopt the Parolee and Probationer Business Empowerment Act. LB923 by Senator McKinney. It's a bill for an act relating to tribal enrollment cards; define terms; allow for the use of tribal enrollment cards for proof of age and identity for certain firearm and alcohol laws; eliminate obsolete provisions; harmonize provisions; and repeal the original sections. LB924 by Senator McKinney. It's a bill for an act relating to revenue and taxation; to define terms; provide a homestead exemption for individuals that reside in qualified census tracts; to harmonize provisions; repeal the original sections; declare an emergency. LB925 by Senator Aguilar. It's a bill for an act relating

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to government contracting; to adopt the Firearm Industry Nondiscrimination Act. LB926 By Senator Aguilar. It's a bill for an act relating to museums; to change provisions of the Museum Property Act; and to repeal the original sections. LB927 by Senator Fredrickson. It's a bill for an act relating to child welfare; to require suicide awareness and prevention training for employees of child-placing agencies and child welfare workers; and to repeal the original section. LB928 by Senator Fredrickson. It's a bill for an act relating to the Nebraska Correctional Health Care Services Act; to create the position of mental health director; to establish duties; to harmonize provisions; and repeal the original sections. LB929 by Senator Fredrickson. It's a bill for an act relating to telecommunications; to provide for dual capability between the 911 service system and the 988 Suicide and Crisis Lifeline; to provide duties; provide immunity from liability; and repeal the original sections. LB930 by Senator Fredrickson. A bill for an act relating to appropriations; change provisions relating to an appropriation to the University of Nebraska; to repeal the original section; declare an emergency. That's all I have at this time, Mr. President.

KELLY: Mr. Clerk, for additional new bills.

ASSISTANT CLERK: Thank you, Mr. President. LB931 offered by Senator Fredrickson. It's a bill for an act relating to appropriations; to change the use of reappropriated federal funds as prescribed; to reduce and increase certain appropriations related to behavioral health purposes; and to declare an emergency. LB932 By Senator Fredrickson. It's a bill for an act relating to the Mental Health Practice Act; to change provisions relating to provisional mental health practitioner licenses; and repeal the original sections. LB933 by Senator Bosn. It's a bill for an act relating to the Medical Assistance Act; to change coverage requirement for continuous glucose monitors; and repeal the original sections. LB934 by Senator Bosn. It's a bill for an act relating to consumer protection; to change provisions relating to venue for actions under the Consumer Protection Act; to change enforcement and investigative powers of the Attorney General for violation of the act and the Uniform Deceptive Trade (Practices) Act; provide for jury trials; to harmonize provisions; provide severability; and repeal the original sections. LB935 by Senator Ibach. It's a bill for an act relating to appropriations; to appropriate funds to the Department of Health and Human Services. LB936 by Senator Bostar. It's a bill for an act relating to county government; to eliminate provisions relating to the regulation of certain recreation, entertainment, and amusements; to outright repeal Section 23-808 through 28-818 [SIC--23-818], Reissue Revised Statutes

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of Nebraska. LB937 by Senator Bostar. It's a bill for an act relating to revenue and taxation; to adopt the Caregiver Tax Credit Act; provide for tax credits; to harmonize provisions; and repeal the original sections. LB938 by Senator Brandt. It's a bill for an act relating to the County Purchasing Act; to change provisions relating to the county board, purchasing agent, purchases, competitive bidding, surplus property; to allow auctions and trades; to eliminate special purposes; harmonize provisions; and repeal the original sections. LB939 by Senator Erdman. It's a bill for an act relating to school funding; to adopt the My Student, My Choice Act; provide an operative date. LB940 by Senator Dorn. It's a bill for an act relating to county government; to provide the authority for counties to plan, initiate, fund, maintain, administer, and evaluate facilities, programs, and services for survivors of domestic violence or sexual assault as prescribed. LB941 by Senator Dorn. It's a bill for an act relating to appropriations; to state intent regarding the appropriations for Medicaid assisted-living facilities to the Department of Health and Human Services. LB942 by Senator Dorn. It's a bill for an act relating to appropriations; to state intent regarding the appropriations for Medicaid nursing facilities and reports by the Department of Health and Human Services regarding appropriations for Medicaid nursing facilities. LB943 by Senator Dorn. It's a bill for an act relating to appropriations; to appropriate additional funds for the Department of Health and Human Services for behavioral health aid; to state intent; repeal the original sections; declare an emergency. LB944 by Senator Dorn. It's a bill for an act relating to public assistance; provide for the use of Medicaid Managed Care Excess Profit Fund for behavioral health needs of adults and children as prescribed; and repeal the original sections. LB945 by Senator Hughes. It's a bill for an act relating to children; to require certain documents, information, and materials be granted to children before leaving foster care; harmonize provisions; repeal the original sections. LB946 by Senator Day. It's a bill for an act relating to public assistance; to change requirements relating to payments for Child Care Subsidy program providers; and to repeal the original sections. LB947 by Senator Day. It's a bill for an act relating to the Building Construction Act; to allow virtual inspection for certain building permits as prescribed; to require certain inspection records be made available to the public; harmonize provisions; and repeal the original sections. LB948 by Senator McDonnell. It's a bill for an act relating to the Community Development Law; provide certain requirements for redevelopment contracts; and to repeal the original sections. That's all I have at this time, Mr. President.

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KELLY: Thank you, Mr. Clerk. Senator Moser would like to recognize Dr. Rosenquist of Columbus, who's here today serving as the physician of the day. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for an announcement.

ASSISTANT CLERK: Mr. President, the Judiciary Committee will meet in Executive Session under the south balcony at 11:05.

KELLY: Thank you, Mr. Clerk. New bills, Mr. Clerk.

ASSISTANT CLERK: LB949 offered by Senator Linehan. It's a bill for an act relating to county assessors; change provisions relating to the inspection of real property; and repeal the original sections. LB950 by Senator Linehan. It's a bill for an act relating to occupation taxes; change provisions relating to the collection of occupation taxes; to harmonize provisions; repeal the original sections. LB951 by Senator Linehan. A bill for an act relating to public officials; to adopt the Public Officials on Private Boards Open Meetings Act. LB952 by Senator Day. It's a bill for an act relating to schools; to require the Department of Health and Human Services to establish the Summer Electronic Benefits Transfer program; and repeal the original section; and declare an emergency. LB953 by Senator Kauth. It's a bill for an act relating to teachers; provide tuition waivers for student teachers as prescribed. LB954 by Senator Kauth. A bill for an act relating to biometric data; to adopt the Biometric Autonomy Liberty Law; provide an operative date. LB955 by Senator Bostar. It's a bill for an act relating to business practices; to require certain notice for purchasers of gift certificates and gift cards; provide penalties. LB956 by Senator Bostar. A bill for an act relating to wind energy; define terms; provide for installation and operation of light-mitigating technology systems of certain wind turbines as prescribed. LB957 by Senator Dungan. It's a bill for an act relating to the Tax Equity and Educational Opportunities Support Act; change provisions relating to net option funding, local system resources, the Education Future Fund, certain certification dates; to harmonize provisions; and repeal the original sections; declare an emergency. LB958 by Senator Wishart. It's a bill for an act relating to the Medical Assistance Act; to provide for annual adjustments of certain reimbursement rates; to harmonize provisions; repeal the original sections. LB959 by Senator Dungan. It's a bill for an act relating to criminal procedure; to require transfer of cases to juvenile court if a county or district court fails to rule on a motion to transfer within 30 days after the hearing; to eliminate obsolete provisions; harmonize provisions; and repeal the original sections. That's all I have at this time.

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KELLY: Thank you, Mr. Clerk. Mr. Clerk, for new bills.

ASSISTANT CLERK: Thank you, Mr. President. LB960 offered by Senator Jacobson. It's a bill for an act relating to the State Athletic Commissioner; to provide powers and duties to the State Athletic Commissioner relating to the regulation of bare-knuckle mixed martial arts, amateur kickboxing, amateur bare-knuckle boxing, amateur bare-knuckle mixed martial arts, amateur sparring matches and exhibitions; harmonize provisions; and repeal the original sections. LB961, Senator Dungan. It's a bill for an act relating, relating to labor; to prohibit noncomplete agreements for lower-wage employees as prescribed; define terms; and provide for applicability. LB962 by Senator Wayne. It's a bill for an act relating to schools; to prohibit the use of certain projection maps in public schools as prescribed; to require each school board to adopt a policy relating to projection maps. LB963 by Senator Wayne. It's a bill for an act relating to county attorneys; to provide for the powers and duties of county attorneys and deputy county attorneys to be performed by district attorneys and deputy district attorneys appointed by the Attorney General; to eliminate provisions relating to powers and duties and elections of county attorneys; provide powers and duties to the Attorney General; to harmonize provisions; and repeal the original sections. LB964 by Senator Dungan. It's a bill for an act relating to teachers; to amend Section 85-3004; to adopt the Special Education Teacher Forgivable Loan Program Act; provide for scholarships under the Nebraska Career Scholarship Act; and repeal the original sections. LB965 by Senator Holdcroft. It's a bill for an act relating to license plates; change and provide provisions for military honor plates, prisoner-of-war license plates, disabled veterans license plates, Purple Heart license plates; provide duties for the Department of Motor Vehicles; harmonize provisions; and repeal the original sections. LB966 by Senator DeKay. It's a bill for an act relating to motor vehicles; to change provisions relating to traffic control signals and excise tax rates; and repeal the original sections. LB967 by Senator DeKay. It's a bill for an act relating to crimes and offenses; define and redefine terms relating to trafficking; change provisions relating to the Human Trafficking Victim Assistance Act [SIC]; to harmonize provisions; and repeal the original sections. LB968 by Senator DeKay. It's a bill for an act relating to revenue and taxation; to adopt the Live Adult Entertainment Establishment Fee Act; harmonize provisions; provide an operative date; provide severability; repeal the original sections. LB969 by Senator DeKay. It's a bill for an act relating to public power and irrigation districts; change provisions relating to contracts and sealed bids; repeal the original

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sections. LB970 by Senator Lippincott. It's a bill for an act relating to the death penalty; provide for execution by nitrogen hypoxia; define terms; transfer provisions; harmonize provisions; and repeal the original sections. LB971 by Senator Lippincott. It's a bill for an act relating to the Game Law; to provide for a free hunting permit for veterans on Veterans Day; to harmonize provisions; and repeal the original sections. LB972 by Senator Lippincott. It's a bill for an act relating to the Uniform Controlled Substances Act; to amend Section 28-401; to prohibit kratom as a controlled substance; define terms; and repeal the original sections. LB973 by Senator Brewer. It's a bill for an act relating to the Game Law; to change provisions relating to the issuance of annual combination fishing, fur harvesting, hunting permits, habitat stamps, aquatic habitat stamps, and migratory waterfowl stamps. LB974 by Senator Holdcroft. It's a bill for an act relating to the Homicide of the Unborn Child (Act); change penalties for motor vehicle homicide of an unborn child as prescribed; and repeal the original sections. In addition to that, Mr. President, communication from the Speaker referring LR276 to the Reference Committee to be referenced to an appropriate standing committee. I have proposed rule changes offered by Senator Wayne, Senator John Cavanaugh. Amendment to be printed to LB262 from Senator Halloran, Senator Linehan to LB299. Designation of priority bills: Senator John Cavanaugh, LB184; Senator Halloran, LR31; and Senator Slama, LB912. Request to-- as cointroducers: Senator Bostar to LB137; Senator Ballard to LB137; Senator Fredrickson to LB822; Senator Holdcroft to LB844; Senator Halloran to LB876, as well as Senator Murman; Senator Lowe, Senator Walz, Senator Jacobson, all to LB876; Senator Slama to LB910; Senator Day to LB933; Senator McDonnell LR275CA. Announcement that the Reference Committee will meet upon adjournment in Room 2102. And finally, Mr. President, Senator McKinney would move to adjourn until Friday, January 5, 2024, at 10:00 a.m.

KELLY: Members, the question is, shall the Legislature adjourn for the day? All those in favor say aye. All those opposed, nay. The motion carries. We are adjourned.