

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2024

KELLY: Good afternoon, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifth [SIC] day of the One Hundred Eighth Legislature, Second Session. Our chaplain for today is Pastor Jeff Scheich, Christ Lincoln, Lincoln, Nebraska, in Senator Bosn's district. Please rise.

PASTOR SCHEICH: Let us pray. Heavenly Father, we're grateful today for the gift of another day. The snow and the rain that water the earth are not only vital for us as they provide food and nourishment, but they also demonstrate to us your immense power over all things. As we're in this new year, a new session of the Legislature, many possibilities lie before us. And we have different views, even within this Chamber, of what is best for our state and our people. We hold these views passionately. Father, we ask that we would work-- that you would work mightily in our hearts. That in the midst of these differences, we might defend one another, speak well of one another, and explain the views and actions of others in the kindest way. Bless us with wisdom, for the Scripture says, the fear of the Lord is the beginning of wisdom. Not only do we pray for those serving in this Chamber, but we lift up all those who serve us in our state. For Governor Ricketts and his leadership team, for the people who serve in our state and local court systems, and for all those who serve us in the military as first responders. Finally, oh, Lord, the scriptures tell us that you are the one who raises up leaders and you bring them down. We pray today that we will be mindful that ultimately we serve you and answer to you for the way we carry out the leadership trust you have given to us. Make us humble. Enable the people of our state and beyond to be blessed by the decisions we make throughout this session. Heavenly Father, we ask, what do you want of us today? How can we serve you today? We pray in Jesus' name, amen.

KELLY: Thank you, Pastor Scheich. Senator Clements is recognized for the Pledge of Allegiance.

CLEMENTS: Thank you, Mr. President. 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 sixth day of the One Hundred Eighth Legislature, Second Session. Senators, please record your presence. Roll call. Senator Clements would like to recognize our physician of the day, Dr. Dale Michels of Walton. Please stand and be recognized by your Nebraska Legislature. Senator Machaela Cavanaugh

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has a guest under the north bal-- balcony, Maggie McGill, a high school senior from Marian in Omaha. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, please record.

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

KELLY: Are there any corrections for the Journal?

CLERK: I have no corrections at this time.

KELLY: Are there any messages, reports, or announcements?

CLERK: There are, Mr. President. Suggested Reference Report or, excuse me, Reference Reports from the 9th and 10th of January as approved by the Reference Committee. Additionally, amendment to be printed from Senator Slama to LB94. And Mr. President, the Rules Committee met this morning and advanced the following proposed rule changes: Rule change number 1, 3, 7, 23, 25, and 29. Those will once again be presented to the members. New bills, Mr. President: LB1103 introduced by Senator Aguilar. It's a bill for an act relating to Nebraska Visitors Development Act; amends Section 81-3725; change provisions related to innovative tourism grants as prescribed; repeals the original section. LB1104 introduced by Senator Aguilar. It's a bill for an act relating to the Legislature; amends Sections 49-1480.01 and 49-1482; changes the amount and distribution of lobby registration fees; provides an operative date; repeals the original section; declares an emergency. LB1105 introduced by Senator DeKay. It's a bill for an act relating to motor vehicles; amends Sections 60-101, 60-171, 60-172, 60-174, 60-175, 60-176, 60-177, 60-385, 60-395, 60-397 and 60-1508, as well as Sections 60-146, 60-149 and 60-3,198; changes provisions relating to certificates of title; names the Branded Certificate of Title Act; and provides for the issuance of destroyed-vehicle branded certificates of title; defines terms; provides a duty for the Department of Motor Vehicles; harmonize provisions; repeals the original section. LB1106 introduced by Senator Day. It's a bill for an act relating to the Medical Assistance Act; amends Section 68-911; provides for the coverage of lactation consultation; states intent regarding appropriations; repeals the original section. That's all I have at this time, Mr. President.

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

ASSISTANT CLERK: Thank you, Mr. President. LB1107 offered by Senator Day. It's a bill for an act relating to the Medical Assistance Act; amends 68-911; provide for the coverage of electric breast pumps; and

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repeal the original sections. LB1108 by Senator Dorn. It's a bill for an act relating to motor vehicles; change a fee under the Motor Vehicle Registration Act; provide an operative date; and repeal the original section. LB1109 by Senator Riepe. It's a bill for an act relating to abortion; to change provision relating to the penalty for performing abortion by other than accepted medical procedures; to define and redefine terms; provide for an exception for an abortion in the case of a fatal fetal anomaly; change and provide duties for physicians; to eliminate a penalty under the Pain-Capable Unborn Child Protection Act; harmonize provisions; repeal the original sections; to outright repeal Section 28-3,108; and to declare an emergency. LB1110 by Senator Jacobson. A bill for an act relating to insurance; to require dental plan carriers to meet a minimum dental loss ratio and provide a report to the Department of Insurance as prescribed; and provide powers and duties to the Department of Insurance. LB1111 by Senator Clements. A bill for an act relating to local health departments; to require city-county health departments to obtain the approval of the Department of Health and Human Services in issuing directed health measures in the case of a national or multi-state pandemic; harmonize provisions; and repeal the original section. LB1112 by Senator Clements. A bill for an act relating to telecommunications; provide duties and restrictions for local governing entity that permits its placement of communication infrastructure on poles and towers as prescribed; define terms; provide for applicability. That's all I have at this time.

KELLY: Thank you, Mr. Clerk. Senators, last call to bring up your bills to have them introduced today. Please bring them forward. Mr. Clerk, for new bills.

CLERK: Thank you, Mr. President. New bills: LB1113 introduced by Senator Meyer. It's a bill for an act relating to the ImagiNE Nebraska Act; amends Section 77-6831; change provisions relating to types of property receiving a property tax exemption; repeals the original section. LB1114 introduced by Senator Bostar. It's a bill for an act relating to revenue and taxation; amends Sections 77-2715.07, 77-2717, 77-2734.03; adopts the Endow Nebraska Act; provides for tax credits; harmonize provisions; provides an operative date; and repeals the original section. LB1115 introduced by Senator Dungan. It's a bill for an act relating to the Uniform Residential Landlord Tenant Act; amends Sections 76-1415, 76-1442, 76-1445, 76-1446, Section 76-1441; provides a right to a trial by jury as prescribed; harmonized provisions; repeal the original section. LB1116 introduced by Senator Ibach. It's a bill for an act relating to food retailers; adopts the Grocer Reinvestment Option Act. LB1117 introduced by Senator Dungan. It's a

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bill for an act relating to appropriations; appropriates funds to the Department of Health and Human Services; declares an emergency. LB1118 introduced by Senator McKinney. It's a bill for an act relating to cities of the second class; amends Section 17-107; change provisions relating to the process for a mayor to remove an officer from office; and repeals the original section. LB1119 introduced by Senator Dungan. It's a bill for an act relating to solar and wind energy; amends Sections 66-901 and 66-914; restates legislative findings; prohibit certain restrictions relating to solar and wind energy devices; provides a cause of action; harmonize provisions; provides severability; and repeals the original section. LB1120 introduced by Senator Hardin. It's a bill for an act relating to real property; amends Section 76-903; requires affidavits for certain purchases of real property; change provisions relating to a form used for purposes of the documentary stamp tax; and repeals the original section. LB1121 introduced by Senator Dungan. It's a bill for an act relating to the Nebraska Teacher Recruitment and Retention Act; amends Section 79-8,114; authorize additional grants under the act as prescribed; repeals the original section; declares an emergency. LB1122 introduced by Senator Ballard. It's a bill for an act relating to banking and finance; amends Section 8-2504; changes provisions relating to a fine; repeals the original section. LB1123 introduced by Senator Dungan. It's a bill for an act relating to criminal procedure; amends Section 29-3001; provides for postconviction relief for a claim of actual innocence; provides exceptions for its time limitations and procedural defaults; defines terms; repeals the original section. LB1124 introduced by Senator Vargas. It's a bill for an act relating to appropriations; states legislative intent to appropriate money to the Department of Health and Human Services for evidence-based early intervention home visitation programs; and declares an emergency. LB1125 introduced by Senator Wishart. It's a bill for an act relating to appropriations; states legislative intent to appropriate money to the Department of Health and Human Services for evidence-based early intervention nurse home visitation programs; and declares an emergency. LB1126 introduced by Senator Bosn. It's a bill for an act relating to criminal justice; creates the National Career Readiness Certificate Pilot Program for the Department of Correctional Services; provides duties to the department; and states legislative intent regarding appropriations. LB1127 introduced by Senator Bosn. It's a bill for an act relating to transportation network companies; amends Section 75-326; transfers a compliance provision and eliminate safety inspection provisions relating to the use of personal vehicles; repeals the original section; outright repeals Section 75-328. LB1128 introduced by Senator Vargas. It's a bill for an act relating to the

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Opioid Prevention Treatment Act; amends Section 71-2484 [SIC--71-2485], 71-2488, and 71-2490; renames and changes provisions relating to the Nebraska Opioid Recovery Fund; creates the Opioid Cash Fund; harmonizes provisions; repeals the original section; declares an emergency. LB1129 introduced by Senator Raybould. It's a bill for an act relating to motor vehicles; amends Sections 37-327.04, 60-301, 60-393, 60-395, 60-396, 60-3,104, 60-3,104.01, 60-3,104.02, 60-3,129, 60-3,130.04, 60-3,254, 60-495, and 68-695, as well as Sections 37-112, 37-811, 60-3,243 [SIC--60-3,253], 80-415, 80-416, 80-417, 81-2517, 82-139, Section 82-334; changes provisions relating to license plates and provides for the issuance of Autism Acceptance Plates; change provisions relating to Autism Treatment Program Cash Fund; eliminates a fund; eliminates obsolete provisions; eliminates provisions relating to certain license plates; harmonizes provisions; repeals the original section; outright repeals Sections 60-3,127, 60-3,223, 60-3,224, 60-3,225, 60-3,227, 60-3,230, 60-3,231, 60-3,234, 60-3,235, 60-3,238, 60-3,239, 60-3,240, 60-3,242, 60-3,244, 60-3,246, 60-3,248, 60-3,250, 60-3,252, 60-3,255, 60-2,256, 60-3,257, 60-3,258 and Sections 60-3,128, 60-3,226, 60-3,232, 60-3,233, 60-3,237, 60-3,241, 60-3,243, 60-3,245, 60-3,247, 60-3,249 and 60-3,251. LB1130 introduced by Senator Raybould. It's a bill for an act relating to the Mental Health Practice Act; amends Section 38-2123; provides requirements for the-- for a third provisional mental health practitioner license; and repeals the original section. LB1131 introduced by Senator Raybould. It's a bill for an act relating to appropriations; appropriates funds to Department of Health-- to the Department of Environment and Energy; and declares an emergency. LB1132 introduced by Senator Lippincott. It's a bill for an act relating to motor vehicles; amends Sections 44-6408, 60-310, 60-346, 60-509, 60-534, 60-538, 60-549, and 60-6,138 or 60-6,381, excuse me, and Section 60-501; changes liability insurance and financial responsibility requirements; harmonize provisions; provides an operative date; and repeals the original section. LB1133 introduced by Senator DeBoer. It's a bill for an act relating to the Public Service Commission; amends Section 75-401; changes provisions relating to the enforcement of federal railroad-- railroad safety standards, and repeals the original section. Additionally, Mr. President, amendments to be printed from Senator John Cavanaugh to LB43, as well as a series of amendments from Senators Conrad, DeBoer, and Machaela Cavanaugh to various rule changes. Mr. President, finally, series of name adds: Senator Brewer, LB165; Senator Jacobson to LB829; Hughes, LB830; Machaela Cavanaugh, LB830, as well as Senator Conrad and Day to LB830; Senator Brewer, LB837; Senator Day, LB853; Jacobson, LB856; Conrad, LB933; Brandt, LB952; Brewer, LB958 [SIC--LB953]; Hughes, LB972; Fredrickson, Lowe,

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Dorn, DeKay, Meyer, Brandt, and Brewer to LB984; Senator von Gillern to LB1001; Senator Kauth to LB1022, as well as Senators Wishart, Dungan, Brewer to LB1022; Senator Brewer, LB1023, LB1030 and LB1035; Senator Meyer to LB1035; Senator Day to LB1050; Senator Hughes to LB1061; Senator Brandt, Vargas, and Day to LB1087.

KELLY: Speaker Arch, you're recognized for an announcement.

ARCH: Colleagues, unfortunately, we're watching the weather once again. We see something on Thursday and spilling over into Friday. My intention was that we were going to adjourn by noon on Friday, so we're watching it carefully. We will start rules debate tomorrow morning. But, but we'll, we'll keep an eye on Friday. I'm not sure we want to bring everybody in for-- till noon, and then have everybody go home and skate their way home on, on bad roads. So we'll watch that, but we'll know more tomorrow morning. Thank you, Mr. President.

KELLY: Thank you, Mr. Speaker. Mr. Clerk.

CLERK: Mr. President, first of all, announcement. The Reference Committee will meet upon recess tomorrow in Room 2102. Reference Committee meet upon recess tomorrow in Room 2102. Additionally, a priority motion: Senator Walz would move to adjourn the body until Thursday, January 11, 2024, at 9:00 a.m.

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