

**THIRTY-EIGHTH DAY - MARCH 5, 2024**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED EIGHTH LEGISLATURE  
SECOND SESSION**

**THIRTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, March 5, 2024

**PRAYER**

The prayer was offered by Deb Badeer, Lincoln Lancaster Chaplaincy Corps, Lincoln.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Erdman.

**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 Senator Sanders who was excused; and Senators Day, Hunt, Linehan, Raybould, Slama, Vargas, von Gillern, and Walz who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-seventh day was approved.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 869.** Placed on General File with amendment.  
[AM2398](#)

1 1. Insert the following new section:

2 Sec. 3. Section 80-316, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 80-316 (1) The department shall provide domiciliary and nursing home  
5 care and subsistence to:

6 (a) All persons who either served on active duty in the armed forces

7 of the United States other than active duty for training or served on

8 active duty for training in the Nebraska National Guard and who were

9 discharged or otherwise separated with a characterization of honorable or

10 general (under honorable conditions) if, at the time of making an

11 application for admission to one of the Nebraska veterans homes:

12 (i) The applicant has been a bona fide resident of the State of  
 13 Nebraska for at least two years;  
 14 (ii) The applicant has become disabled due to service, old age, or  
 15 otherwise to an extent that it would prevent such applicant from earning  
 16 a livelihood; and  
 17 (iii) The applicant's income from all sources is such that the  
 18 applicant would be dependent wholly or partially upon public charities  
 19 for support or the type of care needed is available only at a state  
 20 institution;  
 21 (b) The spouse of any such person admitted to one of the homes who  
 22 has attained the age of fifty years and has been married to such member  
 23 for at least two years before his or her entrance into the home;  
 24 (c) Subject to subsection (2) of this section, the surviving spouses  
 25 and parents of eligible servicemen and servicewomen as defined in  
 26 subdivision (a) of this subsection who died while in the service of the  
 27 United States or who have since died of a service-connected disability as  
 1 determined by the United States Department of Veterans Affairs; and  
 2 (d) Subject to subsection (2) of this section, the surviving spouses  
 3 of eligible servicemen or servicewomen as defined in subdivision (a) of  
 4 this subsection who have since died.  
 5 (2) The surviving spouses and parents referred to in subdivision (1)  
 6 (c) or (d) of this section shall be eligible for such care and  
 7 subsistence if, at the time of applying, they:  
 8 (a) Have been bona fide residents of the State of Nebraska for at  
 9 least two years;  
 10 (b) Have attained the age of fifty years;  
 11 (c) Are unable to earn a livelihood; and  
 12 (d) Are dependent wholly or partially upon public charities or the  
 13 type of care needed is available only at a state institution.  
 14 (3) No one admitted to one of the Nebraska veterans homes under  
 15 conditions enumerated in this section shall have a vested right to  
 16 continued residence in such home if such person ceases to meet any of the  
 17 eligibility requirements of this section, except that no person who has  
 18 been regularly admitted shall be denied continued residence solely  
 19 because of his or her marriage to a member of one of the homes.  
 20 2. Renumber the remaining section and correct the repealer  
 21 accordingly.

**LEGISLATIVE BILL 1048.** Placed on General File with amendment.

**AM2709**

1 1. On page 3, strike lines 1 through 6 and insert "shall utilize the  
 2 federal agency's program if such chemical facility was required on or  
 3 before July 27, 2023, to have a chemical facility security program  
 4 pursuant to 6 C.F.R. 27.200 et seq., as such sections existed on such  
 5 date."; and after line 9 insert the following new subsection:  
 6 "(5) This section is preempted when the federal standards are in  
 7 effect if Congress reauthorizes such federal standards."

(Signed) Tom Brewer, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 310 and 311 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business,  
 the President signed the following: LRs 310 and 311.

**GENERAL FILE**

**LEGISLATIVE BILL 904.** Committee [AM2734](#), found on page 837 and considered on page 900, was renewed.

Senator Bostar renewed [AM2858](#), found and considered on page 901, to the committee amendment.

Senator Wayne requested a ruling of the Chair on whether the Bostar amendment is germane.

The Chair ruled the Bostar amendment is germane.

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

Senator Wayne withdrew his motion to overrule the Chair.

The Bostar amendment, to the committee amendment, was withdrawn.

The committee amendment, as amended, was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

**ANNOUNCEMENT**

Speaker Arch requested LB175 be passed over on General File.

**GENERAL FILE**

**LEGISLATIVE BILL 1120.** Title read. Considered.

Committee [AM2519](#), found on page 767, was offered.

Senator Hardin offered [AM2773](#), found on page 871, to the committee amendment.

The Hardin amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 1004.** Title read. Considered.

Committee [AM2551](#), found on page 752, was offered.

Senator Hansen offered the following amendment to the committee amendment:

[AM2840](#)

(Amendments to Standing Committee amendments, AM2551)

1 1. Insert the following new section:

2 Sec. 4. Since an emergency exists, this act takes effect when passed

3 and approved according to law.

The Hansen amendment, to the committee amendment, was adopted with 32 ayes, 2 nays, 12 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

Senator Hansen withdrew [AM2128](#), found on page 482.

Advanced to Enrollment and Review Initial with 34 ayes, 3 nays, 9 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 262.** Title read. Considered.

Committee [AM719](#), found on page 741, First Session, 2023, was offered.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO420](#), found on page 943, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO421](#), found on page 943, First Session, 2023, to recommit to committee.

[MO422](#), found on page 943, First Session, 2023, to bracket.

[MO423](#), found on page 943, First Session, 2023, to indefinitely postpone.

[MO424](#), found on page 943, First Session, 2023, to recommit to committee.

[MO425](#), found on page 943, First Session, 2023, to bracket.

[MO426](#), found on page 943, First Session, 2023, to recommit to committee.

No objections. So ordered.

Senator Halloran offered [AM2020](#), found on page 234, to the committee amendment.

The Halloran amendment, to the committee amendment, was adopted with 35 ayes, 1 nay, 9 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 1170.** Senator M. Cavanaugh offered [MO1222](#), found on page 890, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Riepe opened on his bill, LB1170.

Senator M. Cavanaugh opened on her motion, MO1222.

Pending.

### COMMITTEE REPORT(S) Education

**LEGISLATIVE BILL 1377.** Placed on General File with amendment.  
[AM2861](#)

- 1 1. Strike original section 5.
- 2 2. Renumber the remaining sections and correct the repealer
- 3 3 accordingly.

(Signed) Dave Murman, Chairperson

Banking, Commerce and Insurance

**LEGISLATIVE BILL 990.** Placed on General File with amendment.  
[AM2841](#)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 44-4603, Revised Statutes Cumulative Supplement,
- 4 2022, is amended to read:
- 5 44-4603 For purposes of the Pharmacy Benefit Manager Licensure and
- 6 Regulation Act:
- 7 (1) Auditing entity means a pharmacy benefit manager or any person
- 8 that represents a pharmacy benefit manager in conducting an audit for
- 9 compliance with a contract between the pharmacy benefit manager and a
- 10 pharmacy;
- 11 (2) Claims processing service means an administrative service
- 12 performed in connection with the processing and adjudicating of a claim
- 13 relating to a pharmacist service that includes:
- 14 (a) Receiving a payment for a pharmacist service; or
- 15 (b) Making a payment to a pharmacist or pharmacy for a pharmacist
- 16 service;
- 17 (3) Covered person means a member, policyholder, subscriber,
- 18 enrollee, beneficiary, dependent, or other individual participating in a
- 19 health benefit plan;
- 20 (4) Director means the Director of Insurance;
- 21 (5) Health benefit plan means a policy, contract, certificate, plan,
- 22 or agreement entered into, offered, or issued by a health carrier or
- 23 self-funded employee benefit plan to the extent not preempted by federal
- 24 law to provide, deliver, arrange for, pay for, or reimburse any of the

25 costs of a physical, mental, or behavioral health care service;  
 26 (6) Health carrier has the same meaning as in section 44-1303;  
 27 (7) Other prescription drug or device service means a service other  
 1 than a claims processing service, provided directly or indirectly,  
 2 whether in connection with or separate from a claims processing service,  
 3 including, but not limited to:  
 4 (a) Negotiating a rebate, discount, or other financial incentive or  
 5 arrangement with a drug company;  
 6 (b) Disbursing or distributing a rebate;  
 7 (c) Managing or participating in an incentive program or arrangement  
 8 for a pharmacist service;  
 9 (d) Negotiating or entering into a contractual arrangement with a  
 10 pharmacist or pharmacy;  
 11 (e) Developing and maintaining a formulary;  
 12 (f) Designing a prescription benefit program; or  
 13 (g) Advertising or promoting a service;  
 14 (8) Pharmacist has the same meaning as in section 38-2832;  
 15 (9) Pharmacist service means a product, good, or service or any  
 16 combination thereof provided as a part of the practice of pharmacy;  
 17 (10) Pharmacy has the same meaning as in section 71-425;  
 18 (11)(a) Pharmacy benefit manager means a person, business, or  
 19 entity, including a wholly or partially owned or controlled subsidiary of  
 20 a pharmacy benefit manager, that provides a claims processing service or  
 21 other prescription drug or device service for a health benefit plan to a  
 22 covered person who is a resident of this state; and  
 23 (b) Pharmacy benefit manager does not include:  
 24 (i) A health care facility licensed in this state;  
 25 (ii) A health care professional licensed in this state;  
 26 (iii) A consultant who only provides advice as to the selection or  
 27 performance of a pharmacy benefit manager; or  
 28 (iv) A health carrier to the extent that it performs any claims  
 29 processing service or other prescription drug or device service  
 30 exclusively for its enrollees; and  
 31 (12) Plan sponsor has the same meaning as in section 44-2702.  
 1 Sec. 2. Section 68-956, Reissue Revised Statutes of Nebraska, is  
 2 amended to read:  
 3 68-956 ~~(1)~~ The department shall ~~(a) enter~~ ~~÷~~ ~~(1)~~ Enter into a  
 4 multistate purchasing pool, ~~(b)~~ ~~÷~~ ~~(2)~~ negotiate directly with  
 5 manufacturers or labelers, ~~÷~~ or ~~(c)~~ ~~÷~~ ~~(3)~~ contract with a pharmacy benefit  
 6 manager for negotiated discounts or rebates for all prescription drugs  
 7 under the medical assistance program in order to achieve the lowest  
 8 available price for such drugs under such program.  
 9 ~~(2) Any contract under the Medicaid Prescription Drug Act with a~~  
 10 ~~pharmacy benefit manager or a managed care organization using a pharmacy~~  
 11 ~~benefit manager shall require any pharmacy benefit manager that is a~~  
 12 ~~party or otherwise subject to the contract to comply with the Pharmacy~~  
 13 ~~Benefit Manager Licensure and Regulation Act.~~  
 14 Sec. 3. Original section 68-956, Reissue Revised Statutes of  
 15 Nebraska, and section 44-4603, Revised Statutes Cumulative Supplement,  
 16 2022, are repealed.

**LEGISLATIVE BILL 1290.** Placed on General File with amendment.

[AM2728](#)

1 1. On page 2, line 11, strike "1 to 5" and insert "2 to 6".

(Signed) Julie Slama, Chairperson

Urban Affairs

**LEGISLATIVE BILL 842.** Placed on General File with amendment.

[AM2778](#) is available in the Bill Room.

**LEGISLATIVE BILL 1190.** Placed on General File with amendment.  
[AM2686](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 to 5 of this act shall be known and may be  
4 cited as the Service Contract Reporting Act.  
5 Sec. 2. For purposes of the Service Contract Reporting Act:  
6 (1) City means a city of the metropolitan class;  
7 (2) County means a county in this state with a population of more  
8 than five hundred thousand inhabitants as determined by the most recent  
9 federal decennial census;  
10 (3) Division means the materiel division of the Department of  
11 Administrative Services;  
12 (4) Economic redevelopment area means an area in the State of  
13 Nebraska in which:  
14 (a) The average rate of unemployment in the area during the period  
15 covered by the most recent federal decennial census or American Community  
16 Survey 5-Year Estimate by the United States Bureau of the Census is at  
17 least one hundred fifty percent of the average rate of unemployment in  
18 the state during the same period; and  
19 (b) The average poverty rate in the area is twenty percent or more  
20 for the federal census tract in the area;  
21 (5) Fiscal year means the twelve-month period used by the city,  
22 county, or state agency for budgeting purposes;  
23 (6) Qualified census tract means a qualified census tract as defined  
24 in 26 U.S.C. 42(d)(5)(B)(ii)(I), as such section existed on January 1,  
25 2024;  
26 (7) Service contract means a contract awarded by a city, county, or  
27 state agency for the provision of legal services, accounting services,  
1 financial consulting services, management consulting services, health  
2 care services, engineering services, architectural services, information  
3 technology services, marketing and advertising services, human resources  
4 consulting services, environmental consulting services, educational and  
5 training services, snow removal and hauling services, janitorial  
6 services, custodial and cleaning services, yard maintenance services, or  
7 tree removal services;  
8 (8) State agency means any agency, board, or commission of this  
9 state other than the University of Nebraska, the Nebraska state colleges,  
10 the courts, the Legislature, or any officer or state agency established  
11 by the Constitution of Nebraska; and  
12 (9) State aid means:  
13 (a) For both cities and counties, state aid paid pursuant to  
14 sections 60-3,202 and 77-3523;  
15 (b) For cities, state aid to cities paid pursuant to sections  
16 39-2501 to 39-2520, 60-3,190, and 77-27,139.04 and insurance premium tax  
17 paid to cities; and  
18 (c) For counties, state aid to counties paid pursuant to sections  
19 60-3,184 to 60-3,190, insurance premium tax paid to counties, and  
20 reimbursements to counties from funds appropriated pursuant to section  
21 29-3933.  
22 Sec. 3. On or before August 1, 2024, and on or before August 1 of  
23 each year thereafter, each city, county, and state agency shall submit a  
24 report to the division containing the following information:  
25 (1) The name and address of each individual or entity that was  
26 awarded a service contract during the most recently completed fiscal year  
27 and the type of service involved in each such contract;  
28 (2) The total dollar value of service contracts awarded during the  
29 most recently completed fiscal year;  
30 (3) The total dollar value of service contracts awarded during the

31 most recently completed fiscal year to an individual or entity located  
 1 within an economic redevelopment area or a qualified census tract; and  
 2 (4) A description of any efforts made by the city, county, or state  
 3 agency to increase the number of service contracts awarded to individuals  
 4 and entities located within economic redevelopment areas and qualified  
 5 census tracts.  
 6 Sec. 4. On or before September 1, 2024, and on or before September  
 7 1 of each year thereafter, the division shall compile the information  
 8 reported under section 3 of this act and shall electronically submit a  
 9 comprehensive report regarding such information to the Governor, the  
 10 Clerk of the Legislature, and the Urban Affairs Committee of the  
 11 Legislature. The division shall also make the comprehensive report  
 12 available on the website of the Department of Administrative Services.  
 13 Sec. 5. If any city or county fails to submit an annual report to  
 14 the division as required under section 3 of this act, the division shall  
 15 send notification of the noncompliance to the governing body of the  
 16 relevant city or county and to the State Treasurer. The State Treasurer  
 17 shall then suspend all distributions of state aid allocated to the city  
 18 or county until the annual report is submitted. Once the annual report  
 19 has been submitted, the city or county shall again become entitled to all  
 20 distributions of state aid, including any suspended distributions.

(Signed) Terrell McKinney, Chairperson

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 316.** Introduced by Aguilar, 35; Bostelman, 23; Brandt, 32; Cavanaugh, J., 9; Erdman, 47; Fredrickson, 20; Halloran, 33; Hughes, 24; Jacobson, 42; Lippincott, 34; Lowe, 37; Moser, 22; Sanders, 45; Slama, 1; von Gillern, 4.

WHEREAS, Greg Wagner has served Nebraska's outdoor resources and its people for more than forty-five years; and

WHEREAS, Greg has worked in Fisheries, Parks, and Communications divisions of the Game and Parks Commission in various capacities since May 1979; and

WHEREAS, Greg is a lifelong Nebraskan currently working as a marketing and communications specialist for Game and Parks based in Omaha, hosts an award-winning weekly Great Outdoor Radio Show that has been on air nearly thirty years, and is a contributing outdoor writer for the Nebraskaland Magazine; and

WHEREAS, Greg is a charismatic, recognized, and respected spokesperson, agency representative, media liaison, outreach coordinator, and broadcast personality and is frequently asked to be the master of ceremonies at conservation fundraisers; and

WHEREAS, Greg has supported many programs of the Game and Parks Commission and its partners that recruit more people to hunting and fishing. He has even helped proclaim a designated day in late September as National Hunting and Fishing Day with the Governor; and

WHEREAS, Greg has earned awards in the past for his dedication to the outdoors including Trout Unlimited's prestigious Certificate of Merit in 2003, the Manager of the Year Award at the Game and Parks Commission in



2000, the Long Spur Society Award from Pheasants Forever in 2010, and many other awards; and

WHEREAS, Greg is an outdoors ambassador who enjoys Nebraska's people, history, and natural and cultural resources and the Legislature recognizes Greg for the effort and guidance he has given to Nebraska's outdoor resources for forty-five years.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

1. That the Legislature congratulates Greg Wagner on forty-five years of service to the Game and Parks Commission.
2. That a copy of this resolution be sent to Greg Wagner.

Laid over.

### **VISITOR(S)**

Visitors to the Chamber were students, teachers, and sponsors from the Nebraska Thespians; students from Trinity Lutheran School, Lincoln; students from Watson Elementary, Hastings; members from the Nebraska Chapter of the American Foundation for Suicide Prevention; Madalynn and Stacy Kellum, O'Neill; students from Holy Name School, Omaha.

### **RECESS**

At 11:58 a.m., on a motion by Senator Hughes, the Legislature recessed until 1:30 p.m.

### **AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

### **ROLL CALL**

The roll was called and all members were present except Senator Sanders who was excused; and Senators Arch, Bostar, Conrad, Day, Hunt, Ibach, Linehan, Raybould, Walz, and Wayne who were excused until they arrive.

### **MESSAGE(S) FROM THE GOVERNOR**

March 5, 2024

Brandon Metzler  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. Metzler:

Engrossed Legislative Bill 16, 16A, 51, 83, 102, 102A, 147, 152, 184, 190, 303, 317, 731 were received in my office on February 29, 2024, and signed on March 5, 2024.

These bills were signed and delivered to the Secretary of State on March 5, 2024.

Sincerely,  
(Signed) Jim Pillen  
Governor

**COMMITTEE REPORT(S)**  
Natural Resources

**LEGISLATIVE BILL 1369.** Placed on General File with amendment.

[AM2707](#)

1 1. On page 2, strike lines 8 through 10 and insert the following new  
2 subdivisions:  
3 "(ii) Is controlled by the owner-generator and located entirely on  
4 the same premises as the owner-generator's electric account with the  
5 local distribution utility;  
6 (iii) Is owned, leased, or otherwise controlled by the owner-  
7 generator and used for agricultural or horticultural purposes;"; in line  
8 11 strike "(iii)" and insert "(iv)"; in line 12 strike "(iv)" and insert  
9 "(v)"; in line 14 strike "(v)" and insert "(vi)"; strike lines 15 through  
10 17; in line 18 strike "(d)" and insert "(c)"; in line 21 strike "(e)" and  
11 insert "(d)"; in line 25 strike "(f)" and insert "(e)"; in line 26 strike  
12 "(g)" and insert "(f)"; in line 29 strike "interconnection between its  
13 local distribution system and" and insert "electric service to a customer  
14 that owns"; and in line 31 after the first comma insert "safety  
15 standards".  
16 2. On page 3, strike beginning with "provide" in line 4 through  
17 "generator" in line 5 and insert "serve a customer that is an owner-  
18 generator".

(Signed) Bruce Bostelman, Chairperson

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

Senator Wayne filed the following amendment to [LB175](#):

[AM2754](#)

(Amendments to Standing Committee amendments, AM2504)

1 1. Strike amendments 1, 2, and 3 and insert the following new  
2 amendment:  
3 1. Strike the original sections and insert the following new  
4 sections:  
5 Section 1. Sections 1 to 6 of this act shall be known and may be  
6 cited as the Residential Tenant Clean Slate Act.  
7 Sec. 2. For purposes of the Residential Tenant Clean Slate Act:  
8 (1) Clean slate relief means the sealing of records under section 5  
9 of this act;  
10 (2) Eviction proceeding means an action for:  
11 (a) Forcible entry and detainer involving a residential tenancy  
12 under sections 25-21.219 to 25-21.235; or  
13 (b) Possession of any premises subject to the Uniform Residential  
14 Landlord and Tenant Act or the Mobile Home Landlord and Tenant Act;

15 (3) Landlord includes a landlord as defined in section 76-1410 and a  
16 landlord as defined in section 76-1462;  
17 (4) Residential tenancy means a tenancy, however created, between a  
18 landlord and a tenant for a dwelling unit;  
19 (5) Tenant means a current or former occupant of a dwelling unit  
20 pursuant to a residential tenancy;  
21 (6) Trial court means the trial court that presided over an eviction  
22 proceeding; and  
23 (7) When reference in this section is made to a definition found in  
24 both the Uniform Residential Landlord and Tenant Act and the Mobile Home  
25 Landlord and Tenant Act, the definition relevant to the type of tenant at  
26 issue applies for purposes of the Residential Tenant Clean Slate Act.  
1 Sec. 3. If a trial court issues an order dismissing an eviction  
2 proceeding against a tenant, the trial court shall immediately issue an  
3 order under section 5 of this act granting clean slate relief to such  
4 tenant.  
5 Sec. 4. (1) A tenant may petition the trial court for clean slate  
6 relief for an eviction proceeding at any time if:  
7 (a) The proceeding meets the requirements for clean slate relief  
8 under section 3 of this act, but the record remains public;  
9 (b) Following the eviction proceeding, a judgment granting the writ  
10 of restitution against the tenant is reversed or vacated; or  
11 (c) Following the eviction proceeding, a writ of restitution is  
12 never executed.  
13 (2) The trial court shall grant the petition without further hearing  
14 if the requirements of this section have been met.  
15 (3) Upon granting a petition under this section, the court shall  
16 issue an order for clean slate relief under section 5 of this act.  
17 (4) An order granting or denying a petition under this section is a  
18 final, appealable order for purposes of section 25-1902.  
19 (5) This section applies to all eviction proceedings, without regard  
20 to the date of filing or conclusion of the eviction proceeding, including  
21 those occurring prior to the operative date of this act.  
22 Sec. 5. (1) In issuing an order for clean slate relief, the court  
23 shall:  
24 (a) Order that all records relating to the eviction proceeding are  
25 not part of the public record and shall not be disseminated; and  
26 (b) If the case was transferred from one court to another, send  
27 notice of the order to seal the record to the transferring court.  
28 (2) Following entry of a court order granting clean slate relief, a  
29 court shall:  
30 (a) Respond to a public inquiry in the manner as if there had not  
31 been an eviction proceeding involving the tenant; and  
1 (b) Not disseminate any information regarding such eviction  
2 proceeding.  
3 (3)(a) A tenant shall not be questioned with respect to any eviction  
4 proceeding for which the record is sealed under this section:  
5 (i) In any application for housing, a lease, employment, bonding,  
6 licensure, or education;  
7 (ii) With respect to an application or request for any other right  
8 or privilege;  
9 (iii) In any appearance as a witness; or  
10 (iv) In any other public inquiry.  
11 (b) If an inquiry is made in violation of this subsection, the  
12 tenant may respond as if the eviction proceeding never occurred.  
13 (4) In any application for housing, a landlord shall not consider a  
14 tenant's prior eviction if clean slate relief has been granted for such  
15 eviction.  
16 Sec. 6. The State Court Administrator may adopt and promulgate  
17 rules and regulations as necessary to carry out the Residential Tenant

18 Clean Slate Act.

19 Sec. 7. Section 76-1415, Reissue Revised Statutes of Nebraska, is  
20 amended to read:

21 76-1415 (1) No rental agreement may provide that the tenant:

22 (a) Agrees to waive or to forego rights or remedies under the

23 Uniform Residential Landlord and Tenant Act or other federal or state

24 law;

25 (b) Authorizes any person to confess judgment on a claim arising out

26 of the rental agreement;

27 (c) Agrees to pay the landlord's or tenant's attorney's fees; or

28 (d) Agrees to the exculpation or limitation of any liability of the

29 landlord arising due to active and actionable negligence of the landlord

30 or to indemnify the landlord for that liability arising due to active and

31 actionable negligence or the costs connected therewith.

1 (2) A provision prohibited by subsection (1) of this section

2 included in a rental agreement is unenforceable. If a landlord

3 deliberately uses a rental agreement containing provisions known by him

4 or her to be prohibited, the tenant may recover actual damages sustained

5 by him or her and reasonable attorney's fees.

6 Sec. 8. Section 76-1441, Revised Statutes Cumulative Supplement,

7 2022, is amended to read:

8 76-1441 (1) The person seeking possession shall file a complaint for

9 restitution with the clerk of the district or county court. The complaint

10 shall contain (a) the specific statutory authority under which possession

11 is sought; (b) the facts, with particularity, on which he or she seeks to

12 recover; (c) a reasonably accurate description of the premises; and (d)

13 the requisite compliance with the notice provisions of the Uniform

14 Residential Landlord and Tenant Act. The complaint may notify the tenant

15 that personal property remains on the premises and that it may be

16 disposed of pursuant to section 69-2308 or subsection (5) of section

17 76-1414. The complaint may contain a demand for a trial by jury. The

18 complaint may also contain other causes of action relating to the

19 tenancy, but such causes of action shall be answered and tried

20 separately, if requested by either party in writing.

21 (2) The person seeking possession pursuant to subsection (4) of

22 section 76-1431 shall include in the complaint the incident or incidents

23 giving rise to the suit for recovery of possession.

24 Sec. 9. Section 76-1442, Reissue Revised Statutes of Nebraska, is

25 amended to read:

26 76-1442 The summons shall be issued and directed, with a copy of the

27 complaint attached thereto, and shall state the cause of the complaint,

28 the time and place of trial of the action for possession, answer day for

29 other causes of action, ~~and~~ notice that if the defendant fails to appear

30 judgment shall be entered against him or her, ~~and notice that the~~

31 ~~defendant has a right to a trial by jury and that the defendant may~~

1 demand a trial by jury if he or she so chooses. The summons may be served

2 and returned as in other cases or by any person, except that the summons

3 shall be served within three days, excluding nonjudicial days, from the

4 date of issuance and shall be returnable within five days, excluding

5 nonjudicial days, from the date of issuance. The person making the

6 service shall file with the court an affidavit stating with particularity

7 the manner in which he or she made the service. If diligent efforts have

8 been made to serve the summons in the manner provided in sections

9 25-505.01 to 25-516.01 but such efforts were unsuccessful, the summons

10 may be served in the manner provided in section 76-1442.01.

11 Sec. 10. Section 76-1445, Reissue Revised Statutes of Nebraska, is

12 amended to read:

13 76-1445 On or before the day fixed for his or her appearance, the

14 defendant may appear and answer and assert any legal or equitable

15 defense, setoff, or counterclaim and may demand a trial by jury. If the

16 ~~defendant has not demanded a trial by jury by the time of his or her~~  
 17 ~~first appearance, the court shall inform the defendant of the right to a~~  
 18 ~~trial by jury and, if the action is filed in county court, shall inquire~~  
 19 ~~whether the defendant demands a trial by jury or elects to have the~~  
 20 ~~action tried by the court without a jury.~~

21 Sec. 11. Section 76-1446, Reissue Revised Statutes of Nebraska, is  
 22 amended to read:

23 76-1446 (1) ~~The proceedings shall be in all respects as in other~~  
 24 ~~cases, except that:~~

25 (a) ~~If the action for possession will be tried by the court without~~  
 26 ~~a jury, the trial shall be held not less than ten nor more than fourteen~~  
 27 ~~days after the issuance of the summons; or~~

28 (b) ~~If the action for possession will be tried by a jury, the trial~~  
 29 ~~shall be scheduled by the court as soon as is practicable for the proper~~  
 30 ~~administration of justice. If, at the request of the tenant, the jury~~

31 ~~trial is continued beyond the initial trial date as determined by the~~  
 1 ~~court, the court may require the tenant to deposit with the clerk of the~~  
 2 ~~court such rental payments as accrue during the pendency of the suit.~~

3 ~~Trial of the action for possession shall be held not less than ten nor~~  
 4 ~~more than fourteen days after the issuance of the summons. The action~~  
 5 ~~shall be tried by the court without a jury.~~

6 (2) If the plaintiff serves the summons in the manner provided in  
 7 section 76-1442.01, the action shall proceed as other actions for  
 8 possession except that a money judgment shall not be granted for the  
 9 plaintiff.

10 (3) If judgment is rendered against the defendant for the  
 11 restitution of the premises, the court (a) shall declare the forfeiture  
 12 of the rental agreement; and (b) shall, at the request of the plaintiff  
 13 or his or her attorney, issue a writ of restitution, directing the  
 14 constable or sheriff to restore possession of the premises to the  
 15 plaintiff on a specified date not more than ten days after issuance of  
 16 the writ of restitution. The plaintiff shall comply with the Disposition  
 17 of Personal Property Landlord and Tenant Act and subsection (5) of  
 18 section 76-1414 in the removal of personal property remaining on the  
 19 premises at the time possession of the premises is restored.

20 Sec. 12. Sections 1, 2, 3, 4, 5, and 6 of this act become operative  
 21 on January 1, 2025. The other sections of this act become operative on  
 22 their effective date.

23 Sec. 13. Original sections 76-1415, 76-1442, 76-1445, and 76-1446,  
 24 Reissue Revised Statutes of Nebraska, and section 76-1441, Revised  
 25 Statutes Cumulative Supplement, 2022, are repealed.

## GENERAL FILE

**LEGISLATIVE BILL 1170.** Senator M. Cavanaugh renewed [MO1222](#), found on page 890 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Erdman 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 28 ayes, 4 nays, and 17 not voting.

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

Voting in the affirmative, 29:

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

Voting in the negative, 10:

Blood	Conrad	Dungan	McDonnell	Vargas
Cavanaugh, J.	DeBoer	Fredrickson	McKinney	Wayne

Present and not voting, 2:

Cavanaugh, M. Walz

Excused and not voting, 8:

Armendariz	Day	Ibach	Sanders
Bostar	Hunt	Raybould	Wishart

The motion to cease debate prevailed with 29 ayes, 10 nays, 2 present and not voting, and 8 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her motion to indefinitely postpone prior to the bill being read.

Voting in the affirmative, 9:

Blood	Conrad	Fredrickson	McKinney	Wayne
Cavanaugh, J.	Dungan	McDonnell	Vargas	

Voting in the negative, 30:

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

Present and not voting, 2:

Cavanaugh, M. Walz

Excused and not voting, 8:

Armendariz	Day	Ibach	Sanders
Bostar	Hunt	Raybould	Wishart

The M. Cavanaugh motion to indefinitely postpone prior to the bill being read failed with 9 ayes, 30 nays, 2 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1232](#)

Reconsider the vote on MO1222.

Senator Erdman 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 11 ayes, 9 nays, and 29 not voting.

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

The M. Cavanaugh motion to reconsider failed with 10 ayes, 30 nays, 2 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Title Read. Considered.

Senator M. Cavanaugh offered [MO1218](#), found on page 890, to bracket until April 11, 2024.

#### **SENATOR VON GILLERN PRESIDING**

#### **PRESIDENT KELLY PRESIDING**

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 9 ayes, 4 nays, and 36 not voting.

The M. Cavanaugh motion to bracket failed with 9 ayes, 30 nays, 3 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1233](#)

Reconsider the vote on MO1218.

Pending.

**COMMITTEE REPORT(S)**  
Revenue

**LEGISLATIVE BILL 1026.** Placed on General File.  
**LEGISLATIVE BILL 1059.** Placed on General File.  
**LEGISLATIVE BILL 1326.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

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

Senator M. Cavanaugh filed the following amendment to LB62:  
[AM2762](#)

(Amendments to Standing Committee amendments, AM644)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 68-911, Revised Statutes Supplement, 2023, is
- 4 amended to read:
- 5 68-911 (1) Medical assistance shall include coverage for health care
- 6 and related services as required under Title XIX of the federal Social
- 7 Security Act, including, but not limited to:
- 8 (a) Inpatient and outpatient hospital services;
- 9 (b) Laboratory and X-ray services;
- 10 (c) Nursing facility services;
- 11 (d) Home health services;
- 12 (e) Nursing services;
- 13 (f) Clinic services;
- 14 (g) Physician services;
- 15 (h) Medical and surgical services of a dentist;
- 16 (i) Nurse practitioner services;
- 17 (j) Nurse midwife services;
- 18 (k) Pregnancy-related services;
- 19 (l) Medical supplies;
- 20 (m) Mental health and substance abuse services;
- 21 (n) Early and periodic screening and diagnosis and treatment
- 22 services for children which shall include both physical and behavioral
- 23 health screening, diagnosis, and treatment services;
- 24 (o) Rural health clinic services; and
- 25 (p) Federally qualified health center services.
- 26 (2) In addition to coverage otherwise required under this section,
- 1 medical assistance may include coverage for health care and related
- 2 services as permitted but not required under Title XIX of the federal
- 3 Social Security Act, including, but not limited to:
- 4 (a) Prescribed drugs;
- 5 (b) Intermediate care facilities for persons with developmental
- 6 disabilities;
- 7 (c) Home and community-based services for aged persons and persons
- 8 with disabilities;
- 9 (d) Dental services;
- 10 (e) Rehabilitation services;
- 11 (f) Personal care services;
- 12 (g) Durable medical equipment;
- 13 (h) Medical transportation services;
- 14 (i) Vision-related services;
- 15 (j) Speech therapy services;
- 16 (k) Physical therapy services;



17 (l) Chiropractic services;  
18 (m) Occupational therapy services;  
19 (n) Optometric services;  
20 (o) Podiatric services;  
21 (p) Hospice services;  
22 (q) Mental health and substance abuse services;  
23 (r) Hearing screening services for newborn and infant children; and  
24 (s) Administrative expenses related to administrative activities,  
25 including outreach services, provided by school districts and educational  
26 service units to students who are eligible or potentially eligible for  
27 medical assistance.

28 (3) No later than July 1, 2009, the department shall submit a state  
29 plan amendment or waiver to the federal Centers for Medicare and Medicaid  
30 Services to provide coverage under the medical assistance program for  
31 community-based secure residential and subacute behavioral health  
1 services for all eligible recipients, without regard to whether the  
2 recipient has been ordered by a mental health board under the Nebraska  
3 Mental Health Commitment Act to receive such services.

4 (4) On or before October 1, 2014, the department, after consultation  
5 with the State Department of Education, shall submit a state plan  
6 amendment to the federal Centers for Medicare and Medicaid Services, as  
7 necessary, to provide that the following are direct reimbursable services  
8 when provided by school districts as part of an individualized education  
9 program or an individualized family service plan: Early and periodic  
10 screening, diagnosis, and treatment services for children; medical  
11 transportation services; mental health services; nursing services;  
12 occupational therapy services; personal care services; physical therapy  
13 services; rehabilitation services; speech therapy and other services for  
14 individuals with speech, hearing, or language disorders; and vision-  
15 related services.

16 (5) No later than January 1, 2023, the department shall provide  
17 coverage for continuous glucose monitors under the medical assistance  
18 program for all eligible recipients who have a prescription for such  
19 device.

20 (6) On or before October 1, 2023, the department shall seek federal  
21 approval for federal matching funds from the federal Centers for Medicare  
22 and Medicaid Services through a state plan amendment or waiver to extend  
23 postpartum coverage for beneficiaries from sixty days to at least six  
24 months. Nothing in this subsection shall preclude the department from  
25 submitting a state plan amendment for twelve months.

26 (7)(a) No later than January 1, 2024, the department shall provide  
27 coverage, and reimbursement to providers, for all necessary translation  
28 and interpretation services for eligible recipients utilizing a medical  
29 assistance program service. The department shall take all actions  
30 necessary to maximize federal funding to carry out this subsection.

31 (b) The services described in subdivision (7)(a) of this section  
1 shall be funded by the Medicaid Managed Care Excess Profit Fund as  
2 described in section 68-996.

3 Sec. 2. Section 68-996, Revised Statutes Cumulative Supplement,  
4 2022, is amended to read:  
5 68-996 The Medicaid Managed Care Excess Profit Fund is created. The  
6 fund shall contain money returned to the State Treasurer pursuant to  
7 subdivision (3) of section 68-995. The fund shall first be used to offset  
8 any losses under subdivision (2) of section 68-995 and then to provide  
9 for services addressing the health needs of adults and children under the  
10 Medical Assistance Act, including filling service gaps, providing system  
11 improvements, translation and interpretation services, and sustaining  
12 access to care as determined by the Legislature. The fund shall only be  
13 used for the purposes described in this section. Any money in the fund  
14 available for investment shall be invested by the state investment

15 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
 16 State Funds Investment Act.  
 17 Sec. 3. Original section 68-996, Revised Statutes Cumulative  
 18 Supplement, 2022, and section 68-911, Revised Statutes Supplement, 2023,  
 19 are repealed.

Senator M. Cavanaugh filed the following amendment to LB62:  
AM2878

1 1. Insert the following new sections:

2 Section 1. Section 68-908, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:

4 68-908 (1) The department shall administer the medical assistance  
 5 program.

6 (2) The department may (a) enter into contracts and interagency  
 7 agreements, (b) adopt and promulgate rules and regulations, (c) adopt fee  
 8 schedules, (d) apply for and implement waivers and managed care plans for  
 9 services for eligible recipients, including services under the Nebraska  
 10 Behavioral Health Services Act, and (e) perform such other activities as  
 11 necessary and appropriate to carry out its duties under the Medical  
 12 Assistance Act. A covered item or service as described in section 68-911  
 13 that is furnished through a school-based health center, furnished by a  
 14 provider, and furnished under a managed care plan pursuant to a waiver  
 15 does not require prior consultation or referral by a patient's primary  
 16 care physician to be covered. Any federally qualified health center  
 17 providing services as a sponsoring facility of a school-based health  
 18 center shall be reimbursed for such services provided at a school-based  
 19 health center at the federally qualified health center reimbursement  
 20 rate.

21 (3) The department shall maintain the confidentiality of information  
 22 regarding applicants for or recipients of medical assistance and such  
 23 information shall only be used for purposes related to administration of  
 24 the medical assistance program and the provision of such assistance or as  
 25 otherwise permitted by federal law.

26 (4) The department shall prepare an annual summary and analysis of  
 27 the medical assistance program for legislative and public review. The  
 1 department shall submit a report of such summary and analysis to the  
 2 Governor and the Legislature electronically no later than December 1 of  
 3 each year. The annual summary shall include, but not be limited to:

4 (a) The number and percentage of applications approved and denied;

5 (b) The number of eligibility determinations, including the number  
 6 and percentage of those individuals remaining enrolled, terminations, and  
 7 other determinations;

8 (c) The number of case closures in the medical assistance program  
 9 and the Children's Health Insurance Program and the specific reason for  
 10 the closure broken down by (i) eligibility category, including program  
 11 type, (ii) local public health district or other geographic area, and  
 12 (iii) race or ethnicity if available;

13 (d) The number of medical assistance program and Children's Health  
 14 Insurance Program enrollees broken down by (i) eligibility category,  
 15 including program type, (ii) local public health district or other  
 16 geographic area, and (iii) race or ethnicity, if available;

17 (e) The number and percentage of redeterminations or renewals  
 18 processed ex parte, broken down by (i) eligibility category, including  
 19 program type and (ii) race or ethnicity, if available;

20 (f) The average number of days required to process applications for  
 21 the medical assistance program and Children's Health Insurance Program,  
 22 separating the data by applicants with modified adjusted gross income and  
 23 nonmodified adjusted gross income eligibility;

24 (g) The rate of re-enrollment within ninety days of termination and  
 25 within twelve months of termination, broken down by (i) eligibility

26 category, including program type, (ii) local public health district or  
 27 other geographic area, and (iii) race or ethnicity, if available;  
 28 (h) The average client call duration;  
 29 (i) The client call abandonment rate;  
 30 (j) The number of requests for a fair hearing separated by (i)  
 31 eligibility category and program type, (ii) outcome, and (iii) amount of  
 1 time until final disposition; and  
 2 (k) A link to the medical assistance program fair hearing decisions  
 3 that have been redacted to protect private and health information which  
 4 shall be posted on the department's website.  
 5 Sec. 3. The Department of Health and Human Services shall  
 6 electronically submit a report to the Health and Human Services Committee  
 7 of the Legislature by November 1 of each year on the current and  
 8 anticipated expenditures for the Temporary Assistance for Needy Families  
 9 program funds allocated pursuant to the federal Personal Responsibility  
 10 and Work Opportunity Reconciliation Act of 1996, Public Law 104-193. Such  
 11 report shall provide the committee with all necessary and appropriate  
 12 information to enable the committee to conduct a meaningful evaluation of  
 13 such expenditures. Such information shall include, but not be limited to:  
 14 (1) A clear description of programs and services currently funded by  
 15 the Temporary Assistance for Needy Families program;  
 16 (2) A clear explanation of each purpose met by such program or  
 17 service;  
 18 (3) For programs and services provided by entities other than the  
 19 state, a clear description of the recipient of Temporary Assistance to  
 20 Needy Families funds;  
 21 (4) For programs other than the aid to dependent children program, a  
 22 clear statement explaining how an expenditure for that program or service  
 23 is more likely to help families achieve economic mobility and self-  
 24 sufficiency than an increase in expenditures for the aid to dependent  
 25 children program;  
 26 (5) The number of persons served under each program or service; and  
 27 (6) All costs and expenditures associated with each program or  
 28 service.  
 29 2. Renumber the remaining section and correct the repealer  
 30 accordingly.

Senator Conrad filed the following amendment to LB1268:

[AM2541](#)

1 1. Insert the following new sections:  
 2 Sec. 2. Section 40-103, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 40-103 The homestead is subject to execution or forced sale in  
 5 satisfaction of judgments obtained (1) on debts secured by mechanics',  
 6 laborers', or vendors' liens upon the premises and (2) on debts secured  
 7 by mortgages or trust deeds upon the premises executed and acknowledged  
 8 by a ~~both husband and wife, or an unmarried~~ claimant.  
 9 Sec. 4. The following section is outright repealed: Section 40-102,  
 10 Reissue Revised Statutes of Nebraska.  
 11 2. Renumber the remaining sections and correct the repealer  
 12 accordingly.

Senator M. Cavanaugh filed the following amendment to LB1108:

[AM2877](#)

(Amendments to Standing Committee amendments, AM2482)

1 1. Strike section 1 and insert the following new section:  
 2 Section 1. Section 39-1390, Revised Statutes Cumulative Supplement,  
 3 2022, is amended to read:  
 4 39-1390 The State Recreation Road Fund is created. The money in the

5 fund shall be transferred by the State Treasurer, on the first day of  
6 each month, to the department and shall be expended by the Director-State  
7 Engineer with the approval of the Governor for construction and  
8 maintenance of dustless-surface roads to be designated as state  
9 recreation roads as provided in this section, except that (1) transfers  
10 may be made from the fund to the State Park Cash Revolving Fund at the  
11 direction of the Legislature through July 31, 2016, and (2) if the  
12 balance in the State Recreation Road Fund exceeds fourteen million  
13 dollars on the first day of each month, the State Treasurer shall  
14 transfer the amount greater than fourteen million dollars to the Game and  
15 Parks State Park Improvement and Maintenance Fund, and (3) transfers may  
16 be made from the State Recreation Road Fund to the Nebraska Emergency  
17 Medical System Operations Fund at the direction of the Legislature.  
18 Except as to roads under contract as of March 15, 1972, those roads,  
19 excluding state highways, giving direct and immediate access to or  
20 located within state parks, state recreation areas, or other recreational  
21 or historical areas, shall be eligible for designation as state  
22 recreation roads. Such eligibility shall be determined by the Game and  
23 Parks Commission and certified to the Director-State Engineer, who shall,  
24 after receiving such certification, be authorized to commence  
25 construction on such recreation roads as funds are available. In  
26 addition, those roads, excluding state highways, giving direct and  
1 immediate access to a state veteran cemetery are state recreation roads.  
2 After construction of such roads they shall be shown on the map provided  
3 by section 39-1311. Preference in construction shall be based on existing  
4 or potential traffic use by other than local residents. Unless the State  
5 Highway Commission otherwise recommends, such roads upon completion of  
6 construction shall be incorporated into the state highway system. If such  
7 a road is not incorporated into the state highway system, the department  
8 and the county within which such road is located shall enter into a  
9 maintenance agreement establishing the responsibility for maintenance of  
10 the road, the maintenance standards to be met, and the responsibility for  
11 maintenance costs. The State Treasurer shall transfer one million two  
12 hundred seventy thousand dollars from the State Recreation Road Fund to  
13 the Nebraska Emergency Medical System Operations Fund on or before June  
14 30, 2025, on such dates and in such amounts as determined by the budget  
15 administrator of the budget division of the Department of Administrative  
16 Services. The State Treasurer shall transfer one million two hundred  
17 seventy thousand dollars from the State Recreation Road Fund to the  
18 Nebraska Emergency Medical System Operations Fund on or before June 30,  
19 2026, on such dates and in such amounts as determined by the budget  
20 administrator of the budget division of the Department of Administrative  
21 Services. Any money in the State Recreation Road Fund available for  
22 investment shall be invested by the state investment officer pursuant to  
23 the Nebraska Capital Expansion Act and the Nebraska State Funds  
24 Investment Act.  
25 2. Correct the repealer accordingly.

Senator Fredrickson filed the following amendment to LB399:  
AM2848

(Amendments to Standing Committee amendments, AM2702)

- 1 1. On page 1, lines 16 through 18, strike the new matter; and in
- 2 line 20 strike the new matter and after "generates" insert "or stores".

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

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

Senator Vargas name added to LB198.  
Senator Sanders name added to LB253.

Senator Wayne name added to LB731.  
Senator Vargas name added to LB1324.

**VISITOR(S)**

Visitors to the Chamber were students from Centennial Elementary, Columbus; athletic training students from University of Nebraska-Omaha and University of Nebraska-Kearney and members of the Nebraska Athletic Trainers' Association.

The Doctor of the Day was Dr. Patrick Hotovy of York.

**ADJOURNMENT**

At 4:22 p.m., on a motion by Senator Ibach, the Legislature adjourned until 9:00 a.m., Wednesday, March 6, 2024.

Brandon Metzler  
Clerk of the Legislature

