

NINETEENTH DAY - JANUARY 31, 2024

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION**

NINETEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 31, 2024

PRAYER

The prayer was offered by Kyle Campise, Bethel Baptist Church, Ord.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Kauth.

ROLL CALL

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

The roll was called and all members were present except Senator Raybould who was excused; and Senators Bostar, M. Cavanaugh, Conrad, Day, Hansen, Hunt, Ibach, Riepe, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

MESSAGE(S) FROM THE GOVERNOR

January 10, 2024

Mr. President, Speaker Arch
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Arch, and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as a member of the State Board of Health:

J. Paul Cook, MD, 17241 Oak Drive - Suite 101, Omaha, NE 68130,
Physician

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Wednesday, February 7, 2024

LB1183
LB1114
LB1299
LB1134
LB1315

(Signed) Lou Ann Linehan, Chairperson

Natural Resources
Room 1525 1:30 PM

Wednesday, February 7, 2024

LB956
LB969
LB1260

Room 1525 1:30 PM

Thursday, February 8, 2024

LB837
LB1369

(Signed) Bruce Bostelman, Chairperson

GENERAL FILE

LEGISLATIVE BILL 31. Title read. Considered.

Committee [AM2019](#), found on page 561, was offered.

SPEAKER ARCH PRESIDING

PRESIDENT KELLY PRESIDING

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

Senator Day moved for a call of the house. The motion prevailed with 16 ayes, 5 nays, and 28 not voting.

The motion to cease debate prevailed with 26 ayes, 18 nays, and 5 not voting.

The committee amendment was adopted with 35 ayes, 8 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Slama offered the following amendment:

[FA208](#)

Strike the enacting clause.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1. Placed on Final Reading.

LEGISLATIVE BILL 151. Placed on Final Reading.

LEGISLATIVE BILL 184. Placed on Select File.

LEGISLATIVE BILL 102. Placed on Select File with amendment.

[ER47](#)

- 1 1. Renumber original sections 27, 28, and 29 as sections 29, 27, and 28, respectively.
- 2 2. On page 17, line 11, strike the period and insert an underscored semicolon; and in line 16 after the semicolon insert "and".
- 3 3. On page 24, line 4, strike the first comma and insert "or".
- 4 4. On page 25, line 7, strike "(5)" and insert "(2)"; and in line 9 strike "licensed", show as stricken, and insert "professional".
- 5 5. On page 30, line 17, strike "(1)", show as stricken, and insert "(a)"; in line 18 strike "(2)", show as stricken, and insert "(b)"; in line 19 strike "(3)", show as stricken, and insert "(c)" and strike "(4)", show as stricken, and insert "(d)"; in line 20 strike "(5)", show as stricken, and insert "(e)"; in line 21 strike "(6)", show as stricken, and insert "(f)"; and in line 22 strike "(7)", show as stricken, and insert "(g)".
- 6 6. On page 31, line 22, strike "or regulations adopted or" and insert "and regulations adopted and".
- 7 7. On page 34, line 20, strike the first comma and insert "or" and after "words" insert an underscored comma.

LEGISLATIVE BILL 102A. Placed on Select File with amendment.

[ER48](#)

1 1. On page 1, line 3, strike "First Session, 2023" and insert
2 "Second Session, 2024".

LEGISLATIVE BILL 83. Placed on Select File.

LEGISLATIVE BILL 541. Placed on Select File with amendment.

[ER46](#)

1 1. On page 1, strike lines 3 through 7 and insert "32-606, 32-608,
2 and 70-611, Revised Statutes Cumulative Supplement, 2022; to change
3 certain requirements relating to elections for public power districts
4 based on annual gross revenue received; to harmonize provisions; and to
5 repeal the original sections."

LEGISLATIVE BILL 307. Placed on Select File with amendment.

[ER45](#)

1 1. On page 1, strike beginning with "section" in line 2 through line
2 5 and insert "sections 28-441 and 28-442, Revised Statutes Cumulative
3 Supplement, 2022; to provide for exceptions to penalties under the
4 Uniform Controlled Substances Act relating to drug paraphernalia; and to
5 repeal the original sections."

(Signed) Beau Ballard, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Business and Labor
Room 2102 1:30 PM

Monday, February 12, 2024

LB1188
LB1189
LB1408
LB1017
LB1393

(Signed) Merv Riepe, Chairperson

Judiciary
Room 1113 1:30 PM

Wednesday, February 7, 2024

LB876
LB1195
LB963
LB996
LB894
LB898
LB918

(Signed) Justin Wayne, Chairperson

Health and Human Services
Room 1510 1:30 PM

Wednesday, February 7, 2024

Alyssa L. Bish - Division of Children and Family Services-Department of
Health and Human Services

Steven L. Corsi - Department of Health and Human Services

LB1178

LB932

LB857

LB1355

LB1325

(Signed) Ben Hansen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Erdman filed the following amendment to LB844:

AM2208

1 1. On page 3, strike line 31 and insert the following new

2 subsections:

3 "(3)(a) By April 1, 2025, the Director of Agriculture shall publish

4 a directory on the Department of Agriculture's website, updated by

5 December of each year, that contains:

6 (i) The name of each operation with a valid certificate of exemption
7 described in subdivision (7) of section 48-1703 that provides detasseling
8 or roguing services for seed corn;

9 (ii) The address of the headquarters for each such operation; and

10 (iii) Contact information for each such operation, including a
11 telephone number.

12 (b) Beginning in 2026, by January 15 of each year the Director of
13 Agriculture shall send, by registered mail, a copy of the most recently
14 updated directory described in this subsection to the following:

15 (i) Each seed corn producer that submitted the form described in
16 subdivision (1)(b) of this section during the previous year; and

17 (ii) Any seed corn producer that notifies the Director of
18 Agriculture of its intention to produce seed corn in this state during
19 the next growing season. The Director of Agriculture shall prescribe the
20 method by which any such seed corn producer may notify the Director of
21 Agriculture of its intention to produce seed corn in the next growing
22 season and receive a copy of the most recently updated directory
23 described in this subsection.

24 (4) The Department of Agriculture may adopt and promulgate rules and
25 regulations to carry out this section."

26 2. On page 4, strike lines 1 through 10.

Senator Sanders filed the following amendment to LB771:

AM2209

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 85-2701, Revised Statutes Cumulative Supplement,
4 2022, is amended to read:

5 85-2701 Sections 85-2701 to 85-2705 and section 2 of this act shall
6 be known and may be cited as the Veteran and Active Duty Supportive
7 Postsecondary Institution Act.

8 Sec. 2. (1) The department shall implement and develop a pilot

9 program to provide a grant to any qualifying postsecondary institution to
 10 assist the United States Defense POW/MIA Accounting Agency with
 11 accounting for United States servicemembers and civilians missing from
 12 designated past conflicts as such conflicts are determined by such
 13 federal agency. The department shall utilize available funding from the
 14 Veterans' Aid Income Fund to provide such grants and pay the costs of
 15 administering the pilot program.

16 (2) In order to be a qualifying postsecondary institution, the
 17 institution shall have (a) a partnership or service agreement with the
 18 United States Defense POW/MIA Accounting Agency to establish or expand
 19 undergraduate and graduate student internships to provide such assistance
 20 and (b) first received the Veteran and Active Duty Supportive designation
 21 under section 85-2703.

22 (3) On or before November 1, 2025, the director shall electronically
 23 submit a report to the Government, Military and Veterans Affairs
 24 Committee of the Legislature regarding the pilot program.

25 (4) It is the intent of the Legislature to appropriate two hundred
 26 thousand dollars from the Veterans' Aid Income Fund for FY2024-25 to the
 27 department for purposes of this section.

1 Sec. 3. Section 80-401, Revised Statutes Supplement, 2023, is
 2 amended to read:

3 80-401 (1) There is hereby established a fund to be known as the
 4 Nebraska Veterans' Aid Fund. The Nebraska Investment Council is directed
 5 to purchase bonds or notes issued by the government of the United States
 6 or the State of Nebraska, or any county, school district, or municipality
 7 therein, with a face value of twelve million dollars, as of August 1,
 8 1984, to carry out sections 80-401 to 80-405 and to place them in the
 9 custody and control of the State Treasurer of the State of Nebraska under
 10 the same conditions as other state money.

11 (2) Such fund shall be managed as follows: (a) When necessary to pay
 12 a premium for bonds for such fund, the amount of the premium shall be
 13 amortized over the term of the bonds from the interest received on such
 14 bonds; and (b) when bonds for such fund are purchased at a discount, the
 15 amount of the discount shall be used to purchase additional bonds, it
 16 being contemplated that the face amount of the bonds in such fund may in
 17 this manner aggregate in excess of twelve million dollars at some future
 18 time. Transfers may be made from the Nebraska Veterans' Aid Fund to the
 19 Veteran Cemetery Construction Fund at the direction of the Legislature
 20 until July 30, 2024. The State Treasurer shall transfer four million
 21 dollars from the Nebraska Veterans' Aid Fund to the Veteran Cemetery
 22 Construction Fund on July 15, 2023. The State Treasurer shall transfer
 23 four million dollars from the Nebraska Veterans' Aid Fund to the Veteran
 24 Cemetery Construction Fund on July 15, 2024.

25 (3) The interest on the Nebraska Veterans' Aid Fund, except so much
 26 as may be required for amortization of premium bond purchases as
 27 authorized in this section and so much as may be required to pay a pro
 28 rata share of the budget appropriated for the Nebraska Investment Council
 29 pursuant to section 72-1249.02, shall be paid to the Veterans' Aid Income
 30 Fund, which fund is hereby created. The Veterans' Aid Income Fund, when
 31 appropriated by the Legislature, shall be available to the Director of
 1 Veterans' Affairs for aid to needy veterans as authorized by law and for
 2 purposes of section 2 of this act.

3 (4) The Nebraska Investment Council shall manage the Nebraska
 4 Veterans' Aid Fund, with investment and reinvestment to be made in the
 5 same type securities authorized for investment of funds by the Nebraska
 6 Capital Expansion Act and the Nebraska State Funds Investment Act.

7 (5) The director shall advise the Nebraska Investment Council when
 8 amounts in the Veterans' Aid Income Fund are not immediately required
 9 pursuant to this section for aid to needy veterans. The state investment
 10 officer shall invest such amounts available from the Veterans' Aid Income
 11 Fund in the same manner as investments of the Nebraska Veterans' Aid
 12 Fund, and the interest thereon shall also become a part of the Veterans'
 13 Aid Income Fund.

14 Sec. 4. Original section 80-401, Revised Statutes Supplement, 2023,

15 is repealed.

16 Sec. 5. Since an emergency exists, this act takes effect when
17 passed and approved according to law.

Senator Slama filed the following amendment to LB31:

FA209

Strike Section 2.

Senator Erdman filed the following amendment to LB102:

AM2258

1 1. Insert the following new section:

2 Sec. 25. Section 81-8,110.12, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 81-8,110.12 The examining board shall adopt and have an official
5 seal, which shall be affixed to all licenses registration and in-training
6 certificates that are granted by the examining board. The dimensions of
7 the seal shall be as provided in the bylaws.

8 2. On page 10, line 28, after "professional" insert "land".

9 3. On page 15, line 15, strike the first comma and show as stricken;

10 in line 19 after "to" insert "such"; strike beginning with "of" in line
11 19 through "record" in line 22 and show the old matter as stricken; and
12 strike lines 26 through 31 and all amendments thereto and insert the
13 following new subsections:

14 "(2) Descriptions of tracts of land shall not be described entirely
15 by coordinates of the Nebraska Plane Coordinate System or any other plane
16 coordinate system.

17 "(3) Nothing in this section requires a purchaser, mortgagee, or
18 insurer of real property to rely on a land description, any part of which
19 depends exclusively upon the Nebraska Plane Coordinate System."

20 4. On page 17, line 10, strike "or"; in line 11 strike the period
21 and insert "; or"; and after line 11 insert the following new
22 subdivision:

23 "(f) To provide improvement location reports;".

24 5. On page 19, line 11, strike "and"; in line 13 reinstate the
25 stricken ". The examining board"; and in line 19 after the first "board"
26 insert an underscored comma.

27 6. On page 23, line 11, strike "registration" and insert "license";
1 and in line 17 strike "per year" and insert "for the initial
2 application".

3 7. On page 26, line 18, strike "effective" and insert "operative".

4 8. On page 29, line 4, strike "registrant", show as stricken, and
5 insert "licensee"; in lines 12 and 13 strike "the county courthouse",
6 show as stricken, and insert "a county-owned building"; and in line 27
7 strike "ALTA/NSPS" and insert "American Land Title Association and
8 National Society of Professional Surveyors".

9 9. On page 30, line 23, after "plats" insert an underscored comma.

10 10. On page 33, strike beginning with "been" in line 18 through
11 "81-8,123" in line 19, show as stricken, and insert "violated the Land
12 Surveyors Regulation Act or any rules and regulations adopted and
13 promulgated under the act".

14 11. On page 39, line 21, strike "2023" and insert "2024"; and in
15 line 25 after "81-8,110.08," insert "81-8,110.12,".

16 12. Renumber the remaining sections and correct the internal
17 references accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB126.

Senator Conrad name added to LB826.
Senator Conrad name added to LB840.
Senator Blood name added to LB853.
Senator Conrad name added to LB857.
Senator Conrad name added to LB861.
Senator Conrad name added to LB905.
Senator Conrad name added to LB913.
Senator Conrad name added to LB916.
Senator Conrad name added to LB922.
Senator Conrad name added to LB935.
Senator Conrad name added to LB971.
Senator Conrad name added to LB973.
Senator Conrad name added to LB1036.
Senator Conrad name added to LB1040.
Senator Conrad name added to LB1046.
Senator Conrad name added to LB1053.
Senator Conrad name added to LB1086.
Senator Conrad name added to LB1106.
Senator Conrad name added to LB1107.
Senator Conrad name added to LB1109.
Senator Conrad name added to LB1115.
Senator Conrad name added to LB1116.
Senator Conrad name added to LB1117.
Senator Conrad name added to LB1121.
Senator Conrad name added to LB1124.
Senator Conrad name added to LB1125.
Senator Conrad name added to LB1126.
Senator Conrad name added to LB1128.
Senator Conrad name added to LB1131.
Senator Conrad name added to LB1139.
Senator Conrad name added to LB1160.
Senator Ibach name added to LR287CA.

VISITOR(S)

Visitors to the Chamber were Art Duvall, Ord; Julie Jacobson, North Platte; Members of Scotts Bluff County Leadership, Scottsbluff.

The Doctor of the Day was Dr. Kip Anderson of Columbus.

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Riepe, the Legislature adjourned until 9:00 a.m., Thursday, February 1, 2024.

Brandon Metzler
Clerk of the Legislature