

EIGHTY-THIRD DAY - MAY 23, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

EIGHTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 23, 2023

PRAYER

The prayer was offered by Reverend Jason Gantz, Gordon Berean Church, Gordon.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Moser.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Arch presiding.

The roll was called and all members were present except Senator Walz who was excused; and Senators Albrecht, J. Cavanaugh, Day, Dover, Hunt, Raybould, Slama, Vargas, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-second day was approved.

AMENDMENT - Print in Journal

Senator Blood filed the following amendment to [LB50](#):
[AM1923](#)

(Amendments to Standing Committee amendments, AM1436)

- 1 1. Insert the following new sections:
- 2 Sec. 26. Section 42-903, Revised Statutes Cumulative Supplement,
- 3 2022, is amended to read:
- 4 42-903 For purposes of the Protection from Domestic Abuse Act,
- 5 unless the context otherwise requires:
- 6 (1) Abuse means the occurrence of one or more of the following acts
- 7 between family or household members:
- 8 (a) Attempting to cause or intentionally and knowingly causing
- 9 bodily injury with or without a dangerous instrument;

10 (b) Placing, by means of credible threat, another person in fear of
 11 bodily injury. For purposes of this subdivision, credible threat means a
 12 verbal or written threat, including a threat performed through the use of
 13 an electronic communication device, or a threat implied by a pattern of
 14 conduct or a combination of verbal, written, or electronically
 15 communicated statements and conduct that is made by a person with the
 16 apparent ability to carry out the threat so as to cause the person who is
 17 the target of the threat to reasonably fear for his or her safety or the
 18 safety of his or her family. It is not necessary to prove that the person
 19 making the threat had the intent to actually carry out the threat. The
 20 present incarceration of the person making the threat shall not prevent
 21 the threat from being deemed a credible threat under this section; or
 22 (c) Engaging in sexual contact or sexual penetration without consent
 23 as defined in section 28-318;

24 (2) Department means the Department of Health and Human Services;

25 (3) Family or household members includes spouses or former spouses,
 26 children, persons who are presently residing together or who have resided
 1 together in the past, persons who have a child in common whether or not
 2 they have been married or have lived together at any time, other persons
 3 related by consanguinity or affinity, and persons who are presently
 4 involved in a dating relationship with each other or who have been
 5 involved in a dating relationship with each other. For purposes of this
 6 subdivision, dating relationship means frequent, intimate associations
 7 primarily characterized by the expectation of affectional or sexual
 8 involvement, but does not include a casual relationship or an ordinary
 9 association between persons in a business or social context; ~~and~~

10 (4) Household pet means any animal maintained for companionship or
 11 pleasure but does not include any animal kept primarily for commercial
 12 purposes or for consumption or any livestock animal as defined in section
 13 54-902; and

14 (5) (4) Law enforcement agency means the police department or town
 15 marshal in incorporated municipalities, the office of the sheriff in
 16 unincorporated areas, and the Nebraska State Patrol.

17 Sec. 27. Section 42-924, Revised Statutes Cumulative Supplement,
 18 2022, is amended to read:

19 42-924 (1)(a) Any victim of domestic abuse may file a petition and
 20 affidavit for a protection order as provided in this section. Upon the
 21 filing of such a petition and affidavit in support thereof, the court may
 22 issue a protection order without bond granting the following relief:

23 (i) Enjoining the respondent from imposing any restraint upon the
 24 petitioner or upon the liberty of the petitioner;

25 (ii) Enjoining the respondent from threatening, assaulting,
 26 molesting, attacking, or otherwise disturbing the peace of the
 27 petitioner;

28 (iii) Enjoining the respondent from telephoning, contacting, or
 29 otherwise communicating with the petitioner;

30 (iv) Removing and excluding the respondent from the residence of the
 31 petitioner, regardless of the ownership of the residence;

1 (v) Ordering the respondent to stay away from any place specified by
 2 the court;

3 (vi) Awarding the petitioner temporary custody of any minor children
 4 not to exceed ninety days;

5 (vii) Enjoining the respondent from possessing or purchasing a
 6 firearm as defined in section 28-1201; ~~or~~

7 (viii) Directing that the petitioner have sole possession of any
 8 household pet owned, possessed, leased, kept, or held by the petitioner,
 9 the respondent, or any family or household member residing in the
 10 household of the petitioner or respondent;

11 (ix) Enjoining the respondent from coming into contact with,
 12 harming, or killing any household pet owned, possessed, leased, kept, or

13 ~~held by the petitioner, the respondent, or any family or household member~~
14 of the petitioner or respondent; or

15 ~~(x) (viii) Ordering such other relief deemed necessary to provide~~
16 for the safety and welfare of the petitioner and any designated family or
17 household member.

18 ~~(b) If sole possession of a household pet is ordered by a court~~
19 ~~pursuant to subdivision (1)(a)(viii) of this section, such possession~~
20 ~~shall be for the duration of the protection order or until further order~~
21 ~~of the court. The grant of sole possession of a household pet under such~~
22 ~~subdivision is not intended to permanently determine ownership of such~~
23 ~~household pet. The petitioner shall not permanently transfer, sell, or~~
24 ~~dispose of a household pet placed in the petitioner's possession without~~
25 ~~prior court approval, except that court approval shall not be required in~~
26 ~~cases where humane euthanasia of a seriously ill or injured household pet~~
27 ~~is recommended by a licensed veterinarian.~~

28 ~~(c) (b) The petition for a protection order shall state the events~~
29 and dates or approximate dates of acts constituting the alleged domestic
30 abuse, including the most recent and most severe incident or incidents.

31 ~~(d) (e) The protection order shall specify to whom relief under this~~
1 section was granted.

2 (2) Petitions for protection orders shall be filed with the clerk of
3 the district court, and the proceeding may be heard by the county court
4 or the district court as provided in section 25-2740. A petition for a
5 protection order may not be withdrawn except upon order of the court.

6 (3)(a) A protection order shall specify that it is effective for a
7 period of one year and, if the order grants temporary custody, the number
8 of days of custody granted to the petitioner unless otherwise modified by
9 the court.

10 (b)(i) Any victim of domestic abuse may file a petition and
11 affidavit to renew a protection order. Such petition and affidavit for
12 renewal shall be filed any time within forty-five days before the
13 expiration of the previous protection order, including the date the order
14 expires.

15 (ii) A protection order may be renewed on the basis of the
16 petitioner's affidavit stating that there has been no material change in
17 relevant circumstances since entry of the order and stating the reason
18 for the requested renewal if:

19 (A) The petitioner seeks no modification of the order; and
20 (B)(I) The respondent has been properly served with notice of the
21 petition for renewal and notice of hearing and fails to appear at the
22 hearing; or
23 (II) The respondent indicates that he or she does not contest the
24 renewal.

25 (iii) Such renewed order shall specify that it is effective for a
26 period of one year to commence on the first calendar day following the
27 expiration of the previous order or on the calendar day the court grants
28 the renewal if such day is subsequent to the first calendar day after
29 expiration of the previous order and, if the court grants temporary
30 custody, the number of days of custody granted to the petitioner unless
31 otherwise modified by the court.

1 (4) Any person, except the petitioner, who knowingly violates a
2 protection order issued pursuant to this section or section 42-931 after
3 service or notice as described in subsection (2) of section 42-926 shall
4 be guilty of a Class I misdemeanor, except that any person convicted of
5 violating such order who has a prior conviction for violating a
6 protection order shall be guilty of a Class IV felony.

7 (5) If there is any conflict between sections 42-924 to 42-926 and
8 any other provision of law, sections 42-924 to 42-926 shall govern.

9 2. Renumber the remaining sections, correct internal references, and
10 correct the repealer accordingly.

SELECT FILE

LEGISLATIVE BILL 243A. Senator M. Cavanaugh offered the following motion:

[MO1126](#)

Bracket until June 9, 2023.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 11 ayes, 9 nays, and 29 not voting.

The M. Cavanaugh motion to bracket failed with 1 aye, 38 nays, 4 present and not voting, and 6 excused and not voting.

Senator Briese offered the following motion:

[MO1129](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator M. Cavanaugh requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 40:

Aguilar	Bostelman	Dorn	Hughes	Moser
Albrecht	Brandt	Dungan	Ibach	Murman
Arch	Brewer	Erdman	Jacobson	Raybould
Armendariz	Briese	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Slama
Bosn	DeBoer	Hardin	Lowe	Vargas
Bostar	DeKay	Holdcroft	McDonnell	von Gillern

Voting in the negative, 1:

Hunt

Present and not voting, 2:

Cavanaugh, M. Wayne

Excused and not voting, 6:

Cavanaugh, J.	Dover	Walz
Day	McKinney	Wishart

The Briese motion to invoke cloture prevailed with 40 ayes, 1 nay, 2 present and not voting, and 6 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 41:

Aguilar	Brandt	Erdman	Kauth	Sanders
Albrecht	Brewer	Fredrickson	Linehan	Slama
Arch	Briese	Halloran	Lippincott	Vargas
Armendariz	Clements	Hansen	Lowe	von Gillern
Ballard	Conrad	Hardin	McDonnell	Wayne
Blood	DeBoer	Holdcroft	Moser	
Bosn	DeKay	Hughes	Murman	
Bostar	Dorn	Ibach	Raybould	
Bostelman	Dungan	Jacobson	Riepe	

Voting in the negative, 1:

Hunt

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 6:

Cavanaugh, J.	Dover	Walz
Day	McKinney	Wishart

Advanced to Enrollment and Review for Engrossment with 41 ayes, 1 nay, 1 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 583A. Senator M. Cavanaugh offered the following motion:

[MO1127](#)

Bracket until June 9, 2023.

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

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

The motion to cease debate prevailed with 33 ayes, 1 nay, 8 present and not voting, 3 absent and not voting, and 4 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her motion to bracket.

The M. Cavanaugh motion to bracket failed with 0 ayes, 36 nays, 1 present and not voting, 7 absent and not voting, and 5 excused and not voting.

Senator M. Cavanaugh offered the following motion:

[MO1133](#)

Reconsider the vote taken on MO1127.

Senator Sanders offered the following motion:

[MO1130](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Sanders moved for a call of the house. The motion prevailed with 20 ayes, 4 nays, and 25 not voting.

Senator Sanders requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Kauth	Sanders
Albrecht	Brewer	Erdman	Linehan	Slama
Arch	Briese	Fredrickson	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lowe	von Gillern
Ballard	Clements	Hansen	McDonnell	Wayne
Blood	Conrad	Hardin	Moser	Wishart
Bosn	DeBoer	Holdcroft	Murman	
Bostar	DeKay	Hughes	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 1:

Hunt

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 5:

Day	Dover	Ibach	McKinney	Walz
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The Sanders motion to invoke cloture prevailed with 42 ayes, 1 nay, 1 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on her motion to reconsider.

Voting in the affirmative, 0.

Voting in the negative, 41:

Aguilar	Brandt	Dungan	Kauth	Sanders
Albrecht	Brewer	Erdman	Linehan	Slama
Arch	Briese	Fredrickson	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lowe	von Gillern
Ballard	Clements	Hansen	McDonnell	Wishart
Blood	Conrad	Hardin	Moser	
Bosn	DeBoer	Holdcroft	Murman	
Bostar	DeKay	Hughes	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Present and not voting, 3:

Cavanaugh, M. Hunt Wayne

Excused and not voting, 5:

Day Dover Ibach McKinney Walz

The M. Cavanaugh motion to reconsider failed with 0 ayes, 41 nays, 3 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Kauth	Sanders
Albrecht	Brewer	Erdman	Linehan	Slama
Arch	Briese	Fredrickson	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lowe	von Gillern
Ballard	Clements	Hansen	McDonnell	Wayne
Blood	Conrad	Hardin	Moser	Wishart
Bosn	DeBoer	Holdcroft	Murman	
Bostar	DeKay	Hughes	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 5:

Day Dover Ibach McKinney Walz

Advanced to Enrollment and Review for Engrossment with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

RESOLUTION

LEGISLATIVE RESOLUTION 254. Introduced by Blood, 3.

WHEREAS, the 2023 North Star Athletic Association Golf Championships were held on May 1 through May 2, 2023, at Platteview Country Club in Bellevue, Nebraska; and

WHEREAS, Hugo Ronnberg won the 2023 North Star Athletic Association individual men's golf title and lead the No. 4 ranked Bellevue University Bruins men's golf team to the team championship; and

WHEREAS, Ronnberg's individual championship marks the tenth straight year in which a Bellevue University golfer has won an individual title. Bellevue University is now seven for seven in individual championships since joining the North Star Athletic Association; and

WHEREAS, Ronnberg's teammates Alex Zillig and Hugo Brandt finished second and third respectively for a clean sweep first to third for Bellevue University; and

WHEREAS, the team also competed in the National Association of Intercollegiate Athletics Men's Golf National Championship held on May 16 through May 19, 2023, at the Las Sendas Golf Club in Mesa, Arizona.

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

1. That the Legislature congratulates Hugo Ronnberg and the Bellevue University Bruins men's golf team on winning the North Star Athletic Association individual men's golf title and team championship.

2. That copies of this resolution be sent to Hugo Ronnberg and the Bellevue University Bruins men's golf team.

Laid over.

SELECT FILE

LEGISLATIVE BILL 754A. Senator M. Cavanaugh offered the following motion:

[MO1128](#)

Bracket until June 9, 2023.

SENATOR DEBOER PRESIDING

Senator M. Cavanaugh withdrew her motion to bracket.

Senator Linehan offered [AM1900](#), found on page 1643.

Senator Linehan offered the following motion:

[MO1131](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan moved for a call of the house. The motion prevailed with 19 ayes, 3 nays, and 27 not voting.

Senator Linehan requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Jacobson	Sanders
Albrecht	Brewer	Erdman	Kauth	Slama
Arch	Briese	Fredrickson	Linehan	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lippincott	von Gillern
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdcroft	Moser	
Bostar	DeKay	Hughes	Murman	
Bostelman	Dorn	Ibach	Riepe	

Voting in the negative, 1:

Raybould

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 4:

Day Dover McKinney Walz

The Linehan motion to invoke cloture prevailed with 42 ayes, 1 nay, 2 present and not voting, and 4 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Linehan amendment.

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Jacobson	Sanders
Albrecht	Brewer	Erdman	Kauth	Slama
Arch	Briese	Fredrickson	Linehan	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lippincott	von Gillern
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdcroft	Moser	
Bostar	DeKay	Hughes	Murman	
Bostelman	Dorn	Ibach	Riepe	

Voting in the negative, 1:

Raybould

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 4:

Day Dover McKinney Walz

The Linehan amendment was adopted with 42 ayes, 1 nay, 2 present and not voting, and 4 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 42:

Aguilar	Brandt	Dungan	Jacobson	Sanders
Albrecht	Brewer	Erdman	Kauth	Slama
Arch	Briese	Fredrickson	Linehan	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lippincott	von Gillern
Ballard	Clements	Hansen	Lowe	Wayne
Blood	Conrad	Hardin	McDonnell	Wishart
Bosn	DeBoer	Holdcroft	Moser	
Bostar	DeKay	Hughes	Murman	
Bostelman	Dorn	Ibach	Riepe	

Voting in the negative, 2:

Hunt Raybould

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 4:

Day Dover McKinney Walz

Advanced to Enrollment and Review for Engrossment with 42 ayes, 2 nays, 1 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

MOTION - Recommit LB565 to Committee

Senator Hunt renewed [MO654](#), found on page 961 and considered on pages 1637 and 1638, to recommit to Natural Resources Committee.

Senator Bostelman offered the following motion:

[MO1134](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Bostelman requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Briese	Erdman	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linehan	Slama
Armendariz	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hansen	Lowe	von Gillern
Blood	Day	Hardin	McDonnell	
Bosn	DeBoer	Holdcroft	Moser	
Bostelman	DeKay	Hughes	Murman	
Brandt	Dorn	Ibach	Raybould	

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. Hunt Wishart

Excused and not voting, 5:

Bostar Dover McKinney Walz Wayne

The Bostelman motion to invoke cloture prevailed with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Hunt motion to recommit to committee.

Voting in the affirmative, 0.

Voting in the negative, 41:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Briese	Erdman	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linehan	Slama
Armendariz	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hansen	Lowe	von Gillern
Blood	Day	Hardin	McDonnell	
Bosn	DeBoer	Holdcroft	Moser	
Bostelman	DeKay	Hughes	Murman	
Brandt	Dorn	Ibach	Raybould	

Present and not voting, 3:

Cavanaugh, M. Hunt Wishart

Excused and not voting, 5:

Bostar Dover McKinney Walz Wayne

The Hunt motion to recommit to committee failed with 0 ayes, 41 nays, 3 present and not voting, and 5 excused and not voting.

BILL ON FINAL READING

Dispense With Reading at Large

Senator M. Cavanaugh requested a roll call vote.

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB565 with 40 ayes, 2 nays, 2 present and not voting, and 5 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 565. With Emergency Clause.

A BILL for an act relating to natural resources; to amend sections 18-2441, 37-104, 37-451, 37-453, 37-457, 37-492, 37-559, 37-708, 57-904, 70-619, 70-1001, 70-1001.01, and 70-1025, Reissue Revised Statutes of Nebraska, and sections 37-407, 37-447, 37-448, 37-449, 66-2301, and 81-15,160, Revised Statutes Cumulative Supplement, 2022; to adopt the Public Water and Natural Resources Project Contracting Act; to change provisions relating to agency powers under the Municipal Cooperative Financing Act; to change a quorum requirement for Game and Parks Commission meetings; to change provisions of the Game Law relating to fees charged, permits issued, destruction of predators, and prohibited acts in game refuges; to

change provisions relating to the compensation of members of the Nebraska Oil and Gas Conservation Commission; to state legislative findings, to state intent regarding appropriations, to provide for a grant program as prescribed, and to provide powers and duties for the Department of Economic Development relating to a regional clean hydrogen hub; to adopt the Nuclear and Hydrogen Development Act; to change eligibility qualifications for members of the board of directors of public power and irrigation districts; to change Nebraska Power Review Board provisions relating to state policy and requirements for an annual report as prescribed; to define and redefine terms; to extend available grant funding for new scrap tire projects under the Waste Reduction and Recycling Incentive Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency.

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

Senator M. Cavanaugh requested a roll call vote.

Voting in the affirmative, 41:

Aguilar	Brewer	Dungan	Jacobson	Riepe
Albrecht	Briese	Erdman	Kauth	Sanders
Arch	Cavanaugh, J.	Fredrickson	Linehan	Slama
Armendariz	Clements	Halloran	Lippincott	Vargas
Ballard	Conrad	Hansen	Lowe	von Gillern
Blood	Day	Hardin	McDonnell	
Bosn	DeBoer	Holdercroft	Moser	
Bostelman	DeKay	Hughes	Murman	
Brandt	Dorn	Ibach	Raybould	

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. Hunt Wishart

Excused and not voting, 5:

Bostar Dover McKinney Walz Wayne

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

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 243A. Placed on Final Reading.

LEGISLATIVE BILL 583A. Placed on Final Reading.

LEGISLATIVE BILL 754A. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

AMENDMENTS - Print in Journal

Senator Hunt filed the following amendment to LB5:

[AM1930](#)

1 1. On page 4, line 2, strike "unaccompanied by physical injury".

Senator Hunt filed the following amendment to LB5:

[AM1931](#)

1 1. On page 6, line 15, strike "a" and insert "any physical altercation".

Senator Hunt filed the following amendment to LB57:

[AM1932](#)

1 1. On page 7, lines 3 and 4, strike ", that makes the covered individual unable to perform the functions of the position held by such covered individual".

Senator Hunt filed the following amendment to LB57:

[AM1933](#)

1 1. On page 13, line 3, strike "exhaust" and insert "use".

Senator Hunt filed the following amendment to LB101:

[AM1934](#)

1 1. Strike original section 3.

Senator Hunt filed the following amendment to LB32:

[AM1858](#)

1 1. On page 2, line 20, strike "Upon the request of" and insert "Of".

Senator Hunt filed the following amendment to LB32:

[AM1859](#)

1 1. On page 2, lines 20, 25, and 31, strike "six-month" and insert "one-year".

Senator Hunt filed the following amendment to LB69:

[AM1860](#)

1 1. On page 2, line 2, strike ", but is not limited to,"; and in line 2 3 strike "and" and insert "or".

Senator Hunt filed the following amendment to LB69:

[AM1861](#)

1 1. On page 2, lines 9 and 22, strike "thirty" and insert "sixty".

Senator Hunt filed the following amendment to LB113:

[AM1862](#)

1 1. Strike original section 2.

Senator Hunt filed the following amendment to [LB113](#):

[AM1863](#)

1 1. On page 2, lines 2 and 3, strike "\$10,500,000" and insert
2 "\$11,000,000".

Senator Hunt filed the following amendment to [LB132](#):

[AM1864](#)

1 1. On page 2, line 14, after "cancels" insert "such subscription or
2 purchasing agreement".

Senator Hunt filed the following amendment to [LB132](#):

[AM1865](#)

1 1. On page 2, line 16, after "offer" insert ", including a detailed
2 description of the steps the consumer must take to initiate
3 cancellation".

Senator Hunt filed the following amendment to [LB142](#):

[AM1866](#)

1 1. On page 2, strike lines 13 through 16; and in line 17 strike
2 "(3)" and insert "(2)".

Senator Hunt filed the following amendment to [LB142](#):

[AM1867](#)

1 1. On page 2, line 11, after "supply" insert "or three hundred
2 dollars per ninety-day supply".

Senator Hunt filed the following amendment to [LB210](#):

[AM1868](#)

1 1. On page 2, line 14, strike "(a)"; in line 20 after the second
2 comma insert "a managed-care organization."; and strike line 23.

Senator Hunt filed the following amendment to [LB210](#):

[AM1869](#)

1 1. On page 4, line 7, strike "each October 1" and insert "annually".

Senator Hunt filed the following amendment to [LB354](#):

[AM1870](#)

1 1. On page 2, strike beginning with "for" in line 26 through
2 "limits" in line 27.

Senator Hunt filed the following amendment to [LB354](#):

[AM1871](#)

1 1. On page 2, line 31, after "provided" insert "ten days".

Senator Hunt filed the following amendment to [LB355](#):

[AM1872](#)

1 1. On page 2, line 12, strike "one" and insert "two".

Senator Hunt filed the following amendment to [LB355](#):

[AM1873](#)

1 1. On page 2, line 12, strike "bodily".

Senator Hunt filed the following amendment to [LB423](#):

[AM1874](#)

1 1. On page 2, line 12, strike "shall" and insert "may".

Senator Hunt filed the following amendment to [LB423](#):

[AM1875](#)

1 1. On page 2, lines 14 and 25, strike "one".

Senator Hunt filed the following amendment to [LB446](#):

[AM1876](#)

1 1. On page 2, line 12, strike "an" and insert "a licensed".

Senator Hunt filed the following amendment to [LB446](#):

[AM1877](#)

1 1. On page 2, line 19, strike "consideration" and insert
2 "compensation".

Senator Hunt filed the following amendment to [LB448](#):

[AM1878](#)

1 1. On page 2, line 16, strike "to choose".

Senator Hunt filed the following amendment to [LB448](#):

[AM1879](#)

1 1. On page 2, strike lines 27 through 31 and insert the following
2 new subdivision:
3 "(g) Condition, deny, restrict, refuse to authorize or approve, or
4 reduce payment to a participating provider for providing covered
5 clinician-administered drugs and related services to covered persons:
6 (i) When the participating provider obtains clinician-administered
7 drugs from a wholesaler, a distributor, an entity, or a pharmacy that is
8 not a participating provider in the insurer's network, if all criteria
9 for medical necessity are met; or
10 (ii) On a religious basis;"
11 2. On page 3, strike lines 1 and 2.

Senator Hunt filed the following amendment to [LB101](#):

[AM1935](#)

1 1. On page 4, lines 26 and 27, strike "or at any time more than
2 thirty calendar days prior to the time of injury" and show as stricken.

Senator Hunt filed the following amendment to [LB203](#):

[AM1936](#)

1 1. On page 5, line 9, strike "patient's waiver" and insert "waiver
2 signed by such employee".

Senator Hunt filed the following amendment to [LB203](#):

[AM1937](#)

1 1. On page 5, lines 19 and 20, strike "mental health" and insert
2 "psychiatric".

Senator Hunt filed the following amendment to [LB272](#):

[AM1938](#)

1 1. On page 2, lines 3 and 5, strike "three" and insert "five"; and
2 in line 6 strike "fourth" and insert "sixth".

Senator Hunt filed the following amendment to [LB272](#):
[AM1939](#)

1 1. On page 2, line 7, strike "two" and insert "four".

VISITORS

Visitors to the Chamber were students from Harrison Elementary, Omaha; students from Holling Heights Elementary, Omaha.

RECESS

At 12:24 p.m., on a motion by Senator Fredrickson, the Legislature recessed until 1:15 p.m.

AFTER RECESS

The Legislature reconvened at 1:15 p.m., Speaker Arch presiding.

ROLL CALL

The roll was called and all members were present except Senators Bosn, Bostar, Conrad, Day, Dover, Fredrickson, Hunt, Ibach, McKinney, Slama, Vargas, and Walz who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR84	General Affairs
LR97	Revenue
LR98	General Affairs
LR100	Judiciary
LR103	General Affairs
LR104	General Affairs
LR105	General Affairs
LR106	Agriculture
LR118	Banking, Commerce and Insurance
LR119	Banking, Commerce and Insurance
LR120	Banking, Commerce and Insurance
LR121	Banking, Commerce and Insurance
LR122	Banking, Commerce and Insurance
LR123	Banking, Commerce and Insurance
LR124	Judiciary
LR125	Judiciary
LR126	Judiciary
LR127	Judiciary
LR128	Judiciary

LR129	Education
LR130	Transportation and Telecommunications
LR132	Health and Human Services
LR133	Natural Resources
LR134	Judiciary
LR135	Executive Board
LR136	Health and Human Services
LR137	Banking, Commerce and Insurance
LR138	Urban Affairs
LR139	Urban Affairs
LR140	Urban Affairs
LR141	Urban Affairs
LR142	Government, Military and Veterans Affairs
LR143	Judiciary
LR144	Education
LR145	Education
LR147	Education
LR148	Education
LR149	Education
LR150	Health and Human Services
LR151	Health and Human Services
LR152	Education
LR153	Appropriations
LR154	Health and Human Services
LR155	Revenue
LR156	Government, Military and Veterans Affairs
LR157	Nebraska Retirement Systems
LR158	Nebraska Retirement Systems
LR159	Nebraska Retirement Systems
LR160	Nebraska Retirement Systems
LR161	Nebraska Retirement Systems
LR162	Natural Resources
LR163	Natural Resources
LR164	Executive Board
LR166	Education
LR167	Appropriations
LR168	Health and Human Services
LR169	Appropriations
LR170	Education
LR171	Health and Human Services
LR172	Transportation and Telecommunications
LR174	Business and Labor
LR175	Banking, Commerce and Insurance
LR176	Agriculture
LR178	Executive Board
LR179	Executive Board
LR180	Banking, Commerce and Insurance
LR181	Banking, Commerce and Insurance
LR182	Appropriations

LR183 Appropriations
LR184 Transportation and Telecommunications
LR185 Transportation and Telecommunications
LR186 Revenue
LR188 Executive Board
LR189 Urban Affairs
LR190 Health and Human Services
LR191 Health and Human Services
LR192 Education
LR193 Business and Labor
LR194 Judiciary
LR195 Transportation and Telecommunications
LR196 Health and Human Services
LR197 Banking, Commerce and Insurance
LR198 Appropriations
LR199 Health and Human Services
LR200 Appropriations
LR201 Judiciary
LR202 Health and Human Services
LR203 Health and Human Services
LR204 Judiciary
LR205 Judiciary
LR206 Appropriations
LR207 Judiciary
LR208 Appropriations
LR209 Judiciary
LR210 Business and Labor
LR211 Health and Human Services
LR212 Agriculture
LR213 Health and Human Services
LR214 Transportation and Telecommunications
LR215 Judiciary
LR216 Natural Resources
LR217 Judiciary
LR218 Appropriations
LR219 Agriculture
LR220 Education
LR221 Government, Military and Veterans Affairs
LR222 Government, Military and Veterans Affairs
LR223 Government, Military and Veterans Affairs
LR224 Natural Resources
LR225 Business and Labor
LR226 Health and Human Services
LR227 Transportation and Telecommunications
LR228 Education
LR229 Health and Human Services
LR230 Judiciary
LR231 Judiciary
LR232 Health and Human Services

LR233	Health and Human Services
LR234	Health and Human Services
LR235	Revenue
LR236	Revenue
LR237	Banking, Commerce and Insurance
LR238	Urban Affairs
LR239	Urban Affairs
LR240	Education
LR241	Health and Human Services
LR242	Revenue
LR243	Revenue
LR244	Judiciary
LR245	Judiciary
LR246	Education
LR247	Government, Military and Veterans Affairs
LR248	Natural Resources
LR250	Urban Affairs
LR251	Education
LR252	Health and Human Services

(Signed) Tom Briese, Chairperson
Executive Board

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB565e.

MOTION - Return LB243A to Select File

Senator M. Cavanaugh made a parliamentary inquiry to clarify the rules on taking up a bill on Final Reading without a layover day.

The Chair clarified that the agenda shows a motion to return a bill to Select File specifically for adopting an amendment and further explained how constitutionally the body cannot take up a bill on final reading for a vote without the layover day.

Senator Briese moved to return LB243A to Select File for his specific amendment, [AM1881](#), found on page 1644.

Senator M. Cavanaugh requested a roll call vote on the Briese motion to return.

Voting in the affirmative, 40:

Aguilar	Brandt	Dorn	Hughes	Moser
Albrecht	Brewer	Dungan	Ibach	Murman
Arch	Briese	Erdman	Jacobson	Raybould
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	DeBoer	Hardin	Lowe	von Gillern
Bostelman	DeKay	Holdcroft	McDonnell	Wayne

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 8:

Bostar	Dover	McKinney	Walz
Day	Hunt	Slama	Wishart

The Briese motion to return prevailed with 40 ayes, 0 nays, 1 present and not voting, and 8 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 243A. The Briese specific amendment, [AM1881](#), found on page 1644, was offered.

Senator Briese offered the following motion:

[MO1136](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator M. Cavanaugh requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 40:

Aguilar	Brandt	Dorn	Hughes	Moser
Albrecht	Brewer	Dungan	Ibach	Murman
Arch	Briese	Erdman	Jacobson	Raybould
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	DeBoer	Hardin	Lowe	von Gillern
Bostelman	DeKay	Holdcroft	McDonnell	Wayne

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 8:

Bostar	Dover	McKinney	Walz
Day	Hunt	Slama	Wishart

The Briese motion to invoke cloture prevailed with 40 ayes, 0 nays, 1 present and not voting, and 8 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Briese specific amendment.

Voting in the affirmative, 40:

Aguilar	Brandt	Dorn	Hughes	Moser
Albrecht	Brewer	Dungan	Ibach	Murman
Arch	Briese	Erdman	Jacobson	Raybould
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	DeBoer	Hardin	Lowe	von Gillern
Bostelman	DeKay	Holdcroft	McDonnell	Wayne

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 8:

Bostar	Dover	McKinney	Walz
Day	Hunt	Slama	Wishart

The Briese specific amendment was adopted with 40 ayes, 0 nays, 1 present and not voting, and 8 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 39:

Aguilar	Brandt	Dorn	Hughes	Moser
Albrecht	Brewer	Dungan	Ibach	Murman
Arch	Briese	Erdman	Jacobson	Raybould
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Riepe
Ballard	Clements	Halloran	Linehan	Sanders
Blood	Conrad	Hansen	Lippincott	Vargas
Bosn	DeBoer	Hardin	Lowe	von Gillern
Bostelman	DeKay	Holdcroft	McDonnell	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Wayne

Excused and not voting, 8:

Bostar	Dover	McKinney	Walz
Day	Hunt	Slama	Wishart

Advanced to Enrollment and Review for Reengrossment with 39 ayes, 0 nays, 2 present and not voting, and 8 excused and not voting.

AMENDMENT - Print in Journal

Senator Armendariz filed the following amendment to [LB727](#):
[AM1942](#)

(Amendments to E&R amendments, ER34)

1 1. Insert the following new section:

2 Sec. 121. Section 81-12,245, Revised Statutes Cumulative Supplement,
3 2022, is amended to read:

4 81-12,245 (1) The Department of Economic Development shall use any
5 funds received from the federal Coronavirus Capital Projects Fund under
6 the federal American Rescue Plan Act of 2021 as follows:

7 (a) No more than thirty-five million dollars to eligible projects
8 that are located within a congressional district which contains a city of
9 the metropolitan class. Within a city of the metropolitan class, grants
10 shall be given to multipurpose community facilities;

11 (b) No less than forty million dollars to eligible projects that are
12 located within a congressional district which contains a city of the
13 primary class;

14 (c) No less than forty million dollars to eligible projects that are
15 located within a congressional district which does not contain a city of
16 the metropolitan class or a city of the primary class. Grants under this
17 subdivision shall be awarded to eligible projects in cities of the second
18 class and villages; and

19 (d) No more than five million dollars of such federal funds for the
20 administration by the department of funds received from the federal
21 Coronavirus Capital Projects Fund under the federal American Rescue Plan
22 Act of 2021.

23 (2) Any funds received from the federal Coronavirus Capital Projects
24 Fund under the federal American Rescue Plan Act of 2021 utilized for
25 eligible broadband infrastructure projects shall be administered in a

26 manner consistent with the Nebraska Broadband Bridge Act, except that the
 1 matching funds requirement in section 86-1304 shall not apply to such
 2 federal funding for broadband projects.

3 (3) The department shall, beginning July 1, 2022, through July 15,
 4 2022, allow a qualified public or private entity to apply for a grant
 5 using funds received from the federal Coronavirus Capital Projects Fund
 6 under the federal American Rescue Plan Act of 2021. The department may
 7 open additional grant application periods as needed until all funds are
 8 allocated.

9 (4) Grants under subdivision (1)(a) of this section shall be
 10 restricted to eligible projects located within or adjacent to one or more
 11 qualified census tracts or economic redevelopment areas as defined in
 12 section 81-12.153 in a city of the metropolitan class in qualified census
 13 tracts. Priority for grants under subdivision (1)(a) of this section
 14 shall be given to a city of the metropolitan class in partnership with a
 15 nonprofit organization for eligible projects for the rehabilitation or
 16 expansion of existing multipurpose community facilities.

17 2. Correct the operative date and repealer sections so that the
 18 section added by this amendment becomes operative on its effective date
 19 with the emergency clause.

20 3. Renumber the remaining sections and correct internal references
 21 accordingly.

MOTION - Return LB583A to Select File

Senator Sanders withdrew [FA69](#), found on page 1267.

Senator Sanders moved to return LB583A to Select File for her specific
 amendment, [AM1909](#), found on page 1645.

Senator M. Cavanaugh requested a roll call vote on the Sanders motion to
 return.

Voting in the affirmative, 37:

Aguilar	Brandt	Erdman	Kauth	Riepe
Albrecht	Brewer	Fredrickson	Linehan	Sanders
Arch	Briese	Halloran	Lippincott	Vargas
Armendariz	Clements	Hardin	Lowe	von Gillern
Ballard	Conrad	Holderoft	McDonnell	Wayne
Blood	DeBoer	Hughes	Moser	
Bosn	Dorn	Ibach	Murman	
Bostelman	Dungan	Jacobson	Raybould	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 11:

Bostar	DeKay	Hunt	Walz
Cavanaugh, J.	Dover	McKinney	Wishart
Day	Hansen	Slama	

The Sanders motion to return prevailed with 37 ayes, 0 nays, 1 present and not voting, and 11 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 583A. The Sanders specific amendment, [AM1909](#), found on page 1645, was offered.

Senator Sanders offered the following motion:

[MO1137](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator M. Cavanaugh requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 39:

Aguilar	Brandt	Dungan	Ibach	Murman
Albrecht	Brewer	Erdman	Jacobson	Raybould
Arch	Briese	Fredrickson	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	DeBoer	Hardin	Lowe	von Gillern
Bosn	DeKay	Holdcroft	McDonnell	Wayne
Bostelman	Dorn	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 9:

Bostar	Day	Hunt	Slama	Wishart
Cavanaugh, J.	Dover	McKinney	Walz	

The Sanders motion to invoke cloture prevailed with 39 ayes, 0 nays, 1 present and not voting, and 9 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the Sanders specific amendment.

Voting in the affirmative, 39:

Aguilar	Brandt	Dungan	Ibach	Murman
Albrecht	Brewer	Erdman	Jacobson	Raybould
Arch	Briese	Fredrickson	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	DeBoer	Hardin	Lowe	von Gillern
Bosn	DeKay	Holdcroft	McDonnell	Wayne
Bostelman	Dorn	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 9:

Bostar	Day	Hunt	Slama	Wishart
Cavanaugh, J.	Dover	McKinney	Walz	

The Sanders specific amendment was adopted with 39 ayes, 0 nays, 1 present and not voting, and 9 excused and not voting.

Senator M. Cavanaugh requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 39:

Aguilar	Brandt	Dungan	Ibach	Murman
Albrecht	Brewer	Erdman	Jacobson	Raybould
Arch	Briese	Fredrickson	Kauth	Riepe
Armendariz	Clements	Halloran	Linehan	Sanders
Ballard	Conrad	Hansen	Lippincott	Vargas
Blood	DeBoer	Hardin	Lowe	von Gillern
Bosn	DeKay	Holdcroft	McDonnell	Wayne
Bostelman	Dorn	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 9:

Bostar	Day	Hunt	Slama	Wishart
Cavanaugh, J.	Dover	McKinney	Walz	

Advanced to Enrollment and Review for Reengrossment with 39 ayes, 0 nays, 1 present and not voting, and 9 excused and not voting.

RESOLUTION

LEGISLATIVE RESOLUTION 255. Introduced by Conrad, 46.

WHEREAS, the National Forensic Association was established in 1973 to promote pedagogy, scholarship, and competition in intercollegiate forensics; and

WHEREAS, the National Forensic Association hosts the annual National Forensic Association National Championship Tournament, drawing in schools and competitors from across the country to compete in individual events and Lincoln-Douglas debate; and

WHEREAS, Nicholas Wallenburg, a graduating senior at the University of Nebraska-Lincoln, was undefeated through the five-day tournament and won the 2023 National Championship in Lincoln-Douglas debate; and

WHEREAS, Nicholas also coached the Lincoln North Star High School debate team, leading the team to win two consecutive Nebraska state championships in Lincoln-Douglas debate; and

WHEREAS, Nicholas represents the absolute best of the University of Nebraska-Lincoln through his strong moral character, dedication to team leadership and mentoring, and his outstanding scholarship. Consequently, Nicholas was voted the top All-American debater by the Lincoln-Douglas Coaches Association in March 2023; and

WHEREAS, Nicholas Wallenburg has had a historic individual debate career and has acted not only as a leader but as an ambassador for the Cornhusker debate team and the University of Nebraska.

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

1. That the Legislature congratulates Nicholas for being awarded the National Forensic Association National Individual Championship in Lincoln-Douglas debate and for his numerous accomplishments in collegiate debate at the University of Nebraska-Lincoln.

2. That a copy of this resolution be sent to Nicholas Wallenburg.

Laid over.

MOTION - Return LB565A to Select File

Senator M. Cavanaugh moved to return LB565A to Select File for her specific amendment, [FA154](#), found on page 1638.

Senator M. Cavanaugh requested a roll call vote on her motion to return.

Voting in the affirmative, 0.

Voting in the negative, 39:

Aguilar	Brandt	Dungan	Jacobson	Raybould
Albrecht	Brewer	Erdman	Kauth	Riepe
Arch	Briese	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	Slama
Ballard	Conrad	Hardin	Lowe	Vargas
Blood	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Moser	Wayne
Bostelman	Dorn	Ibach	Murman	

Present and not voting, 3:

Bostar Cavanaugh, M. Hunt

Excused and not voting, 7:

Cavanaugh, J.	Dover	McKinney	Wishart
Day	Hansen	Walz	

The M. Cavanaugh motion to return failed with 0 ayes, 39 nays, 3 present and not voting, and 7 excused and not voting.

Senator Bostelman offered the following motion:

[MO1135](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Bostelman requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Kauth	Sanders
Albrecht	Brewer	Erdman	Linehan	Slama
Arch	Briese	Fredrickson	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lowe	von Gillern
Ballard	Clements	Hardin	McDonnell	Wayne
Blood	Conrad	Holdcroft	Moser	
Bosn	DeBoer	Hughes	Murman	
Bostar	DeKay	Ibach	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 6:

Day	Hansen	Walz
Dover	McKinney	Wishart

The Bostelman motion to invoke cloture prevailed with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 565A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 565, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

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

Voting in the affirmative, 41:

Aguilar	Brandt	Dungan	Kauth	Sanders
Albrecht	Brewer	Erdman	Linehan	Slama
Arch	Briese	Fredrickson	Lippincott	Vargas
Armendariz	Cavanaugh, J.	Halloran	Lowe	von Gillern
Ballard	Clements	Hardin	McDonnell	Wayne
Blood	Conrad	Holdcroft	Moser	
Bosn	DeBoer	Hughes	Murman	
Bostar	DeKay	Ibach	Raybould	
Bostelman	Dorn	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. Hunt

Excused and not voting, 6:

Day	Hansen	Walz
Dover	McKinney	Wishart

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

WITHDRAW - Motion to LB683

Senator Moser withdrew [MO1016](#), found on page 1390, to recommit to committee, to LB683.

MOTION - Return LB683 to Select File

Senator M. Cavanaugh moved to return LB683 to Select File for the following specific amendment:

[FA163](#)

Strike Section 1.

Pending.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LB565Ae.

MOTION - Return LB683 to Select File

Senator M. Cavanaugh renewed her motion, found and considered in this day's Journal, to return LB683 to Select File for her specific amendment, [FA163](#).

Senator M. Cavanaugh requested a roll call vote on her motion to return.

Voting in the affirmative, 0.

Voting in the negative, 35:

Aguilar	Brewer	Dungan	Hughes	Moser
Arch	Briese	Erdman	Ibach	Murman
Armendariz	Cavanaugh, J.	Fredrickson	Jacobson	Raybould
Ballard	Clements	Halloran	Kauth	Riepe
Bosn	Conrad	Hansen	Linehan	Slama
Bostelman	DeBoer	Hardin	Lippincott	Vargas
Brandt	Dorn	Holdcroft	Lowe	von Gillern

Present and not voting, 2:

Blood Cavanaugh, M.

Excused and not voting, 12:

Albrecht	DeKay	McDonnell	Walz
Bostar	Dover	McKinney	Wayne
Day	Hunt	Sanders	Wishart

The M. Cavanaugh motion to return failed with 0 ayes, 35 nays, 2 present and not voting, and 12 excused and not voting.

Senator M. Cavanaugh offered the following motion:

[MO1142](#)

Reconsider the vote taken on the motion to return to Select File.

Senator M. Cavanaugh requested a roll call vote on her motion to reconsider.

Voting in the affirmative, 0.

Voting in the negative, 36:

Aguilar	Brandt	Dorn	Jacobson	Sanders
Albrecht	Brewer	Dungan	Kauth	Vargas
Arch	Briese	Erdman	Linehan	von Gillern
Armendariz	Cavanaugh, J.	Halloran	Lippincott	Wishart
Ballard	Clements	Hansen	Lowe	
Bosn	Conrad	Hardin	Moser	
Bostar	DeBoer	Holdcroft	Murman	
Bostelman	DeKay	Ibach	Raybould	

Present and not voting, 2:

Blood Cavanaugh, M.

Excused and not voting, 11:

Day	Hughes	McKinney	Walz
Dover	Hunt	Riepe	Wayne
Fredrickson	McDonnell	Slama	

The M. Cavanaugh motion to reconsider failed with 0 ayes, 36 nays, 2 present and not voting, and 11 excused and not voting.

MOTION- Return LB683 to Select File

Senator M. Cavanaugh moved to return LB683 to Select File for the following specific amendment:

[FA164](#)

Strike Section 2.

Senator M. Cavanaugh requested a roll call vote on her motion to return.

Voting in the affirmative, 0.

Voting in the negative, 37:

Albrecht	Briese	Dungan	Jacobson	Riepe
Arch	Cavanaugh, J.	Erdman	Kauth	Sanders
Armendariz	Clements	Fredrickson	Linehan	Vargas
Ballard	Conrad	Halloran	Lippincott	von Gillern
Bostar	DeBoer	Hansen	Lowe	Wishart
Bostelman	DeKay	Hardin	Moser	
Brandt	Dorn	Holdcroft	Murman	
Brewer	Dover	Ibach	Raybould	

Present and not voting, 2:

Blood Cavanaugh, M.

Excused and not voting, 10:

Aguilar	Day	Hunt	McKinney	Walz
Bosn	Hughes	McDonnell	Slama	Wayne

The M. Cavanaugh motion to return failed with 0 ayes, 37 nays, 2 present and not voting, and 10 excused and not voting.

Senator M. Cavanaugh offered the following motion:

[MO1143](#)

Reconsider the vote taken on the motion to return to Select File.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion to reconsider. No objections. So ordered.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB683 with 35 ayes, 4 nays, 1 present and not voting, and 9 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 683. With Emergency Clause.

A BILL FOR AN ACT relating to infrastructure; to amend sections 39-2805, 66-4,100, 81-502.03, and 86-125, Reissue Revised Statutes of Nebraska, and sections 76-2301, 76-2303, 76-2323, 76-2325, 86-324, 86-328, 86-331, 86-333, 86-1103, 86-1241, 86-1304, 86-1309, and 86-1312, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to the County Bridge Match Program, the Highway Cash Fund, and the Roads Operation Cash Fund; to provide duties for the Department of Transportation; to define terms; to change provisions of the One-Call

Notification System Act and provide duties for the State Fire Marshal; to create the Underground Excavation Safety Committee; to provide for a civil penalty; to adopt the Rural Communications Sustainability Act; to change provisions relating to a registration filed by a communications provider and the Nebraska Telecommunications Universal Service Fund; to create the Nebraska Broadband Office and provide duties; to require a report; to change provisions relating to a broadband access map, the state broadband coordinator, the Nebraska Broadband Bridge Act, and the Small Wireless Facilities Deployment Act; to eliminate a report; to harmonize provisions; to repeal the original sections; to outright repeal section 76-2325.02, Revised Statutes Cumulative Supplement, 2022; and to declare an emergency.

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

Voting in the affirmative, 39:

Albrecht	Brewer	Dungan	Ibach	Raybould
Arch	Briese	Erdman	Jacobson	Riepe
Armendariz	Clements	Fredrickson	Kauth	Sanders
Ballard	Conrad	Halloran	Lippincott	Slama
Bosn	DeBoer	Hansen	Lowe	Vargas
Bostar	DeKay	Hardin	McDonnell	von Gillern
Bostelman	Dorn	Holdcroft	Moser	Wishart
Brandt	Dover	Hughes	Murman	

Voting in the negative, 0.

Present and not voting, 3:

Blood Cavanaugh, J. Cavanaugh, M.

Excused and not voting, 7:

Aguilar	Hunt	McKinney	Wayne
Day	Linehan	Walz	

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

The following bill was read and put upon final passage:

LEGISLATIVE BILL 683A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 683, One Hundred Eighth Legislature, First Session, 2023; and to declare an emergency.

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

Voting in the affirmative, 41:

Albrecht	Brewer	Dungan	Jacobson	Sanders
Arch	Briese	Erdman	Kauth	Slama
Armendariz	Cavanaugh, J.	Fredrickson	Lippincott	Vargas
Ballard	Clements	Halloran	Lowe	von Gillern
Blood	Conrad	Hansen	McDonnell	Wishart
Bosn	DeBoer	Hardin	Moser	
Bostar	DeKay	Holdcroft	Murman	
Bostelman	Dorn	Hughes	Raybould	
Brandt	Dover	Ibach	Riepe	

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh, M.

Excused and not voting, 7:

Aguilar	Hunt	McKinney	Wayne
Day	Linehan	Walz	

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

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 23, 2023, at 3:56 p.m. were the following: LBs 565e and 565Ae.

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

AMENDMENTS - Print in Journal

Senator Slama filed the following amendment to LB514:

[FA166](#)

Strike Sections 10 and 11.

Senator Slama filed the following amendment to LB514:

[FA167](#)

Strike Section 12.

Senator Slama filed the following amendment to LB514:

[FA168](#)

Strike Section 17.

Senator Slama filed the following amendment to [LB514](#):

[FA169](#)

Strike Section 18.

Senator Slama filed the following amendment to [LB514](#):

[FA170](#)

Strike Section 19.

Senator Slama filed the following amendment to [LB514](#):

[FA171](#)

Strike Section 23.

Senator Brewer filed the following amendment to [LB514A](#):

[AM1945](#)

1 1. On page 2, line 1, strike "\$1,214,180" and insert "\$1,210,850";
2 and in line 9, strike "\$553,000" and insert "\$587,500".

MOTIONS - Print in Journal

Senator Halloran filed the following motion to [LB50](#):

[MO1138](#)

Bracket until June 9, 2023.

Senator Halloran filed the following motion to [LB50](#):

[MO1139](#)

Recommit to the Judiciary Committee.

Senator Halloran filed the following motion to [LB50](#):

[MO1140](#)

Indefinitely postpone.

RESOLUTIONS

LEGISLATIVE RESOLUTION 256. Introduced by Erdman, 47.

WHEREAS, on May 11, 2014, an F-3 tornado destroyed the family farm belonging to Curt and Angie Eberspacher and their three daughters located in Beaver Crossing, Nebraska; and

WHEREAS, the Eberspacher family rebuilt the horse barn and the indoor arena and added a bunkhouse; and

WHEREAS, Sarah Eberspacher with her two sisters, Emily and Hanah, started their own business called Triple E Equine in order to meet the needs of those traveling with horses; and

WHEREAS, Sarah Eberspacher is a senior at the University of Nebraska majoring in Agriculture and Environmental Science Communications, who won the 2023 Intercollegiate Horse Show Association Regional Horse Show in Colby, Kansas, qualifying for the 2023 National Championship Horse Show in Lexington, Kentucky; and

WHEREAS, Sarah Eberspacher represented the University of Nebraska at the 2023 Intercollegiate Horse Show Association National Championship Horse Show in Lexington, Kentucky, where she drew Wally, a 16h gelding from Albion College, rode the Middle Tennessee State University gelding Slim in the reining phase to a score of 141.5 points, and scored the highest overall points to win the Back on Track Western High-Point Rider horsemanship championship.

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

1. That the Legislature recognizes the hardships that the Eberspacher family have overcome.
2. That the Legislature honors and celebrates the superlative horsemanship demonstrated by Sarah Eberspacher at the 2023 Intercollegiate Horse Show Association Regional Horse Show in Colby, Kansas, and at the National Championship Horse Show in Lexington, Kentucky, where she scored the highest overall points and won the Back on Track Western High-Point Rider championship.
3. That the Legislature recognizes that Sarah Eberspacher is only the second student from the University of Nebraska to ever achieve the title of High-Point Rider national champion.

Laid over.

LEGISLATIVE RESOLUTION 257. Introduced by Vargas, 7.

WHEREAS, the Nebraska section of the American College of Obstetricians and Gynecologists is dedicated to improving the lives and communities of all people seeking obstetric and gynecologic care; and

WHEREAS, the Nebraska section of the American College of Obstetricians and Gynecologists has two hundred twenty-seven practicing obstetricians and gynecologists caring for patients across the State of Nebraska; and

WHEREAS, these obstetricians and gynecologists care and advocate for Nebraskans ensuring proper and timely medical care to patients;

WHEREAS, the goal of the Nebraska section of the American College of Obstetricians and Gynecologists is to assure the safety of healthy mothers and healthy babies.

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

1. That the Legislature commends the Nebraska Section of the American College of Obstetricians and Gynecologists for working with Nebraska women and families.
2. That a copy of this resolution be sent to the Nebraska section of the American College of Obstetricians and Gynecologists.

Laid over.

LEGISLATIVE RESOLUTION 258. Introduced by Vargas, 7.

WHEREAS, Omaha Performing Arts celebrated the grand opening of Steelhouse Omaha on May 12, 2023. Steelhouse Omaha is a one-of-a-kind art and entertainment venue for local, national, and international performers in Omaha, Nebraska; and

WHEREAS, Steelhouse Omaha will act as an economic hub by providing jobs, generating revenue, and attracting entertainers, tourists, and residents to downtown Omaha; and

WHEREAS, community organizations and local artists will be able to utilize Steelhouse Omaha for events, open houses, and weekend festivities; and

WHEREAS, Steelhouse Omaha will attract entertainment to the Omaha community and create a valuable economic asset to Nebraska and the Legislature.

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

1. That the Legislature congratulates Steelhouse Omaha on its grand opening.
2. That a copy of this resolution be sent to Steelhouse Omaha.

Laid over.

LEGISLATIVE RESOLUTION 259. Introduced by Vargas, 7.

WHEREAS, Urban Abbey is a nonprofit organization that provides a safe, inclusive, and hospitable space for Omaha residents; and

WHEREAS, founding pastor Reverend Debra McKnight is passionate about connecting people and nurturing their faith while being an advocate for social justice, women's rights, and the LGBTQ+ community; and

WHEREAS, by sharing hospitality through coffee and community, Urban Abbey creates a safe space that focuses on compassion, love, and understanding for all Nebraskans; and

WHEREAS, Urban Abbey and Reverend Debra McKnight's hard work, dedication, and resiliency is worthy of recognition and admiration.

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

1. That the Legislature appreciates Urban Abbey's commitment to the Omaha community.
2. That copies of this resolution be sent to Urban Abbey and Reverend Debra McKnight.

Laid over.

LEGISLATIVE RESOLUTION 260. Introduced by Conrad, 46.

WHEREAS, Ms. Susan Foltz has been selected as the 2023 Nebraska Direct Support Professional of the Year by the American Network of Community Options and Resources for her hard work and dedication to her profession; and

WHEREAS, Ms. Foltz is a resident of north Lincoln's Legislative District 46; and

WHEREAS, the work of direct support professionals is physically and emotionally challenging, and is vital to bettering the lives of those with intellectual and developmental disabilities; and

WHEREAS, Ms. Foltz is a dedicated and hardworking employee of BrightSpring Health Services; and

WHEREAS, Ms. Foltz's work for her clients is often unnoticed and behind the scenes with little or no recognition; and

WHEREAS, Ms. Foltz was nominated by her employer, BrightSpring Health Services, for her exemplary work ethic, patience, and commitment to people with intellectual and developmental disabilities; and

WHEREAS, Ms. Foltz's clients love her for her patience, kindness and dedication.

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

1. That the Legislature recognizes Ms. Susan Foltz for her hard work and dedication as a direct support professional.
2. That the Legislature congratulates Ms. Susan Foltz on being selected as the 2023 Nebraska Direct Professional of the Year.
3. That a copy of this resolution be sent to Ms. Susan Foltz.

Laid over.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 683e and 683Ae.

EASE

The Legislature was at ease from 5:27 p.m. until 6:03 p.m.

SENATOR DEBOER PRESIDING

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 514. Placed on Select File with amendment.

[ER36](#)

- 1 1. On page 1, strike beginning with "elections" in line 1 through
- 2 line 15 and insert "government; to amend sections 32-308, 32-914, 32-941,
- 3 32-942, 32-943, 32-953, 32-957, 60-4,119, 60-4,120, and 71-612, Reissue
- 4 Revised Statutes of Nebraska, and sections 32-101, 32-103, 32-202,
- 5 32-318.01, 32-915, 32-1027, and 60-4,115, Revised Statutes Cumulative

6 Supplement, 2022; to provide for valid photographic identification for
7 voting purposes; to provide for verification of citizenship of registered
8 voters; to provide procedures for a voter with a reasonable impediment or
9 a religious objection to being photographed; to change provisions
10 relating to voting and counting ballots; to provide for free state
11 identification cards and certified copies of birth records for voting
12 purposes as prescribed; to change provisions relating to issuance of a
13 state identification card or an operator's license; to harmonize
14 provisions; to provide operative dates; to repeal the original sections;
15 and to declare an emergency.".

LEGISLATIVE BILL 514A. Placed on Select File.

LEGISLATIVE BILL 50. Placed on Select File with amendment.
[ER35](#) is available in the Bill Room.

LEGISLATIVE BILL 50A. Placed on Select File.

(Signed) Beau Ballard, Chairperson

SELECT FILE

LEGISLATIVE BILL 727. Senator Conrad offered [MO811](#), found on page 971, to bracket until June 2, 2023.

Senator Conrad withdrew her motion to bracket.

Senator Conrad withdrew [MO810](#), found on page 971, to recommit to committee.

Senator Conrad withdrew [MO809](#), found on page 970, to indefinitely postpone.

[ER34](#), found on page 1612, was adopted.

Senator Linehan asked unanimous consent to withdraw [FA136](#), found on page 1613, to [ER34](#), and replace it with substitute amendment, [AM1905](#), to [ER34](#). No objections. So ordered.
[AM1905](#) is available in the Bill Room.

The Linehan amendment, to [ER34](#), was adopted with 38 ayes, 0 nays, 5 present and not voting, and 6 excused and not voting.

Senator Armendariz offered [AM1942](#), found in this day's Journal, to [ER34](#).

The Armendariz amendment, to [ER34](#), was adopted with 39 ayes, 0 nays, 4 present and not voting, and 6 excused and not voting.

Senator Bostar offered [AM1747](#), found on page 1458.

The Bostar amendment was withdrawn.

Senator Linehan offered [FA116](#), found on page 1466.

The Linehan amendment was withdrawn.

Senator M. Cavanaugh offered [AM1452](#), found on page 1509.

Senator M. Cavanaugh requested a roll call vote on her amendment.

The M. Cavanaugh amendment lost with 0 ayes, 34 nays, 2 present and not voting, 4 absent and not voting, and 9 excused and not voting.

Senator M. Cavanaugh offered [AM1456](#), found on page 1509.

Senator M. Cavanaugh requested a roll call vote on her amendment.

The M. Cavanaugh amendment lost with 0 ayes, 27 nays, 4 present and not voting, 9 absent and not voting, and 9 excused and not voting.

Pending.

AMENDMENTS - Print in Journal

Senator Slama filed the following amendment to [LB514](#):

[FA172](#)

Strike Sections 5, 10, 11, 12, 17, 18, 19, and 23.

Senator Slama filed the following amendment to [LB514](#):

[FA173](#)

Strike Section 1.

Senator Slama filed the following amendment to [LB514](#):

[FA174](#)

Strike Section 2.

Senator Slama filed the following amendment to [LB514](#):

[FA175](#)

Strike Section 3.

Senator Slama filed the following amendment to [LB514](#):

[FA176](#)

Strike Section 4.

Senator Slama filed the following amendment to [LB514](#):

[FA177](#)

Strike Section 5.

Senator Slama filed the following amendment to [LB514](#):

[FA178](#)

Strike Section 6.

Senator Slama filed the following amendment to [LB514](#):

[FA179](#)

Strike Section 7.

Senator Slama filed the following amendment to [LB514](#):

[FA180](#)

Strike Section 8.

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE RESOLUTION 243A. Placed on Final Reading Second.

LEGISLATIVE RESOLUTION 583A. Placed on Final Reading Second.

[ST21](#)

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "appropriations" in line 1 through line 4 has been struck and "appropriations; to amend section 50, Legislative Bill 814, One Hundred Eighth Legislature, First Session, 2023; to appropriate funds to aid in carrying out the provisions of Legislative Bill 583, One Hundred Eighth Legislature, First Session, 2023; to change appropriations; to provide an operative date; to repeal the original section; and to declare an emergency." inserted.

(Signed) Beau Ballard, Chairperson

SELECT FILE

LEGISLATIVE BILL 727. Senator M. Cavanaugh offered [AM1457](#), found on page 1509.

SENATOR DORN PRESIDING

Senator M. Cavanaugh requested a roll call vote on her amendment.

The M. Cavanaugh amendment lost with 0 ayes, 31 nays, 1 present and not voting, 7 absent and not voting, and 10 excused and not voting.

Senator M. Cavanaugh offered [AM1458](#), found on page 1509.

The M. Cavanaugh amendment was withdrawn.

Senator M. Cavanaugh withdrew [AM1443](#), found on page 1508.

Senator M. Cavanaugh withdrew [AM1444](#), found on page 1508.

Senator M. Cavanaugh withdrew [AM1445](#), found on page 1509.

Advanced to Enrollment and Review for Engrossment.

VISITORS

Visitors to the Chamber were students from Washington County Home School Group, Blair; students from Grace Abbott Elementary, Omaha; Peyton Wolfe and Ainsley Garcia, Lincoln.

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

ADJOURNMENT

At 9:28 p.m., on a motion by Senator Raybould, the Legislature adjourned until 9:00 a.m., Wednesday, May 24, 2023.

Brandon Metzler
Clerk of the Legislature