

EIGHTY-FOURTH DAY - MAY 24, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

EIGHTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, May 24, 2023

PRAYER

The prayer was offered by Pastor Eric Moser, Riverview Community Church, Ashland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Murman.

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 Senators Bosn, Bostar, Day, Hunt, McKinney, Slama, Walz, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-third day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 24, 2023, at 8:25 a.m. were the following: LBs 683e and 683Ae.

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

AMENDMENTS - Print in Journal

Senator Slama filed the following amendment to LB514:

[FA182](#)

Strike Section 35.

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

[FA183](#)

Strike Section 36.

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

[FA184](#)

Strike Section 37.

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

[FA185](#)

Strike Section 39.

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

[FA186](#)

Strike Section 38.

SELECT FILE

LEGISLATIVE BILL 562A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 705A. Advanced to Enrollment and Review for Engrossment.

RESOLUTIONS

Pursuant to Rule 4, Sec. 5(b), LRs 165, 173, 177 and 187 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 165, 173, 177 and 187.

MOTION - Recommit LB753 to Committee

Senator Hunt offered [MO826](#), found on page 974, recommit to Revenue Committee.

Senator Linehan offered the following motion:

[MO1145](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Linehan requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 33:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Briese	Hardin	Lippincott	Sanders
Arch	Clements	Holdcroft	Lowe	Slama
Armendariz	DeKay	Hughes	McDonnell	von Gillern
Ballard	Dover	Ibach	McKinney	Wayne
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 11:

Blood	Cavanaugh, M.	Dungan	Raybould
Bostar	Conrad	Fredrickson	Wishart
Cavanaugh, J.	DeBoer	Hunt	

Present and not voting, 5:

Brandt	Day	Dorn	Vargas	Walz
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The Linehan motion to invoke cloture prevailed with 33 ayes, 11 nays, and 5 present and not voting.

Voting in the affirmative, 7:

Cavanaugh, J.	Conrad	Dungan	Raybould
Cavanaugh, M.	DeBoer	Hunt	

Voting in the negative, 35:

Aguilar	Brandt	Erdman	Jacobson	Murman
Albrecht	Brewer	Halloran	Kauth	Riepe
Arch	Briese	Hansen	Linehan	Sanders
Armendariz	Clements	Hardin	Lippincott	Slama
Ballard	DeKay	Holdcroft	Lowe	von Gillern
Bosn	Dorn	Hughes	McDonnell	Walz
Bostelman	Dover	Ibach	Moser	Wayne

Present and not voting, 7:

Blood	Day	McKinney	Wishart
Bostar	Fredrickson	Vargas	

The Hunt motion to recommit to committee failed with 7 ayes, 35 nays, and 7 present and not voting.

BILL 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 LB753 with 41 ayes, 2 nays, and 6 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 753.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Cumulative Supplement, 2022; to adopt the Opportunity Scholarships Act; to provide for tax credits; to harmonize provisions; to provide an operative date; to provide for severability; and to repeal the original sections.

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

Voting in the affirmative, 33:

Aguilar	Brewer	Hansen	Linehan	Riepe
Albrecht	Briese	Hardin	Lippincott	Sanders
Arch	Clements	Holdcroft	Lowe	Slama
Armendariz	DeKay	Hughes	McDonnell	von Gillem
Ballard	Dover	Ibach	McKinney	Wayne
Bosn	Erdman	Jacobson	Moser	
Bostelman	Halloran	Kauth	Murman	

Voting in the negative, 11:

Blood	Cavanaugh, M.	Dungan	Raybould
Bostar	Conrad	Fredrickson	Wishart
Cavanaugh, J.	DeBoer	Hunt	

Present and not voting, 5:

Brandt	Day	Dorn	Vargas	Walz
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A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

RESOLUTIONS

LEGISLATIVE RESOLUTION 261. Introduced by McDonnell, 5.

WHEREAS, the Omaha Sister Cities Association has a long and storied history of fostering meaningful relationships between Omaha, Nebraska, and cities around the world, promoting cultural understanding, educational exchanges, and economic cooperation; and

WHEREAS, the city of Accra, Ghana, with its rich cultural history and identity, including the historic Jamestown district, has been identified as an ideal candidate to be Omaha's first sister city in Africa, thereby bridging communities across continents and fostering global connections; and

WHEREAS, the collaborative efforts between Black Men United, Nebraska state senators, local government officials, educational institutions, and business organizations in both Omaha and Accra have shown dedication and commitment to connecting these two cities; and

WHEREAS, over sixty thousand Africans and seventy thousand African Americans reside in the greater Omaha area creating a unique opportunity for cultural exchange, understanding, and the development of strong ties between Omaha and Accra with an emphasis on the Jamestown district; and

WHEREAS, the establishment of a sister city relationship between Omaha and Accra would promote economic cooperation and business opportunities for both cities, leading to mutual growth and prosperity; and

WHEREAS, the potential for agricultural partnerships between Nebraska and Accra such as the exchange of knowledge and technology in conservation agriculture, could contribute significantly to sustainable agricultural practices and food security in both regions; and

WHEREAS, the establishment of this sister city relationship would contribute to Omaha's continued work in creating a more inclusive and diverse community.

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

1. That the Legislature acknowledges the efforts made by all parties involved in establishing a sister city relationship between Omaha, Nebraska, and Accra, Ghana, recognizing the potential for mutual growth, cultural exchange, economic development, and agricultural cooperation.

2. That the Legislature commends the perseverance and vision of the individuals that have worked tirelessly to make this Sister City relationship a reality, recognizing the importance of fostering international connections for the people of Omaha and the residents of Accra, particularly those in the Jamestown district.

3. That the Legislature encourages continued cooperation and communication between Omaha and Accra in order to facilitate a lasting and meaningful partnership that benefits both cities and the residents of both cities.

4. That the Legislature wishes both Omaha and Accra success and growth through this sister city relationship and looks forward to the positive impact that it will have on both communities, particularly in the areas of cultural, economic, and agricultural collaboration.

5. That copies of this resolution be sent to the Omaha Sister Cities Association, Black Men United, and other key stakeholders in Omaha, Nebraska, and Accra, Ghana, including representatives from the Jamestown district.

Laid over.

LEGISLATIVE RESOLUTION 262. Introduced by Erdman, 47.

WHEREAS, Aspen Graves is a graduating senior at Chadron High School in Chadron, Nebraska; and

WHEREAS, art has been important to Aspen since she was young and she has taken art classes at Tada Art Studio and studied art under her high school art teacher, Travis Hency; and

WHEREAS, Aspen entered into a competition during her senior year of high school to design a new logo for Google centered around the theme of "I am grateful for..."; and

WHEREAS, Aspen was inspired by the memory of her late grandfather, Neil Patterson, and submitted an original logo image named, "tranquility"; and

WHEREAS, Aspen's submission included her statements, "I am grateful for the feeling of a crisp breeze dancing in the air, fluttering cottonwood leaves, and the fresh scent of a rippling stream as I indulge in a novel. When gazing upon the luminous water, I envision my grandfather's hands carving cottonwood logs to shape a spinning wheel. His spinning wheel exists in tandem with the tranquil world – an ecosystem cycling around me."; and

WHEREAS, Aspen won the 2023 Nebraska "Doodle for Google" competition and she will represent the State of Nebraska in the national "Doodle for Google" competition, where the winner stands to receive thirty thousand dollars in college scholarship money and the winner's school stands to receive fifty thousand dollars to be used for technology.

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

1. That the Legislature honors the work that Aspen Graves has done in creating art.

2. That the Legislature congratulates her for winning the Nebraska "Doodle for Google" competition.

3. That the Legislature supports Aspen Graves as she competes in the national "Doodle for Google" competition and wishes her the best in the competition.

Laid over.

LEGISLATIVE RESOLUTION 263. Introduced by Vargas, 7.

WHEREAS, the Omaha South High School boys soccer team won the 2023 Class A District A3 Finals against Elkhorn South by a score of 4-2; and

WHEREAS, the Omaha South High School boys soccer team reached the quarterfinals of the 2023 Nebraska School Activities Association Class A Boys State Soccer Championship; and

WHEREAS, the Omaha South High School boys soccer team ended the season with an impressive thirteen wins and four losses; and

WHEREAS, the captains, coaches, and staff of the Omaha South High School boys soccer team have helped build and maintain a tradition of community, effort, and resilience worthy of recognition.

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

1. That the Legislature congratulates the Omaha South High School Boys Soccer Team for their district championship and state soccer tournament appearance.
2. That a copy of this resolution be sent to the Omaha South High School Boys Soccer Team.

Laid over.

LEGISLATIVE RESOLUTION 264. Introduced by Vargas, 7.

WHEREAS, Cinco de Mayo Omaha presents a culturally and historically significant annual celebration of ethnic diversity; and

WHEREAS, Omaha's Cinco de Mayo Festival has been recognized as one of the top Cinco de Mayo events in the United States, attracting visitors from surrounding states and generating over 7.5 million dollars back into the local economy each year; and

WHEREAS, the Cinco de Mayo parade is the largest parade in the Midwest, spanning one mile long along historic South 24th Street; and

WHEREAS, the work that Cinco de Mayo Omaha does annually to provide family-friendly festivities 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 the hard work of Cinco de Mayo Omaha.
2. That a copy of this resolution be sent to Cinco de Mayo Omaha.

Laid over.

LEGISLATIVE RESOLUTION 265. Introduced by Vargas, 7; McDonnell, 5.

WHEREAS, since 1923, the United Way of the Midlands has been dedicated to responding to the needs of the community of Omaha, Nebraska; and

WHEREAS, the United Way of the Midlands bridges the business and non-profit sectors to help neighbors overcome difficult challenges and build a better future; and

WHEREAS, the United Way of the Midlands meets the essential needs of families by providing support programs and direct services that address social and economic disparities; and

WHEREAS, the service of United Way of the Midlands to the Omaha area for one hundred years 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 congratulates the United Way of the Midlands for one hundred years of serving the Omaha community.
2. That a copy of this resolution be sent to the United Way of the Midlands.

Laid over.

LEGISLATIVE RESOLUTION 266. Introduced by Brandt, 32.

WHEREAS, the 2023 Nebraska School Activities Association State Track and Field Championships were held from May 17 through May 20, 2023, at Omaha Burke Stadium in Omaha, Nebraska; and

WHEREAS, the Norris High School girls track and field team won 2023 Class B Girls State Track and Field Championship; and

WHEREAS, Norris won with an overall score of seventy-two points which was fourteen points greater than second place; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Norris High School girls track and field team on winning the 2023 Class B State Track and Field Championship.
2. That a copy of this resolution be sent to the Norris High School girls track and field team.

Laid over.

LEGISLATIVE RESOLUTION 267. Introduced by DeKay, 40.

WHEREAS, the 2023 Nebraska School Activities Association State Track and Field Championships were held from May 17 through May 20, 2023, at Omaha Burke Stadium in Omaha, Nebraska; and

WHEREAS, the Plainview High School boys track and field team won 2023 Class D Boys State Track and Field Championship; and

WHEREAS, Plainview received an overall score of 53 points to earn the school's first state track and field championship; and

WHEREAS, Plainview junior Spencer Hille earned first place in both the boys long jump and 300 meter hurdles events; and

WHEREAS, the Plainview team members exemplify hard work, dedication, perseverance, and discipline for young athletes in their community; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of youth of our state.

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

1. That the Legislature recognizes and congratulates the Plainview High School Pirates boys track and field team and its coach on winning the 2023 Class D Boys State Track and Field Championship.

2. That copies of this resolution be sent to the Plainview High School Pirates boys track and field team, Spencer Hille, and Coach Jeremy Peter.

Laid over.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB753.

MOTION - Return LB753A to Select File

Senator Wayne moved to return LB753A to Select File for the following specific amendment:

[FA198](#)

Strike the enacting clause.

Senator Wayne withdrew his motion to return.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 753A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 753, One Hundred Eighth Legislature, First Session, 2023.

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

Voting in the affirmative, 42:

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

Voting in the negative, 2:

Hunt Raybould

Present and not voting, 5:

Bostar Brandt Cavanaugh, M. Day Dorn

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

WITHDRAW - Motion to LB191

Senator M. Cavanaugh withdrew [MO356](#), found on page 939, to recommit to Business and Labor Committee, to LB191.

BILL 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 LB191 with 39 ayes, 3 nays, and 7 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 191. With Emergency Clause.

A BILL FOR AN ACT relating to labor; to amend sections 48-145, 48-163, 48-164, 48-174, 48-622.02, 48-649.03, 48-650, 48-652, 48-2103, 48-2107, and 49-506, Reissue Revised Statutes of Nebraska, and sections 48-101.01, 71-7104, 81-1228, 81-1229, and 81-1231, Revised Statutes Cumulative Supplement, 2022; to adopt the Critical Infrastructure Utility Worker Protection Act; to provide for reimbursement for mental health and resilience training for first responders; to change provisions of the Nebraska Workers' Compensation Act relating to the fund credited with payments from self-insurers, notices for rules and regulations, case progression requirements, and summonses; to change permitted uses of the Nebraska

Training and Support Cash Fund; to change provisions of the Employment Security Law regarding voluntary contributions and notices of determination; to eliminate a definition and certain fees under the Contractor Registration Act; to change requirements relating to distribution of session laws and legislative journals; to change provisions and definitions of the Rural Workforce Housing Investment Act relating to grants; to harmonize provisions; to provide operative dates; to provide severability; 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?' "

Voting in the affirmative, 46:

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

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. Hunt 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.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 753A and LB191e.

WITHDRAW - Motion to LB254

Senator M. Cavanaugh withdrew [MO412](#), found on page 942, to recommit to Executive Board, to LB254.

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 LB254 with 43 ayes, 4 nays, and 2 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 254. With Emergency Clause.

A BILL FOR AN ACT relating to the Legislature; to amend sections 50-114, 50-402, 50-1209, 79-1312, 79-1313, and 79-1316, Reissue Revised Statutes of Nebraska, and section 50-702, Revised Statutes Cumulative Supplement, 2022; to require the Legislative Council, through the Executive Board of the Legislative Council, to develop and maintain a publicly accessible, digital Internet archive of closed-captioned video coverage of the Legislature as prescribed; to change provisions relating to the Legislative Mental Health Care Capacity Strategic Planning Committee; to change provisions relating to tax incentive performance audits conducted by the office of Legislative Audit; to redefine terms; to change provisions of the Nebraska Educational Telecommunications Act; to change powers and duties of the Nebraska Educational Telecommunications Commission; to harmonize provisions; to provide a duty for the Revisor of Statutes; 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?' "

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Hunt

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 254A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 254, 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, 48:

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

Voting in the negative, 0.

Present and not voting, 1:

Hunt

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 LB298

Senator Hunt withdrew [MO479](#), found on page 945, to recommit to Education Committee, to LB298.

MOTION - Return LB298 to Select File

Senator Blood moved to return LB298 to Select File for her specific amendment, [AM1691](#), found on page 1451.

Pending.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 254e and 254Ae.

MOTION - Return LB298 to Select File

Senator Blood renewed her motion found and considered in this day's Journal, to return LB298 to Select File for her specific amendment, [AM1691](#).

Voting in the affirmative, 40:

Arch	Briese	Dungan	Jacobson	Riepe
Armendariz	Cavanaugh, J.	Fredrickson	Kauth	Sanders
Ballard	Cavanaugh, M.	Hansen	Linchan	Slama
Blood	Conrad	Hardin	Lippincott	Vargas
Bosn	Day	Holdcroft	McDonnell	von Gillern
Bostar	DeBoer	Hughes	McKinney	Walz
Brandt	Dorn	Hunt	Murman	Wayne
Brewer	Dover	Ibach	Raybould	Wishart

Voting in the negative, 2:

Albrecht Moser

Present and not voting, 6:

Bostelman	DeKay	Halloran
Clements	Erdman	Lowe

Excused and not voting, 1:

Aguilar

The Blood motion to return prevailed with 40 ayes, 2 nays, 6 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 298. The Blood specific amendment, [AM1691](#), found on page 1451, was offered.

The Blood specific amendment was adopted with 37 ayes, 2 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

RESOLUTIONS**LEGISLATIVE RESOLUTION 268.** Introduced by Albrecht, 17.

WHEREAS, the purpose of the Maginn Family Foundation Educator of the Year award is to highlight the excellent work of educators, recognize the dedication of individuals who educate children, encourage educators to continue their service, and thank the educators who serve children in inner-city and under-served schools of the Archdiocese of Omaha, Nebraska; and

WHEREAS, Misty Andreasen, a kindergarten teacher at St. Michael's Catholic School located in South Sioux City, Nebraska, was one of the recipients of the Maginn Family Foundation Educator of the Year award; and

WHEREAS, Misty attended St. Michael's Catholic School until eighth grade and has been committed to teaching at St. Michael's Catholic School for twenty-seven years; and

WHEREAS, Misty utilizes both faith and dedication to help students grow creatively and consistently, guides young minds into the beginning steps of academics, and consistently meets students at their own personal level in a calm, quiet, and safe manner; and

WHEREAS, as a lifelong product of St. Michael's Catholic School, Misty Andreasen is most deserving of the Maginn Family Foundation Educator of the Year award and has left a positive impact on students and staff.

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

1. That the Legislature recognizes Misty Andreasen's consistent dedication to the students of St. Michael's Catholic School and congratulates her on receiving the Maginn Family Foundation Educator of the Year award.
2. That a copy of this resolution be sent to Misty Andreasen.

Laid over.

LEGISLATIVE RESOLUTION 269. Introduced by Albrecht, 17.

WHEREAS, Brody Krusemark is a junior at Pender High School in Pender, Nebraska; and

WHEREAS, Brody is a sprinter for the Pender High School track and field team and won both the 100 meter dash and the 200 meter dash events at the 2023 Nebraska School Activities Association District C4 Track Meet in Hartington, Nebraska; and

WHEREAS, Brody broke the Pender High School record in the preliminaries of the 2023 Nebraska Class C State Championship 100 meter dash event with a time of 10.69 and went on to win the same event the next day, becoming the state champion; and

WHEREAS, Brody also placed third in the 200 meter dash, but broke Pender High School's record for the 200 meter dash earlier in the season with a time of 22.04; and

WHEREAS, Brody's record-breaking times and achievements deserve 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 recognizes and congratulates Brody Krusemark for winning the 2023 Nebraska Class C State Championships 100 meter dash.
2. That a copy of this resolution be sent to Brody Krusemark.

Laid over.

VISITORS

Visitors to the Chamber were Lee A. Sapp and Tim Welling, Ashland; students and teachers from Oak Valley Elementary, Omaha; students from St. John's, Lincoln; students from Holy Name, Omaha; students from Chandler View Elementary, Bellevue.

RECESS

At 12:01 p.m., on a motion by Senator Sanders, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator Dorn presiding.

ROLL CALL

The roll was called and all members were present except Senators Armendariz, Bostar, Bostelman, Conrad, DeKay, B. Hansen, Hughes, Hunt, McDonnell, Raybould, Walz, and Wishart who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 24, 2023, at 12:00 p.m. were the following: LBs 753, 753A, 191e, 254e and 254Ae.

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

SELECT FILE

LEGISLATIVE BILL 514. Speaker Arch requested to pass over LB514.

LEGISLATIVE BILL 514A. Speaker Arch requested to pass over LB514A.

LEGISLATIVE BILL 50. Senator Hunt offered [MO213](#), found on page 928, to bracket until June 2, 2023.

Senator Hunt withdrew her motion to bracket.

Senator Hunt withdrew [MO212](#), found on page 928, to recommit to committee.

Senator Hunt withdrew [MO211](#), found on page 928, to indefinitely postpone.

[ER35](#), found on page 1693, was offered.

Senator Halloran withdrew [MO1138](#), found on page 1689, to bracket.

Senator Halloran withdrew [MO1139](#), found on page 1689, to recommit to committee.

Senator Halloran withdrew [MO1140](#), found on page 1689, to indefinitely postpone.

Senator Halloran asked unanimous consent to withdraw the following amendment, [FA188](#), to [ER35](#), and replace it with the following substitute amendment, [AM1986](#), to [ER35](#).

[FA188](#)

Strike Section 1.

[AM1986](#)

(Amendments to E and R amendments, ER35)

1 1. Insert the following new sections:

2 Sec. 5. Section 28-101, Revised Statutes Cumulative Supplement,

3 2022, is amended to read:

4 28-101 Sections 28-101 to 28-1357, 28-1601 to 28-1603, and 28-1701

5 and section 6 of this act shall be known and may be cited as the Nebraska

6 Criminal Code.

7 Sec. 6. (1) For purposes of this section:

8 (a) Live performance that is inappropriate for minors means a live

9 performance which includes any sexual or gender-oriented material that

10 exposes minors to a person who is stripping or engaged in lewd or

11 lascivious dancing, presentations, or activities, including, but not

12 limited to, topless performances, go-go dancing, or performances by

13 exotic dancers or male or female impersonators, commonly known as drag

14 queens or drag kings;

15 (b) Minor means a person under nineteen years of age; and

16 (c) School means a public, private, denominational, or parochial

17 school which meets the requirements for accreditation or approval

18 prescribed in Chapter 79.

19 (2) A person shall not engage in a live performance that is

20 inappropriate for minors in a school, a public library, or any other

21 public place where one or more minors are present.

22 (3) A violation of this section is a Class IIIA misdemeanor.

23 2. Renumber the remaining sections, correct internal references, and

24 correct the repealer accordingly.

Senator M. Cavanaugh objected.

Senator Halloran offered the following motion:

[MO1146](#)

Withdraw FA188 and substitute with AM1986.

Senator Halloran moved for a call of the house. The motion prevailed with 13 ayes, 5 nays, and 31 not voting.

Senator Halloran requested a roll call vote on his motion to withdraw and substitute.

Voting in the affirmative, 6:

Aguilar	Halloran	Kauth
Erdman	Hardin	Murman

Voting in the negative, 32:

Albrecht	Cavanaugh, M.	Fredrickson	McDonnell	von Gillern
Arch	Day	Holdcroft	McKinney	Walz
Blood	DeBoer	Hughes	Moser	Wayne
Bostar	DeKay	Hunt	Raybould	Wishart
Brandt	Dorn	Jacobson	Riepe	
Brewer	Dover	Linehan	Sanders	
Cavanaugh, J.	Dungan	Lippincott	Vargas	

Present and not voting, 6:

Bosn	Briese	Ibach
Bostelman	Clements	Lowe

Excused and not voting, 5:

Armendariz	Ballard	Conrad	Hansen	Slama
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The Halloran motion to withdraw and substitute failed with 6 ayes, 32 nays, 6 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Halloran offered [FA188](#), found in this day's Journal, to [ER35](#).

The Halloran amendment was withdrawn.

Senator DeBoer offered the following amendment, to [ER35](#):

[AM1958](#) is available in the Bill Room.

The DeBoer amendment was withdrawn.

Senator Wayne offered the following amendment, to [ER35](#):
[AM1979](#)

(Amendments to E&R amendments, ER35)

- 1 1. Strike section 33 and insert the following new section:
- 2 Sec. 33. Section 83-1,110, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 83-1,110 (1) Every committed offender shall be eligible for parole
- 5 upon the earliest of the following:
- 6 (a) When ~~when~~ the offender has served one-half the minimum term of
- 7 his or her sentence as provided in sections 83-1,107 and 83-1,108; -
- 8 (b) For a committed offender serving a maximum term of twenty years
- 9 or less, two years prior to the offender's mandatory discharge date; or
- 10 (c) For a committed offender serving a maximum term of more than
- 11 twenty years, when the offender has served eighty percent of the time
- 12 until the offender's mandatory discharge date.
- 13 (2) The board shall conduct a parole review not later than sixty
- 14 days prior to the date a committed offender becomes eligible for parole
- 15 as provided in this subsection, except that if a committed offender is
- 16 eligible for parole upon his or her commitment to the department, a
- 17 parole review shall occur as early as is practical. No such reduction of
- 18 sentence shall be applied to any sentence imposing a mandatory minimum
- 19 term.
- 20 (3)(a) This subsection applies to any (2) Every committed offender
- 21 sentenced to consecutive terms, whether received at the same time or at
- 22 any time during the original sentence, shall be eligible for release on
- 23 parole when the offender has served the total of one-half the minimum
- 24 term as provided in sections 83-1,107 and 83-1,108.
- 25 (b) The maximum terms shall be added to compute the new maximum term
- 26 which, less good time, shall determine the date when discharge from the
- 1 custody of the state becomes mandatory.
- 2 (c) The committed offender shall be eligible for release on parole
- 3 upon the earliest of the following:
- 4 (i) When the offender has served the total of one-half the minimum
- 5 term as provided in sections 83-1,107 and 83-1,108;
- 6 (ii) For a committed offender serving a maximum term of twenty years
- 7 or less, two years prior to the offender's mandatory discharge date; or
- 8 (iii) For a committed offender serving a maximum term of more than
- 9 twenty years, when the offender has served eighty percent of the time
- 10 until the offender's mandatory discharge date.
- 11 2. On page 12 strike lines 2 through 8 and insert the following new
- 12 subdivision:
- 13 "(c) If the felony committed and at least one of the prior felony
- 14 convictions do not involve sexual contact, sexual penetration, the threat
- 15 to inflict serious bodily injury or death on another person, the
- 16 infliction of serious bodily injury on another person, a deadly or
- 17 dangerous weapon, or a firearm, the mandatory minimum term shall be three
- 18 years and the maximum term not more than the maximum term for the felony
- 19 committed or twenty years, whichever is greater. For this subdivision (1)
- 20 (c) to apply, no prior felony conviction may be a violation described in
- 21 subdivision (1)(a) of this section; and"
- 22 3. On page 19, line 6; page 33, line 6; and page 56, line 4, strike
- 23 "service" and insert "system".
- 24 4. On page 26, line 7, strike "and"; in line 8 strike the period and
- 25 insert "; and"; and after line 8 insert the following new subdivision:
- 26 "(f) Two criminal defense attorneys with at least ten years'
- 27 experience appointed by the Governor."
- 28 5. On page 51, line 14, strike "and" and insert "which"; in line 15
- 29 strike "Which includes" and insert "Includes"; and in line 21 strike
- 30 "Which consists" and insert "Consists".

SENATOR DEBOER PRESIDING**SENATOR DORN PRESIDING**

Senator Wayne moved for a call of the house. The motion prevailed with 30 ayes, 3 nays, and 16 not voting.

Senator Wayne requested a roll call vote on his amendment, to [ER35](#).

Voting in the affirmative, 34:

Aguilar	Briese	Dorn	Ibach	Raybould
Arch	Cavanaugh, J.	Dover	Jacobson	Vargas
Armendariz	Cavanaugh, M.	Dungan	Kauth	von Gillern
Blood	Conrad	Fredrickson	Linehan	Walz
Bostar	Day	Holdcroft	McDonnell	Wayne
Brandt	DeBoer	Hughes	McKinney	Wishart
Brewer	DeKay	Hunt	Moser	

Voting in the negative, 6:

Albrecht	Erdman	Lippincott
Bostelman	Halloran	Lowe

Present and not voting, 8:

Ballard	Clements	Murman	Sanders
Bosn	Hansen	Riepe	Slama

Excused and not voting, 1:

Hardin

The Wayne amendment, to [ER35](#), was adopted with 34 ayes, 6 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENTS - Print in Journal

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

[FA187](#)

Strike line 15.

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

[FA189](#)

Strike "32-914" on line 2.

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

[FA190](#)

Strike line 1 in its entirety.

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

[FA191](#)

Strike line 2 in its entirety.

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

[FA192](#)

Strike line 3 in its entirety.

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

[FA193](#)

Strike Line 4 in its entirety.

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

[FA194](#)

Strike "to amend sections 32-308, 32-914" on line 2.

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

[FA195](#)

Strike "to amend sections 32-308" on line 2.

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

[FA196](#)

Strike "government" on line 1.

RESOLUTIONS

LEGISLATIVE RESOLUTION 270. Introduced by Fredrickson, 20; Cavanaugh, J., 9; Cavanaugh, M., 6; Hunt, 8.

WHEREAS, Doug Krenzer was married to Dr. Kari Krenzer and was the proud father to Peter, Emma, Bethany and Audrey Krenzer; and

WHEREAS, Doug graduated from Westside High School in Omaha, Nebraska, in 1989, earned a Bachelor of Arts degree from Colorado College in Colorado Springs, Colorado, in 1993, and earned a Juris Doctorate degree from the University of Nebraska College of Law in Lincoln, Nebraska, in 1996; and

WHEREAS, Doug served as a partner at Locher Pavelka Dostal Braddy and Hammes, LLC with his practice dedicated to civil litigation with an emphasis on all types of property and liability insurance claims and coverage litigation; and

WHEREAS, Doug proudly served his home school district on the Westside Community Schools Board of Education since 2016; and

WHEREAS, Doug's service to his family, profession, and community was defined by his passion, kindness, patience, wisdom, intelligence, and respect for all in any and every circumstance; and

WHEREAS, Doug, through his actions, faith, and spirit, made his community and Nebraska a better place; and

WHEREAS, Doug passed away on May 15, 2023.

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

1. That the Legislature recognizes, honors and thanks Doug Krenzer for his service to and love of his family, community, clients, and Westside Community Schools.

2. That the Legislature offers its condolences to the family of Doug Krenzer.

3. That a copy of this resolution be sent to Doug Krenzer's wife, Dr. Kari Krenzer.

Laid over.

LEGISLATIVE RESOLUTION 271. Introduced by Holdcroft, 36.

WHEREAS, the 2023 Nebraska School Activities Association State Soccer Championships were held from May 8 through May 16, 2023, at Morrison S.J. Stadium at Creighton University in Omaha, Nebraska; and

WHEREAS, the Gretna High School girls soccer team won the 2023 Class A Girls State Soccer Championship; and

WHEREAS, the Gretna High school boys soccer team placed second in the 2023 Class A Boys State Soccer Championship; and

WHEREAS, the Gretna girls soccer team defeated Lincoln Southwest in the Class A girls championship match by a score of 5 to 2; and

WHEREAS, the Gretna boys soccer team held Creighton Prep to only two goals, with a final score of 2 to 1 in the Class A boys championship match; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Gretna High School girls soccer team and its coaches on winning the 2023 Class A Girls State Soccer Championship.

2. That the Legislature recognizes and congratulates the Gretna High School boys soccer team and its coaches on being runner-up in the 2023 Class A Boys State Soccer Championship.

3. That copies of this resolution be sent to the Gretna High School girls soccer team, Coach Chance Hutchison, the Gretna High School boys soccer team, Coach Tyler Ortlieb, and Gretna High School.

Laid over.

LEGISLATIVE RESOLUTION 272. Introduced by Holdcroft, 36.

WHEREAS, the 2023 Nebraska School Activities Association State Track and Field Championships were held from May 17 through May 20, 2023, at Omaha Burke Stadium in Omaha, Nebraska; and

WHEREAS, sophomore Braden Lofquest competed in the 2023 Class A Boys State Track and Field Championship for Gretna High School; and

WHEREAS, Braden received a gold medal at the championship after placing first in the 800 meter dash event with a time of 1:53.30; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates Gretna High School sophomore Braden Lofquest on winning the 800 meter dash event at the 2023 Class A Boys State Track and Field Championship.

2. That copies of this resolution be sent to Braden Lofquest, Gretna High School, and Coach Scott Swanson.

Laid over.

SELECT FILE

LEGISLATIVE BILL 50. [ER35](#), found on page 1693 and considered in this day's Journal, was renewed.

Senator Ibach offered the following amendment, to [ER35](#):
[AM1980](#) is available in the Bill Room.

The Ibach amendment, to [ER35](#), was adopted with 37 ayes, 6 nays, 3 present and not voting, and 3 excused and not voting.

Senator J. Cavanaugh offered the following amendment, to [ER35](#):
[AM1955](#)

(Amendments to E and R amendments, ER35)

1. Insert the following new section:

2. Sec. 3. Section 25-21,273, Reissue Revised Statutes of Nebraska, is

3. amended to read:

4. 25-21,273 (1) Unless the petitioner is allowed to proceed in forma

5. pauperis in accordance with sections 25-2301 to 25-2310, all AH

6. proceedings under sections 25-21,270 to 25-21,272 shall be at the cost of

7. the petitioner or petitioners, for which fee-bill or execution may issue

8. as in civil cases.

9. (2) Any change of names under such the provisions of said sections;

10. shall not in any manner affect or alter any right of action, legal

11. process, or property.

12. 2. Renumber the remaining sections, correct internal references, and

13. correct the repealer accordingly.

The J. Cavanaugh amendment was withdrawn.

Senator Halloran offered [AM1986](#), found in this day's Journal, to [ER35](#).

The Halloran amendment was withdrawn.

ER35, as amended, was adopted.

Senator Blood offered [AM1923](#), found on page 1655.

The Blood amendment was withdrawn.

Senator Wayne offered the following motion:

[MO1147](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Wayne moved for a call of the house. The motion prevailed with 35 ayes, 6 nays, and 8 not voting.

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

Voting in the affirmative, 35:

Aguilar	Briese	Dorn	Ibach	Raybould
Arch	Cavanaugh, J.	Dover	Jacobson	Sanders
Armendariz	Cavanaugh, M.	Dungan	Kauth	Vargas
Blood	Conrad	Fredrickson	Linehan	von Gillern
Bostar	Day	Holdcroft	McDonnell	Walz
Brandt	DeBoer	Hughes	McKinney	Wayne
Brewer	DeKay	Hunt	Moser	Wishart

Voting in the negative, 9:

Albrecht	Erdman	Hardin	Lowe	Slama
Bostelman	Halloran	Lippincott	Riepe	

Present and not voting, 5:

Ballard	Bosn	Clements	Hansen	Murman
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The Wayne motion to invoke cloture prevailed with 35 ayes, 9 nays, and 5 present and not voting.

Advanced to Enrollment and Review for Engrossment with 30 ayes, 7 nays, and 12 present and not voting.

The Chair declared the call raised.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 562A. Placed on Final Reading.

LEGISLATIVE BILL 705A. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

AMENDMENTS - Print in Journal

Senator Hunt filed the following amendment to [LB393](#):

[AM1966](#)

1. On page 2, line 28, strike "forty-eight", show as stricken, and
- 2 insert "forty".

Senator Hunt filed the following amendment to [LB393](#):

[AM1965](#)

1. On page 2, lines 21 and 22, strike "outside of school hours
- 2 during the month of June, July, or August", show as stricken, and insert
- 3 "not during the school year".

Senator Hunt filed the following amendment to [LB380](#):

[AM1964](#)

1. On page 2, lines 2 and 3, strike "individual" and insert
- 2 "employee".

Senator Hunt filed the following amendment to [LB443](#):

[AM1970](#)

1. On page 2, line 23, strike "Spinal cord injury" and insert
- 2 "Injury".

Senator Hunt filed the following amendment to [LB405](#):

[AM1967](#)

1. On page 4, lines 25 through 27, strike "The report submitted to
- 2 the members of the Legislature shall be submitted electronically. The
- 3 report shall be publicly available on the department's website." and
- 4 insert "Such report shall be submitted to the members of the Legislature
- 5 electronically and made publicly available on the department's website.".

Senator Hunt filed the following amendment to [LB405](#):

[AM1968](#)

1. On page 5, line 15, after "operation" insert ", including the
- 2 number of minors".

Senator Hunt filed the following amendment to [LB443](#):

[AM1969](#)

1. On page 2, line 17, strike "seventy-two" and insert "eighty"; and
- 2 in line 19 strike "five" and insert "thirteen".

Senator Hunt filed the following amendment to [LB380](#):

[AM1963](#)

1. On page 2, line 9, strike "jury".

Senator Hunt filed the following amendment to [LB367](#):

[AM1961](#)

1. On page 2, lines 2 and 3; page 6, lines 25 and 30; and page 7,
- 2 lines 8 and 15, strike "Chance".

Senator Hunt filed the following amendment to [LB367](#):

[AM1962](#)

1. On page 5, line 3, strike "ten business" and insert "fourteen
- 2 calendar".

RESOLUTION

LEGISLATIVE RESOLUTION 273. Introduced by Hansen, B., 16; Holdcroft, 36; Riepe, 12.

WHEREAS, on April 19, 2023, the United States Department of the Navy certified that the Secretary of the Navy awarded Hull Maintenance Technician First Class (Surface Warfare) Kiefer J. Nelson the Navy and Marine Corps Achievement Medal; and

WHEREAS, Kiefer was recognized for his professional achievement while serving as Hull repair division leading petty officer in the repair department on board the USS Frank Cable (AS40), a submarine tender; and

WHEREAS, Kiefer was selected as the USS Frank Cable's Repair Sailor of the Year; and

WHEREAS, Kiefer displayed exceptional administrative skills and expertly led forty-eight sailors in nine work centers leading to one-hundred and thirty qualifications and two meritorious advancements; and

WHEREAS, Kiefer displayed unwavering dedication to his duties and willingness to take initiative while managing various projects proving his determination to keep with the highest traditions of the United States Navy; and

WHEREAS, Kiefer is from Fort Calhoun, Nebraska, and is a fifth-generation graduate from Fort Calhoun High School; and

WHEREAS, Kiefer is supported by his wife Ashley Nelson, his father Rick Nelson and step-mother Becky Nelson of Blair, Nebraska, his mother Cathy Coleman and grandmother Nancy Coleman of Bellevue, Nebraska, and his grandfather Allen Nelson and grandmother Sharon Nelson of Fort Calhoun, Nebraska; and

WHEREAS, Kiefer joined the Navy in 2013 and is currently stationed in Guam; and

WHEREAS, the Legislature is proud to see Nebraska youth serve their country and deeply appreciates the service and dedication of Kiefer and all members of the United States Military.

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

1. That the Legislature congratulates and honors Hull Maintenance Technician First Class (Surface Warfare) Kiefer J. Nelson for his Navy and Marine Corps Achievement Medal and other achievements.

2. That copies of this resolution be sent to Kiefer Nelson, Rick Nelson, and Cathy Coleman.

Laid over.

COMMITTEE REPORT
Nebraska Retirement Systems

The Nebraska Retirement Systems Committee desires to report favorably upon the appointment listed below. The Committee suggests the appointment be confirmed by the Legislature and suggests a record vote.

Jason Hayes Director - Nebraska Public Employees Retirement Systems

Aye: 5. Clements, Hardin, Ibach, McDonnell, Vargas. Nay: 0. Absent: 1. Conrad. Present and not voting: 0.

(Signed) Mike McDonnell, Chairperson

EASE

The Legislature was at ease from 5:18 p.m. until 6:02 p.m.

SPEAKER ARCH PRESIDING

PRESIDENT KELLY PRESIDING

WITHDRAW - Motions to LB138

Senator Hunt withdrew [MO320](#), found on page 936, to recommit to Transportation and Telecommunications Committee, to LB138.

Senator Slama withdrew [MO1096](#), found on page 1615, to recommit to the Government, Military, and Veterans Affairs Committee, to LB138.

Senator Slama withdrew [MO1097](#), found on page 1615, to recommit to the Government, Military, and Veterans Affairs Committee, to LB138.

Senator Slama withdrew [MO1098](#), found on page 1615, to recommit to the Government, Military, and Veterans Affairs Committee, to LB138.

Senator Slama withdrew [MO1099](#), found on page 1616, to indefinitely postpone, to LB138.

Senator Slama withdrew [MO1100](#), found on page 1616, to indefinitely postpone, to LB138.

Senator Slama withdrew [MO1101](#), found on page 1616, to bracket, to LB138.

Senator Slama withdrew [MO1102](#), found on page 1616, to bracket, to LB138.

MOTION - Return LB138 to Select File

Senator B. Hansen moved to return LB138 to Select File for the following specific amendment:

[AM1975](#)

(Amendments to Final Reading copy)

1 1. Insert the following new sections:

2 Sec. 3. Section 29-431, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 29-431 As used in sections 28-416, 29-422, 29-424, 29-425, 29-431 to
 5 29-434, 48-1231, and 53-173, unless the context otherwise requires,
 6 infraction means the violation of any law, ordinance, order, rule, or
 7 regulation, not including those related to traffic, which is not
 8 otherwise declared to be a misdemeanor or a felony. Infraction includes
 9 violations of section 60-6,267 and beginning January 1, 2024, section
 10 60-6,279.

11 Sec. 46. Section 60-6,279, Reissue Revised Statutes of Nebraska, is
 12 amended to read:

13 60-6,279 (1) A person shall not operate or be a passenger ~~in an~~
 14 ~~autoecele described in subsection (2) of this section,~~ on a motorcycle
 15 ~~other than an autoecele,~~ or on a moped on any highway in this state
 16 unless such person is:

17 (a) ~~Wearing~~ wearing a protective helmet of the type and design
 18 manufactured for use by operators of such vehicles and unless such helmet
 19 is secured properly on the user's his or her head with a chin strap while
 20 the vehicle is in motion. All such protective helmets shall be designed
 21 to reduce injuries to the user resulting from head impacts and shall be
 22 designed to protect the user by remaining on the user's head, deflecting
 23 blows, resisting penetration, and spreading the force of impact. Each
 24 such helmet shall consist of lining, padding, and chin strap and shall
 25 meet or exceed the standards established in the United States Department
 26 of Transportation's Federal Motor Vehicle Safety Standard No. 218, 49
 1 C.F.R. 571.218, for motorcycle helmets; or -

2 (b) Beginning January 1, 2024:

3 (i) At least twenty-one years of age; and

4 (ii)(A) For a resident of Nebraska, has completed the basic
 5 motorcycle safety course as provided in the Motorcycle Safety Education
 6 Act and submitted proof of such completion to the Department of Motor
 7 Vehicles. Proof of such completion shall be in a manner approved by the
 8 department; or

9 (B) For a nonresident of Nebraska, has completed an equivalent to
 10 the Motorcycle Safety Foundation basic motorcycle rider course or some
 11 other substantially similar motorcycle rider course approved by the state
 12 of the person's residence and provides proof of such completion to a law
 13 enforcement officer upon request.

14 (2) The Department of Motor Vehicles shall modify the existing
 15 system of the department by January 1, 2024, to allow the date of
 16 completion of such course to be recorded on the person's record provided
 17 for in section 60-483.

18 (3) A person shall not operate a motorcycle or moped on any highway
 19 in this state unless such person employs one of the following forms of
 20 eye protection: (a) Glasses that cover the orbital region of the person's
 21 face, (b) a protective face shield attached to a protective helmet, (c)
 22 goggles, or (d) a windshield on the motorcycle or moped that protects the
 23 operator's and passenger's horizontal line of vision in all operating
 24 positions (2) This section applies to an autoecele that has a seating
 25 area that is not completely enclosed.

26 Sec. 47. Section 60-6,282, Reissue Revised Statutes of Nebraska, is
 27 amended to read:

28 60-6,282 (1) ~~Until December 31, 2023, a Any~~ person who violates
 29 section 60-6,279 shall be guilty of a traffic infraction and shall be
 30 fined fifty dollars.

31 (2) Beginning January 1, 2024:

1 (a) A person violating any provision of subsection (1) or (3) of
 2 section 60-6,279 shall be guilty of an infraction as defined in section
 3 29-431 and shall be fined two hundred fifty dollars for each violation.

4 (b) Enforcement of subsection (1) or (3) of section 60-6,279 shall

5 be accomplished only as a secondary action when an operator of a
 6 motorcycle or moped has been cited or charged with a violation or some
 7 other offense unless the violation involves a person under the age of
 8 eighteen years riding on any portion of the motorcycle or moped not
 9 designed or intended for the use of passengers when the motorcycle or
 10 moped is in motion.

11 2. On page 1, line 2, after "13-1205," insert "29-431,"; in line 4
 12 after "60-678," insert "60-6,279, 60-6,282,"; and in line 20 after the
 13 first semicolon insert "to change provisions relating to helmets and eye
 14 protection as prescribed;"
 15 3. Correct the operative date and repealer sections so that sections
 16 3, 46, and 47 added by this amendment become operative three calendar
 17 months after the adjournment of this legislative session.
 18 4. Renumber the remaining sections and correct internal references
 19 accordingly.

Voting in the affirmative, 30:

Aguilar	Briese	Dungan	Hughes	McDonnell
Albrecht	Clements	Erdman	Ibach	Murman
Armendariz	Conrad	Halloran	Jacobson	Slama
Ballard	DeBoer	Hansen	Kauth	Vargas
Brandt	DeKay	Hardin	Lippincott	von Gillern
Brewer	Dorn	Holdcroft	Lowe	Wishart

Voting in the negative, 5:

Bostelman	Moser	Raybould	Riepe	Sanders
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Present and not voting, 12:

Arch	Bostar	Day	Hunt
Blood	Cavanaugh, J.	Dover	Walz
Bosn	Cavanaugh, M.	Fredrickson	Wayne

Excused and not voting, 2:

Linehan	McKinney
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The B. Hansen motion to return prevailed with 30 ayes, 5 nays, 12 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 138. The B. Hansen specific amendment, [AM1975](#), found in this day's Journal, was offered.

The B. Hansen specific amendment was adopted with 30 ayes, 5 nays, 12 present and not voting, and 2 excused and not voting.

Senator M. Cavanaugh requested a machine vote.

Advanced to Enrollment and Review for Engrossment with 34 ayes, 4 nays, 8 present and not voting, and 3 excused and not voting.

WITHDRAW - Motion to LB227

Senator Hunt withdrew [MO398](#), found on page 941, to recommit to Health and Human Services Committee, to LB227.

MOTION - Return LB227 to Select File

Senator Vargas moved to return LB227 to Select File for the following specific amendment:

[AM1989](#) is available in the Bill Room.

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 3:

Hunt Linehan McKinney

The Vargas motion to return prevailed with 45 ayes, 0 nays, 1 present and not voting, and 3 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 227. The Vargas specific amendment, [AM1989](#), found in this day's Journal, was offered.

The Vargas specific amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

WITHDRAW - Motion to LB92

Senator M. Cavanaugh withdrew [MO299](#), found on page 935, to recommit to Banking, Insurance and Commerce Committee, to LB92.

WITHDRAW - Amendment to LB92

Senator Slama withdrew [AM1767](#), found on page 1592, to LB92.

MOTION - Return LB92 to Select File

Senator Slama moved to return LB92 to Select File for the following specific amendment:

[AM1984](#)

(Amendments to Final Reading copy)

1 1. Strike sections 81 and 82 and insert the following new sections:
 2 Sec. 81. Section 77-6801, Revised Statutes Cumulative Supplement,
 3 2022, is amended to read:
 4 77-6801 Sections 77-6801 to 77-6843 and sections 82 to 84 of this
 5 act shall be known and may be cited as the ImagiNE Nebraska Act.
 6 Sec. 82. (1) It is the intent of the Legislature that an application
 7 made by a taxpayer that is a Nebraska-based covered entity as defined in
 8 15 U.S.C. 4651 under the Creating Helpful Incentives to Produce
 9 Semiconductors (CHIPS) for America Act, Public Law 116-283, be approved
 10 upon receipt if:
 11 (a) The taxpayer's application contains the items listed in
 12 subsection (2) of section 77-6827; and
 13 (b) The taxpayer's application meets the federal eligibility
 14 requirements of the Creating Helpful Incentives to Produce Semiconductors
 15 (CHIPS) for America Act, Public Law 116-283.
 16 (2) Not more than thirty days after receipt and approval of an
 17 application under subsection (1) of this section, the director shall
 18 issue to such taxpayer a written agreement conforming to the requirements
 19 of section 77-6828 and sections 83 and 84 of this act.
 20 Sec. 83. (1) An agreement issued pursuant to section 82 of this act
 21 shall contain total incentives, refunds, and credits earned through the
 22 ImagiNE Nebraska Act sufficient to equal twenty-five percent of the
 23 taxpayer's investment in qualified property for the fabrication,
 24 assembly, testing, advanced packaging, or production of semiconductors or
 25 technologies with extensive microelectronic content. The director shall
 26 ensure that such agreement creates no additional obligation upon the
 1 General Fund.
 2 (2) With respect to an application or agreement with a taxpayer that
 3 is a Nebraska-based covered entity as defined in 15 U.S.C. 4651 under the
 4 Creating Helpful Incentives to Produce Semiconductors (CHIPS) for America
 5 Act, Public Law 116-283:
 6 (a) The provisions of section 77-6839 shall not apply, except that
 7 the annual credits and incentives redeemed by the taxpayer may be limited
 8 to one-fifteenth of the total credits and incentives eligible to be
 9 earned during a fifteen-year performance period, as defined by section
 10 77-6816; and
 11 (b) The taxpayer may not carryover earned but unused incentives past
 12 the performance period.
 13 Sec. 84. A taxpayer that is also a Nebraska-based covered entity as
 14 described in 15 U.S.C. 4651 that qualifies under the Creating Helpful
 15 Incentives to Produce Semiconductors (CHIPS) for America Act, Public Law
 16 116-283, may use earned incentives or credits under the ImagiNE Nebraska
 17 Act:
 18 (1) To obtain a refund from the state equal to the amount that the
 19 taxpayer demonstrates to the director was paid by the taxpayer after the

20 date of the complete application to repay the principal or interest on
21 revenue bonds issued by an inland port authority pursuant to section
22 13-3308;
23 (2) To provide financial assistance to public and private sector
24 initiatives that are intended to improve Nebraska's ability to attract
25 microelectronic-based enterprises, especially those incentivized under
26 the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for
27 America Act, Public Law 116-283, by making necessary investments in the
28 semiconductor industry and technologies with extensive microelectronic
29 content, including, but not limited to, grants for the establishment of
30 private sector entities for such purposes within eligible economically
31 disadvantaged areas in Nebraska, as set forth in section 9902(a)(2)(B) of
1 the Creating Helpful Incentives to Produce Semiconductors (CHIPS) for
2 America Act, Public Law 116-283;
3 (3) To provide financial assistance to a community college located
4 in a city of the metropolitan class working in collaboration with private
5 sector partners and any interested university, college, other community
6 college, and technical school located in this state to support education
7 expansion and curricula development in order to meet the needs of the
8 domestic semiconductor workforce in Nebraska as set forth in section
9 9902(a)(2)(B) of the Creating Helpful Incentives to Produce
10 Semiconductors (CHIPS) for America Act, Public Law 116-283; and
11 (4) For any other eligible use authorized pursuant to the ImagiNE
12 Nebraska Act.
13 Sec. 100. If any section in this act or any part of any section is
14 declared invalid or unconstitutional, the declaration shall not affect
15 the validity or constitutionality of the remaining portions.
16 2. On page 1, line 12, strike "77-6832, and 77-6841" and insert "and
17 77-6801".
18 3. On page 2, line 13, after the first semicolon insert "to provide
19 severability;".
20 4. On page 79, strike beginning with "a" in line 30 through
21 "required" in line 31 and insert "the obligation of payment from the
22 Excess Liability Fund".
23 5. On page 130, line 7, strike "69-2112, 77-6832, and 77-6841," and
24 insert "and 69-2112,".
25 6. Correct the operative date and repealer sections so that the
26 sections added by this amendment become operative on their effective date
27 with the emergency clause.
28 7. Renumber the remaining sections and correct internal references
29 accordingly.

Voting in the affirmative, 40:

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

Voting in the negative, 0.

Present and not voting, 7:

Bostelman Conrad Erdman Wayne
Cavanaugh, M. Dover Hunt

Excused and not voting, 2:

Linehan McKinney

The Slama motion to return prevailed with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 92. The Slama specific amendment, AM1984, found in this day's Journal, was offered.

The Slama specific amendment was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

LEGISLATIVE BILL 92A. Senator Slama offered the following amendment:

AM1929

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. There is hereby appropriated (1) \$47,433 from the
4 Department of Insurance Cash Fund for FY2023-24 and (2) \$49,085 from the
5 Department of Insurance Cash Fund for FY2024-25 to the Department of
6 Insurance, for Program 69, to aid in carrying out the provisions of
7 Legislative Bill 92, One Hundred Eighth Legislature, First Session, 2023.
8 Total expenditures for permanent and temporary salaries and per
9 diems from funds appropriated in this section shall not exceed \$29,643
10 for FY2023-24 or \$31,125 for FY2024-25.
11 Sec. 2. There is hereby appropriated (1) \$-0- from the General Fund
12 for FY2023-24 and (2) \$106,000 from the General Fund for FY2024-25 to the
13 Board of Regents of the University of Nebraska, for Program 781, to aid
14 in carrying out the provisions of Legislative Bill 92, One Hundred Eighth
15 Legislature, First Session, 2023.
16 No expenditures for permanent and temporary salaries and per diems
17 for state employees shall be made from funds appropriated in this
18 section.
19 Sec. 3. There is hereby appropriated (1) \$26,930 from the General
20 Fund for FY2023-24 and (2) \$27,950 from the General Fund for FY2024-25 to
21 the Department of Economic Development, for Program 601, to aid in
22 carrying out the provisions of Legislative Bill 92, One Hundred Eighth
23 Legislature, First Session, 2023.
24 Total expenditures for permanent and temporary salaries and per
25 diems from funds appropriated in this section shall not exceed \$15,460
26 for FY2023-24 or \$16,070 for FY2024-25.

The Slama amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

EASE

The Legislature was at ease from 6:56 p.m. until 7:16 p.m.

MESSAGE FROM THE GOVERNOR

May 24, 2023

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

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

With this letter, I am returning LB 814e and LB 818e with my signature, but with line-item reductions.

Our economy is incredibly strong, as evidenced by the overcollection of tax receipts compared to funds necessary to provide essential services to our citizens. Hard-working taxpayers of Nebraska are demanding that their money be returned. The Legislature is on the verge of passing transformative tax relief measures that will lower the burden of income, business, property, and social security taxes. We must continue to fight against excessive governmental spending to deliver dollars back into the pockets of Nebraskans.

Delivering transformational tax relief has not stopped us from ensuring that no kid is given up on. The Education Future Fund is established with \$1 billion in FY 2023-24 and \$250 million every year thereafter to finance public K-12 education. This will increase education aid by nearly 30% annually to ensure the state is adequately financing public education, while driving down the reliance on property tax dollars. We will ensure that every student has at least \$1,500 in foundation aid, while also guaranteeing that our special education students are funded with state resources.

To balance our budget, I have line-item vetoed Medicaid reimbursement rates to provide for a 3% increase in FY 2023-24, while holding rates flat in FY 2024-25. This will reduce funding by \$15.3 million in General Funds and \$29.9 million in federal funds in FY 2024-25. Hospitals have seen record profits preceding and throughout the pandemic, but rising costs have begun to eat into these margins. Funding for reimbursement rates will not address any of the systemic workforce shortages and will only provide a band-aid to hospitals' bottom line, without providing any relief for healthcare costs paid by everyday Nebraskans. Healthcare institutions must adapt by developing a sustainable healthcare model that addresses both near and future challenges.

I have also vetoed the child welfare rate increase of \$6 million in General Funds in FY 2024-25 related to the replacement of one-time federal funding from the American Rescue Plan Act (ARPA). Replacement of temporary federal funding with permanent state funding is a practice that will severely harm the state financially. The Department is currently conducting a rate study as part of LB 1173 (2022) to better inform reimbursement rate decisions and will potentially revisit this budget program in the mid-biennium process to address possible rate adjustments.

I have also reduced \$900,000 in General Funds in FY 2023-24 and FY 2024-25 related to the expansion of home visitation care that would boost the existing program from \$1.1 million to \$2 million a year. Currently, the Department of Health and Human Services is utilizing Temporary Assistance for Needy Families (TANF) funds to provide for this care and will continue to address needs with this fund source. Additionally, I have vetoed additional funding for a CEDARS housing facility of \$1 million in General Funds in FY 2023-24 intended for housing pregnant and parenting homeless youth. Financing operations of this facility is a TANF eligible expense and will be handled administratively, instead of utilizing General Fund tax dollars.

My veto includes a General Fund reduction of \$250,000 in each year of the biennium related to the expansion of court-appointed special advocates (CASA) aid. Without this reduction the program grows from \$500,000 to \$750,000 each year, or a 50% increase. I have also line-item reduced \$2.2 million in General Funds in FY 2024-25 for the Legislative Council related to 15% legislative salary increases. The continuing trend of underutilized appropriation demonstrates there is more than enough resources to accommodate these increases.

Additionally, I have vetoed a total of \$309,461 in General Funds in FY 2023-24 and \$539,242 in FY 2024-25 related to the new state auditor positions and salary increases. The Auditor has existing resources to cover necessary positions and pending salary increases to fulfill the office's constitutional duty. I have also vetoed \$470,164 General Funds in FY 2023-24 and FY 2024-25 for the Nebraska Historical Society. Over the last four years, the agency has underspent General Funds by an average of \$900,000. My veto will right size the agency's funding without impacting their day-to-day operations. Additionally, I have line-item vetoed \$107,252 in General Fund appropriation in FY 2023-24 and FY 2024-25 for a position within the Deaf and Hard of Hearing Commission to fund a full-time sign language interpreter that is not necessary based on current workload.

I have line-item vetoed \$950,000 General Fund appropriation in FY 2023-24 and FY 2024-25 for additional funding to the Supreme Court, including \$500,000 per year to assume additional ex-officio clerk services and costs on behalf of county district courts, \$200,000 per year to increase funding for court interpreters, and \$250,000 per year for additional public guardianship

services. The Supreme Court has enough funding to manage potential increases in demand for these services.

I have vetoed \$300,000 General Fund appropriation increase in FY 2023-24 and FY 2024-25 for interstate water litigation within the Attorney General's office. Existing funding is sufficient to meet the state's needs for this purpose. Additionally, the requested trial preparation coordinator position was a lower priority for the Attorney General, and I have vetoed General Fund appropriation by \$102,917 in FY 2023-24 and \$107,840 in FY 2024-25.

I have line-item vetoed the \$7 million General Fund appropriation in FY 2023-24 to the Department of Environment and Energy for providers grant assistance for a rural drinking water project in Cedar/Knox County. This project has already seen significant investment from the State, which is utilizing ARPA and Drinking Water State Revolving Fund funding, which exceeds \$32 million.

To preserve our Cash Reserve Fund, I have vetoed \$10 million cash fund appropriation in FY 2023-24 and FY 2024-25 for Rural Workforce Housing and \$10 million cash fund appropriation in FY 2023-24 and FY 2024-25 for Middle Income Housing. This will preserve our reserve funds and avoid flooding the housing market with government subsidization. We have invested more than \$200 million in affordable housing over the past three years and Nebraska housing developers are busy leveraging this substantial investment to build up our supply of affordable housing in the State of Nebraska.

I am reducing the additional Shovel Ready Capital Recovery and Investment Act Funds from \$90 million to \$70 million in FY 2023-24 and eliminating funding of \$10 million related to the Site and Building Development funding to Kimball for a ground-based nuclear deterrence project. I stand behind Kimball in securing funds from the federal government to ensure this area can continue to thrive in the future and we will continue to assist that effort in any way possible.

I am also vetoing the \$5 million appropriation from the Nebraska Health Care Cash Fund in FY 2023-24 and FY 2024-25 and the related intended transfers in the following three years from the Cash Reserve Fund for the pilot program related to gun violence. Over \$500 million has already been devoted to economic recovery over the last two years focused mainly in North and South Omaha.

Investing in our core mission of providing quality services to the citizens of Nebraska, while delivering transformational tax relief is a must. We must cut government spending, we must cut government red tape, and we must lead the charge in investing in our next generation. Over four years, my veto reductions will save the General Fund \$94.2 million, Health Care Cash Fund \$10 million, and Cash Reserve Fund \$87 million.

This session has the makings of being truly transformational and I am writing to you to stand up to the special interests who stand to gain from growing government spending and deliver the money back to hard-working Nebraskans!

I urge you to sustain these vetoes.

Sincerely,
(Signed) Jim Pillen
Governor

AMENDMENT - Print in Journal

Senator B. Hansen filed the following amendment to [LB227A](#):
[AM1990](#)

(Amendments to Final Reading copy)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. There is hereby appropriated (1) \$3,627,976 from the
4 General Fund, \$378,754 from the Nebraska Opioid Recovery Fund, and
5 \$576,619 from federal funds for FY2023-24 and (2) \$3,879,167 from the
6 General Fund, \$388,160 from the Nebraska Opioid Recovery Fund, and
7 \$725,801 from federal funds for FY2024-25 to the Department of Health and
8 Human Services, for Program 33, to aid in carrying out the provisions of
9 Legislative Bill 227, One Hundred Eighth Legislature, First Session,
10 2023.
11 Total expenditures for permanent and temporary salaries and per
12 diems from funds appropriated in this section shall not exceed \$994,731
13 for FY2023-24 or \$1,256,608 for FY2024-25.
14 Sec. 2. There is hereby appropriated (1) \$97,864 from the
15 Professional and Occupational Credentialing Cash Fund for FY2023-24 and
16 (2) \$119,688 from the Professional and Occupational Credentialing Cash
17 Fund for FY2024-25 to the Department of Health and Human Services, for
18 Program 178, to aid in carrying out the provisions of Legislative Bill
19 227, One Hundred Eighth Legislature, First Session, 2023.
20 Total expenditures for permanent and temporary salaries and per
21 diems from funds appropriated in this section shall not exceed \$63,564
22 for FY2023-24 or \$75,664 for FY2024-25.
23 Sec. 3. There is hereby appropriated (1) \$111,600 from the General
24 Fund for FY2023-24 and (2) \$111,600 from the General Fund for FY2024-25
25 to the Department of Health and Human Services, for Program 347, to aid
26 in carrying out the provisions of Legislative Bill 227, One Hundred
1 Eighth Legislature, First Session, 2023.
2 There is included in the appropriation to this program for FY2023-24
3 \$111,600 General Funds for state aid, which shall only be used for such
4 purpose. There is included in the appropriation to this program for
5 FY2024-25 \$111,600 General Funds for state aid, which shall only be used
6 for such purpose.
7 No expenditures for permanent and temporary salaries and per diems
8 for state employees shall be made from funds appropriated in this
9 section.
10 Sec. 4. There is hereby appropriated (1) \$6,896,188 from the
11 General Fund and \$14,773,314 from federal funds for FY2023-24 and (2)
12 \$7,975,240 from the General Fund and \$19,705,703 from federal funds for
13 FY2024-25 to the Department of Health and Human Services, for Program
14 348, to aid in carrying out the provisions of Legislative Bill 227, One

15 Hundred Eighth Legislature, First Session, 2023.

16 There is included in the appropriation to this program for FY2023-24

17 \$6,896,188 General Funds and \$14,773,314 federal funds for state aid,

18 which shall only be used for such purpose. There is included in the

19 appropriation to this program for FY2024-25 \$7,975,240 General Funds and

20 \$19,705,703 federal funds for state aid, which shall only be used for

21 such purpose.

22 No expenditures for permanent and temporary salaries and per diems

23 for state employees shall be made from funds appropriated in this

24 section.

25 Sec. 5. Since an emergency exists, this act takes effect when

26 passed and approved according to law.

ANNOUNCEMENT

Senator Clements announced the Appropriations Committee will hold an executive session Thursday, May 25, 2023, at 8:00 a.m., in Room 1307.

UNANIMOUS CONSENT - Add Cointroducer

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

Senator Wishart name added to LB570.

VISITORS

Visitors to the Chamber were Ruth Tiemann, Lincoln; Jan Bostelman, Brainard; Ryan Domotor and Travis Keisig, Members of the Legislative Assembly of Saskatchewan Canada; Rani Franovich; Luke, Scott, and Matthew Moser, Valentine; students from Columbian Elementary, Omaha.

The Doctor of the Day was Dr. Marlon Weiss of Lincoln.

ADJOURNMENT

At 7:24 p.m., on a motion by Senator M. Cavanaugh, the Legislature adjourned until 9:00 a.m., Thursday, May 25, 2023.

Brandon Metzler
Clerk of the Legislature