

EIGHTY-SIXTH DAY - MAY 30, 2023

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
FIRST SESSION**

EIGHTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 30, 2023

PRAYER

The prayer was offered by Wilson Metz, Word of Hope Lutheran Church, Ashland.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator von Gillern.

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 Bostar, J. Cavanaugh, M. Cavanaugh, Conrad, Day, Hunt, Kauth, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighty-fifth day was approved.

MESSAGES FROM THE GOVERNOR

May 26, 2023

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

Dear Clerk Metzler:

Engrossed Legislative Bills 683e, 683Ae, 565e, 565Ae were received in my office on May 23, 2023.

These bills were signed and delivered to the Secretary of State on May 26, 2023.

Sincerely,
(Signed) Jim Pillen
Governor

May 26, 2023

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

Dear Clerk Metzler:

Engrossed Legislative Bills 254e, 254Ae, 191e were received in my office on May 24, 2023.

These bills were signed and delivered to the Secretary of State on May 26, 2023.

Sincerely,
(Signed) Jim Pillen
Governor

COMMITTEE REPORTS

Health and Human Services

The Health and Human Services 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.

Timothy A. Tesmer Chief Medical Officer - Division of Public Health -
Department of Health and Human Services

Aye: 4. Ballard, Hansen, B., Hardin, Riepe. Nay: 2. Cavanaugh, M., Day.
Absent: 0. Present and not voting: 1. Walz.

The Health and Human Services 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.

Noah Bernhardson - Board of Emergency Medical Services

Aye: 6. Ballard, Day, Hansen, B., Hardin, Riepe, Walz. Nay: 0. Absent: 0.
Present and not voting: 1. Cavanaugh, M..

(Signed) Ben Hansen, Chairperson

SELECT FILE

LEGISLATIVE BILL 50A. Speaker Arch requested to pass over LB50A.

LEGISLATIVE BILL 531A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 727A. Senator Linehan offered the following amendment:

[AM1998](#)

1 I. Strike the original sections and insert the following new
2 sections:
3 Section 1. There is hereby appropriated (1) \$432,776 from the
4 General Fund for FY2023-24 and (2) \$158,320 from the General Fund for
5 FY2024-25 to the Department of Revenue, for Program 102, to aid in
6 carrying out the provisions of Legislative Bill 727, One Hundred Eighth
7 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 \$136,900
10 for FY2023-24 or \$102,400 for FY2024-25.
11 Sec. 2. There is hereby appropriated (1) \$1,427,000 from the
12 Department of Transportation Aeronautics Capital Improvement Fund for
13 FY2023-24 and (2) \$1,648,000 from the Department of Transportation
14 Aeronautics Capital Improvement Fund for FY2024-25 to the Department of
15 Transportation, for Program 301, to aid in carrying out the provisions of
16 Legislative Bill 727, One Hundred Eighth Legislature, First Session,
17 2023.
18 There is included in the appropriation to this program for FY2023-24
19 \$1,427,000 Cash Funds for state aid, which shall only be used for such
20 purpose. There is included in the appropriation to this program for
21 FY2024-25 \$1,648,000 Cash Funds for state aid, which shall only be used
22 for such purpose.
23 No expenditures for permanent and temporary salaries and per diems
24 for state employees shall be made from funds appropriated in this
25 section.
26 Sec. 3. There is hereby appropriated (1) \$128,220 from the General
27 Fund for FY2023-24 and (2) \$124,290 from the General Fund for FY2024-25
1 to the Department of Economic Development, for Program 603, to aid in
2 carrying out the provisions of Legislative Bill 727, One Hundred Eighth
3 Legislature, First Session, 2023.
4 Total expenditures for permanent and temporary salaries and per
5 diems from funds appropriated in this section shall not exceed \$68,750
6 for FY2023-24 or \$71,500 for FY2024-25.
7 Sec. 4. Since an emergency exists, this act takes effect when
8 passed and approved according to law.

The Linehan amendment was adopted with 34 ayes, 0 nays, 6 present and not voting, and 9 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 514. Senator Slama offered [MO1090](#), found on page 1572, to bracket until June 9, 2023.

Senator Slama withdrew her motion to bracket.

Pending.

COMMITTEE REPORT
Enrollment and Review

LEGISLATIVE BILL 157. Placed on Select File with amendment.
[ER37](#) is available in the Bill Room.

LEGISLATIVE BILL 50. Placed on Final Reading.
[ST23](#)

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

1. In the E&R amendments, ER35:
 - a. On page 20, line 26, "11 and 12" has been struck and "13 and 14" inserted;
 - b. On page 48, line 28, "36" has been struck and "50" inserted;
 - c. On page 49, line 6, "36" has been struck and "50" inserted;
 - d. On page 54, line 11, "34" has been struck and "48" inserted;
 - e. On page 56, line 30, "34, 36, and 40" has been struck and "48, 50, and 55" inserted;
 - f. On page 57, line 26, "36" has been struck and "50" inserted; and in line 28 "34, 36, and 40" has been struck and "48, 50, and 55" inserted;
 - g. On page 58, the matter beginning with "Original" in line 1 through line 7 has been struck and "Original sections 24-1302, 27-902, 28-518, 29-2221, 29-2263, 29-2269, 29-2281, 29-2315.02, 29-2318, 29-3001, 43-279, 43-280, 43-4505, 50-434, 69-2426, 69-2432, 71-1902, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666, 71-5669.01, 81-1850, 83-1,110, and 83-1,127, Reissue Revised Statutes of Nebraska, and sections 27-803, 28-470, 29-2252, 29-2261, 29-2262, 38-2136, 43-2,108, 43-1311.03, 43-4502, 43-4504, 43-4508, 43-4510, 43-4511.01, 43-4514, 71-5668, 83-109, 83-173, 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,125.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022, are repealed." inserted.
2. On page 1, the matter beginning with "criminal" in line 1 through line 14 and all amendments thereto have been struck and "the administration of justice; to amend sections 24-1302, 27-902, 28-518, 29-2221, 29-2263, 29-2269, 29-2281, 29-2315.02, 29-2318, 29-3001, 43-279, 43-280, 43-4505, 50-434, 69-2426, 69-2432, 71-1902, 71-5661, 71-5662, 71-5663, 71-5665, 71-5666, 71-5669.01, 81-1850, 83-1,110, and 83-1,127, Reissue Revised Statutes of Nebraska, and sections 27-803, 28-470, 29-2252, 29-2261, 29-2262, 38-2136, 43-2,108, 43-1311.03, 43-4502, 43-4504, 43-4508, 43-4510, 43-4511.01, 43-4514, 71-5668, 83-109, 83-173, 83-1,100.02, 83-1,111, 83-1,114, 83-1,122.01, 83-1,125.01, 83-1,135, and 83-1,135.02, Revised Statutes Cumulative Supplement, 2022; to change provisions regarding problem solving courts and restate legislative intent regarding appropriations; to create pilot programs relating to virtual behavioral health services, probation, and parole; to change and provide duties for courts, the State Court Administrator, the probation administrator, the Nebraska Commission on Law Enforcement and Criminal Justice, the Division of Parole Supervision, the Board of Parole, the Department of Correctional Services, the Director of Correctional Services, and the Board of Pardons; to change provisions of the Nebraska Evidence Rules relating to hearsay and self-authenticating items of evidence; to change provisions relating to immunity for administration of naloxone, theft, the habitual criminal enhancement, presentence investigation reports and related materials, set asides, restitution, appointment of counsel in certain proceedings, and actions for postconviction relief; to provide for access to certain information relating to probationers, juveniles, and parolees to law enforcement agencies; to create the Nebraska Sentencing Reform Task Force; to change provisions relating to the duty of confidentiality for certain mental health practitioners; to provide for answers of no contest in adjudication hearings under the Nebraska Juvenile Code; to change provisions relating to a written independent living transition proposal as prescribed; to change provisions of the Young Adult Bridge to Independence Act relating to legislative intent, eligibility, extended services and support, court appointed representation, and powers and duties of the Department of Health and Human Services; to terminate the Committee on Justice Reinvestment Oversight; to require dissemination of information regarding suicide prevention to purchasers of firearms and require suicide prevention training in handgun training and safety courses; to change provisions of the Rural Health Systems and Professional Incentive Act; to change provisions relating to notification of crime victims; to change provisions relating to parole and provide for geriatric

parole and streamlined parole contracts; to change and provide definitions; to provide for applicability; to require the Department of Correctional Services to provide employees with protective vests; to harmonize provisions; and to repeal the original sections." inserted.

LEGISLATIVE BILL 92. Placed on Final Reading Second.

[ST24](#)

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

1. Changes were made as necessary to incorporate all adopted amendments.

LEGISLATIVE BILL 92A. Placed on Final Reading.

LEGISLATIVE BILL 227. Placed on Final Reading Second.

[ST26](#)

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

1. Changes were made as necessary to incorporate all adopted amendments.

LEGISLATIVE BILL 227A. Placed on Final Reading Second.

LEGISLATIVE BILL 727. Placed on Final Reading.

[ST22](#)

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

1. In the Armendariz amendment, AM1942:
 - a. Section 121 has been incorporated into the Linehan amendment, AM1905, as section 103; and
 - b. The operative date and repealer provisions have been incorporated into the Linehan amendment, AM1905.
2. In the Linehan amendment, AM1905:
 - a. On page 104, line 30, "and" has been struck and shown as stricken;
 - b. On page 105, line 4, the period has been struck, shown as stricken, and "; and" inserted.
 - c. On page 144, line 10, "109, 111, and 112" has been struck and "110, 112, and 113" inserted;
 - d. On page 146, line 19, "111" has been struck and "112" inserted;
 - e. On page 148, line 13, "111" has been struck and "112" inserted; and
 - f. On page 151, line 10, "117" has been struck and "118" inserted; in line 11 "119" has been struck and "120" inserted; in line 12 "120" has been struck and "121" inserted; in line 15 "105, 106, 107, 108, 109, 110, 111, 112," has been struck and "106, 107, 108, 109, 110, 111, 112, 113," inserted; in line 16 "118" has been struck and "119" inserted; and in line 28 "81-12,245," has been inserted after "81-1229,".
3. On page 1 the matter beginning with "revenue" in line 1 through line 5 and all amendments thereto have been struck and "revenue and taxation; to amend sections 13-2602, 13-2603, 13-2604, 13-2605, 13-2609, 13-2610, 13-2611, 13-2612, 13-2706, 13-3102, 13-3103, 13-3104, 13-3108, 39-2205, 39-2209, 39-2211, 39-2212, 39-2213, 39-2216, 39-2222, 39-2223, 39-2703, 39-2704, 66-4,100, 77-1701, 77-1818, 77-1824, 77-1838, 77-2701.02, 77-2902, 77-2903, 77-2904, 77-2905, 77-2910, 77-2912, 77-3513, 77-3522, 77-4001, 77-4002, 77-4007, 77-4008, 77-4025, 77-5803, 77-5806, and 77-5808, Reissue Revised Statutes of Nebraska, sections 39-2215, 39-2224, 77-1344, 77-1347, 77-1403, 77-1631, 77-1633, 77-1802, 77-1837, 77-2015, 77-2701, 77-2701.04, 77-2701.41, 77-2704.12, 77-2704.15, 77-2704.36, 77-2711, 77-2713, 77-2715.07, 77-2716, 77-2717, 77-2734.03, 77-27,132, 77-27,187.02, 77-27,188, 77-27,223, 77-3506, 77-3512, 77-6702, 77-6818, 81-1229, 81-12,182, 81-12,245, 82-334, 82-335, 85-1802, 85-2601, 85-2602, 85-2603, and 85-2604, Revised Statutes Cumulative Supplement, 2022, and section 24, Legislative Bill 243, One Hundred Eighth Legislature, First Session, 2023; to adopt the Nebraska Biodiesel Tax Credit Act and the Good Life Transformational Projects Act; to change provisions relating to the Convention Center Facility Financing Assistance Act, the Civic and Community Center Financing Act, and the Sports Arena Facility Financing Assistance Act; to authorize issuance of highway bonds under the Nebraska Highway Bond Act; to change provisions relating to the Build Nebraska Act, agricultural or horticultural land receiving special valuation, the achieving a better life experience program, the Property Tax Request Act, enforcement of delinquent taxes on real property, reports on inheritance taxes, and sales and use tax provisions relating to purchasing

agents and exemptions for nonprofit organizations and for purchases by the state, schools, and governmental units; to provide a sales and use tax exemption for baling wire and twine as prescribed; to provide an income tax deduction to retired firefighters for health insurance premiums; to change provisions relating to distribution of certain sales and use tax revenue and the Nebraska Advantage Rural Development Act; to provide an income tax credit for certain food donations; to change provisions relating to the Nebraska Job Creation and Mainstreet Revitalization Act and homestead exemptions; to impose a tax on electronic nicotine delivery systems; to change provisions relating to the Nebraska Advantage Research and Development Act, the Nebraska Property Tax Incentive Act, and the ImagiNE Nebraska Act; to create a fund; to change provisions relating to a workforce housing grant program, the Nebraska Transformational Projects Act, a grant program of the Department of Economic Development, a grant program of the Nebraska Arts Council, and the Nebraska educational savings plan trust; to rename the Law Enforcement Education Act and change provisions therein; to change an operative date provision as prescribed; to harmonize provisions; to provide operative dates; to provide severability; to repeal the original sections; and to declare an emergency." inserted.

(Signed) Beau Ballard, Chairperson

SELECT FILE

LEGISLATIVE BILL 514. Senator Slama offered [MO1091](#), found on page 1572, to recommit to the Government, Military, and Veterans Affairs Committee.

SENATOR VON GILLERN PRESIDING

PRESIDENT KELLY PRESIDING

Pending.

AMENDMENT - Print in Journal

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

[FA200](#)

Strike the enacting clause.

SELECT FILE

LEGISLATIVE BILL 514. Senator Slama renewed [MO1091](#), found on page 1572 and considered in this day's Journal, to recommit to the Government, Military, and Veterans Affairs Committee.

Senator Slama withdrew her motion to recommit to committee.

[ER36](#), found on page 1692, was offered.

Senator Slama asked unanimous consent to withdraw [FA173](#), found on page 1694, and replace it with substitute amendment, [FA189](#), found on page 1716, to [ER36](#). No objections. So ordered.

The Slama amendment was withdrawn.

Pending.

RESOLUTION

LEGISLATIVE RESOLUTION 274. Introduced by Judiciary Committee: Wayne, 13, Chairperson; Blood, 3; DeBoer, 10; McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the structure of criminal prosecution in Nebraska.

Prosecution of criminal law violations in Nebraska is primarily the responsibility of local county attorneys. The cost of such prosecution constitutes a substantial proportion of county budgets. The state makes criminal laws and operates the court, prison, parole, and community supervision systems. Shifting the burden of prosecution to counties is an unfunded mandate that unfairly burdens local property taxpayers.

Maintaining separate prosecutor's offices in each county has been shown to result in inefficiency, duplication of services, and the unequal application and enforcement of laws across Nebraska.

This study should examine alternative models of organizing Nebraska's criminal prosecution system, including the state's attorneys and district attorneys. The study should also examine the role of the office of the Attorney General in such alternative models of criminal prosecution.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 514. [ER36](#), found on page 1692 and considered in this day's Journal, was renewed.

Senator Slama asked unanimous consent to withdraw [FA174](#), found on page 1694, and replace it with substitute amendment, [FA190](#), found on page 1717, to [ER36](#). No objections. So ordered.

The Slama amendment was withdrawn.

Senator Slama offered [FA175](#), found on page 1694.

Pending.

COMMITTEE REPORT

Judiciary

LEGISLATIVE BILL 438. Placed on General File.

(Signed) Justin Wayne, Chairperson

VISITORS

Visitors to the Chamber were Tim Lorenz, Gretna; John Byrne, Papillion; Allen Woodworth, Colorado; Mary Gilmore, Washington; Annie Cardenas, Minnesota; Julie Sawyer, California; Lee, McKynlee, and Landrie Kortus; Abigail Howe, Seward.

RECESS

At 11:58 a.m., on a motion by Senator Walz, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Kelly presiding.

ROLL CALL

The roll was called and all members were present except Senators Albrecht, Armendariz, Bosn, Bostelman, Dover, Halloran, B. Hansen, Hardin, Hughes, Hunt, Ibach, Linehan, McDonnell, McKinney, Sanders, Vargas, Walz, and Wishart who were excused until they arrive.

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 727A. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

SELECT FILE

LEGISLATIVE BILL 514. [ER36](#), found on page 1692 and considered in this day's Journal, was renewed.

Senator Slama renewed [FA175](#), found on page 1694 and considered in this day's Journal.

Senator Slama asked unanimous consent to withdraw [FA175](#), found on page 1694 and considered in this day's Journal, and replace it with substitute amendment, [FA191](#), found on page 1717, to [ER36](#). No objections. So ordered.

The Slama amendment was withdrawn.

Senator Slama asked unanimous consent to withdraw [FA176](#), found on page 1694, and replace it with substitute amendment, [FA192](#), found on page 1717, to [ER36](#). No objections. So ordered.

Senator Brewer offered the following motion:

[MO1154](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Brewer moved for a call of the house. The motion prevailed with 30 ayes, 4 nays, and 15 not voting.

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

Voting in the affirmative, 42:

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

Voting in the negative, 3:

Erdman	Moser	Slama
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Present and not voting, 4:

Bosn	Ibach	McKinney	Murman
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The Brewer motion to invoke cloture prevailed with 42 ayes, 3 nays, and 4 present and not voting.

The Slama amendment lost with 0 ayes, 39 nays, and 10 present and not voting.

ER36 was adopted.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

COMMITTEE REPORT

Revenue

LEGISLATIVE BILL 803. Placed on General File.

LEGISLATIVE BILL 505. Placed on General File with amendment.

AM1971

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 77-1701, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 77-1701 (1) The county treasurer shall be ex officio county
6 collector of all taxes levied within the county. The county board shall
7 designate a county official to mail or otherwise deliver a statement of
8 the amount of taxes due and a notice that special assessments are due, to
9 the last-known address of the person, firm, association, or corporation
10 against whom such taxes or special assessments are assessed or to the
11 lending institution or other party responsible for paying such taxes or
12 special assessments. Such statement shall clearly indicate, for each
13 political subdivision, the levy rate and the amount of taxes due as the
14 result of principal or interest payments on bonds issued by the political
15 subdivision and shall show such rate and amount separate from any other
16 levy. ~~When Beginning with tax year 2000, when~~ taxes on real property are
17 delinquent for a prior year, the county treasurer shall indicate this
18 information on the current year tax statement in bold letters. The
19 information provided shall inform the taxpayer that delinquent taxes and
20 interest are due for the prior year or years and shall indicate the
21 specific year or years for which such taxes and interest remain unpaid.
22 The language shall read "Back Taxes and Interest Due For", followed by
23 numbers to indicate each year for which back taxes and interest are due
24 ~~and a statement indicating that failure to pay the back taxes and~~
25 ~~interest may result in the loss of the real property.~~ Failure to receive
26 such statement or notice shall not relieve the taxpayer from any
27 liability to pay such taxes or special assessments and any interest or
1 penalties accrued thereon. In any county in which a city of the
2 metropolitan class is located, all statements of taxes shall also include
3 notice that special assessments for cutting weeds, removing litter, and
4 demolishing buildings are due.
5 (2) Notice that special assessments are due shall not be required
6 for special assessments levied by sanitary and improvement districts
7 organized under Chapter 31, article 7, except that such notice may be
8 provided by the county at the discretion of the county board or by the
9 sanitary and improvement district with the approval of the county board.
10 (3) A statement of the amount of taxes due and a notice that special
11 assessments are due shall not be required to be mailed or otherwise
12 delivered pursuant to subsection (1) of this section if the total amount
13 of the taxes and special assessments due is less than two dollars.
14 Failure to receive the statement or notice shall not relieve the taxpayer
15 from any liability to pay the taxes or special assessments but shall
16 relieve the taxpayer from any liability for interest or penalties. Taxes
17 and special assessments of less than two dollars shall be added to the
18 amount of taxes and special assessments due in subsequent years and shall
19 not be considered delinquent until the total amount is two dollars or
20 more.
21 Sec. 2. Section 77-1802, Revised Statutes Cumulative Supplement,
22 2022, is amended to read:
23 77-1802 The county treasurer shall, not less than four nor more than
24 six weeks prior to the first Monday of March in each year, make out a
25 list of all real property subject to sale and the amount of all

26 delinquent taxes against each item with an accompanying notice stating
27 that so much of such property described in the list as may be necessary
28 for that purpose will, on the first Monday of March next thereafter, be
29 sold by such county treasurer at public auction at his or her office for
30 the taxes, interest, and costs thereon. In making such list, the county
31 treasurer shall describe the property as it is described on the tax list
1 and shall include the name of the owner of record of the property, the
2 property's parcel number, if any, and the property's street address, if
3 any.

4 Sec. 3. Section 77-1818, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 77-1818 (1) The purchaser of any real property sold by the county
7 treasurer for taxes shall be entitled to a certificate in writing,
8 describing the real property so purchased, the sum paid, and the time
9 when the purchaser will be entitled to a deed, which certificate shall be
10 signed by the county treasurer in his or her official capacity and shall
11 be presumptive evidence of the regularity of all prior proceedings. Each
12 tax lien shall be shown on a single certificate. The purchaser acquires a
13 perpetual lien of the tax on the real property, and if after the taxes
14 become delinquent he or she subsequently pays any taxes levied on the
15 property, whether levied for any year or years previous or subsequent to
16 such sale, he or she shall have the same lien for them and may add them
17 to the amount paid by him or her in the purchase.

18 (2) Upon issuance of the certificate, the purchaser shall notify, by
19 personal service, the property owner of the real property that was sold
20 for taxes at the address listed for such owner in the records of the
21 county assessor. The notice shall (a) state that a certificate has been
22 issued, (b) include a brief description of the property owner's legal
23 rights to redeem the real property, (c) identify the real property by the
24 street address listed in the records of the county assessor, (d) include
25 the total amount of taxes, interest, and costs for which the property was
26 sold and a recitation that interest and fees may accrue, and (e) include
27 a prominent warning that failure to act may result in forfeiture of the
28 property after three years. The purchaser shall prove such service of
29 notice by affidavit, and such affidavit shall be filed with the
30 application for the tax deed pursuant to section 77-1837. An
31 administrative fee shall be allowed for any service of notice under this
1 subsection. The administrative fee shall be equal to the greater of one
2 hundred dollars or the actual cost incurred by the purchaser for such
3 service of notice. The amount of such fee shall be noted by the county
4 treasurer in the record opposite the real property described in the
5 notice and shall be collected by the county treasurer in case of
6 redemption for the benefit of the holder of the certificate. The
7 purchaser shall notify the county treasurer of the amount of such fee
8 within thirty days after completion of the service of notice.

9 Sec. 4. Section 77-1824, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 77-1824 The owner or occupant of any real property sold for taxes or
12 any person having a lien thereupon or interest therein may redeem the
13 same. The right of redemption expires when the purchaser files an
14 application for tax deed with the county treasurer. A redemption shall
15 not be accepted by the county treasurer, or considered valid, unless
16 received prior to the close of business on the day the application for
17 the tax deed is received by the county treasurer. Redemption shall be
18 accomplished by paying the county treasurer for the use of such purchaser
19 or his or her heirs or assigns the sum mentioned in his or her
20 certificate, with interest thereon at the rate specified in section
21 45-104.01, as such rate may from time to time be adjusted by the
22 Legislature, from the date of purchase to date of redemption, together
23 with all other taxes subsequently paid, whether for any year or years

24 previous or subsequent to the sale, and interest thereon at the same rate
25 from date of such payment to date of redemption. The amount due for
26 redemption shall include the issuance fee charged pursuant to section
27 77-1823 and the administrative fee charged pursuant to subsection (2) of
28 section 77-1818.

29 Sec. 5. Section 77-1837, Revised Statutes Cumulative Supplement,
30 2022, is amended to read:

31 77-1837 (1) At any time within nine months after the expiration of
1 three years after the date of sale of any real estate for taxes or
2 special assessments, if such real estate has not been redeemed and the
3 requirements of subsection (2) of this section have been met, the
4 purchaser or his or her assignee may apply to the county treasurer for a
5 tax deed for the real estate described in such purchaser's or assignee's
6 tax sale certificate. The county treasurer shall execute and deliver a
7 deed of conveyance for the real estate described in such tax sale
8 certificate if he or she has received the following:

9 (a) The tax sale certificate;

10 (b) The issuance fee for the tax deed and the fee of the notary
11 public or other officer acknowledging the tax deed, as required under
12 section 77-1823;

13 (c) The affidavit proving personal service of the notice required in
14 subsection (2) of section 77-1818;

15 (d) ~~(e)~~ For any notice provided pursuant to section 77-1832, the
16 affidavit proving service of notice, the copy of the notice, and the copy
17 of the title search required under section 77-1833; and

18 (e) ~~(d)~~ For any notice provided by publication pursuant to section
19 77-1834, the affidavit of the publisher, manager, or other employee of
20 the newspaper, the copy of the notice, the affidavit of the purchaser or
21 assignee, and the copy of the title search required under section
22 77-1835.

23 (2) The purchaser or his or her assignee may apply for a tax deed
24 under this section if one hundred ten percent of the assessed value of
25 the real estate described in the tax sale certificate, less the amount
26 that would be needed to redeem such real estate, is twenty-five thousand
27 dollars or less. If such requirement is not met, the purchaser or his or
28 her assignee shall foreclose the lien represented by the tax sale
29 certificate pursuant to section 77-1902.

30 (3) ~~(2)~~ The failure of the county treasurer to issue the deed of
31 conveyance if requested within the timeframe provided in subsection (1)
1 of this section shall not impair the validity of such deed if there has
2 otherwise been compliance with sections 77-1801 to 77-1863.

3 Sec. 6. Section 77-1838, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 77-1838 (1) The deed made by the county treasurer shall be under
6 the official seal of office and acknowledged by the county treasurer
7 before some officer authorized to take the acknowledgment of deeds. When
8 so executed and acknowledged, it shall be recorded in the same manner as
9 other conveyances of real estate. When recorded it shall vest in the
10 grantee and his or her heirs and assigns the title of the property
11 described in the deed, subject to any lien on real estate for special
12 assessments levied by a sanitary and improvement district which special
13 assessments have not been previously offered for sale by the county
14 treasurer.

15 (2) Within thirty days after recording of the deed, the grantee
16 shall pay the surplus to the previous owner of the property described in
17 the deed. For purposes of this subsection, the surplus shall be
18 calculated as follows:

19 (a) If the property has been sold since recording of the deed, the
20 surplus shall be equal to the amount received from such sale, minus (i)
21 the amount that would have been needed to redeem such property, (ii) the

22 amount needed to pay all encumbrances on such property, and (iii) an
 23 administrative fee of five hundred dollars or reasonable attorney's fees
 24 in the event of judicial foreclosure, which may be retained by the
 25 grantee to offset the costs incurred in obtaining the deed; or
 26 (b) If the property has not been sold since recording of the deed,
 27 the surplus shall be equal to the assessed value of such property, minus
 28 (i) the amount that would have been needed to redeem such property, (ii)
 29 the amount needed to pay all encumbrances on such property, and (iii) an
 30 administrative fee of five hundred dollars or reasonable attorney's fees
 31 in the event of judicial foreclosure, which may be retained by the
 1 grantee to offset the costs incurred in obtaining the deed.
 2 Sec. 7. Original sections 77-1701, 77-1818, 77-1824, and 77-1838,
 3 Reissue Revised Statutes of Nebraska, and sections 77-1802 and 77-1837,
 4 Revised Statutes Cumulative Supplement, 2022, are repealed.

(Signed) Lou Ann Linehan, Chairperson

SELECT FILE

LEGISLATIVE BILL 514A. Senator Brewer withdrew [MO1121](#), found on page 1641, to bracket.

Senator Brewer withdrew [MO1122](#), found on page 1641, to indefinitely postpone.

Senator Brewer withdrew [FA155](#), found on page 1642.

Senator Brewer withdrew [FA156](#), found on page 1642.

Senator Brewer offered [AM1945](#), found on page 1689.

The Brewer amendment was adopted with 36 ayes, 1 nay, and 12 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 50A. Senator Wayne offered the following amendment:

[AM2003](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. There is hereby appropriated (1) \$835,000 from the
 4 General Fund for FY2023-24 and (2) \$531,500 from the General Fund for
 5 FY2024-25 to the Supreme Court, for Program 52, to aid in carrying out
 6 the provisions of Legislative Bill 50, One Hundred Eighth Legislature,
 7 First Session, 2023.
 8 Total expenditures for permanent and temporary salaries and per
 9 diems from funds appropriated in this section shall not exceed \$140,450
 10 for FY2023-24 or \$147,473 for FY2024-25.
 11 Sec. 2. There is hereby appropriated (1) \$1,312,150 from the
 12 General Fund for FY2023-24 and (2) \$1,339,675 from the General Fund for
 13 FY2024-25 to the Supreme Court, for Program 67, to aid in carrying out
 14 the provisions of Legislative Bill 50, One Hundred Eighth Legislature,
 15 First Session, 2023.

16 Total expenditures for permanent and temporary salaries and per
 17 diems from funds appropriated in this section shall not exceed \$680,400
 18 for FY2023-24 or \$721,230 for FY2024-25.
 19 Sec. 3. There is hereby appropriated (1) \$38,650 from the General
 20 Fund for FY2023-24 and (2) \$-0- from the General Fund for FY2024-25 to
 21 the Supreme Court, for Program 435, to aid in carrying out the provisions
 22 of Legislative Bill 50, One Hundred Eighth Legislature, First Session,
 23 2023.
 24 No expenditures for permanent and temporary salaries and per diems
 25 for state employees shall be made from funds appropriated in this
 26 section.
 27 Sec. 4. There is hereby appropriated (1) \$20,000 from the Supreme
 1 Court Automation Cash Fund for FY2023-24 and (2) \$-0- from the Supreme
 2 Court Automation Cash Fund for FY2024-25 to the Supreme Court, for
 3 Program 570, to aid in carrying out the provisions of Legislative Bill
 4 50, One Hundred Eighth Legislature, First Session, 2023.
 5 No expenditures for permanent and temporary salaries and per diems
 6 for state employees shall be made from funds appropriated in this
 7 section.
 8 Sec. 5. There is hereby appropriated (1) \$314,388 from the General
 9 Fund for FY2023-24 and (2) \$212,282 from the General Fund for FY2024-25
 10 to the Board of Parole, for Program 358, to aid in carrying out the
 11 provisions of Legislative Bill 50, One Hundred Eighth Legislature, First
 12 Session, 2023.
 13 Total expenditures for permanent and temporary salaries and per
 14 diems from funds appropriated in this section shall not exceed \$235,791
 15 for FY2023-24 or \$159,212 for FY2024-25.
 16 Sec. 6. There is hereby appropriated (1) \$96,793 from the General
 17 Fund for FY2023-24 and (2) \$98,076 from the General Fund for FY2024-25 to
 18 the Foster Care Review Office, for Program 116, to aid in carrying out
 19 the provisions of Legislative Bill 50, One Hundred Eighth Legislature,
 20 First Session, 2023.
 21 Total expenditures for permanent and temporary salaries and per
 22 diems from funds appropriated in this section shall not exceed \$45,000
 23 for FY2023-24 or \$48,750 for FY2024-25.
 24 Sec. 7. There is hereby appropriated (1) \$-0- from the General Fund
 25 for FY2023-24 and (2) \$716,674 from the General Fund for FY2024-25 to the
 26 Department of Health and Human Services, for Program 359, to aid in
 27 carrying out the provisions of Legislative Bill 50, One Hundred Eighth
 28 Legislature, First Session, 2023.
 29 Total expenditures for permanent and temporary salaries and per
 30 diems from funds appropriated in this section shall not exceed \$-0- for
 31 FY2023-24 or \$228,035 for FY2024-25.
 1 Sec. 8. There is hereby appropriated (1) \$979,232 from the General
 2 Fund for FY2023-24 and (2) \$5,000 from the General Fund for FY2024-25 to
 3 the Department of Correctional Services, for Program 200, to aid in
 4 carrying out the provisions of Legislative Bill 50, One Hundred Eighth
 5 Legislature, First Session, 2023.
 6 No expenditures for permanent and temporary salaries and per diems
 7 for state employees shall be made from funds appropriated in this
 8 section.

The Wayne amendment was adopted with 36 ayes, 2 nays, and 11 present and not voting.

Advanced to Enrollment and Review for Engrossment.

MOTION - Return LB531A to Select File

Senator McKinney moved to return LB531A to Select File for the following specific amendment:

AM1992

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. There is hereby appropriated (1) \$10,000,000 from the
 4 General Fund for FY2023-24 and (2) \$1,106,810 from the Economic Recovery
 5 Contingency Fund for FY2024-25 to the Department of Economic Development,
 6 for Program 611, to aid in carrying out the provisions of Legislative
 7 Bill 531, One Hundred Eighth Legislature, First Session, 2023.
 8 There is included in the appropriation to this program for FY2023-24
 9 \$9,151,730 General Funds for state aid, which shall only be used for such
 10 purpose.
 11 Total expenditures for permanent and temporary salaries and per
 12 diems from funds appropriated in this section shall not exceed \$382,760
 13 for FY2023-24 or \$571,690 for FY2024-25.
 14 Sec. 2. There is hereby appropriated (1) \$1,000,000 from the
 15 Revitalize Rural Nebraska Fund for FY2023-24 and (2) \$-0- from the
 16 Revitalize Rural Nebraska Fund for FY2024-25 to the Department of
 17 Environment and Energy, for Program 513, to aid in carrying out the
 18 provisions of Legislative Bill 531, One Hundred Eighth Legislature, First
 19 Session, 2023.
 20 There is included in the appropriation to this program for FY2023-24
 21 \$898,139 Cash Funds for state aid, which shall only be used for such
 22 purpose.
 23 Total expenditures for permanent and temporary salaries and per
 24 diems from funds appropriated in this section shall not exceed \$50,221
 25 for FY2023-24 or \$26,366 for FY2024-25.
 26 Sec. 3. Since an emergency exists, this act takes effect when passed
 27 and approved according to law.

The McKinney motion to return prevailed with 37 ayes, 0 nays, and 12 present and not voting.

SELECT FILE

LEGISLATIVE BILL 531A. The McKinney specific amendment, [AM1992](#), found in this day's Journal, was offered.

The McKinney specific amendment was adopted with 34 ayes, 0 nays, and 15 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 157. [ER37](#), found in this day's Journal, was adopted.

Senator DeBoer offered the following amendment, to [ER37](#):

AM2004

(Amendments to E & R amendments, ER37)

1 1. Insert the following new section:
 2 Sec. 15. There is hereby appropriated (1) \$-0- from the General Fund
 3 for FY2023-24 and (2) \$250,000 from the General Fund for FY2024-25 to the
 4 Department of Health and Human Services, for Program 347, to aid in

5 carrying out the provisions of Legislative Bill 157, One Hundred Eighth
6 Legislature, First Session, 2023.
7 There is included in the appropriation to this program for FY2024-25
8 \$250,000 General Funds as state aid, which shall only be used for such
9 purpose.
10 No expenditures for permanent and temporary salaries and per diems
11 for state employees shall be made from funds appropriated in this
12 section.
13 2. On page 50, line 16, strike "program" and insert "subprogram"; in
14 line 18 strike the first "to" and insert "for".
15 3. On page 51, lines 1 and 2, 4, 7 and 8, and 10, strike "under the
16 program".
17 4. On page 66, lines 19 and 20, strike "17, and 18" and insert "18,
18 and 19".
19 5. On page 67, line 25, after the second semicolon insert "to
20 appropriate funds to aid in carrying out the provisions of Legislative
21 Bill 157, One Hundred Eighth Legislature, First Session, 2023;".
22 6. Renumber the remaining sections accordingly.

The DeBoer amendment, to [ER37](#), was adopted with 39 ayes, 0 nays, and 10 present and not voting.

Senator Conrad offered the following amendment, to [ER37](#):
[AM2002](#)

(Amendments to E&R amendments, ER37)

1 1. Strike section 15 and insert the following new sections:
2 Section 1. A statute that authorizes the award of attorney's fees
3 to a party in a civil action or proceeding also authorizes an appellate
4 court to award attorney's fees if the party prevails on an appeal from a
5 judgment or order in the action or proceeding. This section does not
6 apply if another section of law specifically authorizes or prohibits the
7 award of attorney's fees on an appeal from such a judgment or order.
8 Sec. 2. Section 25-323, Reissue Revised Statutes of Nebraska, is
9 amended to read:
10 25-323 The court may determine any controversy between parties
11 before it when it can be done without prejudice to the rights of others
12 or by saving their rights; but when a determination of the controversy
13 cannot be had without the presence of other parties, the court shall must
14 order them to be brought in.
15 Any person whose negligence was or may have been a proximate cause
16 of an accident or occurrence alleged by the plaintiff, other than parties
17 who have been released by the plaintiff and are not subject to suit
18 pursuant to section 25-21,185.11, may be brought into the suit by any
19 party in the manner provided in section 25-331 or 25-705.
20 Sec. 3. Section 25-331, Reissue Revised Statutes of Nebraska, is
21 amended to read:
22 25-331 (1)(a) A (1) At any time after commencement of the action, a
23 defending party may, as a third-party plaintiff, serve may cause a
24 summons and complaint on a nonparty:
25 (i) Who to be served upon a person not a party to the action who is
26 or may be liable to the defending party third-party plaintiff for all or
1 part of the plaintiff's claim against the defending party; or
2 (ii) Whose negligence was or may have been a proximate cause of the
3 transaction or occurrence that is the subject matter of the plaintiff's
4 claim and who is not precluded by section 25-21,185.11 from being made a
5 party third-party plaintiff.
6 (b) The third-party plaintiff shall, by motion, need not obtain the
7 court's leave to make the service if the third-party plaintiff files the
8 third-party complaint more not later than fourteen ten days after serving

9 ~~its filing the original answer. Otherwise the third-party plaintiff must~~
 10 ~~obtain leave of the trial court on motion upon notice to all parties to~~
 11 ~~the action.~~

12 (c) The person served with the summons and third-party complaint,
 13 hereinafter called the third-party defendant, ~~has shall have~~ all the
 14 rights and obligations of a defendant, including ~~those created the rights~~
 15 authorized by this section and by the rules promulgated by the Supreme
 16 Court pursuant to sections 25-801.01 and 25-1273.01.

17 (d) The third-party defendant may assert against the plaintiff any
 18 defense ~~that defenses which~~ the third-party plaintiff has to the
 19 plaintiff's claim. The third-party defendant may also assert ~~any claim~~
 20 against the plaintiff any claim arising out of the transaction or
 21 occurrence that is the subject matter of the plaintiff's claim against
 22 the third-party plaintiff.

23 (e) The plaintiff may assert ~~any claim~~ against the third-party
 24 defendant any claim arising out of the transaction or occurrence that is
 25 the subject matter of the plaintiff's claim against the third-party
 26 plaintiff. ~~The third-party defendant shall have all the rights of a~~
 27 ~~defendant including the rights authorized by this section. The court on~~
 28 ~~its own motion, or motion of any party, may move to strike the third-~~
 29 ~~party claim, or for its severance or separate trial if the third-party~~
 30 ~~claim should delay trial, might tend to confuse a jury, or in any way~~
 31 ~~jeopardize the rights of the plaintiff.~~

1 (f) A defending party may assert against the third-party defendant a
 2 claim that the third-party defendant is liable to the defending party for
 3 all or part of the claim against the defending party.

4 (g) A third-party defendant ~~or subsequent defendants~~ may bring in a
 5 nonparty if subdivision (1)(a) of this section would allow a defending
 6 party to do so proceed under this section.

7 (h) Any party may move to strike the third-party claim, to sever it,
 8 or try it separately.

9 (2) When a ~~claim counterclaim~~ is asserted against a plaintiff, the
 10 plaintiff may bring in a nonparty if subdivision (1)(a) of cause a third
 11 party to be brought in under circumstances which under this section would
 12 allow a defending party entitle a defendant to do so.

13 Sec. 18. Sections 1, 2, 3, 4, 5, 6, 7, 9, 10, 11, 12, 13, 14, 15,
 14 16, 17, 20, and 21 become operative three calendar months after the
 15 adjournment of this legislative session. The other sections of this act
 16 become operative on their effective date.

17 2. On page 49, line 27; and page 50, line 10, strike "7" and insert
 18 "10".

19 3. On page 66, line 25, after "sections" insert "25-323, 25-331,".

20 4. On page 67, line 3, after "sections" insert "25-323, 25-331,";

21 and in line 6 after the semicolon insert "to provide for awards of
 22 attorney's fees in appeals; to change provisions and modernize language
 23 relating to third-party practice;".

24 5. Renumber the remaining sections accordingly.

The Conrad amendment, to [ER37](#), was adopted with 37 ayes, 0 nays, and 12 present and not voting.

Senator Brandt offered the following amendment, to [ER37](#):
[AM2007](#)

(Amendments to E&R amendments, ER37)

1 1. Strike section 15 and insert the following new sections:

2 Sec. 2. Section 25-2802, Reissue Revised Statutes of Nebraska, is
 3 amended to read:

4 25-2802 (1) The Small Claims Court shall have subject matter

5 jurisdiction in all civil actions of any type when the amount of money or

6 damages or the value of the personal property claimed does not exceed the
7 jurisdictional amount specified in subsection (4) of this section,
8 exclusive of interest and costs.

9 (2) The Small Claims Court shall have subject matter jurisdiction in
10 civil matters when the plaintiff seeks to disaffirm, avoid, or rescind a
11 contract or agreement for the purchase of goods or services not in excess
12 of the jurisdictional amount specified in subsection (4) of this section,
13 exclusive of interest and costs.

14 (3) The Small Claims Court shall have jurisdiction when the party
15 defendant or his or her agent resides or is doing business within the
16 county or when the cause of action arose within the county.

17 (4) ~~Beginning July 1, 2023, the~~ The jurisdictional amount is six
18 ~~three thousand five hundred dollars, from July 1, 2010, through June 30,~~
19 ~~2015.~~

20 ~~The Supreme Court shall continue to adjust the jurisdictional limit~~
21 ~~for the Small Claims Court every fifth year commencing July 1, 2015. The~~
22 ~~adjusted jurisdictional amount shall be equal to the then current~~
23 ~~jurisdictional amount adjusted by the average percentage change in the~~
24 ~~unadjusted Consumer Price Index for All Urban Consumers published by the~~
25 ~~Federal Bureau of Labor Statistics for the five-year period preceding the~~
26 ~~adjustment date. The jurisdictional amount shall be rounded to the~~
1 ~~nearest one-hundred-dollar amount.~~

2 Sec. 16. Sections 2 and 18 of this act become operative on July 1,
3 2023. Sections 1, 3, 4, 5, 7, 8, 9, 10, 11, 12, 13, 14, 15, 19, and 20 of
4 this act become operative three calendar months after the adjournment of
5 this legislative session. The other sections of this act become operative
6 on their effective date.

7 Sec. 18. Original section 25-2802, Reissue Revised Statutes of
8 Nebraska, is repealed.

9 2. On page 49, line 27; and page 50, line 10, strike "7" and insert
10 "8".

11 3. On page 67, line 3, after "25-21,273," insert "25-2802,"; and in
12 line 7 after the semicolon insert "to change the jurisdictional amount
13 for Small Claims Court;"

14 4. Renumber the remaining sections accordingly.

The Brandt amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

WITHDRAW - Motions to LB562

Senator Dorn withdrew [MO1025](#), found on page 1419, to bracket until June 9, 2023, to LB562.

Senator Dorn withdrew [MO1026](#), found on page 1419, to recommit to Agriculture Committee, to LB562.

Senator Dorn withdrew [MO1027](#), found on page 1420, to indefinitely postpone, to LB562.

Senator Halloran withdrew [MO971](#), found on page 1221, to bracket until June 9, 2023, to LB562.

Senator Halloran withdrew [MO972](#), found on page 1221, to recommit to Agriculture Committee, to LB562.

Senator Hunt withdrew [MO647](#), found on page 961, to recommit to Agriculture Committee, to LB562.

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 LB562 with 41 ayes, 3 nays, and 5 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 562.

A BILL FOR AN ACT relating to business; to amend sections 58-242, 77-5205, and 77-5213, Reissue Revised Statutes of Nebraska, and sections 77-5203, 77-5208, 77-5209, 77-5209.01, 77-5211, 77-7002, 77-7003, 77-7004, 77-7007, 81-2,239, and 81-2,240, Revised Statutes Cumulative Supplement, 2022; to adopt the E-15 Access Standard Act; to change a loan requirement under the Nebraska Investment Finance Authority Act; to redefine a term and change provisions relating to board membership and duties, a limitation on new applications, applicant qualifications, and a tax credit allowance and annual limitation under the Beginning Farmer Tax Credit Act; to redefine a term and change provisions relating to tax credit amounts, annual limits, and a limitation on new applications under the Nebraska Higher Blend Tax Credit Act; to define a term, provide for licensing reciprocity and an ordinance registry relating to mobile food establishments, require a report by certain regulatory authorities, and provide duties for the Department of Agriculture and certain cities under the Nebraska Pure Food Act; to harmonize provisions; 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, 46:

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

Voting in the negative, 0.

Present and not voting, 3:

Cavanaugh, M. Hunt Riepe

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

The following bill was read and put upon final passage:

LEGISLATIVE BILL 562A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 562, 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, 45:

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

Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh, M. Conrad Hunt Riepe

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

WITHDRAW - Motions to LB705

Senator Conrad withdrew [MO791](#), found on page 971, to recommit to Education Committee, to LB705.

Senator Murman withdrew [MO1021](#), found on page 1419, to bracket until June 9, 2023, to LB705.

Senator Murman withdrew [MO1022](#), found on page 1419, to recommit to Education Committee, to LB705.

Senator Conrad withdrew [MO788](#), found on page 970, to indefinitely postpone, to LB705.

Senator M. Cavanaugh withdrew [MO997](#), found on page 1332, to bracket until May 30, 2023.

Senator M. Cavanaugh withdrew [MO998](#), found on page 1332, to recommit to Education Committee, to LB562.

Senator Murman withdrew [MO1023](#), found on page 1419, to indefinitely postpone, to LB705.

Senator M. Cavanaugh withdrew [MO1020](#), found on page 1419, to Override the Speaker's agenda pursuant to Rule 1, Section 16, in order to place LB562 ahead of LB705, to LB705.

WITHDRAW - Amendments to LB705

Senator M. Cavanaugh withdrew [FA83](#), found on page 1331, to LB705.

Senator Vargas withdrew [FA84](#), found on page 1329, to LB705.

Senator Murman withdrew [FA95](#), found on page 1383, to LB705.

Senator Murman withdrew [AM1675](#), found on page 1415, to LB705.

Senator Erdman withdrew [AM1665](#), found on page 1405, to LB705.

Senator Blood withdrew [AM1661](#), found on page 1406, to LB705.

Senator Vargas withdrew [AM1641](#), found on page 1388, to LB705.

Senator Murman withdrew [AM1643](#), found on page 1406, to LB705.

Senator Murman withdrew [AM1669](#), found on page 1406, to LB705.

Senator Murman withdrew [AM1672](#), found on page 1411, to LB705.

Senator Murman withdrew [AM844](#), found on page 750, to LB705.

Senator Murman withdrew [FA37](#), found on page 1011, to LB705.

Senator Murman withdrew [FA38](#), found on page 1011, to LB705.

Senator Murman withdrew [FA79](#), found on page 1318, to LB705.

Senator Wayne withdrew [AM1513](#), found on page 1357, to LB705.

Senator Murman withdrew [AM1680](#), found on page 1415, to LB705.

Senator Vargas withdrew [AM1642](#), found on page 1404, to LB705.

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 LB705 with 44 ayes, 2 nays, and 3 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 705. With Emergency Clause.

A BILL FOR AN ACT relating to education; to amend sections 9-812, 9-836.01, 79-239, 79-244, 79-254, 79-256, 79-263, 79-265, 79-266, 79-267, 79-268, 79-269, 79-272, 79-276, 79-278, 79-282, 79-283, 79-287, 79-2,146, 79-809, 79-8,132, 79-8,135, 79-8,138, 79-8,139, 79-8,140, 79-2304, 81-145, 81-1118.02, 85-102, 85-328, 85-601, 85-602, 85-603, 85-604, 85-605, 85-1906, and 85-1907, Reissue Revised Statutes of Nebraska, sections 79-101, 79-238, 79-2,136, 79-2,144, 79-703, 79-729, 79-734, 79-760.01, 79-806, 79-807, 79-808, 79-8,133, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-8,143, 79-8,145, 79-1054, 79-1104.02, 79-1142, 79-11,160, 79-1337, 79-2110, 79-2308, 79-2506, 79-2510, 79-3106, 79-3304, 79-3305, 81-161.04, 81-1118, 84-304, 84-612, 85-502.01, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2022, and section 79-1021, Reissue Revised Statutes of Nebraska, as amended by section 22, Legislative Bill 818, One Hundred Eighth Legislature, First Session, 2023; to provide, change, and eliminate definitions; to change and transfer provisions relating to distribution of lottery funds used for education; to adopt the Behavioral Intervention Training and Teacher Support Act, the College Pathway Program Act, the Door to College Scholarship Act, the Extraordinary Increase in Special Education Expenditures Act, and the Nebraska Teacher Recruitment and Retention Act; to create funds and change provisions relating to funds; to transfer and change provisions of the Excellence in Teaching Act; to establish a mental health training grant program and the Nebraska Teacher Apprenticeship Program; to change provisions relating to student enrollment; to provide and change powers and duties of the Coordinating Commission for Postsecondary Education and the State Board of Education; to change provisions of the Alternative Certification for Quality Teachers Act and authorize the Commissioner of Education to issue alternative certificates to teach; to require behavioral and mental health training for certain school personnel and adoption of related policies; to change provisions of the Student Discipline Act and provisions relating to duties of the state school security director, high school graduation

requirements, textbooks, academic content standards, and requirements for teacher certification; to provide for a grant program; to change provisions relating to distance education incentives, the Diploma of High School Equivalency Assistance Act, the School Safety and Security Reporting System Act, the Computer Science and Technology Education Act, and state procurement and materiel requirements; to provide for a transfer from the Cash Reserve Fund; to rename the State College Facility Fee Fund and change provisions related thereto; to change provisions relating to residency, student discipline, and termination of employment for certain public postsecondary institutions; to change provisions of the Nebraska Opportunity Grant Act; to provide for data sharing by certain agencies responsible for students under the jurisdiction of juvenile courts; to prohibit consideration of students' and applicants' criminal history and juvenile records by public colleges and universities as prescribed; to establish a grant program for security-related infrastructure projects; to require schools to allow certain youth organizations to provide information, services, and activities and eliminate a related penalty; to eliminate obsolete provisions; to repeal the Master Teacher Program Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide operative dates; to provide for severability; to repeal the original sections; to outright repeal sections 50-425, 50-426, 50-427, 50-428, 79-2,103, 79-8,124, 79-8,125, 79-8,126, 79-8,127, 79-8,128, 79-8,129, 79-8,130, and 79-8,131, Reissue Revised Statutes of Nebraska; 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, 47:

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	Wayne
Bosn	DeBoer	Holdcroft	Moser	Wishart
Bostar	DeKay	Hughes	Murman	
Bostelman	Dorn	Ibach	Raybould	
Brandt	Dover	Jacobson	Riepe	

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. 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 705A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 705, 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, 47:

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

Voting in the negative, 0.

Present and not voting, 2:

Cavanaugh, M. 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.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 562, 562A, 705e, and 705Ae.

MESSAGE FROM THE GOVERNOR

May 30, 2023

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

Dear Clerk Metzler:

Engrossed Legislative Bills 753 and 753A were received in my office on May 24, 2023.

These bills were signed and delivered to the Secretary of State on May 30, 2023.

Sincerely,
(Signed) Jim Pillen
Governor

SENATOR DORN PRESIDING

MOTIONS - Confirmation Reports

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment found on page 445:

State Electrical Board
John F. Hiller

Voting in the affirmative, 40:

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

Voting in the negative, 0.

Present and not voting, 9:

Armendariz	Cavanaugh, M.	Fredrickson	Holdcroft	McKinney
Bostar	Conrad	Halloran	Hunt	

The appointment was confirmed with 40 ayes, 0 nays, and 9 present and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointments found on page 445:

Nebraska Commission on Problem Gambling
Susan E. Lutz
Matthew John Monheiser
John Pulverenti

Voting in the affirmative, 36:

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

Voting in the negative, 0.

Present and not voting, 13:

Armendariz	Cavanaugh, M.	Dungan	Linehan	Wayne
Bostar	Conrad	Halloran	McKinney	
Briese	DeBoer	Hunt	Walz	

The appointments were confirmed with 36 ayes, 0 nays, and 13 present and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment found on page 493:

Nebraska Natural Resources Commission
Donald P. Batie

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 11:

Armendariz	Cavanaugh, M.	Hunt	Walz
Bostar	Conrad	Lowe	Wayne
Briese	Dover	McKinney	

The appointment was confirmed with 38 ayes, 0 nays, and 11 present and not voting.

Senator Bostelman moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment found on page 672:

Game and Parks Commission
Dan Hughes

Voting in the affirmative, 40:

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

Voting in the negative, 0.

Present and not voting, 9:

Armendariz	Bostar	Briese	Day	Hunt
Blood	Brewer	Conrad	DeBoer	

The appointment was confirmed with 40 ayes, 0 nays, and 9 present and not voting.

Senator McDonnell moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment found on page 653:

Nebraska Investment Council
Thomas E. Henning

Voting in the affirmative, 39:

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

Voting in the negative, 0.

Present and not voting, 10:

Armendariz	Cavanaugh, J.	Dungan	McKinney	Walz
Bostar	Cavanaugh, M.	Hunt	von Gillern	Wayne

The appointment was confirmed with 39 ayes, 0 nays, and 10 present and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 528:

Nebraska Information Technology Commission
Kirk Langer

Voting in the affirmative, 38:

Aguilar	Brewer	Erdman	Jacobson	Raybould
Albrecht	Clements	Fredrickson	Kauth	Riepe
Arch	Day	Halloran	Linehan	Sanders
Ballard	DeBoer	Hansen	Lippincott	Slama
Blood	DeKay	Hardin	Lowe	Vargas
Bosn	Dorn	Holdcroft	McDonnell	Walz
Bostelman	Dover	Hughes	Moser	
Brandt	Dungan	Ibach	Murman	

Voting in the negative, 0.

Present and not voting, 10:

Armendariz	Briese	Cavanaugh, M.	Hunt	von Gillern
Bostar	Cavanaugh, J.	Conrad	McKinney	Wishart

Excused and not voting, 1:

Wayne

The appointment was confirmed with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 774:

Board of Public Roads Classifications and Standards
Russell L. Kreachbaum, Jr.

Voting in the affirmative, 36:

Aguilar	Brewer	Fredrickson	Linehan	Sanders
Albrecht	Clements	Halloran	Lippincott	Slama
Arch	Day	Hansen	Lowe	Vargas
Ballard	DeKay	Hardin	McDonnell	Walz
Blood	Dorn	Holdcroft	Moser	
Bosn	Dover	Hughes	Murman	
Bostelman	Dungan	Jacobson	Raybould	
Brandt	Erdman	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 12:

Armendariz	Cavanaugh, J.	DeBoer	McKinney
Bostar	Cavanaugh, M.	Hunt	von Gillern
Briese	Conrad	Ibach	Wishart

Excused and not voting, 1:

Wayne

The appointment was confirmed with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 774:

Nebraska Motor Vehicle Industry Licensing Board
John C. Ernst

Voting in the affirmative, 35:

Aguilar	Brandt	Dungan	Jacobson	Murman
Albrecht	Brewer	Fredrickson	Kauth	Raybould
Arch	Day	Halloran	Linehan	Riepe
Ballard	DeBoer	Hansen	Lippincott	Sanders
Blood	DeKay	Holdcroft	Lowe	Vargas
Bosn	Dorn	Hughes	McDonnell	Walz
Bostelman	Dover	Ibach	Moser	Wishart

Voting in the negative, 0.

Present and not voting, 11:

Armendariz	Cavanaugh, J.	Conrad	Slama
Bostar	Cavanaugh, M.	Hunt	von Gillern
Briese	Clements	McKinney	

Excused and not voting, 3:

Erdman Hardin Wayne

The appointment was confirmed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 775:

Nebraska Information Technology Commission
James Ediger

Voting in the affirmative, 38:

Aguilar	Brewer	Fredrickson	Linehan	Sanders
Albrecht	Clements	Halloran	Lippincott	Slama
Arch	Conrad	Hansen	Lowe	Vargas
Ballard	Day	Holdcroft	McDonnell	von Gillern
Blood	DeBoer	Hughes	Moser	Walz
Bosn	DeKay	Ibach	Murman	Wishart
Bostelman	Dorn	Jacobson	Raybould	
Brandt	Dover	Kauth	Riepe	

Voting in the negative, 0.

Present and not voting, 8:

Armendariz	Briese	Cavanaugh, M.	Hunt
Bostar	Cavanaugh, J.	Dungan	McKinney

Excused and not voting, 3:

Erdman Hardin Wayne

The appointment was confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 775:

Nebraska Information Technology Commission
Leah Barrett

Voting in the affirmative, 34:

Aguilar	Clements	Halloran	Linehan	Riepe
Albrecht	Day	Hansen	Lippincott	Sanders
Ballard	DeKay	Holdcroft	Lowe	Slama
Blood	Dorn	Hughes	McDonnell	von Gillern
Bostelman	Dover	Ibach	Moser	Walz
Brandt	Dungan	Jacobson	Murman	Wishart
Brewer	Fredrickson	Kauth	Raybould	

Voting in the negative, 0.

Present and not voting, 12:

Arch	Bostar	Cavanaugh, M.	Hunt
Armendariz	Briese	Conrad	McKinney
Bosn	Cavanaugh, J.	DeBoer	Vargas

Excused and not voting, 3:

Erdman	Hardin	Wayne
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The appointment was confirmed with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 775:

Nebraska Information Technology Commission
Bret R. Blackman

Voting in the affirmative, 31:

Aguilar	Brewer	Holdcroft	McDonnell	Vargas
Albrecht	Clements	Ibach	Moser	von Gillern
Ballard	DeKay	Jacobson	Murman	Wishart
Blood	Dorn	Kauth	Raybould	
Bosn	Fredrickson	Linehan	Riepe	
Bostelman	Halloran	Lippincott	Sanders	
Brandt	Hansen	Lowe	Slama	

Voting in the negative, 0.

Present and not voting, 15:

Arch	Briese	Conrad	Dover	Hunt
Armendariz	Cavanaugh, J.	Day	Dungan	McKinney
Bostar	Cavanaugh, M.	DeBoer	Hughes	Walz

Excused and not voting, 3:

Erdman Hardin Wayne

The appointment was confirmed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 775:

Nebraska Information Technology Commission
Katie Niemoller

SENATOR DEBOER PRESIDING

Voting in the affirmative, 36:

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

Voting in the negative, 0.

Present and not voting, 10:

Armendariz	Cavanaugh, J.	Conrad	Dungan	McKinney
Bostar	Cavanaugh, M.	Day	Hunt	Walz

Excused and not voting, 3:

Erdman Hardin Wayne

The appointment was confirmed with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment found on page 775:

Nebraska Information Technology Commission
Zachary J. Mellender

Voting in the affirmative, 35:

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

Voting in the negative, 0.

Present and not voting, 11:

Arch	Cavanaugh, J.	Dover	McKinney
Armendariz	Cavanaugh, M.	Dungan	Walz
Bostar	Day	Hunt	

Excused and not voting, 3:

Erdman	Hardin	Wayne
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The appointment was confirmed with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Senator Riepe moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment found on page 539:

Department of Labor
John Albin

Voting in the affirmative, 28:

Aguilar	Bostelman	Dorn	Kauth	Murman
Albrecht	Brandt	Halloran	Linehan	Riepe
Arch	Brewer	Hansen	Lippincott	Sanders
Armendariz	Clements	Holdcroft	Lowe	von Gillern
Ballard	DeBoer	Hughes	McDonnell	
Bosn	DeKay	Jacobson	Moser	

Voting in the negative, 2:

Blood	McKinney
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Present and not voting, 14:

Bostar	Conrad	Fredrickson	Raybould	Walz
Cavanaugh, J.	Day	Hunt	Slama	Wishart
Cavanaugh, M.	Dungan	Ibach	Vargas	

Excused and not voting, 5:

Briese Dover Erdman Hardin Wayne

The appointment was confirmed with 28 ayes, 2 nays, 14 present and not voting, and 5 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment found on page 989:

Commission for the Blind and Visually Impaired
Miguel Rocha

Voting in the affirmative, 34:

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

Voting in the negative, 0.

Present and not voting, 10:

Bostar	Hunt	McKinney	Slama	Walz
Conrad	Ibach	Riepe	Vargas	Wishart

Excused and not voting, 5:

Briese Dover Erdman Hardin Wayne

The appointment was confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointments found on page 989:

Nebraska Child Abuse Prevention Fund Board
Deacon Donald N. Blackbird, Jr.
Georgina Scurfield

Voting in the affirmative, 37:

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

Voting in the negative, 0.

Present and not voting, 8:

Bostar	Hunt	Raybould	Walz
Conrad	McKinney	Slama	Wishart

Excused and not voting, 4:

Dover	Erdman	Hardin	Wayne
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The appointments were confirmed with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointments found on page 989:

Health Information Technology Board
 Douglass Haas
 Mark A. Latta
 Philip James Vuchetich

Voting in the affirmative, 34:

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

Voting in the negative, 0.

Present and not voting, 11:

Arch	Briese	Fredrickson	Slama
Bosn	Cavanaugh, M.	Hunt	Walz
Bostar	Conrad	McKinney	

Excused and not voting, 4:

Dover	Erdman	Hardin	Wayne
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The appointments were confirmed with 34 ayes, 0 nays, 11 present and not voting, and 4 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointments found on page 989:

Nebraska Rural Health Advisory Commission
 April Dexter
 Kate Hesser
 Katherine Kusek
 Myra Stoney

Voting in the affirmative, 36:

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

Voting in the negative, 0.

Present and not voting, 9:

Bosn	Cavanaugh, M.	Hunt	Slama	Walz
Bostar	Conrad	McKinney	Vargas	

Excused and not voting, 4:

Dover	Erdman	Hardin	Wayne
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The appointments were confirmed with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointments found on pages 989 and 990:

Board of Emergency Medical Services

Ryan K. Batenhorst
 Karen Bowlin
 Prince Harrison
 Linda L. Jensen
 Jonathan L. Kilstrom
 Brent E. Lottman
 James Smith
 Leslie L. Vaughn, Jr.

Voting in the affirmative, 33:

Aguilar	Brandt	Dorn	Jacobson	Raybould
Albrecht	Brewer	Dungan	Kauth	Riepe
Arch	Briese	Fredrickson	Linehan	Sanders
Armendariz	Clements	Halloran	Lippincott	von Gillern
Ballard	Day	Hansen	Lowe	Wishart
Blood	DeBoer	Holdcroft	McDonnell	
Bostelman	DeKay	Ibach	Moser	

Voting in the negative, 0.

Present and not voting, 12:

Bosn	Cavanaugh, M.	Hunt	Slama
Bostar	Conrad	McKinney	Vargas
Cavanaugh, J.	Hughes	Murman	Walz

Excused and not voting, 4:

Dover	Erdman	Hardin	Wayne
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The appointments were confirmed with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment found on page 990:

Nebraska Rural Health Advisory Commission
 Martin Fattig

Voting in the affirmative, 35:

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

Voting in the negative, 0.

Present and not voting, 12:

Bosn	Cavanaugh, M.	Hunt	Slama
Bostar	Erdman	Linehan	Vargas
Cavanaugh, J.	Hardin	McKinney	Walz

Excused and not voting, 2:

Dover	Wayne
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The appointment was confirmed with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment found on page 990:

State Board of Health
Heather Cramer

Voting in the affirmative, 29:

Aguilar	Bostelman	DeKay	Ibach	Moser
Albrecht	Brandt	Dorn	Jacobson	Murman
Arch	Brewer	Halloran	Kauth	Riepe
Armendariz	Clements	Hansen	Lippincott	Sanders
Ballard	Conrad	Holdcroft	Lowe	von Gillern
Bosn	DeBoer	Hughes	McDonnell	

Voting in the negative, 10:

Blood	Cavanaugh, M.	Day	Fredrickson	Vargas
Cavanaugh, J.	Conrad	Dungan	Raybould	Wishart

Present and not voting, 8:

Bostar	Hardin	Linehan	Slama
Erdman	Hunt	McKinney	Walz

Excused and not voting, 2:

Dover Wayne

The appointment was confirmed with 29 ayes, 10 nays, 8 present and not voting, and 2 excused and not voting.

Senator B. Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment found on page 990:

State Board of Health
Jaime Kent Dodge

Senator Slama moved for a call of the house. The motion prevailed with 29 ayes, 3 nays, and 17 not voting.

Voting in the affirmative, 30:

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

Voting in the negative, 10:

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

Present and not voting, 7:

Armendariz	Clements	Vargas	Wishart
Bostar	McKinney	Walz	

Excused and not voting, 2:

Dover Wayne

The appointment was confirmed with 30 ayes, 10 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment found on page 1142:

Nebraska Accountability and Disclosure Commission
Janet Chung

Voting in the affirmative, 39:

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

Voting in the negative, 1:

Slama

Present and not voting, 6:

Briese	Hunt	Raybould
Cavanaugh, M.	McKinney	Vargas

Excused and not voting, 3:

Dover	Dungan	Wayne
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The appointment was confirmed with 39 ayes, 1 nay, 6 present and not voting, and 3 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointments found on page 1614:

Board of Trustees of the Nebraska State Colleges

Carter Peterson

Adolfo Reynaga

Voting in the affirmative, 34:

Aguilar	Brandt	Fredrickson	Linehan	Riepe
Albrecht	Brewer	Halloran	Lippincott	Sanders
Ballard	Day	Hardin	Lowe	Slama
Blood	DeBoer	Holdcroft	McDonnell	von Gillern
Bosn	DeKay	Hughes	Moser	Walz
Bostar	Dorn	Jacobson	Murman	Wishart
Bostelman	Erdman	Kauth	Raybould	

Voting in the negative, 0.

Present and not voting, 10:

Arch	Briese	Cavanaugh, M.	Conrad	McKinney
Armendariz	Cavanaugh, J.	Clements	Ibach	Vargas

Excused and not voting, 5:

Dover	Dungan	Hansen	Hunt	Wayne
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The appointments were confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointments found on page 1614:

Nebraska Educational Telecommunications Commission
 Dan O'Neill
 Courtney C. Wittstruck

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 6:

Briese	Cavanaugh, M.	McKinney
Cavanaugh, J.	Clements	Walz

Excused and not voting, 5:

Dover	Dungan	Hansen	Hunt	Wayne
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The appointments were confirmed with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointments found on pages 1614 and 1615:

Coordinating Commission for Postsecondary Education
 Molly O'Holleran
 Tamara D. Weber

Voting in the affirmative, 37:

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

Voting in the negative, 0.

Present and not voting, 7:

Cavanaugh, M.	Linehan	McKinney	Walz
Clements	Lowe	Vargas	

Excused and not voting, 5:

Dover	Dungan	Hansen	Hunt	Wayne
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The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointments found on page 1615:

Board of Educational Lands and Funds

Robert H. Kobza

Jerald Meyer

Voting in the affirmative, 37:

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

Voting in the negative, 0.

Present and not voting, 7:

Arch	Clements	Lowe	Murman
Cavanaugh, M.	Kauth	McKinney	

Excused and not voting, 5:

Dover Dungan Hansen Hunt Wayne

The appointments were confirmed with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment found on page 1615:

Technical Advisory Committee for Statewide Assessment
Joshua P. Fields

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 6:

Cavanaugh, M.	Linehan	McKinney
Hardin	Lowe	Vargas

Excused and not voting, 5:

Dover Dungan Hansen Hunt Wayne

The appointment was confirmed with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment found on page 1615:

Technical Advisory Committee for Statewide Assessment
Chad W. Buckendahl

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 8:

Cavanaugh, M.	Fredrickson	McKinney	Riepe
Clements	Lowe	Raybould	Vargas

Excused and not voting, 3:

Dungan	Hunt	Wayne
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The appointment was confirmed with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 30, 2023, at 3:26 p.m. were the following: LBs 562, 562A, 705e and 705Ae.

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

MOTIONS - Print in Journal

Senator Conrad filed the following motion:

Reconsider the vote on the confirmation report of the Nebraska Retirement Systems Committee found on Journal page 1742 regarding the appointment of Jason Hayes, Nebraska Public Employees Retirement Systems.

Senator Walz filed the following motion to LB814:

MO1155

Override the Governor's line-item veto in Section 13, Legislative Council, Program 122, Legislative Services; and Section 14, Legislative Council, Program 123, Clerk of the Legislature; and Section 15, Legislative Council, Program 126, Legislative Research; and Section 16, Legislative Council, Program 127, Revisor of Statutes; and Section 17, Legislative Council, Program 129, Legislative Audit; and Section 19, Legislative Council, Program 504, Office of Public Counsel; and Section 20, Legislative Council, Program 638, Fiscal and Program Analysis.

Senator Conrad filed the following motion to [LB814](#):

[MO1156](#)

Override the Governor's line-item veto in Section 252, Foster Care Review Office, Program 317, Court Appointed Special Advocate State Aid.

Senator Conrad filed the following motion to [LB814](#):

[MO1157](#)

Override the Governor's line-item veto in Section 100, Department of Health and Human Services, Program 354, Child Welfare Aid, as follows: General Fund and Program Total for FY2023-24 only; Earmark amount in first paragraph, second line; Earmark amount in fifth paragraph, second line.

AMENDMENT - Print in Journal

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

[AM1996](#) is available in the Bill Room.

UNANIMOUS CONSENT - Add Cointroducers

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

Senator Fredrickson name added to LB157.

Senator Vargas name added to LB531.

Senator Vargas name added to LB562.

WITHDRAW - Cointroducer

Senator Riepe name withdrawn from LB575.

EASE

The Legislature was at ease from 5:21 p.m. until 5:52 p.m.

SPEAKER ARCH PRESIDING

COMMITTEE REPORT

Enrollment and Review

LEGISLATIVE BILL 50A. Placed on Final Reading.

LEGISLATIVE BILL 157. Placed on Final Reading.

[ST28](#)

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

1. Changes were made as necessary to incorporate all adopted amendments.

LEGISLATIVE BILL 514. Placed on Final Reading.

LEGISLATIVE BILL 514A. Placed on Final Reading.

LEGISLATIVE BILL 531A. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

ANNOUNCEMENTS

Senator Briese announced the Executive Board will hold an executive session Wednesday, May 31, 2023, at 8:30 a.m., in Room 1525.

Senator Lowe announced the General Affairs Committee will hold an executive session Wednesday, May 31, 2023, at 9:15 a.m., under the North Balcony.

VISITORS

Visitors to the Chamber were Nicole, John, Jessica, and Margaret Tooker.

ADJOURNMENT

At 5:53 p.m., on a motion by Senator Ballard, the Legislature adjourned until 9:00 a.m., Wednesday, May 31, 2023.

Brandon Metzler
Clerk of the Legislature