

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 8, 2024

Rough Draft

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fourth day of the One Hundred Eighth Legislature, Second Session. Our chaplain today is Senator Aguilar. Please rise.

**AGUILAR:** Please assume an attitude of prayer. As we start today, please help us remember the citizens of Nebraska that we serve, and let us strive to be the servants they need. Grant us the patience to listen to each other with our hearts as well as our ears. Help us to use the voices and wisdom you gifted, gifted us with, to speak with eloquence and kindness to each other, and to guide us to cast our votes in a way that benefit the people and communities that we represent. Above all, let us look to you in all these so that we can work together to make our great state of Nebraska even better. In Jesus name, Amen.

**KELLY:** I recognize Colonel Dan Benes for the Pledge of Allegiance.

**DAN BENES:** Thank you. Good morning. Please join me. Face the flag. I pledge allegiance to the Flag of the United States of America, and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all. Thank you.

**KELLY:** Thank you. I call to order the fourth day of the One Hundred Eighth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

**CLERK:** There's a quorum present, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Are there any corrections for the Journal?

**CLERK:** I have no corrections this morning, Mr. President.

**KELLY:** Are there any messages, reports or announcements?

**CLERK:** There are, Mr. President. A reference report from the Referencing Committee concerning LB901-LB974, as well as LR276. Report of registered lobbyists from January 7, 2024 will be placed in the Journal. Additionally, notice from Senator Blood that she has designated LB829 as her personal priority for the session. And finally, Mr. President, a motion from Senator DeKay to withdraw LB968. That's all I have this morning, Mr. President.

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**KELLY:** Thank you, Mr. Clerk. Senator Dorn would like to recognize the physician of the day, Dr. Eric Thomsen of Beatrice. Please stand and be recognized by your Nebraska Legislature. Senator Bostelman has a guest and announces the guest under the south balcony. That's Collie Benes of Valparaiso. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk for items.

**CLERK:** I have nothing at this time, Mr. President.

**KELLY:** Senators, please bring your bills forward. Mr. Clerk for new bills.

**CLERK:** New bills, Mr. President. LB1036, introduced by Senator Vargas. It's a bill for an act relating to the Game Law; amends Section 37-421; change provision relating the issuance of annual combination fishing, fur harvesting and hunting permits, habitat stamps, aquatic habitat stamps, and Nebraska migratory waterfowl stamps; and repeals the original section. LB1037, introduced by Senator Brewer. It's a bill for an act relating to veterans; prohibits unethical conduct and improper collection of fees relating to assistance or referrals in veterans benefits matters; defines terms; provides ethical standards; provides severability; and declares an emergency. LB1038, introduced by Senator DeKay. It's a bill for an act relating to the Nebraska Information Technology Commission; amends Section 86-515; change-- changes the membership of the commission as prescribed; repeals the original section; and declares an emergency. LB1039, introduced by Senator Vargas. It's a bill for an act relating to Appropriations; appropriates funds to the Department of Economic Development; and declares an emergency. LB1040, introduced by Senator Frederickson. It's a bill for an act relating to income taxes; amends Section 77-27,241; changes provisions relating to tax credits for food donations; and repeals the original section. Legislative bill 4-- excuse me-- LB1041, introduced by Senator Fredrickson. It's a bill for an act relating to revenue and taxation; amends section 77-3506.02, 77-3506.03 and 77-3507; changes provisions relating to homestead exemptions; and provides an operative date; and repeals the original section. LB1042, introduced by Senator Frederickson. It's a bill for an act relating to elections; amends Section 37-307-- 30-- excuse me-- 32-307, 32-315, 32-1506, 60-484, 60-484.02, and 60-4,130 and 60-4,130.02, sections 32-312, 3-- 32-1002, section 32-202, 32-308 and 60-4,144; changes provisions relating to the registration of voters and voting; harmonize penalty provisions; eliminates obsolete provisions; harmonize provisions; provides an operative date; repeals the original, original section; outright repeals Section 32-309.

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LB1043, introduced by Senator McKinney. It's a bill for an act relating to economic development; defines terms; requires the development of cert-- of certain real property located in high poverty areas; prohibits certain practices when selling such property; and provides severability. LB1044, introduced by Senator McKinney. It's a bill for an act relating to reparations, reparations for slavery; amends Section 77-4310.01 and 77-4310.03; creates a task force to study and develop reparation proposals for African Americans; states findings and declarations; provides powers and duties for the task force; creates a fund; provides for termination of the task force and fund; changes provisions relating to distribution of the tax on marijuana; provides for transfers from the Marijuana and Controlled Substance Tax, Tax Administration Cash Fund; states intent regarding appropriations; and repeals the original section. LB1045, introduced by Senator John Cavanaugh. It's a bill for an act relating to juries; amends Section 25-1645; change provisions relating to legislative intent regarding juries; states legislative intent; prohibits the use of peremptory challenges against jurors based on their membership in certain groups; provides duties for courts and court reporters; and repeals the original section. LB1046, introduced by Senator John Cavanaugh. It's a bill for an act relating to Nebraska Housing Agency Act; amends Section 71-15,139; requires appointment of counsel for termination hearings and eviction proceedings for residents of public housing located in the city of the metropolitan class; requires the city to pay for, pay for such counsel; provides duties for housing, housing agencies; and repeals the original section. LB1047, introduced by Senator Brandt. It's a bill for an act relating to motor fuel taxes; amends Section 66-489, Section 66-482; defines and redefines terms; changes provisions, provisions relating to payment of an excise tax and exemption from a motor fuels tax as prescribed; eliminates obsolete provisions; harmonizes provisions; provides an operative date; repeals the original section; outright repeals section 66-4,146.01. LB1048, introduced by Senator Brandt-- excuse me-- Senator Bostar. It's a bill for an act relating to civil defense; defines terms; states legislative findings; requires certain chemical facilities to utilize the federal chemical security program as prescribed; provides duties for the Nebraska manage-- Emergency Management Agency and the Department of Environment and Energy. LB1049, introduced by Senator Bostar. It's a bill for an act relating to telecommunications; amends Sections 86-704; changes in municipal occupation tax from the sale of telecommunications services as prescribed; eliminates obsolete provisions; harmonize provisions;

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repeals the original section. That's all I have at this time, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Mr. Clerk for new bills.

**CLERK:** New bills, Mr. President. LB1050, introduced by Senator Conrad. It's a bill for an act relating to schools; requires school districts to provide menstrual products to students as prescribed; defines terms; limits liability; and provides powers and duties to school districts, State Department of Education, and the State Board of Education. LB1051, introduced by Senator DeBoer. It's a bill for an act relating to juveniles; amends Sections 29-2257, 29-2258, 43-246.01, 43-247, 43-254.01, 43-255, 43-256, 43-258, 43-272.01 and 43-284, and sections 29-- 8-- 29-1816, 43-247.02, 43-248, 43-250, 43-251.01, 43-253, 43-254 and 43-281; changes provisions relating to filing deadlines; eliminates obsolete provisions; reorganize and harmonize provisions; provides duties to the Revisor of Statutes; repeals the original section; outright repeals Section 43-247.04. LB1052, introduced by Senator Walz. It's a bill for an act to education; allows teachers employed in an approved or accredited public, private, denominational, or parochial school in this state to receive reimbursement for school supplies paid for by such teacher prescribed; and provides powers and duties to the State Board of Education and the State Department of Education. LB1053, introduced by Senator Walz. It's a bill for an act relating to Nebraska Teacher Recruitment and Retention Act; amends Section 79-8,114 and 79-8,118; authorizes extended career retention grants under the act as prescribed; changes the termination date; repeals the original section; and declares an emergency. LB1054, introduced by Senator Walz. It's a bill for an act relating to child care; adopts the Child Care Safety and Security Act. LB1055, introduced by Senator Walz. It's a bill for an act relating to education; amends Section 79-2607; changes provisions relating to Nebraska Reading Improvement Act; provides power and duties to the State Department of Education related to the creation and support of a professional learning system and programming for adult education and literacy as prescribed; requires teachers to-- who teach students in grades kindergarten through fifth grade at an approved and accredited school receive certain training related to instruction and reading; creates the Literacy Steering Committee; states intent regarding appropriations; and repeals the original section. LB1056, introduced by Senator Walz. It's a bill for an act relating to schools; creates the School Construction Assistance Task Force, provides powers and duties; and declares an emergency. LB1057, introduced by Senator DeBoer. It's a bill for an act relating

to juveniles; amends Section 29-816 and 43-274; changes provisions relating to arraignments, filing of juvenile petitions, and juvenile court jurisdiction; harmonizes provisions; repeals the original section. LB1058, introduced by Senator Wayne. It's a bill for an act relating to income tax; amends Section 77-2716; excludes pensions and annuities from income taxes as prescribed; defines a term; and repeals the original section. LB1059, introduced by Senator Linehan. It's a bill for an act relating to revenue and taxation; amends Section 77-2776, Section 77-2727, 77-2734.01; changes provisions relating to the taxation of partnerships and small business corporations and notices of deficiency; and repeals the original section. That's all I have at this time, Mr. President.

**KELLY:** Mr. Clerk, new bills.

**CLERK:** Thank you, Mr. President. LB1016, introduced by Senator Hansen. It's bill for an act relating to public health and welfare; amends Section 71-519; provides an exemption from newborn screening as prescribed; and repeals the original section. LB1061, introduced by Senator Ibach. It's a bill for an act relating to the Nebraska Corn Resources Act; amends Sections 2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, and 2-3635; changes and eliminates provisions relating to the Corn Development, Utilization, and Marketing Board; eliminates the ex-officio members of the board; changes the fee levied on corn; to eliminate-- eliminates provisions relating to the fee adjustments and a pledge or mortgage of corn as security; changes provisions relating the annual report of the board; harmonize provisions; repeals the original section; outright repeals Sections 2-3616, 2-3627 and 2-3628. LB1062, introduced by Senator Ibach. It's a bill for an act relating to the Rural Health Systems and Professional Incentive Act; amends Sections 71-5650, 71-5651, 71-5652, 71-5653, 71-5654, 71-5655, and 71-5664, and Sections 71-5661, 71-5662, 71-5663, and 71-5668; restates legislative findings under the purpose of the Rural Health Systems and Professional Incentive Act; defines terms; changes provisions [SIC], duties, and members, and members of the rural-- Nebraska Rural Health Advisory Commission; provides for financial assistance in the form of repayment of qualified educational debts owed by veterinarians as prescribed; harmonizes provisions; and repeals the original section. LB1063, introduced by Senator Halloran. It's a bill for an act relating to schools; amends Section 79-10,120; requires a vote prior to a school district using a-- using special building funds as prescribed; and repeals the original section. LB1064, introduced by Senator Lippincott. It's a bill for an act relating to education; amends Sections 85-106, 85-606, five-- 85-1511,

and 85-1530; prohibits the practice of academic tenure as a post-secondary educational institution governed by the Board of Regents, the University of Nebraska, the Board of Trustees of the Nebraska State Colleges, or a community college board of governors for any community college area established by sections 85-1504 as prescribed; provides powers and duties to the Board of Regents at the University Nebraska, the Board of Trustees of Nebraska State Colleges, and any community college board of governors; harmonize provisions; and repeals the original section. LB1065, introduced by Senator Lippincott. It's a bill for an act relating to education; amends Section 79-804, 79-805, 79-814.01; allows a school district to hire a chaplain to perform the duties of a school counselor without a certificate issued by the Commissioner of Education as prescribed; provides dut-- powers and duties to the State Board of Education; harmonize provisions; and repeals the original section. LB1066, introduced by Senator Lippincott. It's a bill for an act relating to education; authorizes a school board to adopt a policy allowing a student in kindergarten through twelfth grade to attend released time to participate in elective course in religious instruction conducted off school district property by a sponsoring entity as prescribed; provides powers and duties to school boards and the State (Board) of Education; and declares an emergency. LB1067, introduced by Senator Clements. It's a bill for and act relating to counties; amends Sections 13-518, 47-120, 77-2018, 83-4,134 [SIC-83-4,133], and Sections 77-2004, 77-2005, 77-2006, Section 77-2015, 81-3717, and 81-3720; adopts the State Prisoner Reimbursement Act; eliminates the inheritance tax as prescribed; changes provisions relating to inheritance tax reporting and refund procedures; changes the authorized uses of the County Visitors Promotion Fund and the County Visitors Improvement Fund; harmonize provisions; and repeals the original section; declares an emergency. LB1068, introduced by Senator Brewer. It's a bill for an act relating to elections; amends Section 32-713; changes provisions relating to the designated meeting location and date for the convening of presidential electors; requires inclusion of a security feature with the state's certificate of ascertainment submitted by the Governor; changes a federal reference; and repeals the original section. LB1069, introduced by Senator Halloran. It's a bill for an act relating to the State Fire Marshal; amends Section 28-1250, 81-520.01, 81-546, and 81-550 and 81-5,159, Sections 81-502 and 81-5,172; change provisions relating obtaining a permit to conduct open burning, civil penalties, the Nebraska Natural Gas Pipeline Safety Cash Fund, pipeline facility assessments, contractor cert-- certificates, and the Boiler Inspection Act;

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eliminates the Nebraska Fire Safety Appeals Board, appeals procedures, and obsolete provisions; harmonize provisions; repeals the original section; outright repeals Sections 81-502.01, 81-502.02, and 81-502.03. LB1070, introduced by Senator Bostar. It's a bill for an act relating to Nebraska, Nebraska Political Accountability and Disclosure Act; amends Sections 49-1461; changes closing dates and filing deadlines for campaign statements filed by a ballot question committee as prescribed; repeals the original section; declares an emergency. That's all I have at this time, Mr. President.

**KELLY:** Senators, this is the last opportunity to turn in new bills for today. Last call on that. Senator Aguilar, you're recognized.

**AGUILAR:** Thank you, thank you, Mr. President. A reminder that Friday, January 12 at noon is the deadline to submit a bill request to the bill drafting staff in order to guarantee the bill, bill will be ready for the introduction before adjournment on the 10th legislative day. Requests received after 12 noon on the 12th will be drafted if time permits. However, priority will be given to the request received by the Friday noon deadline. Members are advised to please submit your drafting requests as soon as they can, and not wait until the Friday deadline, if at all possible. Thank you, Mr. President.

**KELLY:** Thank you, Senator Aguilar. Mr. Clerk for items.

**CLERK:** Thank you, Mr. President. New bills. LB1071, introduced by Senator Dungan. It's a bill for an act relating to journalism; defines terms, provides protections-- protection for freedom of speech and freedom of the press for student journalists; provides protection for student media advisers; and provides exemptions. LB1072, introduced by Senator Dungan. It's a bill for an act relating to revenue and taxation; provides a sales and use tax credit for the sale and use of sustainable aviation fuel. Some items, Mr. President. Senator Clements, a motion to withdraw LB1028. That will be printed in the Journal. Additionally, notice from the Government, Military and Veterans Affairs Committee that they will have an executive session on Monday, January 8 at 1:00 in hearing room 1507, Government, exec session, Monday at 1:00 in 1507. Name adds: Senator DeBoer to LB31; Senator Wayne to LB165; Brewer, LB823 and LB824; DeBoer, LB829; Bostar, LB829; Brewer, LB830, Hansen and Aguilar, LB876; Dorn, LB876; and Ibach added to LB1015. Notice that the Reference Committee will meet in room 2102 upon adjournment. Reference, 2102 upon adjournment. Finally, Mr. President, a priority motion. Senator Wayne would move to

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adjourn the body until Tuesday, January 9, 2024 at 1:30 p.m. 1:30 p.m., Tuesday, January 9.

**KELLY:** Members, the question is shall the Legislature adjourn for the day? All those in favor say aye. All those opposed say nay. We are adjourned for the day.