

FIFTH DAY - JANUARY 14, 2025**LEGISLATIVE JOURNAL****ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION****FIFTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 14, 2025

PRAYER

The prayer was offered by Senator DeBoer.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Clouse.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Kelly presiding.

The roll was called and all members were present except Senators Bostar, Conrad, DeKay, Hardin, Hunt, and Jacobson who were excused until they arrive; and Senators Brandt and Rountree who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fourth day was approved.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB82	Health and Human Services
LB83	Health and Human Services
LB84	Health and Human Services
LB85	Judiciary
LB86	Appropriations
LB87	Health and Human Services
LB88	Appropriations
LB89	Government, Military and Veterans Affairs
LB90	Urban Affairs

LB91	Natural Resources
LB92	Judiciary
LB93	Judiciary
LB94	Business and Labor
LB95	Health and Human Services
LB96	Health and Human Services
LB97	Transportation and Telecommunications
LB98	Transportation and Telecommunications
LB99	Judiciary
LB100	Business and Labor
LB101	Judiciary
LB102	Health and Human Services
LB103	Judiciary
LB104	Health and Human Services
LB105	Government, Military and Veterans Affairs
LB106	Transportation and Telecommunications
LB107	Revenue
LB108	Nebraska Retirement Systems
LB109	Banking, Commerce and Insurance
LB110	Health and Human Services
LB111	Banking, Commerce and Insurance
LB112	Transportation and Telecommunications
LB113	General Affairs
LB114	Transportation and Telecommunications
LB115	Revenue
LB116	Revenue
LB117	Revenue
LB118	Health and Human Services
LB119	Health and Human Services
LB120	Transportation and Telecommunications
LB121	Natural Resources
LB122	Education
LB123	Government, Military and Veterans Affairs
LB124	Judiciary
LB125	General Affairs
LB126	Government, Military and Veterans Affairs
LB127	Judiciary
LB128	Transportation and Telecommunications
LB129	Natural Resources
LR5CA	Judiciary
LR6CA	Judiciary
LR7CA	Executive Board

(Signed) Ben Hansen, Chairperson
Executive Board

MOTION(S) - Print in Journal

Senator Hunt filed the following motions to LB89:

MO4

Indefinitely postpone pursuant to Rule 6, Sec. 3(f).

MO5

Bracket until June 9, 2025.

MO6

Recommit to the Government, Military and Veterans Affairs Committee.

ANNOUNCEMENT(S)

The Agriculture Committee elected Senator Ibach as Vice Chairperson.

The Nebraska Retirement Systems Committee elected Senator Sorrentino as Vice Chairperson.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 195. Introduced by Meyer, 17; Cavanaugh, M., 6; DeBoer, 10; Guereca, 7; Hunt, 8; Juarez, 5.

A BILL FOR AN ACT relating to the Uniform Controlled Substances Act; to amend section 28-470, Revised Statutes Cumulative Supplement, 2024; to provide for immunity for conduct relating to opioid overdose reversal medications; to provide and eliminate definitions; and to repeal the original section.

LEGISLATIVE BILL 196. Introduced by Storm, 23.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-6,356, Reissue Revised Statutes of Nebraska; to authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal as prescribed; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 197. Introduced by Storm, 23.

A BILL FOR AN ACT relating to the Employment Security Law; to amend sections 48-628.09, 48-630, and 48-631, Reissue Revised Statutes of Nebraska; to change provisions relating to a disqualification for benefits due to a labor dispute, claim determinations, and claim redeterminations; and to repeal the original sections.

LEGISLATIVE BILL 198. Introduced by Sorrentino, 39.

A BILL FOR AN ACT relating to the Pharmacy Benefit Manager Licensure and Regulation Act; to amend sections 44-4601, 44-4603, 44-4608, and 44-4611, Revised Statutes Cumulative Supplement, 2024; to define and redefine terms; to change provisions relating to an appeal process; to prohibit pharmacy benefit managers from taking certain actions; to provide for pharmacy benefit manager duties; to prohibit spread pricing as prescribed; to change enforcement provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 199. Introduced by Sorrentino, 39.

A BILL FOR AN ACT relating to civil actions; to amend sections 25-3301, 25-3302, and 25-3309, Reissue Revised Statutes of Nebraska; to change the statute of limitations for actions for personal injury; to provide for applicability; to include administrative proceedings within the Nonrecourse Civil Litigation Act, require certain disclosures by consumers, and provide for discipline against a certificate of registration; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

LEGISLATIVE BILL 200. Introduced by Sorrentino, 39.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202, 77-693, 77-801, 77-1238, 77-1239, 77-1248, and 77-1514, Revised Statutes Cumulative Supplement, 2024; to reinstate the exemptions provided under the Personal Property Tax Relief Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 201. Introduced by Kauth, 31.

A BILL FOR AN ACT relating to the Nebraska Money Transmitters Act; to amend section 8-2701, Reissue Revised Statutes of Nebraska; to provide for a fee; to harmonize provisions; to provide an operative date; and to repeal the original section.

LEGISLATIVE BILL 202. Introduced by Kauth, 31.

A BILL FOR AN ACT relating to the Medicine and Surgery Practice Act; to amend section 38-2037, Reissue Revised Statutes of Nebraska; to exempt certain activities from disciplinary action; and to repeal the original section.

LEGISLATIVE BILL 203. Introduced by Kauth, 31.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-1626, 71-1630, and 71-1632, Reissue Revised Statutes of Nebraska; to define terms; to change powers and duties of health directors as prescribed; and to repeal the original sections.

LEGISLATIVE BILL 204. Introduced by Kauth, 31.

A BILL FOR AN ACT relating to biometric data; to adopt the Biometric Autonomy Liberty Law; and to provide an operative date.

LEGISLATIVE BILL 205. Introduced by Bosn, 25.

A BILL FOR AN ACT relating to civil actions; to provide requirements for admissibility of evidence relating to damages for past or future medical expenses; to require certain disclosures by claimants in certain cases; to provide limitations on damages for medical expenses; to provide for a cap on noneconomic damages in certain civil actions against commercial motor vehicle carriers; and to provide duties for courts.

LEGISLATIVE BILL 206. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-101, Revised Statutes Cumulative Supplement, 2024; to provide for enhanced penalties for certain offenses committed in a disaster area during an emergency period; to define terms; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 207. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-3,191, Revised Statutes Cumulative Supplement, 2024; to provide a fee for certain commercially registered alternative fuel vehicles; and to repeal the original section.

LEGISLATIVE BILL 208. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-2712.03 and 77-27,143, Reissue Revised Statutes of Nebraska, and sections 77-2708, 77-2711, 77-2715.07, 77-27,241, 77-7012, and 77-7203, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to sales tax collection fees, confidentiality of sales tax information, the streamlined sales and use tax agreement, a database for sales tax zip code information, annual limits for certain tax credits, and certain tax credits for parents and legal guardians; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 209. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-202 and 77-3506, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to homestead exemptions for certain veterans and surviving spouses and a property tax exemption for certain skilled nursing facilities, nursing facilities, and assisted-living facilities; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 210. Introduced by Riepe, 12.

A BILL FOR AN ACT relating to population health information; to amend sections 81-6,123, 81-6,124, 81-6,125, and 81-6,126, Reissue Revised Statutes of Nebraska, and section 71-2454, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the prescription drug monitoring program, the designated health information exchange, and the Population Health Information Act; to define terms; to provide for assessments; to create a fund; to require reports regarding managed care organizations; to require sharing of vital statistics data; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 211. Introduced by Riepe, 12; Brandt, 32.

A BILL FOR AN ACT relating to the Property Tax Growth Limitation Act; to amend section 13-3403, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the calculation of property tax request authority; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 212. Introduced by Wordekemper, 15.

A BILL FOR AN ACT relating to the Tobacco Products Tax Act; to amend section 77-4008, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the tax on cigars, cheroots, and stogies as prescribed; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 213. Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to schools; to amend section 79-760.01, Reissue Revised Statutes of Nebraska; to require the State Board of Education to adopt academic content standards on human embryology under the science education standards as prescribed; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 214. Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to the Newborn Safe Haven Act; to amend sections 43-4901, 43-4902, and 43-4903, Revised Statutes Cumulative Supplement, 2024; to define terms; to provide for the use of newborn safety devices as prescribed; to state intent regarding grants; to require the Department of Health and Human Services to develop certain procedures relating to surrendered newborn infants; to change legislative intent relating to funding; to provide an exemption from criminal liability; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 215. Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to criminal justice; to amend section 83-1,135, Reissue Revised Statutes of Nebraska; to adopt the Clean Slate Act;

to provide for commutations; to provide duties for the Department of Correctional Services, Board of Parole, Division of Parole Supervision, and Board of Pardons; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 216. Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to courts; to amend sections 11-119, 11-125, 11-126, 22-417, 23-120, 23-121, 23-405, 23-1114.03, 23-1114.04, 23-1114.05, 23-1114.06, 24-228, 24-337.01, 24-337.04, 24-507, 24-508, 24-509, 43-512.05, 71-915, and 71-957, Reissue Revised Statutes of Nebraska, and section 33-106.02, Revised Statutes Cumulative Supplement, 2024; to transfer duties of county clerks as ex officio clerks of the district court to clerk magistrates; to provide for creation of the office of clerk of the district and county courts; to provide for consolidation of duties and the creation of consolidation plans; to require oaths as prescribed; to eliminate the elected office of clerk of the district court; to transfer clerk of the district court employees to state employment; to provide for transfers of retirement and benefits; to provide for reviews of county-provided office space or facilities; to remove a bond requirement; to provide for payment of certain district court and separate juvenile court costs by the state; to provide duties for clerks of the district court, clerk magistrates, clerks of the district and county courts, judges, and the State Court Administrator; to provide for distribution of federal reimbursements; to prohibit such clerks from serving on mental health boards; to change provisions relating to court reporters serving mental health boards; to eliminate obsolete provisions; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 32-524, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 217. Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to child welfare; to amend section 71-1904, Reissue Revised Statutes of Nebraska, and section 71-1924, Revised Statutes Cumulative Supplement, 2024; to require suicide awareness and prevention training for employees of child-placing agencies and child welfare workers; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 218. Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to elections; to amend sections 32-307, 32-315, 32-1506, 60-484, 60-4,130, and 60-4,130.02, Reissue Revised Statutes of Nebraska, and sections 32-202, 32-308, 32-312, 32-1002, and 60-4,144, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to registration of voters and voting; to change penalty provisions; to eliminate obsolete provisions; to harmonize provisions; to provide an operative date; to repeal the original sections; and to outright repeal section 32-309, Reissue Revised Statutes of Nebraska.

LEGISLATIVE BILL 219. Introduced by Dungan, 26.

A BILL FOR AN ACT relating to crimes and offenses; to amend section 28-105, Revised Statutes Cumulative Supplement, 2024; to remove a minimum period of post-release supervision for Class III and IIIA felonies; and to repeal the original section.

LEGISLATIVE BILL 220. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Legislature; to state findings; to provide for developmental and intellectual disability impact notes for legislation; and to provide powers and duties for the office of Legislative Research.

LEGISLATIVE BILL 221. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Legislature; to amend section 50-1301, Reissue Revised Statutes of Nebraska; to state legislative findings relating to unfilled gubernatorial appointments; to provide powers and duties; and to repeal the original section.

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1525 1:30 PM

Wednesday, January 22, 2025

LB5
LB24
LB51
LB52
LB72
LB85

(Signed) Carolyn Bosn, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 222. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to law enforcement; to amend sections 60-683 and 81-2005, Reissue Revised Statutes of Nebraska, and section 60-601, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to stopping or detaining the operator of a vehicle under the Nebraska Rules of the Road; to change duties of peace officers, the Superintendent of Law Enforcement and Public Safety, and certain officers of the Nebraska State Patrol; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 223. Introduced by Guereca, 7.

A BILL FOR AN ACT relating to civil rights; to amend sections 20-139, 20-301, 20-303, 20-317, 20-318, 20-320, 20-321, 20-322, and 20-325, Reissue Revised Statutes of Nebraska; to define a term; to prohibit discrimination based upon lawful source of income or compliance with public assistance requirements; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 224. Introduced by Guereca, 7.

A BILL FOR AN ACT relating to state employees; to define terms; and to provide for paid maternity leave as prescribed.

LEGISLATIVE BILL 225. Introduced by Guereca, 7.

A BILL FOR AN ACT relating to motor vehicles; to amend section 60-168, Reissue Revised Statutes of Nebraska; to change application requirements for duplicate certificates of title; and to repeal the original section.

LEGISLATIVE BILL 226. Introduced by Juarez, 5.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-3528, Reissue Revised Statutes of Nebraska, and section 29-3523, Revised Statutes Cumulative Supplement, 2024; to provide for setting aside and expunging records relating to convictions and adjudications for certain concealed weapon offenses; to define a term; to provide for retroactivity; to provide a private cause of action for violations of the Security, Privacy, and Dissemination of Criminal History Information Act; to waive sovereign immunity as prescribed; to provide a statute of limitations for such actions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 227. Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to common carriers; to amend section 75-342, Reissue Revised Statutes of Nebraska, and section 75-311, Revised Statutes Cumulative Supplement, 2024; to provide burdens of proof; to change provisions relating to designations of authority, contract carriers, and authorization requirements; to delete obsolete provisions; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 228. Introduced by Dorn, 30.

A BILL FOR AN ACT relating to the Legislative Performance Audit Act; to amend sections 50-1203, 50-1204, 50-1205.01, 50-1211, and 50-1213, Reissue Revised Statutes of Nebraska, and section 50-1209, Revised Statutes Cumulative Supplement, 2024; to redefine a term; to update obsolete provisions; to change requirements for tax incentive performance

audits as prescribed; to provide for documents that are not subject to a public records request; and to repeal the original sections.

LEGISLATIVE BILL 229. Introduced by Hallstrom, 1.

A BILL FOR AN ACT relating to the Employment Security Law; to amend section 48-604, Reissue Revised Statutes of Nebraska; to provide that employment does not include service by a marketplace network contractor for a marketplace network platform; to define terms; and to repeal the original section.

LEGISLATIVE BILL 230. Introduced by Hallstrom, 1.

A BILL FOR AN ACT relating to kratom; to adopt the Kratom Consumer Protection Act; to provide an operative date; and to declare an emergency.

LEGISLATIVE BILL 231. Introduced by Hallstrom, 1; DeBoer, 10.

A BILL FOR AN ACT relating to banking and finance; to adopt the Uniform Special Deposits Act.

LEGISLATIVE BILL 232. Introduced by Hallstrom, 1.

A BILL FOR AN ACT relating to insurance; to require issuers of certain life insurance policies to provide notice of lapse and termination of such policies as prescribed; and to authorize senior citizens with certain life insurance policies to designate a third party to receive certain notifications regarding such senior citizen's life insurance policy as prescribed.

LEGISLATIVE BILL 233. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Nebraska State Insurance Program; to amend sections 84-1607, 84-1608, and 84-1609, Reissue Revised Statutes of Nebraska; to require coverage for in vitro fertilization as prescribed; to transfer provisions relating to special coverages; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 234. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Urban Redevelopment Act; to amend section 77-6906, Revised Statutes Cumulative Supplement, 2024; to redefine a term; and to repeal the original section.

LEGISLATIVE BILL 235. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Uniform Residential Landlord and Tenant Act; to amend section 76-1446, Reissue Revised Statutes of Nebraska; to change provisions relating to trials for actions for possession and execution of writs of restitution; and to repeal the original section.

LEGISLATIVE BILL 236. Introduced by Conrad, 46.

A BILL FOR AN ACT relating to the Political Subdivisions Tort Claims Act; to amend section 13-910, Reissue Revised Statutes of Nebraska; to allow tort claims involving child abuse or sexual assault of a child under the act; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 237. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to elections; to amend section 32-960, Revised Statutes Cumulative Supplement, 2024; to permit counties to conduct elections by mail; and to repeal the original section.

LEGISLATIVE BILL 238. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to the Foster Care Review Act; to amend sections 43-1304 and 43-1308, Reissue Revised Statutes of Nebraska; to exempt local foster care review boards from the Open Meetings Act; to harmonize provisions; to eliminate obsolete provisions; to repeal the original sections; and to outright repeal section 43-1306, Revised Statutes Cumulative Supplement, 2024.

LEGISLATIVE BILL 239. Introduced by Cavanaugh, M., 6.

A BILL FOR AN ACT relating to developmental disabilities services; to amend sections 83-1216 and 83-1216.02, Reissue Revised Statutes of Nebraska; to change powers and duties of the Department of Health and Human Services; to change requirements relating to funding priorities; to eliminate a sunset date; and to repeal the original sections.

LEGISLATIVE BILL 240. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to the Community Development Law; to amend section 18-2147, Revised Statutes Cumulative Supplement, 2024; to change notice provisions relating to the division of taxes; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 241. Introduced by Hallstrom, 1; Bosn, 25; Holdcroft, 36; Storer, 43; Storm, 23.

A BILL FOR AN ACT relating to data privacy; to define terms; and to provide exemption from liability for certain private entities as prescribed.

LEGISLATIVE BILL 242. Introduced by Riepe, 12; Clouse, 37; Dorn, 30; Jacobson, 42.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 14-109, 15-202, 15-203, 16-205, and 17-525, Reissue Revised Statutes of

Nebraska, and sections 13-518, 13-3403, 13-3404, 13-3405, 13-3406, 18-1208, 77-1701, and 77-7305, Revised Statutes Cumulative Supplement, 2024; to redefine a term relating to budget limitations; to change provisions of the Property Tax Growth Limitation Act relating to calculation of property tax request authority, authorized increases to such authority, and unused property tax request authority; to change provisions relating to municipal occupation taxes; to change provisions relating to property tax statements; to change certain calculations and authorize the county to retain certain funds for costs under the School District Property Tax Relief Act; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 243. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to county government; to amend section 23-367, Reissue Revised Statutes of Nebraska; to change a provision relating to special sidewalk assessments; and to repeal the original section.

LEGISLATIVE BILL 244. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1402, Reissue Revised Statutes of Nebraska; to change legislative findings; and to repeal the original section.

LEGISLATIVE BILL 245. Introduced by DeKay, 40.

A BILL FOR AN ACT relating to the Nebraska Pure Food Act; to amend sections 81-2,239, 81-2,244.01, 81-2,245.01, 81-2,254, 81-2,257, 81-2,259, 81-2,268, 81-2,270, 81-2,271, 81-2,274, and 81-2,277, Reissue Revised Statutes of Nebraska; to redefine terms; to change provisions relating to priority items, the federal Current Good Manufacturing Practice, design and fabrication requirements, fees, establishments that are permanently closed, and service of notices and orders; to eliminate provisions relating to time/temperature control for safety food, hand washing requirements and food contact restrictions for food employees, requirements relating to date marking, sale, consumption, or discard of time/temperature control for safety food, and fingernail requirements relating to food employees; to harmonize provisions; to repeal the original sections; to outright repeal sections 81-2,272.01, 81-2,272.10, 81-2,272.24, and 81-2,272.32, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 246. Introduced by DeKay, 40; at the request of the Governor; Dorn, 30; Holdcroft, 36; Jacobson, 42; Lippincott, 34; Lonowski, 33; McKeon, 41; Sanders, 45.

A BILL FOR AN ACT relating to adulterated food; to amend sections 81-2,239, 81-2,240, 81-2,282, and 87-302, Reissue Revised Statutes of Nebraska; to define a term and prohibit cultivated-protein food products under the Nebraska Pure Food Act; to provide a deceptive trade practice; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 247. Introduced by DeKay, 40.

A BILL FOR AN ACT relating to the Department of Environment and Energy; to amend section 13-2042, Reissue Revised Statutes of Nebraska, and section 66-1519, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to fees and distribution of proceeds under the Integrated Solid Waste Management Act and uses of and transfers from the Petroleum Release Remedial Action Cash Fund; to provide an operative date; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 248. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to the Child Care Licensing Act; to amend section 71-1910, Revised Statutes Cumulative Supplement, 2024; to exempt certain federal programs from child care licensing requirements as prescribed; and to repeal the original section.

LEGISLATIVE BILL 249. Introduced by Sanders, 45.

A BILL FOR AN ACT relating to schools; to amend sections 79-1001, 79-1017.01, 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Reissue Revised Statutes of Nebraska; to provide for military impact funding and change provisions relating to local system formula resources and certain certification dates under the Tax Equity and Educational Opportunities Support Act; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 250. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to banking; to amend section 8-126, Reissue Revised Statutes of Nebraska; to change provisions relating to the composition of the board of directors of a bank; and to repeal the original section.

LEGISLATIVE BILL 251. Introduced by Jacobson, 42.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-113, 8-157, 8-226, 8-305, 8-1506, 21-1725.01, 21-1728, 45-190, 45-724, and 76-710.02, Reissue Revised Statutes of Nebraska, sections 8-135, 8-141, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1704, 8-1707, 8-2724, 8-2903, 8-3005, 8-3007, 21-17,102, 21-17,115, 59-1722, 69-2103, 69-2104, and 69-2112, Revised Statutes Cumulative Supplement, 2024, and section 4A-108, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2024; to adopt updates to federal law; to change provisions related to the use of certain words, loan limits, branch banking, failing financial institutions, credit union branches, surety bonds, and interest rates for damages payable to irrigation districts; to define, redefine, and eliminate terms; to harmonize provisions; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 252. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to drugs; to amend section 68-901, Revised Statutes Cumulative Supplement, 2024; to prohibit disadvantaging or discouraging medicaid and commercial insurance coverage for non-opioid drugs as prescribed; and to repeal the original section.

LEGISLATIVE BILL 253. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to public health and welfare; to provide for biomarker testing as prescribed.

LEGISLATIVE BILL 254. Introduced by Hallstrom, 1.

A BILL FOR AN ACT relating to appropriations; to state legislative intent to transfer funds for workforce housing; to declare an emergency.

LEGISLATIVE BILL 255. Introduced by Quick, 35.

A BILL FOR AN ACT relating to the Opioid Treatment Infrastructure Cash Fund; to amend sections 24-1302 and 71-2492, Revised Statutes Cumulative Supplement, 2024; to provide for use of the fund for problem solving courts; to state intent regarding appropriations; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 256. Introduced by Quick, 35.

A BILL FOR AN ACT relating to railroads; to adopt the Midwest Interstate Passenger Rail Compact.

LEGISLATIVE BILL 257. Introduced by Quick, 35; Conrad, 46.

A BILL FOR AN ACT relating to marriage and family therapists; to amend sections 38-2125 and 38-2130, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to reciprocity; and to repeal the original sections.

LEGISLATIVE BILL 258. Introduced by Raybould, 28.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1203.01, Reissue Revised Statutes of Nebraska, and section 48-1203, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the minimum wage and the training wage; to enact a youth minimum wage; to harmonize provisions; and to repeal the original sections.

ANNOUNCEMENT(S)

The Revenue Committee elected Senator Jacobson as Vice Chairperson.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 12CA. Introduced by Kauth, 31.

THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2026, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article VIII, section 1, and add a new section 14 to Article VIII:

VIII-1 The necessary revenue of the state and its governmental subdivisions shall be raised by taxation in such manner as the Legislature may direct. Notwithstanding Article I, section 16, Article III, section 18, or Article VIII, section 4, of this Constitution or any other provision of this Constitution to the contrary: (1) Real property, as defined by the Legislature, not exempted by this Constitution, shall all be taxed in accordance with Article VIII, section 14, of this Constitution~~Taxes shall be levied by valuation uniformly and proportionately upon all real property and franchises as defined by the Legislature except as otherwise provided in or permitted by this Constitution;~~ (2) tangible personal property, as defined by the Legislature, not exempted by this Constitution or by legislation, shall all be taxed at depreciated cost using the same depreciation method with reasonable class lives, as determined by the Legislature, or shall all be taxed by valuation uniformly and proportionately; (3) the Legislature may provide for a different method of taxing motor vehicles and may also establish a separate class of motor vehicles consisting of those owned and held for resale by motor vehicle dealers which shall be taxed in the manner and to the extent provided by the Legislature and may also establish a separate class for trucks, trailers, semitrailers, truck-tractors, or combinations thereof, consisting of those owned by residents and nonresidents of this state, and operating in interstate commerce, and may provide reciprocal and proportionate taxation of such vehicles. The tax proceeds from motor vehicles taxed in each county shall be allocated to the county and the cities, villages, and school districts of such county; (4) ~~the Legislature may provide that agricultural land and horticultural land, as defined by the Legislature, shall constitute a separate and distinct class of property for purposes of taxation and may provide for a different method of taxing agricultural land and horticultural land which results in values that are not uniform and proportionate with all other real property and franchises but which results in values that are uniform and proportionate upon all property within the class of agricultural land and horticultural land;~~ (5) the Legislature may enact laws to provide that the value of land actively devoted to agricultural or horticultural use shall for property tax purposes be that value which such land has for agricultural or horticultural use without regard to any value which such land might have for other purposes or uses; ~~(5)(6) the~~

~~Legislature may prescribe standards and methods for the determination of the value of real property at uniform and proportionate values; (7) in furtherance of the purposes for which such a law of the United States has been adopted, whenever there exists a law of the United States which is intended to protect a specifically designated type, use, user, or owner of property or franchise from discriminatory state or local taxation, such property or franchise shall constitute a separate class of property or franchise under the laws of the State of Nebraska, and such property or franchise may not be taken into consideration in determining whether taxes are levied by valuation uniformly or proportionately upon any property or franchise, and the Legislature may enact laws which statutorily recognize such class and which tax or exempt from taxation such class of property or franchise in such manner as it determines; and (6)(8) the Legislature may provide that livestock shall constitute a separate and distinct class of property for purposes of taxation and may further provide for reciprocal and proportionate taxation of livestock located in this state for only part of a year. Each actual property tax rate levied for a governmental subdivision shall be the same for all classes of taxed property and franchises. Taxes uniform as to class of property or the ownership or use thereof may be levied by valuation or otherwise upon classes of intangible property as the Legislature may determine, and such intangible property held in trust or otherwise for the purpose of funding pension, profit-sharing, or other employee benefit plans as defined by the Legislature may be declared exempt from taxation. Taxes other than property taxes may be authorized by law. Existing revenue laws shall continue in effect until changed by the Legislature.~~

VIII-14 (1) Beginning January 1, 2027, the maximum amount of any ad valorem tax on real property shall not exceed one and one-half percent of the full cash value of such property. Such tax shall be collected by the counties and apportioned as prescribed by the Legislature to the political subdivisions within the counties.

(2) The limitation provided for in subsection (1) of this section shall not apply to ad valorem taxes or special assessments to pay the interest and redemption charges on any of the following:

(a) Bonded indebtedness approved by the voters prior to January 1, 2027;

(b) Bonded indebtedness for the acquisition or improvement of real property approved on or after January 1, 2027, by two-thirds of the votes cast by the voters voting on the proposition; or

(c) Bonded indebtedness incurred by a school district or community college area for the construction, reconstruction, rehabilitation, or replacement of school or community college facilities, including the furnishing and equipping of such facilities, or the acquisition or lease of real property for such facilities, approved on or after January 1, 2027, by fifty-five percent of the votes cast by the voters voting on the proposition. This subdivision shall apply only if the proposition approved by the voters and resulting in the bonded indebtedness includes all of the following accountability requirements:

(i) A requirement that the proceeds from the sale of the bonds be used only for the purposes specified in this subdivision;

(ii) A list of the specific school or community college facility projects to be funded and a requirement that the school board or community college board of governors conduct an annual independent performance audit to ensure that the funds have been expended only on the specific projects listed; and

(iii) A requirement that the school board or community college board of governors conduct an annual independent financial audit of the proceeds from the sale of the bonds until all of those proceeds have been expended for the applicable school or community college facility project.

(3)(a) For purposes of this section, full cash value means the county assessor's valuation of real property for 2027 or, thereafter, the appraised value of real property when purchased, when newly constructed, or when a change in ownership has occurred after the 2027 assessment.

(b) Full cash value shall be adjusted from year to year by the inflationary rate, not to exceed two percent for any given year, or the deflationary rate, if applicable, as shown in the consumer price index or comparable data for the area subject to taxation, and may also be reduced to reflect substantial damage, destruction, or other factors causing a decline in value.

(4) Subject to applicable procedures and definitions as provided by statute, an individual who is over fifty-five years of age, severely disabled, or a victim of a natural disaster may transfer the full cash value of the individual's primary residence to a replacement primary residence located in this state so long as the replacement primary residence:

(a) Is similar in size, utility, and function to the original primary residence;

(b) Has a fair market value that is comparable to the fair market value of the original primary residence; and

(c) Is purchased or newly constructed by such individual within two years after the sale of the original primary residence.

(5) For purposes of subsection (3) of this section, the term "newly constructed" does not include the construction, installation, removal, or modification of any portion or structural component of an existing building or structure if the construction, installation, removal, or modification is for the purpose of making the building more accessible to, or more usable by, a disabled person.

(6) For purposes of subsection (3) of this section, the term "change in ownership" does not include the acquisition of real property as a replacement for comparable property if the person acquiring the real property has been displaced from the property replaced by eminent domain proceedings, by acquisition by a public entity, or by governmental action that has resulted in a judgment of inverse condemnation. The real property acquired shall be deemed comparable to the property replaced if it is similar in size, utility, and function.

(7) For purposes of subsection (3) of this section, the terms "purchased" and "change in ownership" do not include the purchase or transfer of real property between spouses since January 1, 2027, including, but not limited to, all of the following:

(a) Transfers to a trustee for the beneficial use of a spouse, or the surviving spouse of a deceased transferor, or by a trustee of such a trust to the spouse of the trustor;

(b) Transfers to a spouse that take effect upon the death of a spouse;

(c) Transfers to a spouse or former spouse in connection with a property settlement agreement or decree of dissolution of a marriage or legal separation;

(d) The creation, transfer, or termination, solely between spouses, of any co-owner's interest; or

(e) The distribution of a legal entity's property to a spouse or former spouse in exchange for the interest of the spouse in the legal entity in connection with a property settlement agreement or a decree of dissolution of a marriage or legal separation.

(8)(a) The full cash value of qualified contaminated property may be transferred to a replacement property that is acquired or newly constructed as a replacement for the qualified contaminated property, if the replacement real property has a fair market value that is comparable to the fair market value of the qualified contaminated property if that property were not contaminated. This subdivision applies only to replacement property that is acquired or newly constructed within five years after ownership in the qualified contaminated property is sold or otherwise transferred.

(b) If the remediation of the environmental problems on qualified contaminated property requires the destruction of, or results in substantial damage to, a structure located on that property, the term "new construction" does not include the repair of a substantially damaged structure, or the construction of a structure replacing a destroyed structure on the qualified contaminated property, that is performed after the remediation of the environmental problems on that property, provided that the repaired or replacement structure is similar in size, utility, and function to the original structure.

(c) For purposes of this subsection, the term "qualified contaminated property" means residential or nonresidential real property that:

(i) In the case of residential real property, is rendered uninhabitable, and in the case of nonresidential real property, is rendered unusable, as the result of either environmental problems, in the nature of and including, but not limited to, the presence of toxic or hazardous materials, or the remediation of those environmental problems, except where the existence of the environmental problems was known to the owner, or to a related individual or entity as described in subdivision (8)(d) of this section, at the time the real property was acquired or constructed. For purposes of this subdivision, residential real property is uninhabitable if that property, as a result of health hazards caused by or associated with the environmental problems, is unfit for human habitation, and nonresidential real property is unusable if that property, as a result of health hazards caused by or associated with the environmental problems, is unhealthy and unsuitable for occupancy;

(ii) Is located on a site that has been designated as a toxic or environmental hazard or as an environmental cleanup site by an agency of the State of Nebraska or the federal government; and

(iii) Has not been rendered uninhabitable or unusable, as described in subdivision (8)(c)(i) of this section, by any act or omission in which an owner of that real property participated or acquiesced.

(d) It shall be rebuttably presumed that an owner of the real property participated or acquiesced in an act or omission that rendered the real property uninhabitable or unusable, as applicable, if that owner is related to any individual or entity that committed that act or omission in any of the following ways:

(i) Is a spouse, parent, child, grandparent, grandchild, or sibling of that individual;

(ii) Is a corporate parent, subsidiary, or affiliate of that entity;

(iii) Is an owner of, or has control of, that entity; or

(iv) Is owned or controlled by that entity.

(e) If the presumption in subdivision (8)(d) of this section is not overcome, the owner shall not receive the relief provided for in subdivision (8)(a) or (b) of this section. The presumption may be overcome by presentation of satisfactory evidence to the county assessor.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to impose a limit on ad valorem taxes for real property, provide a new method of valuing real property for tax purposes, provide certain exceptions, and eliminate conflicting constitutional provisions.

For

Against.

LEGISLATIVE RESOLUTION 13CA. Introduced by Hallstrom, 1; Clements, 2; Hardin, 48; Lippincott, 34; Riepe, 12.

THE MEMBERS OF THE ONE HUNDRED NINTH LEGISLATURE OF NEBRASKA, FIRST SESSION, RESOLVE THAT:

Section 1. At the general election in November 2026, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To add a new section 1C to Article VIII:

VIII-1C The state and any political subdivision thereof shall be prohibited from levying an inheritance tax.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to prohibit the levying of an inheritance tax by the state or any political subdivision thereof.

For

Against.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Ballard name added to LB100.

Senator Conrad name added to LB101.
Senator Conrad name added to LB102.
Senator Conrad name added to LB104.
Senator Conrad name added to LB107.
Senator Conrad name added to LB12.
Senator Conrad name added to LB127.
Senator Conrad name added to LB13.
Senator Conrad name added to LB14.
Senator Conrad name added to LB143.
Senator Conrad name added to LB15.
Senator Conrad name added to LB151.
Senator Conrad name added to LB152.
Senator Conrad name added to LB16.
Senator Conrad name added to LB165.
Senator Conrad name added to LB168.
Senator Conrad name added to LB17.
Senator Conrad name added to LB21.
Senator Conrad name added to LB22.
Senator Conrad name added to LB24.
Senator Conrad name added to LB34.
Senator Conrad name added to LB49.
Senator Conrad name added to LB67.
Senator Conrad name added to LB68.
Senator Conrad name added to LB74.
Senator Conrad name added to LB75.
Senator Conrad name added to LB95.
Senator Conrad name added to LB99.
Senator DeKay name added to LB115.
Senator Fredrickson name added to LB168.
Senator Holdcroft name added to LB6.
Senator Murman name added to LB156.
Senator Raybould name added to LB103.
Senator Raybould name added to LB107.
Senator Raybould name added to LB108.
Senator Raybould name added to LB118.
Senator Raybould name added to LB120.
Senator Raybould name added to LB14.
Senator Raybould name added to LB28.
Senator Raybould name added to LB5.
Senator Raybould name added to LB53.
Senator Raybould name added to LB70.
Senator Raybould name added to LB71.
Senator Raybould name added to LB86.

VISITOR(S)

The Doctor of the Day was Dr. Dan Rosenquist of Columbus.

ADJOURNMENT

At 11:33 a.m., on a motion by Senator Wordekemper, the Legislature adjourned until 9:45 a.m., Wednesday, January 15, 2025.

Brandon Metzler
Clerk of the Legislature

