

SIXTY-SECOND DAY - APRIL 15, 2025

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION**

SIXTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 15, 2025

PRAYER

The prayer was offered by Senator Lonowski.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Petty Officer RG Smith, Division A, Navy.

ROLL CALL

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

The roll was called and all members were present except Senators Bostar, Guereca, Hallstrom, and Raybould who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-first day was approved.

ANNOUNCEMENT

Items appearing on pages 1103 to 1105 of the Journal were received and filed with the Clerk of the Legislature prior to adjournment on Monday, April 14, 2025.

AMENDMENT(S) - Print in Journal

Senator Conrad filed the following amendment to LB632:

FA110

Strike lines 17-18 and insert the following: "(5) Notice of the method of dispositions shall not be required to be given to a woman upon whom an abortion was performed."

Senator Spivey filed the following amendments to LB632:

[FA111](#)

Strike Section 1.

[FA112](#)

Add: The State of Nebraska will reimburse providers for the total cost of cremation and/or burial.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 109, 110, 111, 112, 113, 114, and 115 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 109, 110, 111, 112, 113, 114, and 115.

GENERAL FILE

LEGISLATIVE BILL 632. Senator Spivey renewed [MO178](#), found and considered on page 1102, to reconsider the vote taken on MO87.

Senator Spivey asked unanimous consent to withdraw her motion to reconsider.

No objections. So ordered.

Title read. Considered.

Committee [AM616](#), found on page 792, was offered.

Senator Spivey offered [MO89](#), found on page 800, to bracket until June 9, 2025.

Senator Hansen offered the following motion:

[MO179](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Hansen moved for a call of the house. The motion prevailed with 33 ayes, 0 nays, and 16 not voting.

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

Voting in the affirmative, 33:

Andersen	Clouse	Holdcroft	McKeon	Storer
Arch	DeKay	Hughes	Meyer	Storm
Armendariz	Dorn	Ibach	Moser	Strommen
Ballard	Dover	Jacobson	Murman	von Gillern
Bosn	Hallstrom	Kauth	Riepe	Wordekemper
Brandt	Hansen	Lippincott	Sanders	
Clements	Hardin	Lonowski	Sorrentino	

Voting in the negative, 13:

Cavanaugh, J.	DeBoer	Guereca	McKinney	Spivey
Cavanaugh, M.	Dungan	Hunt	Prokop	
Conrad	Fredrickson	Juarez	Rountree	

Present and not voting, 1:

Quick

Excused and not voting, 2:

Bostar Raybould

The Hansen motion to invoke cloture prevailed with 33 ayes, 13 nays, 1 present and not voting, and 2 excused and not voting.

The Spivey motion to bracket failed with 14 ayes, 33 nays, and 2 excused and not voting.

The committee amendment was adopted with 46 ayes, 0 nays, 1 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 11 nays, 2 present and not voting, and 2 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Sanders filed the following amendment to [LB243](#):
[AM1038](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 322. Senator DeBoer offered [MO106](#), found on page 840, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Clouse opened on his bill, LB322.

Senator DeBoer opened on her motion, MO106.

Pending.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 468. Placed on General File with amendment.
[AM874](#) is available in the Bill Room.

(Signed) R. Brad von Gillern, Chairperson

AMENDMENT(S) - Print in Journal

Senator Clements filed the following amendment to [LB468](#):

[FA113](#)

In AM874, Strike Section 1.

GENERAL FILE

LEGISLATIVE BILL 322. Senator DeBoer renewed [MO106](#), found on page 840 and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

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

Senator McKinney moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

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

Voting in the affirmative, 33:

Andersen	Clouse	Holdcroft	McKeon	Storer
Arch	DeKay	Hughes	Meyer	Storm
Armendariz	Dorn	Ibach	Moser	Strommen
Ballard	Dover	Jacobson	Murman	von Gillern
Bosn	Hallstrom	Kauth	Riepe	Wordekemper
Brandt	Hansen	Lippincott	Sanders	
Clements	Hardin	Lonowski	Sorrentino	

Voting in the negative, 8:

Cavanaugh, J.	Dungan	Juarez	Rountree
Conrad	Hunt	McKinney	Spivey

Present and not voting, 6:

Cavanaugh, M.	Fredrickson	Prokop
DeBoer	Guereca	Quick

Excused and not voting, 2:

Bostar Raybould

The Jacobsen motion to cease debate prevailed with 33 ayes, 8 nays, 6 present and not voting, and 2 excused and not voting.

The DeBoer motion to indefinitely postpone prior to the bill being read failed with 7 ayes, 34 nays, 6 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator DeBoer offered the following motion:

[MO180](#)

Reconsider the vote taken on MO106.

Pending.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 380A. Introduced by Fredrickson, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 380, One Hundred Ninth Legislature, First Session, 2025.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 118. Introduced by Strommen, 47; Armendariz, 18; Ballard, 21; Bosn, 25; Brandt, 32; Cavanaugh, M., 6; Clements, 2; DeKay, 40; Dorn, 30; Guereca, 7; Hallstrom, 1; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Lonowski, 33; Meyer, 17; Murman, 38; Prokop, 27; Spivey, 13; Storm, 23; Wordekemper, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and formulate a standardized method of classifying and valuing property relating to biofuel facilities.

The valuation and classification of property, both real property and improvements, as it pertains to biofuel facilities varies among counties and assessors in the state, creating inconsistencies in taxation and property assessments from county to county. These inconsistencies may create financial burdens on biofuel producers and inhibit further investment and development of the renewable energy industry.

A more uniform and equitable system for valuing and classifying property related to biofuel facilities would provide clarity for assessors, entities

funded by property taxes, property owners, and developers and could stimulate growth in the future of our biofuel sector.

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

1. That the Revenue 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.

LEGISLATIVE RESOLUTION 119. Introduced by Hardin, 48; Andersen, 49; Clements, 2; DeKay, 40; Hallstrom, 1; Jacobson, 42; Lippincott, 34; Lonowski, 33; McKeon, 41; Quick, 35; Rountree, 3; Storm, 23; Strommen, 47.

WHEREAS, Nebraska and Taiwan have participated in a sister-state relationship since 1983; and

WHEREAS, Nebraska and Taiwan share the same values of freedom, democracy, rule of law, and respect for human dignity; and

WHEREAS, Nebraska and Taiwan have enjoyed a mutually beneficial bilateral trade relationship with Taiwan ranking as Nebraska's twelfth largest import source and eighth largest export destination in 2023; and

WHEREAS, negotiations for a fair and reciprocal bilateral trade agreement between Taiwan and the United States are an important step toward further strengthening of bilateral trade and mutual investment between Nebraska and Taiwan; and

WHEREAS, Taiwan is a major global trading partner for the United States and is a major export market for American agricultural products.

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

1. That the Legislature supports Taiwan's vibrant democracy and celebrates the forty-second anniversary of Nebraska's sister-state relationship with Taiwan.

2. That the Legislature acknowledges the rich history of friendship and welcomes strengthening economic and trade relations between Nebraska and Taiwan.

Laid over.

VISITOR(S)

Visitors to the Chamber were Virgie Smith, Bellevue; students from Emmanuel Faith Lutheran, York; students from Wilber-Claytonia Elementary, Wilber; Nebraska HR Professionals from across the state; Jerry Lucas and Joe Lucas, Colorado; members of OutNebraska for LGBTQ

Legislative Day; students from St. Michael's Elementary, Lincoln; students from Holy Name School, Omaha; members of I Be Black Girl, Omaha.

RECESS

At 12:01 p.m., on a motion by Senator Bosn, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Arch presiding.

ROLL CALL

The roll was called and all members were present except Senator Spivey who was excused; and Senators Bostar, Clements, Conrad, Dorn, Dover, Hughes, Hunt, Lippincott, Raybould, and Strommen who were excused until they arrive.

COMMITTEE REPORT(S) Nebraska Retirement Systems

LEGISLATIVE BILL 645. Placed on General File with amendment.

AM876

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 79-958, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 79-958 ~~(1)(a)(4)~~ Beginning on September 1, 2012, and prior to July
6 1, 2025, for the purpose of providing the funds to pay for formula
7 annuities, every employee shall be required to deposit in the School
8 Retirement Fund nine and seventy-eight hundredths of one percent of
9 compensation. ~~Such deposits shall be transmitted at the same time and in~~
10 ~~the same manner as required employer contributions.~~
11 (b) Beginning on July 1, 2025, for the purpose of providing the
12 funds to pay for formula annuities, every employee shall be required to
13 deposit the following amounts in the School Retirement Fund:
14 (i) If the funded ratio on the actuarial value of assets in the
15 School Retirement Fund is less than ninety-six percent for the most
16 recent previous year as reported in the annual actuarial valuation report
17 for the retirement system produced for the retirement board pursuant to
18 section 84-1503, nine and three-quarters of one percent of compensation;
19 (ii) If the funded ratio on the actuarial value of assets in the
20 School Retirement Fund is ninety-six percent or greater and less than
21 ninety-eight percent for the most recent previous year as reported in the
22 annual actuarial valuation report for the retirement system produced for
23 the retirement board pursuant to section 84-1503, eight and three-
24 quarters of one percent of compensation;
25 (iii) If the funded ratio on the actuarial value of assets in the
26 School Retirement Fund is ninety-eight percent or greater and less than
27 one hundred percent for the most recent previous year as reported in the
1 annual actuarial valuation report for the retirement system produced for
2 the retirement board pursuant to section 84-1503, eight percent of
3 compensation; and
4 (iv) If the funded ratio on the actuarial value of assets in the

5 School Retirement Fund is one hundred percent or greater for the most
6 recent previous year as reported in the annual actuarial valuation report
7 for the retirement system produced for the retirement board pursuant to
8 section 84-1503, seven and one-quarter of one percent of compensation.
9 (c) Deposits under this subsection shall be transmitted at the same
10 time and in the same manner as required employer contributions.

11 (2) For the purpose of providing the funds to pay for formula
12 annuities, every employer shall be required to deposit in the School
13 Retirement Fund one hundred one percent of the required contributions of
14 the school employees of each employer. Such deposits shall be transmitted
15 to the retirement board at the same time and in the same manner as such
16 required employee contributions.

17 (3) The employer shall pick up the member contributions required by
18 this section for all compensation paid on or after January 1, 1986, and
19 the contributions so picked up shall be treated as employer contributions
20 pursuant to section 414(h)(2) of the Internal Revenue Code in determining
21 federal tax treatment under the code and shall not be included as gross
22 income of the member until such time as they are distributed or made
23 available. The contributions, although designated as member
24 contributions, shall be paid by the employer in lieu of member
25 contributions. The employer shall pay these member contributions from the
26 same source of funds which is used in paying earnings to the member. The
27 employer shall pick up these contributions by a compensation deduction
28 through a reduction in the cash compensation of the member. Member
29 contributions picked up shall be treated for all purposes of the School
30 Employees Retirement Act in the same manner and to the same extent as
31 member contributions made prior to the date picked up.

1 (4) The employer shall pick up the member contributions made through
2 irrevocable payroll deduction authorizations pursuant to sections 79-921
3 and 79-933.03 to 79-933.06, and the contributions so picked up shall be
4 treated as employer contributions in the same manner as contributions
5 picked up under subsection (3) of this section.

6 Sec. 2. Section 79-966, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 79-966 (1)(a) On the basis of all data in the possession of the
9 retirement board, including such mortality and other tables as are
10 recommended by the actuary engaged by the retirement board and adopted by
11 the retirement board, the retirement board shall annually, on or before
12 July 1, determine the state deposit to be made by the state in the School
13 Retirement Fund for that fiscal year. The amount of such state deposit
14 shall be determined pursuant to section 79-966.01. The retirement board
15 shall thereupon certify the amount of such state deposit, and on the
16 warrant of the Director of Administrative Services, the State Treasurer
17 shall, as of July 1 of such year, transfer from funds appropriated by the
18 state for that purpose to the School Retirement Fund the amount of such
19 state deposit.

20 (b) Beginning July 1, 2016, the contingent state transfer described
21 in this subsection shall be calculated as a percent of compensation of
22 all members of the retirement system. For any year in which a deposit is
23 made to the School Retirement Fund under this subsection, if the actuary
24 for a retirement system provided for under the Class V School Employees
25 Retirement Act determines that the actuarially required contribution
26 rate, for the fiscal year of the retirement system that begins before the
27 state deposit, exceeds the rate of all contributions required pursuant to
28 the Class V School Employees Retirement Act, using the amortization
29 period specified in section 79-966.01, the Class V district school board
30 may request a public hearing of the Appropriations Committee of the
31 Legislature to ask the state to transfer to the Class V school district
1 for transfer to the funds of the retirement system provided for under the
2 Class V School Employees Retirement Act an amount determined by

3 multiplying the compensation of all members of such retirement system by
4 the lesser of the percent of compensation transferred into the School
5 Retirement Fund under this subsection or the percent of compensation of
6 the members of the retirement system provided for under the Class V
7 School Employees Retirement Act needed to meet the actuarially required
8 contribution rate for such system, using the amortization period
9 specified in section 79-966.01. Any additional amount of transfer so
10 calculated, recommended by the Appropriations Committee of the
11 Legislature, and approved by the Legislature, shall be added to the two
12 percent specified in subsection (2) of this section for the amount
13 required by subsection (2) of section 79-916 to be transferred to the
14 Class V school district, which shall transfer such amount to the funds of
15 the retirement system provided for under the Class V School Employees
16 Retirement Act.

17 (2)(a)(2) For each fiscal year beginning July 1, 2014, and prior to
18 July 1, 2025, in addition to the state transfers required by subsections
19 (1) and (3) of this section, the state shall transfer into the School
20 Retirement Fund an amount equal to two percent of the compensation of all
21 members of the retirement system.

22 (b) For each fiscal year beginning July 1, 2025, in addition to the
23 state transfers required by subsections (1) and (3) of this section, the
24 state shall transfer into the School Retirement Fund the following
25 amount:

26 (i) If the funded ratio on the actuarial value of assets in the
27 School Retirement Fund is less than ninety-six percent for the most
28 recent previous year as reported in the annual actuarial valuation report
29 for the retirement system produced for the retirement board pursuant to
30 section 84-1503, an amount equal to two percent of the compensation of
31 all members of the retirement system;

1 (ii) If the funded ratio on the actuarial value of assets in the
2 School Retirement Fund is ninety-six percent or greater and less than one
3 hundred percent for the most recent previous year as reported in the
4 annual actuarial valuation report for the retirement system produced for
5 the retirement board pursuant to section 84-1503, an amount equal to
6 seven-tenths of one percent of the compensation of all members of the
7 retirement system; and

8 (iii) If the funded ratio on the actuarial value of assets in the
9 School Retirement Fund is one hundred percent or greater for the most
10 recent previous year as reported in the annual actuarial valuation report
11 for the retirement system produced for the retirement board pursuant to
12 section 84-1503, no transfer shall be made under this subsection.

13 (3) In addition to the state deposits and transfers required by
14 subsections (1) and (2) of this section, beginning on July 1, 2005, and
15 each fiscal year thereafter for employees who become members prior to
16 July 1, 2016, the state shall transfer into the Service Annuity Fund such
17 amounts as may be necessary to pay the normal cost and amortize the
18 unfunded actuarial accrued liability of the service annuity benefit
19 established pursuant to sections 79-933 and 79-952 as accrued through the
20 end of the previous fiscal year of the school employees who are members
21 of the retirement system established pursuant to the Class V School
22 Employees Retirement Act.

23 Sec. 3. Original sections 79-958 and 79-966, Reissue Revised

24 Statutes of Nebraska, are repealed.

25 Sec. 4. Since an emergency exists, this act takes effect when

26 passed and approved according to law.

(Signed) Beau Ballard, Chairperson

GENERAL FILE

LEGISLATIVE BILL 322. Senator DeBoer renewed [MO180](#), found and considered in this day's Journal, to reconsider the vote taken on MO106.

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

Senator Jacobson moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

The Hallstrom motion to cease debate prevailed with 25 ayes, 4 nays, 12 present and not voting, and 8 excused and not voting.

The DeBoer motion to reconsider failed with 8 ayes, 33 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Title read. Considered.

Committee [AM767](#), found on page 940, was offered.

Senator DeBoer offered [MO107](#), found on page 840, to bracket until June 9, 2025.

SENATOR DORN PRESIDING

SPEAKER ARCH PRESIDING

SENATOR DORN PRESIDING

SPEAKER ARCH PRESIDING

Pending.

COMMITTEE REPORT(S)

Executive Board

LEGISLATIVE RESOLUTION 19CA. Placed on General File with amendment.

[AM884](#)

1 1. On page 1, line 3, strike "the general election in November" and
2 insert "a special election on May 12,".

LEGISLATIVE RESOLUTION 40. Reported to the Legislature for further consideration.

(Signed) Ben Hansen, Chairperson

Enrollment and Review

LEGISLATIVE BILL 78. Placed on Final Reading with the attached statement.

[ST19](#)

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

1. On page 2, line 17, "and" has been struck; and in line 20 "and" has been inserted after the semicolon.

LEGISLATIVE BILL 295. Placed on Final Reading with the attached statement.

[ST17](#)

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

1. In the Standing Committee amendments, AM404, on page 9, line 14, "6" has been struck and "5" inserted; and in line 15 "and 27" has been struck and "26, and 28 of this act" inserted.

2. On page 1, line 5, "4-108," has been inserted after "sections"; and in line 6 "to change provisions relating to certain documents that are required to be maintained by employing state agencies and political subdivisions;" has been inserted after the semicolon.

3. On page 101, line 21, "4-108," has been inserted after "sections".

(Signed) Dunixi Guereca, Chairperson

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 169A. Introduced by Brandt, 32.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 169, One Hundred Ninth Legislature, First Session, 2025; and to declare an emergency.

NOTICE OF COMMITTEE HEARING(S)

Government, Military and Veterans Affairs
Room 1507 12:00 PM

Thursday, April 24, 2025

Debra L Kelly - Nebraska Tourism Commission
AM1038 Amending LB243

(Signed) Rita Sanders, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 120. Introduced by Lippincott, 34; Andersen, 49; Armendariz, 18; Ballard, 21; Bosn, 25; Brandt, 32; Cavanaugh, J., 9; Clements, 2; Clouse, 37; Conrad, 46; DeKay, 40; Dorn, 30; Fredrickson, 20; Hallstrom, 1; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Lonowski, 33; McKeon, 41; McKinney, 11; Meyer, 17; Moser, 22; Murman, 38; Prokop, 27; Quick, 35;

Sorrentino, 39; Spivey, 13; Storer, 43; Storm, 23; Strommen, 47; Wordekemper, 15.

WHEREAS, the State FFA Convention was held on April 2 through April 4, 2025, in Lincoln, Nebraska; and

WHEREAS, each student participant can be recognized for developing technical knowledge or skill curated through the Supervised Agricultural Experience Program sometimes earning them a Proficiency Award; and

WHEREAS, the student is first judged at the district level, then at the state level, and finally, the top three in the state in each proficiency are forwarded to be interviewed and judged during the state convention; and

WHEREAS, Madison Chrisman, a senior at Central City High School, was awarded first place in Agriscience Research-Animal Systems; and

WHEREAS, young farmers and developers like Madison represent the best of Nebraska's future economy; and

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

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

1. That the Legislature recognizes Madison Chrisman for earning first place in Agriscience Research-Animal Systems at the State FFA Convention.

2. That a copy of this resolution be sent to Madison Chrisman.

Laid over.

LEGISLATIVE RESOLUTION 121. Introduced by Lippincott, 34; Andersen, 49; Armendariz, 18; Ballard, 21; Bosn, 25; Brandt, 32; Cavanaugh, J., 9; Clements, 2; Clouse, 37; Conrad, 46; DeKay, 40; Dorn, 30; Fredrickson, 20; Hallstrom, 1; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Lonowski, 33; McKeon, 41; McKinney, 11; Meyer, 17; Moser, 22; Murman, 38; Prokop, 27; Quick, 35; Sorrentino, 39; Spivey, 13; Storer, 43; Storm, 23; Strommen, 47; Wordekemper, 15.

WHEREAS, the State FFA Convention was held on April 2 through April 4, 2025, in Lincoln, Nebraska; and

WHEREAS, each student participant can be recognized for developing technical knowledge or skill curated through the Supervised Agricultural Experience Program sometimes earning them a Proficiency Award; and

WHEREAS, the student is first judged at the district level, then at the state level, and finally, the top three in the state in each proficiency are forwarded to be interviewed and judged during the state convention; and

WHEREAS, Courtney Carlstrom, a senior at High Plains High School, was awarded first place in Agricultural Sales-Placement; and

WHEREAS, young farmers and developers like Courtney represent the best of Nebraska's future economy; and

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

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

1. That the Legislature recognizes Courtney Carlstrom for earning first place in Agricultural Sales-Placement at the State FFA Convention.
2. That a copy of this resolution be sent to Courtney Carlstrom.

Laid over.

LEGISLATIVE RESOLUTION 122. Introduced by Lippincott, 34; Andersen, 49; Armendariz, 18; Ballard, 21; Bosn, 25; Brandt, 32; Cavanaugh, J., 9; Clements, 2; Clouse, 37; Conrad, 46; DeKay, 40; Dorn, 30; Fredrickson, 20; Hallstrom, 1; Hardin, 48; Holdcroft, 36; Ibach, 44; Jacobson, 42; Kauth, 31; Lonowski, 33; McKeon, 41; McKinney, 11; Meyer, 17; Moser, 22; Murman, 38; Prokop, 27; Quick, 35; Sorrentino, 39; Spivey, 13; Storer, 43; Storm, 23; Strommen, 47; Wordekemper, 15.

WHEREAS, the State FFA Convention was held on April 2 through April 4, 2025, in Lincoln, Nebraska; and

WHEREAS, each student participant can be recognized for developing technical knowledge or skill curated through the Supervised Agricultural Experience Program sometimes earning them a Proficiency Award; and

WHEREAS, the student is first judged at the district level, then at the state level, and finally, the top three in the state in each proficiency are forwarded to be interviewed and judged during the state convention; and

WHEREAS, Joseph Thede, a sophomore at Palmer High School, was awarded first place in Automobile Technology; and

WHEREAS, young farmers and developers like Joseph represent the best of Nebraska's future economy; and

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

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

1. That the Legislature recognizes Joseph Thede for earning first place in Automobile Technology at the State FFA Convention.
2. That a copy of this resolution be sent to Joseph Thede.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Jacobson filed the following amendment to [LB474](#):

[AM1041](#)

(Amendments to AM669)

1 1. Strike sections 110 and 111 and insert the following new

2 sections:

3 Sec. 110. Section 4, Legislative Bill 527, One Hundred Ninth
 4 Legislature, First Session, 2025, is amended to read:
 5 Sec. 4. (1) No later than January 1, 2026, the Director of Insurance
 6 shall establish a schedule for the collection of a tax of not to exceed
 7 six percent of the gross amount of non-medicare direct writing premiums
 8 written under a health maintenance organization certificate of authority
 9 pursuant to section 44-32,115, to the extent not preempted by federal
 10 law, during the current year for business done in the state. The director
 11 shall remit the tax paid under this section to the State Treasurer. The
 12 State Treasurer shall annually credit the entirety of the tax remitted to
 13 the Medicaid Access and Quality Fund.
 14 (2) No later than August 1, 2025, the Department of Health and Human
 15 Services shall amend the medicaid state plan or file other federal
 16 authorizing documents necessary to receive federal financial
 17 participation for the Medicaid Access and Quality Act.
 18 (3) The tax established by this section shall be effective January
 19 1, 2026, and applies to premiums received during the current calendar
 20 year and each year thereafter.
 21 Sec. 111. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 22 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,
 23 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51,
 24 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70,
 25 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88,
 26 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105,
 1 106, 107, 108, 109, 113, and 114 of this act become operative on October
 2 1, 2025. The other sections of this act become operative on their
 3 effective date.
 4 Sec. 112. Original sections 44-502 and 44-4109.01, Reissue Revised
 5 Statutes of Nebraska, and section 4, Legislative Bill 527, One Hundred
 6 Ninth Legislature, First Session, 2025, are repealed.
 7 2. Renumber the remaining sections accordingly.

Senator McKinney filed the following amendment to LB288:
[AM1074](#)

(Amendments to Standing Committee amendments, AM733)

1 1. Strike section 13.
 2 2. On page 24, lines 21 through 25, strike the new matter; and in
 3 line 25 reinstate the stricken matter.
 4 3. Renumber the remaining section accordingly.

Senator Clouse filed the following amendment to LB258:
[AM1077](#)

(Amendments to AM880)

1 1. On page 1, strike line 2 and insert the following new amendment:
 2 1. On page 2, strike beginning with "the" in line 17 through "cents"
 3 in line 25, show the old matter as stricken, and insert "one and three-
 4 quarter percent".

Senator Bostar filed the following amendment to LB468:
[AM1069](#)

(Amendments to Standing Committee amendments, AM874)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 77-2004, Revised Statutes Cumulative Supplement,
 4 2024, is amended to read:
 5 77-2004 (1) In the case of a father, mother, grandfather,
 6 grandmother, brother, sister, son, daughter, child or children legally

7 adopted as such in conformity with the laws of the state where adopted,
8 any lineal descendant, any lineal descendant legally adopted as such in
9 conformity with the laws of the state where adopted, any person to whom
10 the deceased for not less than ten years prior to death stood in the
11 acknowledged relation of a parent, or the spouse or surviving spouse of
12 any such persons, the rate of tax shall be:

13 (a) For decedents dying prior to January 1, 2023, one percent of the
14 clear market value of the property received by each person in excess of
15 forty thousand dollars; ~~and~~

16 (b) For decedents dying on or after January 1, 2023, and prior to
17 January 1, 2027, one percent of the clear market value of the property
18 received by each person in excess of one hundred thousand dollars; ~~and~~

19 (c) For decedents dying on or after January 1, 2027, and prior to
20 January 1, 2028, nine-tenths of one percent of the clear market value of
21 the property received by each person in excess of one hundred thousand
22 dollars;

23 (d) For decedents dying on or after January 1, 2028, and prior to
24 January 1, 2029, eight-tenths of one percent of the clear market value of
25 the property received by each person in excess of one hundred thousand
26 dollars;

1 (e) For decedents dying on or after January 1, 2029, and prior to
2 January 1, 2030, seven-tenths of one percent of the clear market value of
3 the property received by each person in excess of one hundred thousand
4 dollars;

5 (f) For decedents dying on or after January 1, 2030, and prior to
6 January 1, 2031, six-tenths of one percent of the clear market value of
7 the property received by each person in excess of one hundred thousand
8 dollars;

9 (g) For decedents dying on or after January 1, 2031, and prior to
10 January 1, 2032, five-tenths of one percent of the clear market value of
11 the property received by each person in excess of one hundred thousand
12 dollars;

13 (h) For decedents dying on or after January 1, 2032, and prior to
14 January 1, 2033, four-tenths of one percent of the clear market value of
15 the property received by each person in excess of one hundred thousand
16 dollars;

17 (i) For decedents dying on or after January 1, 2033, and prior to
18 January 1, 2034, three-tenths of one percent of the clear market value of
19 the property received by each person in excess of one hundred thousand
20 dollars;

21 (j) For decedents dying on or after January 1, 2034, and prior to
22 January 1, 2035, two-tenths of one percent of the clear market value of
23 the property received by each person in excess of one hundred thousand
24 dollars;

25 (k) For decedents dying on or after January 1, 2035, and prior to
26 January 1, 2036, one-tenth of one percent of the clear market value of
27 the property received by each person in excess of one hundred thousand
28 dollars; and

29 (l) For decedents dying on or after January 1, 2036, zero percent.

30 (2) Any interest in property, including any interest acquired in the
31 manner set forth in section 77-2002, which may be valued at a sum less
1 than or equal to the applicable exempt amount under subsection (1) of
2 this section shall not be subject to tax. In addition the homestead
3 allowance, exempt property, and family maintenance allowance shall not be
4 subject to tax. Interests passing to the surviving spouse by will, in the
5 manner set forth in section 77-2002, or in any other manner shall not be
6 subject to tax. Any interest passing to a person described in subsection
7 (1) of this section who is under twenty-two years of age shall not be
8 subject to tax.

9 Sec. 2. Section 77-2005, Revised Statutes Cumulative Supplement,

10 2024, is amended to read:

11 77-2005 (1) In the case of an uncle, aunt, niece, or nephew related
12 to the deceased by blood or legal adoption, or other lineal descendant of
13 the same, or the spouse or surviving spouse of any of such persons, the
14 rate of tax shall be:

15 (a) For decedents dying prior to January 1, 2023, thirteen percent
16 of the clear market value of the property received by each person in
17 excess of fifteen thousand dollars; ~~and~~

18 (b) For decedents dying on or after January 1, 2023, and prior to
19 January 1, 2027, eleven percent of the clear market value of the property
20 received by each person in excess of forty thousand dollars; ~~-~~

21 (c) For decedents dying on or after January 1, 2027, and prior to
22 January 1, 2028, nine and nine-tenths percent of the clear market value
23 of the property received by each person in excess of forty thousand
24 dollars;

25 (d) For decedents dying on or after January 1, 2028, and prior to
26 January 1, 2029, eight and eight-tenths percent of the clear market value
27 of the property received by each person in excess of forty thousand
28 dollars;

29 (e) For decedents dying on or after January 1, 2029, and prior to
30 January 1, 2030, seven and seven-tenths percent of the clear market value
31 of the property received by each person in excess of forty thousand
1 dollars;

2 (f) For decedents dying on or after January 1, 2030, and prior to
3 January 1, 2031, six and six-tenths percent of the clear market value of
4 the property received by each person in excess of forty thousand dollars;

5 (g) For decedents dying on or after January 1, 2031, and prior to
6 January 1, 2032, five and five-tenths percent of the clear market value
7 of the property received by each person in excess of forty thousand
8 dollars;

9 (h) For decedents dying on or after January 1, 2032, and prior to
10 January 1, 2033, four and four-tenths percent of the clear market value
11 of the property received by each person in excess of forty thousand
12 dollars;

13 (i) For decedents dying on or after January 1, 2033, and prior to
14 January 1, 2034, three and three-tenths percent of the clear market value
15 of the property received by each person in excess of forty thousand
16 dollars;

17 (j) For decedents dying on or after January 1, 2034, and prior to
18 January 1, 2035, two and two-tenths percent of the clear market value of
19 the property received by each person in excess of forty thousand dollars;

20 (k) For decedents dying on or after January 1, 2035, and prior to
21 January 1, 2036, one and one-tenth percent of the clear market value of
22 the property received by each person in excess of forty thousand dollars;
23 and

24 (l) For decedents dying on or after January 1, 2036, zero percent.

25 (2) If the clear market value of the beneficial interest is less
26 than or equal to the applicable exempt amount under subsection (1) of
27 this section, it shall not be subject to tax. In addition, any interest
28 passing to a person described in subsection (1) of this section who is
29 under twenty-two years of age shall not be subject to tax.

30 Sec. 3. Section 77-2006, Revised Statutes Cumulative Supplement,
31 2024, is amended to read:

1 77-2006 (1) In all other cases the rate of tax shall be:

2 (a) For decedents dying prior to January 1, 2023, eighteen percent
3 of the clear market value of the beneficial interests received by each
4 person in excess of ten thousand dollars; ~~and~~

5 (b) For decedents dying on or after January 1, 2023, and prior to
6 January 1, 2027, fifteen percent of the clear market value of the
7 beneficial interests received by each person in excess of twenty-five

8 thousand dollars:-

9 (c) For decedents dying on or after January 1, 2027, and prior to
10 January 1, 2028, thirteen and one-half percent of the clear market value
11 of the beneficial interests received by each person in excess of twenty-
12 five thousand dollars;

13 (d) For decedents dying on or after January 1, 2028, and prior to
14 January 1, 2029, twelve percent of the clear market value of the
15 beneficial interests received by each person in excess of twenty-five
16 thousand dollars;

17 (e) For decedents dying on or after January 1, 2029, and prior to
18 January 1, 2030, ten and one-half percent of the clear market value of
19 the beneficial interests received by each person in excess of twenty-five
20 thousand dollars;

21 (f) For decedents dying on or after January 1, 2030, and prior to
22 January 1, 2031, nine percent of the clear market value of the beneficial
23 interests received by each person in excess of twenty-five thousand
24 dollars;

25 (g) For decedents dying on or after January 1, 2031, and prior to
26 January 1, 2032, seven and one-half percent of the clear market value of
27 the beneficial interests received by each person in excess of twenty-five
28 thousand dollars;

29 (h) For decedents dying on or after January 1, 2032, and prior to
30 January 1, 2033, six percent of the clear market value of the beneficial
31 interests received by each person in excess of twenty-five thousand
1 dollars;

2 (i) For decedents dying on or after January 1, 2033, and prior to
3 January 1, 2034, four and one-half percent of the clear market value of
4 the beneficial interests received by each person in excess of twenty-five
5 thousand dollars;

6 (j) For decedents dying on or after January 1, 2034, and prior to
7 January 1, 2035, three percent of the clear market value of the
8 beneficial interests received by each person in excess of twenty-five
9 thousand dollars;

10 (k) For decedents dying on or after January 1, 2035, and prior to
11 January 1, 2036, one and one-half percent of the clear market value of
12 the beneficial interests received by each person in excess of twenty-five
13 thousand dollars; and

14 (l) For decedents dying on or after January 1, 2036, zero percent.

15 (2) If the clear market value of the beneficial interest is less
16 than or equal to the applicable exempt amount under subsection (1) of
17 this section, it shall not be subject to any tax. In addition, any
18 interest passing to a person who is under twenty-two years of age shall
19 not be subject to tax.

20 Sec. 4. Original sections 77-2004, 77-2005, and 77-2006, Revised

21 Statutes Cumulative Supplement, 2024, are repealed.

GENERAL FILE

LEGISLATIVE BILL 322. Committee [AM767](#), found on page 940 and considered in this day's Journal, was renewed.

Senator DeBoer renewed [MO107](#), found on page 840 and considered in this day's Journal, to bracket until June 9, 2025.

Pending.

COMMITTEE REPORT(S)
Government, Military and Veterans Affairs

LEGISLATIVE BILL 69. Placed on General File with amendment.

AM895

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 81-2601, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 81-2601 (1) There is hereby established the Commission on African
6 American Affairs. For purposes of sections 81-2601 to 81-2607, commission
7 means the Commission on African American Affairs.

8 (2) The commission shall consist of fourteen members who shall be of
9 African ancestry. Members of the commission shall be appointed by the

10 Governor. One member of the commission shall, at the time of initial
11 appointment, be an individual who identifies as an immigrant or new
12 American, and one member shall, at the time of initial appointment, be a

13 young professional eighteen years of age or older and younger than
14 twenty-five years of age. The commission may have such nonvoting, ex
15 officio members as shall be appointed by the commission and who need not
16 be of African ancestry. The commission shall elect one of its members as
17 chairperson.

18 (3) Members of the commission shall serve no more than two full
19 four-year terms or for the unexpired term in the event of a vacancy. As
20 the terms of the voting members expire, their successors shall be

21 appointed by the Governor from a panel of nominees submitted by the
22 public. An appointment for an unexpired term shall follow the same
23 procedure as for initial and subsequent appointments. Voting members
24 shall be eligible for reappointment.

25 (4) The names of all commissioners shall be listed on the
26 commission's website.

27 Sec. 2. Section 81-2602, Reissue Revised Statutes of Nebraska, is
1 amended to read:

2 81-2602 The purpose of the commission is to join representatives of
3 African Americans and Black Americans across the diaspora in Nebraska to
4 do all things which the commission may determine to enhance the well-
5 being of African Americans cause of African American rights and to develop
6 proactive solutions to problems common to all Nebraska African Americans.

7 Sec. 3. Section 81-2603, Reissue Revised Statutes of Nebraska, is
8 amended to read:

9 81-2603 The commission may receive and administer funds from state,
10 federal, and other sources and may employ and fix the compensation of
11 personnel an executive director of its own choosing who shall be an
12 African American person and a legal resident of the State of Nebraska. An
13 office for the executive management director shall be provided.

14 Sec. 4. Section 81-2604, Reissue Revised Statutes of Nebraska, is
15 amended to read:

16 81-2604 The functions of the commission are to:

17 (1) Promote state and federal legislation beneficial to the African
18 American community in Nebraska;

19 (2) Coordinate new and existing programs relating to the African
20 American community in Nebraska regarding key opportunities including, but
21 not limited to, housing, education, ~~welfare, medical and dental care,~~
22 employment, economic development, law and order, and related
23 themes/problems;

24 (3) Work with other state and federal government agencies and
25 federal and state elected officials in the development of programs in
26 areas mentioned in subdivision (2) of this section;

27 (4) Keep the Governor's office apprised of the situation in the

28 African American community in Nebraska;
 29 (5) Administer sections 81-2601 to 81-2607;
 30 (6) Provide the public with information and education relevant to
 31 African American affairs in Nebraska; and
 1 (7) Develop ~~initiatives~~~~programs~~ to encourage the total involvement
 2 of African American people in activities for the common benefit of the
 3 African American community.
 4 Sec. 5. Section 81-2606, Reissue Revised Statutes of Nebraska, is
 5 amended to read:
 6 81-2606 (1) The commission shall meet at least quarterly. At least
 7 one of such meetings~~once~~ every calendar year shall be in the city in
 8 Nebraska with the largest African American population. In addition to the
 9 requirements of the Open Meetings Act, public notice of a meeting shall
 10 be required no later than seven calendar days prior to the date of such
 11 meeting and shall be published on the commission's website and social
 12 media and shared with local media outlets~~quarter~~. Meetings shall be held
 13 in January, April, July, and October. Special meetings may be called at
 14 the request of eight voting members. Eight voting members of the
 15 commission shall constitute a quorum for the transaction of business.
 16 Commission meeting minutes shall be posted on the commission's website.
 17 (2) The office of any member of the commission who, without a valid
 18 excuse, fails to attend ~~annual~~~~quarterly~~ or special meetings shall be
 19 vacant.
 20 (3) The commission shall electronically submit an annual report to
 21 the Governor and the Clerk of the Legislature containing a summary of the
 22 following:
 23 (a) An overview of the commission's mission, key achievements,
 24 challenges, and primary goals for the coming year;
 25 (b) Legislative advocacy and policy impact including the
 26 commission's role in supporting or proposing legislation, policies for
 27 which the commission advocated, supported, or implemented that impacted
 28 the African American community, and the progress made on the policies
 29 described in sections 81-2601 to 81-2607;
 30 (c) Community engagement programs including initiatives, outreach,
 31 public forums, and partnerships with community organizations;
 1 (d) Economic development initiatives including efforts to improve
 2 economic opportunities within the African American community, employment
 3 programs, small business support, training, and progress in reducing
 4 economic disparities;
 5 (e) Education and workforce development including educational
 6 initiatives, such as scholarships, mentoring programs, partnerships with
 7 schools, and efforts to ensure African American youth and adults have
 8 access to career advancement opportunities;
 9 (f) Health and wellness initiatives including programs that address
 10 health disparities, wellness promotion, and increasing access to health
 11 care resources;
 12 (g) Criminal justice and public safety efforts including those that
 13 address disparities in the criminal justice system, programs for formerly
 14 incarcerated individuals, and improvements in police-community relations;
 15 (h) Housing and community development including initiatives to
 16 address issues such as affordable housing, eviction prevention efforts,
 17 and partnerships with housing agencies;
 18 (i) Metrics and key performance indicators including data that
 19 demonstrates the impact of each program or initiative, such as employment
 20 rates, graduation rates, health outcomes, and recidivism rates in the
 21 African American community;
 22 (j) Financial information including the commission's budget, funding
 23 sources, expenditures, grants received, and public funds allocated;
 24 (k) Public feedback and a community needs assessment including
 25 feedback from the community on the effectiveness of the commission's work

26 and priority areas for improvement; and

27 (l) Future goals and strategic plans including goals for the

28 upcoming year and long-term objectives with a focus on addressing

29 challenges and advancing the commission's mission.

30 Sec. 6. Section 81-2607, Reissue Revised Statutes of Nebraska, is

31 amended to read:

1 81-2607 (1) For purposes of administration of the commission during

2 the interim between regular quarterly meetings, there is hereby

3 established an executive board of the Commission on African American

4 Affairs consisting of the chairperson of the commission and four members

5 of the commission.

6 (2) The executive board may enter into contracts for consultation

7 services, supplies, and equipment, if the amount contracted for does not

8 exceed two thousand dollars in any one contract, and may supervise all

9 ~~initiatives~~ ~~programs~~ relating to the affairs of African American people

10 instituted and authorized by the commission.

11 Sec. 7. Original sections 81-2601, 81-2602, 81-2603, 81-2604,

12 81-2606, and 81-2607, Reissue Revised Statutes of Nebraska, are repealed.

LEGISLATIVE BILL 419. Placed on General File with amendment.

[AM606](#)

1 1. On page 3, strike beginning with "If" in line 26 through the

2 period; in line 31, show the old matter as stricken, and insert "An

3 applicant may only submit one claim within any thirty-day period, except

4 that there may be an additional application for funeral expenses."

LEGISLATIVE BILL 434. Placed on General File with amendment.

[AM750](#)

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 28-1239.01, Reissue Revised Statutes of Nebraska,

4 is amended to read:

5 28-1239.01 (1) No person shall conduct a public exhibition or

6 display of display fireworks without first procuring a display permit

7 from the State Fire Marshal. Such application for a display permit shall

8 be accompanied by a fee of one hundred ~~ten~~ dollars to be remitted to the

9 State Treasurer for credit to ~~deposited in~~ the State Fire Marshal Cash

10 Fund.

11 (2) No display fireworks shall be sold or delivered by a licensed

12 distributor to any person who is not in possession of an approved display

13 permit. Sales of display fireworks to persons without an approved display

14 permit shall be subject to sections 28-1213 to 28-1239.

15 Sec. 2. Section 28-1246, Reissue Revised Statutes of Nebraska, is

16 amended to read:

17 28-1246 (1) It shall be unlawful for any person to sell, hold for

18 sale, or offer for sale as a distributor, jobber, or retailer any

19 fireworks in this state unless such person has first obtained a license

20 as a distributor, jobber, or retailer. Application for each such license

21 shall be made to the State Fire Marshal on forms prescribed by him or

22 her. Each application shall be accompanied by the required fee, which

23 shall be one thousand five hundred ~~one thousand~~ dollars for a distributor's license,

24 four ~~two~~ hundred dollars for a jobber's license, and one hundred ~~twenty~~

25 ~~five~~ dollars for a retailer's license. Each application for a retailer's

26 license shall be received by the State Fire Marshal at least ten business

27 days prior to the sales period, as set forth in section 28-1249, in which

1 the retailer wishes to sell consumer fireworks. A retailer's license

2 shall be good only for the specific sales period listed on the

3 application and within the calendar year in which issued. The retailer's

4 license shall at all times be displayed at the place of business of the

5 holder thereof.

6 (2) The funds received pursuant to this section shall be remitted to
7 the State Treasurer for credit to the State Fire Marshal Cash Fund.

8 Sec. 3. Section 28-1251, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 28-1251 (1) It shall be unlawful for any person, association,
11 partnership, limited liability company, or corporation to conduct fire
12 alarm tests and fire alarm inspections without prior written
13 certification by the State Fire Marshal as to the qualifications of such
14 persons conducting such tests and inspections.

15 (2) The State Fire Marshal shall formulate reasonable guidelines to
16 determine qualifications for fire alarm inspectors and shall administer
17 an examination pursuant to such guidelines prior to certification of
18 applicants.

19 (3) The State Fire Marshal may charge a fee of ~~no more than twoone~~
20 hundred dollars to cover costs of administering such examinations and
21 issuing certifications.

22 (4) Unlawful testing or inspection of fire alarms is a Class III
23 misdemeanor.

24 Sec. 4. Section 81-503.01, Reissue Revised Statutes of Nebraska, is
25 amended to read:

26 81-503.01 (1) The State Fire Marshal shall adopt and promulgate
27 rules and regulations constituting a State Fire Code. At a minimum, the
28 State Fire Code shall cover:

29 (a) The prevention of fires;

30 (b) The storage, sale, and use of flammable liquids, combustibles,
31 and fireworks;

1 (c) Electrical wiring and heating, protection equipment devices,
2 materials, furnishings, and other safeguards within structures necessary
3 to promote safety and reduce loss by fire;

4 (d) The means and adequacy of exits, in case of fire, in assembly,
5 educational, institutional, residential, mercantile, office, storage, and
6 industrial-type occupancies as such structures are defined in the State
7 Fire Code;

8 (e) All other buildings, structures, and enclosures in which numbers
9 of persons congregate from time to time for any purpose, whether
10 privately or publicly owned;

11 (f) Design, construction, location, installation, and operation of
12 equipment for storing, handling, and utilization of liquefied petroleum
13 gases, specifying the odorization of such gases and the degree thereof;

14 (g) Chemicals, prozylin plastics, X-ray nitrocellulose films, or any
15 other hazardous material that may now or hereafter exist;

16 (h) Tanks used for the storage of regulated substances pursuant to
17 the Petroleum Products and Hazardous Substances Storage and Handling Act;
18 and

19 (i) Accessibility standards and specifications adopted pursuant to
20 section 81-5,147.

21 (2) Not later than July 1, 2019, the rules and regulations adopted
22 and promulgated as part of the State Fire Code shall conform generally to
23 the standards recommended by the National Fire Protection Association,
24 Pamphlet Number 1, known as the Fire Code, 2012 edition, the National
25 Fire Protection Association, Pamphlet Number 101, known as the Life
26 Safety Code, 2012 edition, and associated pamphlets, but not when doing
27 so would impose an unduly severe or costly burden without substantially
28 contributing to the safety of persons or property.

29 (3) The State Fire Marshal shall enforce the State Fire Code through
30 inspections, code compliance, and orders. Plans for compliance with the
31 State Fire Code shall be reviewed by the State Fire Marshal. Plans
1 submitted after remodeling or construction has begun shall be accompanied
2 by a ~~late submittal fee~~ penalty of an amount equal to an additional fifty

3 ~~percent of the fifty dollars in addition to the plan review fee~~
 4 established pursuant to subdivision (4)(a) of section 81-505.01.
 5 (4) Rules and regulations adopted and promulgated as part of the
 6 State Fire Code shall apply to sites or structures in public ownership
 7 listed on the National Register of Historic Places but without destroying
 8 the historic quality thereof.
 9 Sec. 5. Section 81-505.01, Reissue Revised Statutes of Nebraska, is
 10 amended to read:
 11 81-505.01 (1) The State Fire Marshal shall establish and assess fees
 12 not to exceed the actual costs for the performance of services by the
 13 State Fire Marshal or by qualified local fire prevention personnel to
 14 whom the State Fire Marshal has delegated authority to perform such
 15 services. Prior to establishing or altering such fees, the State Fire
 16 Marshal shall hold a public hearing on the question of the adoption of or
 17 change in fees. Notice of such hearing shall be given at least thirty
 18 days prior thereto (a) by publication in a newspaper having general
 19 circulation in the state and (b) by notifying in writing the head of any
 20 agency or department having jurisdiction over facilities that would be
 21 subject to the fees. Fees for services performed by the State Fire
 22 Marshal shall be paid to the State Fire Marshal and shall be remitted to
 23 the State Treasurer for credit to the State Fire Marshal Cash Fund. Fees
 24 for services performed by local fire prevention personnel shall be paid
 25 directly to the office of the local fire prevention personnel.
 26 (2) The fee for inspection for fire safety of any premises or
 27 facility pursuant to section 81-502 or 81-503.01 shall be not less than
 28 ~~fifty-two~~ ~~five~~ nor more than ~~three hundred one hundred fifty~~ dollars and
 29 shall be paid by the licensee or applicant for a license. The fee for
 30 inspection for fire safety of the same premises or facility made within
 31 twelve months after the last prior inspection shall be not less than
 1 ~~fifty-two~~ ~~five~~ nor more than ~~three one~~ hundred fifty dollars and shall
 2 be paid by the licensee or applicant for a license. The fees for
 3 inspection for fire safety of foster family homes as defined in section
 4 71-1901 may be paid by the Department of Health and Human Services.
 5 (3) The fee for providing investigation reports to insurance
 6 companies shall not exceed three dollars for each report provided. The
 7 State Fire Marshal may charge an amount not to exceed the actual cost of
 8 preparation for any other approved information release.
 9 (4)(a) The State Fire Marshal shall charge a fee for reviewing
 10 plans, blueprints, and shop drawings to determine compliance with rules
 11 and regulations adopted and promulgated pursuant to section 81-503.01 or
 12 81-5,147. The State Fire Marshal shall establish such fee in rules and
 13 regulations adopted and promulgated to be effective on September 1,
 14 2025 ~~January 1, 2022~~. Such fee shall meet the costs of administering the
 15 plan review requirement and other agency duties found in sections 81-502,
 16 81-503.01, and 81-5,147 but shall not exceed ten thousand five hundred
 17 dollars. The fee schedule as it existed prior to September 1, 2025 ~~August~~
 18 ~~28, 2021~~, shall be used through August 31, 2025 ~~December 31, 2021~~.
 19 (b) The fees established pursuant to subdivision (a) of this
 20 subsection shall not be assessed or collected by any political
 21 subdivision to which the State Fire Marshal has delegated the authority
 22 to conduct such review and which reviews plans, blueprints, or shop
 23 drawings to determine compliance with such political subdivision's own
 24 fire safety regulations. Nothing in this subdivision shall be construed
 25 to prohibit such political subdivision from assessing or collecting a fee
 26 set by its governing board for such review.
 27 (c) An additional fee equal to fifty percent of the fee charged
 28 pursuant to subdivision (a) of this subsection shall be assessed for
 29 reviewing plans, blueprints, and shop drawings to determine compliance
 30 with the accessibility standards and specifications adopted pursuant to
 31 section 81-5,147, except that the additional fee assessed pursuant to

1 this subdivision shall not exceed ~~five thousand two hundred fifty~~ dollars.

2 Sec. 6. Section 81-5,159, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 81-5,159 (1) Any water-based fire protection system contractor who

5 installs, repairs, alters, adds to, maintains, or inspects water-based

6 fire protection systems in this state shall first obtain a contractor

7 certificate.

8 (2) A water-based fire protection system contractor may apply to the

9 State Fire Marshal for a contractor certificate. The application shall be

10 made on a form prescribed by the State Fire Marshal and shall include a

11 certificate fee of up to ~~two~~ hundred dollars. Each applicant must

12 designate a responsible managing employee on the application, and such

13 individual's name shall appear on the certificate with that of the water-

14 based fire protection system contractor upon issuance. Proof of insurance

15 required by section 81-5,160 shall also accompany the application.

16 (3) Upon receipt of a complete application, proof of insurance, and

17 certificate fee, the State Fire Marshal shall schedule a time for an

18 examination of the responsible managing employee to demonstrate that he

19 or she is familiar with the procedures and rules of the State Fire

20 Marshal relating to water-based fire protection systems. If the

21 responsible managing employee passes the examination, the State Fire

22 Marshal shall issue the certificate to the water-based fire protection

23 system contractor within thirty days.

24 (4) A certificate shall expire on September 30 of the year following

25 issuance. An application for renewal shall be filed at least ten days

26 prior to expiration and shall be accompanied by a renewal fee of up to

27 ~~two~~ hundred dollars and a sworn affidavit that the responsible

28 managing employee is currently employed by the water-based fire

29 protection system contractor. A water-based fire protection system

30 contractor who fails to apply for renewal within the time stated in this

31 subsection must make a new application for a certificate.

1 (5) A responsible managing employee may only act as such for one

2 water-based fire protection system contractor at a time. When a

3 responsible managing employee terminates his or her association with a

4 water-based fire protection system contractor, the water-based fire

5 protection system contractor shall notify the State Fire Marshal within

6 thirty days after termination. The responsible managing employee shall

7 not be designated as the responsible managing employee for more than two

8 water-based fire protection system contractors in any twelve-month

9 period. The State Fire Marshal shall revoke the certificate of a water-

10 based fire protection system contractor whose responsible managing

11 employee has terminated his or her association with the water-based fire

12 protection system contractor unless an application designating a new

13 responsible managing employee is filed within six months after

14 termination or prior to expiration of the current certificate, whichever

15 is earlier.

16 Sec. 7. Section 81-15,120, Reissue Revised Statutes of Nebraska, is

17 amended to read:

18 81-15,120 Any farm or residential tank or tank used for storing

19 heating oil as defined in subdivisions (10)(a) and (b) of section

20 81-15,119 shall be registered with the State Fire Marshal. The

21 registration shall be accompanied by a one-time fee of ~~ten~~ five dollars

22 and shall be valid until the State Fire Marshal is notified that a tank

23 so registered has been permanently closed. Such registration shall

24 specify the ownership of, location of, and substance stored in the tank

25 to be registered. The State Fire Marshal shall remit the fee to the State

26 Treasurer for credit to the Petroleum Products and Hazardous Substances

27 Storage and Handling Fund which is hereby created as a cash fund. The

28 fund shall also consist of any money appropriated to the fund by the

29 state. The fund shall be administered by the Department of Environment

30 and Energy to carry out the purposes of the Petroleum Products and
 31 Hazardous Substances Storage and Handling Act, including the provision of
 1 matching funds required by Public Law 99-499 for actions otherwise
 2 authorized by the act. Any money in such fund available for investment
 3 shall be invested by the state investment officer pursuant to the
 4 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
 5 Act.
 6 Sec. 8. Section 81-15,121, Reissue Revised Statutes of Nebraska, is
 7 amended to read:
 8 81-15,121 (1) A person shall not (a) maintain or use any tank for
 9 the storage of regulated substances, (b) install any new tank, or (c)
 10 permanently close a tank without first securing a permit from the State
 11 Fire Marshal.
 12 (2) A fee shall not be charged for a permit under subdivision (1)(a)
 13 or (c) of this section. The fee for a permit for installation shall be
 14 ~~seventy-five~~ fifty dollars. The State Fire Marshal shall remit the fee to
 15 the State Treasurer for credit to the Underground Storage Tank Fund.
 16 (3) All owners of operating tanks, except those provided for in
 17 subsection (4) of this section, shall annually register each tank. All
 18 registration permits shall expire on December 31 of the year for which
 19 the permit was issued. The registration fee shall be no more than
 20 ~~sixty~~ thirty dollars per tank. The State Fire Marshal shall remit the fee
 21 to the State Treasurer for credit to the Underground Storage Tank Fund.
 22 Such permits shall contain the information specified in subsection (5) of
 23 this section.
 24 (4) In the case of tanks permanently abandoned on or after January
 25 1, 1974, an annual permit shall not be required and an initial
 26 registration permit shall be sufficient.
 27 (5) The application for a registration permit shall be provided by
 28 and filed with the State Fire Marshal's office and shall require, but not
 29 be limited to, the following information:
 30 (a) The date the tank was placed in or taken out of operation;
 31 (b) The age of the tank;
 1 (c) The size, type, and location of the tank; and
 2 (d) The type of substances stored in the tank and the quantity of
 3 such substances remaining in the tank if the tank has been permanently
 4 closed.
 5 (6) The registration permit fee collected pursuant to this section
 6 shall be ~~remitted to the State Treasurer for credit to~~ deposited in the
 7 Underground Storage Tank Fund which is hereby created as a cash fund. The
 8 fund shall also consist of any money appropriated to the fund by the
 9 state. The fund shall be administered by the State Fire Marshal to carry
 10 out the purposes of the Petroleum Products and Hazardous Substances
 11 Storage and Handling Act. Transfers may be made from the fund to the
 12 General Fund at the direction of the Legislature. Any money in the
 13 Underground Storage Tank Fund available for investment shall be invested
 14 by the state investment officer pursuant to the Nebraska Capital
 15 Expansion Act and the Nebraska State Funds Investment Act.
 16 Sec. 9. Original sections 28-1239.01, 28-1246, 28-1251, 81-503.01,
 17 81-505.01, 81-5,159, 81-15,120, and 81-15,121, Reissue Revised Statutes
 18 of Nebraska, are repealed.
 19 Sec. 10. Since an emergency exists, this act takes effect when
 20 passed and approved according to law.

LEGISLATIVE BILL 660. Placed on General File with amendment.
[AM1008](#) is available in the Bill Room.

LEGISLATIVE BILL 663. Placed on General File with amendment.

[AM973](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 23-114.01, Reissue Revised Statutes of Nebraska,
4 is amended to read:
5 23-114.01 (1) In order to avail itself of the powers conferred by
6 section 23-114, the county board shall appoint a ~~planning commission to~~
7 ~~be known as the county planning commission.~~ The members of the commission
8 shall be residents of the county to be planned and shall be appointed
9 with due consideration to geographical and population factors. Since the
10 primary focus of concern and control in county planning and land-use
11 regulatory programs is the unincorporated area, a majority of the members
12 of the commission shall be residents of unincorporated areas, except that
13 this requirement shall not apply to joint planning commissions. Members
14 of the commission shall hold no county or municipal office, except that a
15 member may also be a member of a city, village, or other type of planning
16 commission. The term of each member shall be three years, except that
17 approximately one-third of the members of the first commission shall
18 serve for terms of one year, one-third for terms of two years, and one-
19 third for terms of three years. All members shall hold office until their
20 successors are appointed. Members of the commission may be removed by a
21 majority vote of the county board for inefficiency, neglect of duty, or
22 malfeasance in office or other good and sufficient cause upon written
23 charges being filed with the county board and after a public hearing has
24 been held regarding such charges. Vacancies occurring otherwise than
25 through the expiration of terms shall be filled for the unexpired terms
26 by individuals appointed by the county board. Members of the commission
27 shall be compensated for their actual and necessary expenses incurred in
1 connection with their duties in an amount to be fixed by the county
2 board. Reimbursement for mileage shall be made at the rate provided in
3 section 81-1176. Each county board may provide a per diem payment for
4 members of the commission of not to exceed fifteen dollars for each day
5 that each such member attends meetings of the commission or is engaged in
6 matters concerning the commission, but no member shall receive more than
7 one thousand dollars in any one year. Such per diem payments shall be in
8 addition to and separate from compensation for expenses.

9 (2) The county attorney, each member of the commission, and each
10 member of the county board of any county that has enacted county zoning
11 regulations shall undertake two hours of education per term on topics
12 specific to the role of the county attorney, commissioner, or board
13 member when addressing matters subject to this section.

14 (3)(2) The commission: (a) Shall prepare and adopt as its policy
15 statement a comprehensive development plan and such implemental means as
16 a capital improvement program, subdivision regulations, building codes,
17 and a zoning resolution; (b) shall consult with and advise public
18 officials and agencies, public utilities, civic organizations,
19 educational institutions, and citizens relating to the promulgation of
20 implemental programs; (c) may delegate authority to any of the groups
21 named in subdivision (b) of this subsection to conduct studies and make
22 surveys for the commission; and (d) shall make preliminary reports on its
23 findings and hold public hearings before submitting its final reports.
24 The county board shall not hold its public meetings or take action on
25 matters relating to the comprehensive development plan, capital
26 improvements, building codes, subdivision development, or zoning until it
27 has received the recommendations of the commission.

28 (4)(a)(3) The commission may, with the consent of the governing
29 body, in its own name: (i) Make and enter into contracts with public or
30 private bodies; (ii) receive contributions, bequests, gifts, or grants of
31 funds from public or private sources; (iii) expend the funds appropriated
1 to it by the county board; (iv) employ agents and employees; and (v)

2 acquire, hold, and dispose of property.

3 (b) The commission may, on its own authority: (i) Make arrangements
4 consistent with its program; (ii) conduct or sponsor special studies or
5 planning work for any public body or appropriate agency; (iii) receive
6 grants, remuneration, or reimbursement for such studies or work; and (iv)
7 at its public hearings, summon witnesses, administer oaths, and compel
8 the giving of testimony.

9 (5)(a)(4) In all counties in the state, the county planning
10 commission may grant conditional uses or special exceptions to property
11 owners for the use of their property if the county board of commissioners
12 or supervisors has officially and generally authorized the commission to
13 exercise such powers and has approved the standards and procedures the
14 commission adopted for equitably and judiciously granting such
15 conditional uses or special exceptions. The granting of a conditional use
16 permit or special exception shall only allow property owners to put their
17 property to a special use if it is among those uses specifically
18 identified in the county zoning regulations as classifications of uses
19 which may require special conditions or requirements to be met by the
20 owners before a use permit or building permit is authorized.

21 (b) The applicant for a conditional use permit or special exception
22 for a livestock operation specifically identified in the county zoning
23 regulations as a classification of use which may require special
24 conditions or requirements to be met within an area of a county zoned for
25 agricultural use may request a determination of the special conditions or
26 requirements to be imposed by the county planning commission or by the
27 county board of commissioners or supervisors if the board has not
28 authorized the commission to exercise such authority. Upon request the
29 commission or board shall issue such determination of the special
30 conditions or requirements to be imposed in a timely manner. Such special
31 conditions or requirements to be imposed may include, but are not limited
1 to, the submission of information that may be separately provided to
2 state or federal agencies in applying to obtain the applicable state and
3 federal permits. Granting a conditional use permit or special exception
4 by the commission or county board shall be based solely on county zoning
5 regulations. Nothing in this section shall be construed to release the
6 applicant from complying with applicable rules and regulations of any
7 local, state, or federal agency or with any applicable state or federal
8 permit requirements. A commission or county board shall not require an
9 applicant for a conditional use permit or special exception to apply for
10 or obtain any other permit from a federal, state, or local agency as a
11 condition for granting such conditional use permit or special exception.
12 The granting of a conditional use permit or special exception by a
13 commission or county board shall not relieve the applicant of any
14 requirement to obtain other necessary permits from any federal, state, or
15 local agency.

16 (c) The commission or the board may request and review, prior to
17 making a determination of the special conditions or requirements to be
18 imposed, reasonable information relevant to the conditional use or
19 special exception. If a determination of the special conditions or
20 requirements to be imposed has been made, final permit approval may be
21 withheld subject only to a final review by the commission or county board
22 to determine whether there is a substantial change in the applicant's
23 proposed use of the property upon which the determination was based and
24 that the applicant has met, or will meet, the special conditions or
25 requirements imposed in the determination. When making the determination
26 as to whether the special use permit application should be approved or
27 denied, the commission and board shall presume that the applicant for the
28 permit will comply with all local, state, and federal requirements. The
29 burden of proof to the contrary shall rest on the party challenging said
30 presumption. Without factual evidence contrary to the application, the

31 commission or board shall approve the application.

1 (d) For purposes of this section, substantial change shall include
 2 any significant alteration in the original application including a
 3 significant change in the design or location of buildings or facilities,
 4 in waste disposal methods or facilities, or in capacity.
 5 ~~(6)(5)~~ The power to grant conditional uses or special exceptions as
 6 set forth in subsection ~~(5)(4)~~ of this section shall be the exclusive
 7 authority of the commission, except that the county board of
 8 commissioners or supervisors may choose to retain for itself the power to
 9 grant conditional uses or special exceptions for those classifications of
 10 uses specified in the county zoning regulations. The county board of
 11 commissioners or supervisors may exercise such power if it has formally
 12 adopted standards and procedures for granting such conditional uses or
 13 special exceptions in a manner that is equitable and which will promote
 14 the public interest. In any county other than a county in which is
 15 located a city of the primary class, an appeal of a decision by the
 16 county planning commission or county board of commissioners or
 17 supervisors regarding a conditional use or special exception shall be
 18 made to the district court. In any county in which is located a city of
 19 the primary class, an appeal of a decision by the county planning
 20 commission regarding a conditional use or special exception shall be made
 21 to the county board of commissioners or supervisors, and an appeal of a
 22 decision by the county board of commissioners or supervisors regarding a
 23 conditional use or special exception shall be made to the district court.
 24 ~~(7)(a)(6)~~ Whenever a county planning commission or county board is
 25 authorized to grant conditional uses or special exceptions pursuant to
 26 subsection ~~(5)(4)~~ or ~~(6)(5)~~ of this section, the planning commission or
 27 county board shall, with its decision to grant or deny a conditional use
 28 permit or special exception, issue a statement of factual findings
 29 arising from the record of proceedings that support the granting or
 30 denial of the conditional use permit or special exception. If a county
 31 planning commission's role is advisory to the county board, the county
 1 planning commission shall submit such statement with its recommendation
 2 to the county board as to whether to approve or deny a conditional use
 3 permit or special exception.

4 (b) Upon receipt by the planning commission of an application, the
 5 county zoning administrator or commission shall have thirty days to
 6 determine if the application is complete. If the administrator or
 7 commission determines the application is incomplete, within ten days
 8 following such determination, the administrator or commission shall
 9 notify the applicant in writing as to what information is required to
 10 make the application complete. The administrator or commission shall have
 11 thirty days after receipt of any additional information provided by the
 12 applicant to redetermine if the application is complete. Within ninety
 13 days after the commission receives a complete application, the commission
 14 shall:

15 (i) If the commission has the authority to grant or deny a
 16 conditional use permit or special exception, grant or deny such
 17 application; or
 18 (ii) If the commission does not have the authority to grant or deny
 19 a conditional use permit or special exception, make a recommendation to
 20 the board that such application be granted or denied.
 21 (c) Once the board has received the recommendation of the
 22 commission, the board shall have thirty days to make its own
 23 determination if the application is complete. If the board determines the
 24 application is incomplete, within ten days following such determination,
 25 the board shall notify the applicant in writing as to what information is
 26 required to make the application complete. The board shall have thirty
 27 days after receipt of any additional information provided by the
 28 applicant to redetermine if the application is complete. Not later than

29 ninety days after receiving a complete application as determined by the
30 board, the board shall decide whether to grant or deny a conditional use
31 permit or special exception. If the board has not granted or denied a
1 conditional use permit or special exception by the end of such ninety-day
2 period, the conditional use permit or special exemption shall be deemed
3 granted.

4 Sec. 2. Original section 23-114.01, Reissue Revised Statutes of
5 Nebraska, is repealed.

VISITOR(S)

Visitors to the Chamber were students, teachers, and sponsors from Westside Elementary, Norfolk; Leadership Omaha Class 47 and the Bay; Whitney Murman and Kathy Murman, Glenville; Bree Demontigny, Cherry County.

The Doctor of the Day was Dr. Theresa Hatcher, Omaha.

ADJOURNMENT

At 5:02 p.m., on a motion by Senator Wordekemper, the Legislature adjourned until 9:00 a.m., Wednesday, April 16, 2025.

Brandon Metzler
Clerk of the Legislature