

Floor Debate January 21, 2026

Rough Draft

**DORN:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the tenth day of the One Hundred Ninth Legislature, Second Session. Our chaplain for today is Senator Bob Hallstrom. Please rise.

**HALLSTROM:** I would ask that you would assume an attitude of prayer. Lord of all grace and wisdom, we come before you today with grateful hearts, thanking you for your endless mercy, the forgiveness of our failings, and the countless blessings you bestow upon us each and every day. Please give us the strength and courage to lead with integrity. Grant us the resolve to not only speak from our hearts, but to also stand firm in our convictions. Where differences of opinion exist, instill in us the humility to agree to disagree without being disagreeable, preserving the respect and unity essential to our mission. As we embark on this day of our legislative journey, also the final day for new bill introductions, let us pause to offer thanks to the legislative staff, particularly to those individuals in the Revisor's Office who have worked diligently and burned the midnight oil to finalize the measures that will guide our path in the coming months. Finally, Lord, remind us to cherish and regularly express gratitude for our soulmates, our life partners, and our family members. Their patience and understanding allow us to devote our time and talents to serving the great people of this extraordinary state. All this we pray in the name of the one and the only, the everlasting Lord. Amen.

**DORN:** I recognize Senator Jared Storm to lead us in the Pledge of Allegiance.

**STORM:** Colleagues, please join me in the Pledge of Allegiance. I pledge allegiance to the Flag of the United States of America, and to the republic for which it stands, one nation under God, indivisible, with liberty and justice for all.

**DORN:** Thank you. I call to order the tenth day of the One Hundred Ninth Legislative Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

**ASSISTANT CLERK:** There is a quorum present, Mr. President.

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

Floor Debate January 21, 2026

Rough Draft

**ASSISTANT CLERK:** I have no corrections.

**DORN:** Thank you. Are there any messages, reports or announcements?

**ASSISTANT CLERK:** Yes, thank you, Mr. President. I have a reference report referring LB1097-LB1123 and LR304 and LR305CA. Notice of committee hearing from the Judiciary Committee. And I have series of amendments from Senator Kauth to LB1124-11-- LB1165. That's all I have, Mr. President.

**DORN:** Thank you, Mr. Clerk. Mr. Speaker, for an announcement. Correction. First item on the agenda, introduction of new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills. LB1166, introduced by Senator Juarez and others. It's a bill for an act relating to the School Employees Retirement Act; to amend section 79-958, Revised Statutes Supplement, 2025; to change applicability of the employee contribution rate as prescribed; to repeal the original sections; and to declare an emergency. LB1167, introduced by Senator Dorn. It's a bill for enact relating to appropriations; to amend Laws 2025, LB261, section 246; to state intent regarding appropriations; and to repeal the original section. LB1168, introduced by Senator Wordekemper. It's a bill for an act relating to the Community Development Law; to amend sections 18-2124, 18-2125, and 18-2136, Reissue Revised Statutes of Nebraska, section 18-2117.01, Revised Statutes Cumulative Supplement, 2024, and sections 18-2101.02 and 18-2147, Revised Statutes Supplement, 2025; to authorize the issuance of conduit revenue bonds as prescribed; to authorize certain taxpayer agreements; to harmonize provisions; and to repeal the original sections. LB1169, introduced by Senator Wordekemper. It's a bill for an act relating to crimes and offenses; to amend section 84-941.01, Reissue Revised Statutes of Nebraska, sections 28-115, 28-929, 28-929.01, 28-929.02, 28-930, 28-931, 28-934, and 28-1351, Revised Statutes Cumulative Supplement, 2024, and sections 28-101, 28-1354, and 29-2221, Revised Statutes Supplement, 2025; to prohibit assault on a court operations officer; to change and eliminate provisions and penalties relating to offenses involving assault on an officer, emergency responder, certain employees, or a healthcare professional; to define and redefine terms; to harmonize provisions; to repeal the original sections; and to outright repeal section 28-931.01, Revised Statutes Cumulative Supplement, 2024. LB1170, introduced by Senator Wordekemper. It's a bill for an act relating to claims against the

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Floor Debate January 21, 2026

Rough Draft

state; to amend sections 81-8,236, 81-8,300, 81-8,316, and 81-8,318, Reissue Revised Statutes of Nebraska; provide for multiple claims from counties in the State Tort Claims Act as provided; to redefine terms; to change provisions relating to investigation and appeals of claims in the In the Line of Duty Compensation Act as provided; to harmonize provisions; and to repeal the original sections. LB1171, introduced by Senator Moser. It's a bill for an act relating to the Political Subdivisions Tort Claim Act; to amend section 13-901, Reissue Revised Statutes of Nebraska; to provide for certain claims under the act; to harmonize provisions; and to repeal the original section. LB1172, introduced by Senator Holdcroft. It's a bill for an act relating to electricity; to amend section 70-1034, Revised Statutes Cumulative Supplement, 2024; to provide requirements for electric suppliers relating to dispatchable electricity capacity; to define terms; and to repeal the original section. LB1173, introduced by Senator Kauth. It's a bill for an act relating to labor; to amend sections 48-1706, 48-2710, and 81-406, Reissue Revised Statutes of Nebraska, section 48-2107, Revised Statutes Cumulative Supplement, 2024, and section 48-648, Revised Statutes Supplement, 2025; to rename the Contractor and Professional Employer Organization Registration Cash Fund and to change permitted uses of the fund; to provide for an annual filing fee for employers submitting reports under the Employment Security Law; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections. LB1174, introduced by Senator Kauth. It's a bill for an act relating to the Nebraska Money Transmitters Act; to amend sections 8-2701, and 8-2718, Revised Statutes Supplement, 2025; to change provisions related to the reports of condition; to provide for remittance transfer tax; to harmonize provisions; to provide an operative date; to repeal the original sections; and to declare an emergency. LB1175, introduced by Senator DeBoer. It's a bill for an act relating to the Parental Rights and Social Media Act; to amend section 86-1704, Revised Statutes Supplement, 2025; to change provisions relating to civil actions under the act; to define a social media platform as a product for purposes of bringing a product liability action as prescribed; and to repeal the original section. LB1176, introduced by Senator DeBoer. It's a bill for an act relating to motor vehicles; to amend Section 60-3202, Reissue Revised Statutes of Nebraska, and sections 60-601 and 60-605, Revised Statutes Supplement, 2025; to provide for enforcement of the maximum lawful speed limit for highway work zones by means of a speed control enforcement system and to define terms under the Nebraska Rules of the

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Floor Debate January 21, 2026

Rough Draft

Road; to redefine automatic license plate reader system under the Automatic License Plate Reader Privacy Act; and to repeal the original sections. LB1177, introduced by Senator DeBoer. It's a bill for an act relating to child care; to create the Child Care Cash Fund to be administered by the Department of Health and Human Services as prescribed; and to state legislative intent. That's all I have, Mr. President. Thank you, Mr. President. Mr. President, Speaker Arch would move to suspend Rule 3, Section 14 to permit the cancelation and scheduling of a public hearing with less than seven calendar days' notice.

**DORN:** Speaker Arch, you are recognized to speak.

**ARCH:** Thank you, Mr. President. This motion is to allow a correction to be made to the hearing schedule for Monday, January 26, which is now five days away. Last Friday, when the Education Committee provided hearing notice for their January 26th hearings, they noted LB1061 would be a combined hearing with LB870. Technically, however, they only provided hearing notice LB870 and not LB1061. The published hearing schedule notes the combined hearing of the two bills, but the committee needs to file additional paperwork to officially schedule the public hearing for LB1061, and that will be combined. Since this notice will be filed with less than seven calendar days notice, the body needs to suspend Rule 3, Section 14, to allow this hearing notice to be filed. Thank you, Mr. President.

**DORN:** Seeing no one in the queue. Senator Arch, you're recognized to close. Speaker Arch waives. Colleagues, the question before the board-- before the body is the approval of the motion to suspend the rules. All those in favor, vote aye. All those opposed, vote nay. Mr. Clerk, record.

**ASSISTANT CLERK:** 33 ayes, 0 nays on the adoption of the motion, Mr. President.

**DORN:** Thank you, Mr. Clerk. Now we will proceed to the-- oh, one more announcement. Mr. Clerk.

**ASSISTANT CLERK:** Thank you, Mr. President. I have a notice of committee hearing from the Education Committee.

**DORN:** Thank you, Mr. Clerk. Returning to the agenda. Mr. Clerk.

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Floor Debate January 21, 2026

Rough Draft

**ASSISTANT CLERK:** Thank you, Mr. President. LB400. When the Legislature last was discussing the bill, they were considering a motion by Senator Wordekemper to indefinitely postpone the bill pursuant to rule-- Rule 6, Section 3(f).

**DORN:** Senator Wordekemper, you're recognized for a one-minute refresher.

**WORDEKEMPER:** Thank you Mr. President. Let's get back on track. We're considering a motion here to IPP LB400. We're going to have a little bit of debate on this motion. And when I intend to call the question so we can get along with debate and work towards the committee amendment and the-- and the amendment to the committee amendment. LB400 establishes a rebuttable presumption for occupational cancer for firefighters. It simply requires insurance carriers to consult a medical doctor before denying workers' compensation claims, which is happening right now without medical review. When we left off, I was prepared to walk through what this bill actually does, address the concerns from the opposition, and answer your questions. I'm prepared to discuss each point raised against this bill, including the amendments Senator Hallstrom is preparing. When we vote on the IPP, bracket and recommit motions, I ask that you join me in voting them down so we can move forward to the committee amendment and Senator Clouse's volunteer amendment. AM702 is the committee amendment, adds baseline physical requirements, requests the opposition. Senator Clouse's AM1696 sets clear thresholds for volunteers.

**DORN:** Time.

**WORDEKEMPER:** Thank you, Mr. President.

**DORN:** Thank you, Senator Wordekemper. Returning to the queue, Senator Raybould, you're recognized to speak.

**RAYBOULD:** Thank you, Mr. President. Good morning, colleagues. Good morning, fellow Nebraskans. I stand in support of the motion to IPP. I just want to give you a little bit of history of this piece of legislation. I'm a member of the Business and Labor Committee, and I really want to commend Senator Wordekemper. I know that the Business and Labor Committee struggled with this. We worked diligently with Senator Wordekemper, he came back time and time again with changes and addressing some of the concerns that we raised. You know, principally,

we didn't want to appear as the committee that is not supportive of our firefighters. I can assure you with 100% certainty that every single member of this Business and Labor Committee supports the work of our firefighters and the dangers that they're exposed to and the hazardous materials that they face. And so, you know, going forward, I, I feel that we don't want that perception to become a reality that is not indicative of the support that we have for the firefighters. What was a big issue for me, you know, and the questions I repeatedly asked, you know, about the unfunded mandate, the burden it places on our municipalities and on our counties who, who try to do the right thing by the firefighters that are exposed to some hazardous conditions on an, an oftentimes a daily basis. And also the heightened awareness that, you know, we're in a budget crisis, a budget deficit. We're going to see some additional cost-shifting to the cities and counties of-- to take on some of the financial responsibility of elements that are the clearly belong to the state of Nebraska. And, you know, we have talked about this, that seemed to be the trend for the discussion of this session about unfunded mandates going forward, and be very mindful of every single thing that we put forward out there. Is it going to impact our deficit or is it going to create an unfunded mandate that the cities and municipalities are going to have to take on? But I want to say that it becomes a challenge for municipalities, no matter if those claims are well-founded or unfounded. Because those counties have to reach out at times maybe to outside counsel and certainly the expenses of outside medical experts to come in and assist with those claims. And the one thing that Senator Jacobson raised yesterday in some of his comments is absolutely true, some of our rural firefighters have outside jobs. You know, many of our rural fire-- firefighters, our rural volunteer firefighters have other jobs, and many of them end up being farmers or ranchers. And to be honest, they're exposed to a tremendous amount of hazardous insecticides, herbicides, pesticides, nitrates, and phosphates that really make a clear diagnosis of the type of cancer and actually the cause that participate-- that precipitates that cancer. The other thing I want to mention that when it comes to full-time and paid firefighters, that the, the city of Lincoln, I know these statistics apply, but it also applies to most of the calls that are made. 85% of those calls to the fire department, they're really for the emergency medicals teams, our EMS teams that respond to them. Only 15 percent of those calls are to actual fires, which is great, and we know that number is decreasing. But again, shifting the burden

of the proof to the municipality to rebut the claim for benefits by a preponderance of the evidence that the cancer experienced by the firefighter resulted from accident exposure to cancer-causing substances or other medical cause not arising of and in the course of their firefighter employment. I'm saying that the municipalities should not be liable to pay these unfounded claims based on a rebuttable presumption. Last element I want to point out, and I can go in greater detail next time on the mic, Nebraska has one of the highest rates for pediatric cancer. We're number five, which is really tragic. And other adult health issues, such as nausea, headache, abdominal cramps, cancers, colorectal, thyroid, kidney, bladder, and non-Hodgkin's lymphoma have all been directly linked to nitrates and phosphates that all of us in our state of Nebraska, all of the folks in the Midwest states have showed increasing rates of these type of cancers just because of the agricultural nature and the hazards we are all exposed to. So for these reasons, I want to commend Senator Wordekemper, but I would like to indefinitely postpone. I understand Senator Hallstrom has some potential amendments coming forward. Thank you, Mr. President.

**DORN:** Thank you, Senator Raybould. Senator Fred-- Fredrickson would like to recognize the doctor of the day, Steve Williams of Omaha, who is under the north balcony. Senator Storer would also like to recognize a couple people under the north balcony: Brenda Masek from Cherry County and Susan Connell from Grant County. Returning to the queue, Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you Mr. President. I really want to agree with Senator Raybould on her comments. They're spot on. This is, this is a stacking the deck against the cities and the villages and, and saddling them with what will be unprecedented levels of claims that they simply cannot afford and will pass on to the property taxpayer. I, I can't spell it any plainer than that. This is a huge unfunded mandate that I thought most of us were opposed to. I thought many of us were elected to help lower property taxes, not significantly raise them. We have a system in place for firefighters who, who do get cancer that is directly caused by their work, and that's in place today. And there was a claim just recently played-- paid in Scotts Bluff. We don't need this bill. We get this bill, there will be unprecedented levels of claims because all I've got to do is claim, if I get cancer and my-- and I die from cancer, my estate's going to say, I was a firefighter for more than five years, bam, you are now a liable city to pay it. I

get a kick out of one of the guests under the balcony is Brenda Masek. Brenda is, is a volunteer firefighter in Purdum, Nebraska. Many of you don't know where Purdom is. It's just barely into Senator Storer's district. So you know, her husband has a lumber yard in Thedford and is in my district, but just barely in the Senator Storer's district in Cherry County. I asked her, how many are on your volunteer force? Purdum, Nebraska, 46 volunteers. So there are 46 people that if they get cancer, any one of them, they're going to go to Purdum and say, "pay me." Their budget annually is \$10,000. Run the math on that. This simply does not work. So I'm going to urge you all, let's bring this to an end now and move on to the work that we want to get done for the session. Vote yes on the IPP motion, and we're done. So I would encourage everyone to support Senator Wordekemper's bill to IPP the bill. Thank you, Mr. President.

**ARCH:** Senator Wordekemper, you are recognized to speak.

**WORDEKEMPER:** Mr. President, over the past several days, the League of Municipalities has sent a series of emails to senators and city administrators that are frankly embarrassing in their lack of factual basis. These emails are filled with buzzwords like "unfunded mandate" and "costly" while providing absolutely zero data to support their claims. I'm going to be calling out the buzzwords, the misrepresentation of the current process and the deception being used to pressure senators to opposing protections for firefighters who develop cancer in the line of duty. Before I address the League's specific claims, I want to explain in detail what actually happens when a firefighter is diagnosed with cancer under the current workers' compensation system. Let's say a firefighter diagnosed with metastatic colon cancer, they're obligated to provide notice to their employer and allege the condition was due to occupational cancer. The employer can accept the claim and pay the benefit. In the normal course, they don't take a position one way or the other at first. What happens next is critical. The employer or their insurance carrier requires the employee to provide a release so they can access all known medical information and communicate with the firefighter's doctor. All the while, the employee and their group health insurance carrier are being charged for the medical treatment, including surgery, medications and chemotherapy costs. The employee is stuck burning their own sick leave, if they have any, while they are off work and hopefully they're well enough after a period of initial treatment that they can come back to work. After several months of

investigation by the insurance carrier, the employee gets a denial letter. This decision to deny the claim is made by the insurance administrator despite the fact that neither the employer nor the insurance carrier has actually asked the treating physician what his or her opinion is as to whether the condition is work-related. This is the don't ask, don't tell policy of workers' compensation. The carrier doesn't ask the question, they just deny the claim based on the fact that the medical record doesn't address causation because they never asked anyone to address it. So now the firefighter has to hire a lawyer, obtain medical expert opinions, and provide their cancer as work-related, all while undergoing chemotherapy and trying to keep their job. This is a system the opposition is defending. Under LB400, if the employer wants to deny a claim, they would simply have to obtain medical opinion that the condition is not work-related. That's it. That's the entire change. The employer asks a physician whether the cancer is work-related and the opinion comes back that it is work-related. The employer should be paying the claim as they would today under the current law. Employers can simply-- employers can still seek multiple opinions. They can still present evidence from any other non-occupational factors. The law will never require payment of unfunded claims as the League continues to suggest. LB400 simply says, before you deny a claim citing insufficient medical evidence, you have to actually ask a medical professional for their opinion. This is not complicated, this is not radical, this a basic fairness. The opposition is calling this a "costly unfunded mandate" is a major misrepresentation. Since 2000, Nebraska has exactly nine of line-of-duty deaths from occupational cancer among firefighters. Nine deaths in 26 years. And speaking with an attorney in the field, they could only recall a handful of workers' compensation cases in over 30 years of experience. We're talking about minimal claims per year statewide. And here's the key. LB400 does not create new claims. It does not require payment of illegitimate claims. If a claim is legitimate, if medical evidence supports it, the employer should be paying it today under current law. If a claim is not legitimate, if a medical-- if medical evidence shows the cancer was caused by non-occupational factors, the employer presents that evidence and the claim will be denied. Municipalities refrain full access to medical records, family history, lifestyle factors, and genetic history. All of this can be used to rebut the presumption. The only cost is requiring employers to obtain medical opinions before denying claims.

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Floor Debate January 21, 2026

Rough Draft

This is basic due diligence, not an unfunded mandate. Thank you, Mr. President.

**ARCH:** Senator Andersen, you're recognized to speak.

**ANDERSEN:** Thank you, Mr. President. I yield the remainder of my time to Senator Wordekemper.

**ARCH:** Senator Wordekemper, 4 minutes, 50 seconds.

**WORDEKEMPER:** Thank you, Senator Andersen. Thank you, Mr. President. Now let me address one of the League's scare tactics. The League highlights 15,000 volunteer firefighters as if every single one of them will file a cancer claim. This is very misleading. A good indicator of how many active volunteers we have in the state is the volunteer firefighter income tax credit. According to the Department of Revenue, in 2024, only 2,582 volunteers actually qualified and claimed the credit. If we adopt AM1696, this bill would require 10 years of service, 40% drill participation, and 25% emergency response to be eligible for the presumption, drastically limiting the number of eligible volunteers. But here's the real number. The League itself, through LARM, only covers 1,800 volunteer firefighters, according to the testimony from Lynn Rex in 2021. Following volunteer trends in the state, we can assume that number is even lower today and would even be lower if we adopt AM1696. The League's highlighted of 15,000 volunteers is designated to create fear and not informed debate. So what's really driving the League's opposition? Many cities are insured through the League Association of Risk Management, LARM, which is the League's very own risk management pool. Their trust is extremely well-funded, with many millions of dollars set aside for these types of claims. This isn't about protecting taxpayers. LARM and other insurance carriers don't want to do the work of obtaining medical opinions before denying claims. It's either-- it's easier and cheaper to cite insufficient evidence without asking any doctor, then forcing the firefighter to provide it, to prove it while fighting cancer. This is what the opposition is really about. And if you want the evidence of the League's selective concern about costs, consider this. Last year, the League heavily supported LB179, which is estimated to increase retirement contributions for police officers costing \$1.35 million in one year, growing to \$1.76 million by year 10. That's approximately \$15.5 million over 10 years. The opposition never uttered the words "unfunded mandate," not once. But when it comes to

Floor Debate January 21, 2026

Rough Draft

require medical opinions before denying cancer claims, suddenly it's an unfunded mandate that will bankrupt cities. I supported LB179, along with every senator present that day. Police officers deserve competitive retirement benefits, but the League can't claim poverty on firefighters' cancer while simultaneously supporting millions in new retirement costs for other first responders. Colleagues, LB400 is remarkably simple. It recognizes that firefighting is a carcinogenic occupation, classified as a Group 1 carcinogen by cancer experts. The bill creates a rebuttable presumption for certain cancers experienced by paid firefighters with at least five years of service. If AM1696 is adopted, the presumption would extend to volunteer firefighters with an at least ten years of service who have met-- who also meet the bill's other requirements. It requires employers to obtain medical opinions before denying claims, instead of the current don't ask, don't tell policy. Every claim will still be evaluated individually. Municipalities can still rebut the presumption with medical evidence, but they have to actually obtain that evidence instead of just denying the claim intentionally without asking a doctor for an opinion. That's what the opposition is fighting against with their inflated numbers and misleading claims about unfunded mandates. In my next speaking opportunity, I will be detailing the background of the Cancer Benefits Act and explain the issues with the approach Senator Hallstrom is proposing we take. When we eventually get to the vote, I urge you to vote no on the motion to indefinitely postpone and allow us to get to the important amendments so we make this bill better. Thank you, Mr. President.

**ARCH:** Senator Hallstrom, you're recognized to speak.

**HALLSTROM:** Mr. Speaker, members, I rise in opposition to LB400 in its current form. As Senator Wordekemper has indicated, I have filed AM1750, which would put in place a mandatory Firefighter Benefits Cancer Act. I talked yesterday a little bit about that act. Senator Wordekemper indicates he intends to go over the provisions of that act later. I hate to steal his thunder, but here it goes. Under Section 35-1005, the current Fire-- Firefighter Cancer Benefits Act provides for a lump sum benefit of \$25,000 for a diagnosis of what I'd call "severe cancer," a lump-sum benefit of \$6,250 for less severe treatable cancers, and a disability monthly benefit of \$1,500 for 36 consecutive months, and a \$50,000 death benefit as well. The problem with that program, which was championed by Senator McDonnell, is that it is permissive. My amendment would make it mandatory, which would

bring the benefits that Senator McDonnell desired to bring to both paid and volunteer firefighters into being in a meaningful fashion. If you remember the, the movie Groundhog Day, I apologize for repeating myself, but I think it bears repeating. I read yesterday from the transcript on the original LB299 directly from Senator McDonnell, and I'd like to quote a portion of that again. It indicates in part: The insurance benefits proposed in LB299 are the same type of benefits which have recently been extended to firefighters in Georgia and New York. I believe there's seven states perhaps that have similar types of legislation. He goes on to say, in fact, as others today will testify to, the prohibitive cost of insurance premiums and placing similar coverage in workers' compensation makes it financially impossible for cities, villages, and fire districts to afford it. Later on in that same hearing, there was testimony from the volunteer firefighters representative. And it stated, so those states that have a presumption in the workers' compensation court, those premiums are sky high for workers' compensation for those firefighters. Sky-high premiums for that presumption that would be tacked on. Those seven that have passed it have recognized that the cost about \$150 to \$200 a person annually to have this insurance package. And so for \$150-\$200 per person, the benefits that I outlined would be available. What I would ask in lieu of what Senator Wordekemper's path is, is that if he is willing to adopt my amendment and to have a meaningful benefit for both paid and volunteer firefighters that actually works by mandating the Firefighters Cancer Benefit Act, that he withdraw all of his pending motions and amendments, we get to that. I would add that between now and Select File, the insurance industry that I've been working with has also come up with a, a suggestion that we make this a state-wide firefighter cancer benefits program that will further reduce the cost that the municipalities would have to pay to provide these meaningful benefits to firefighters instead of having the cities go out on their own to find an insurance carrier who will provide the coverage for a limited number of individual firefighters. So, I certainly would welcome Senator Wordekemper's interest, yes or no, and whether or not he's willing to go down that path as opposed to taking this IPP motion to a vote now, running the risk that we'll get nothing for the benefit of firefighters. And I would prefer that that not be the result. And I think we've got a, a good alternative package here that hopefully people can support. And I will be open to talking about other alternatives between now and Select File. But again, when somebody says a bill is simple, many times that's not the case. This

worker's compensation rebuttable presumption is something that would turn the burden of proof on its literal head in contrast to the way that the system and the process has always worked. Thank you.

**ARCH:** Senator Raybould, you're recognized to speak.

**RAYBOULD:** Thank you, Mr. President. I just want to address some of the concerns Senator Wordekemper raised. First of all, no one is disputing or denying that any municipality or political subdivision must and should be held accountable for those claims that are founded and well-documented that are directly related to the firefighters' efforts in that community. So, no one is disputing that. All claims, if they're founded or unfounded, require the resources of that municipality to follow up with the due diligence, work with all the documentation, getting medical records, working with the families. But the reality is, workers' comp currently covers all paid and volunteer firefighters. The volunteer fire departments in incorporated municipalities must also maintain group life insurance. So one of the other concerns that was raised by the League of Municipalities is a determination of who holds and bears the most responsibility. In many communities, they have mutual aid agreements from this community of rural firefighters will help and assist the other community, neighboring community, and respond together and collaboratively on calls for the firefighters to attend. And one of the concerns it, it raised, meaning the League of Municipalities, that AM702 would create long-term and broad legal financial exposure for the fire districts, municipalities and their insurers, likely causing many municipalities and districts to reconsider their interlocal agreements. Because in the section in this legislative bill it says, in part, firefighters of any fire department of any rural or suburban fire protection district, non-profit corporation, city or village, shall be considered as acting in the performance and within the course and scope of their employment when performing activities outside of the corporate limits of their respective districts, cities, or villages. So that means if you have a mutual aid agreement and you respond to certain fires or assistance to another neighboring county, you're looking at probably reviewing and bringing in some of the other rural firefighters in a different district for this liability. And I appreciate Senator Hallstrom's efforts to come up with some compromises here, and I think that's actually what we need, and that's why I support the IPP motion to get all those compromises hammered out rather than take up precious time in the Legislature to, to work out those differences or proposals on

the floor at this time. I just want to say one thing. Really, the bad guy in all of these discussions, I feel is the insurance companies. No disrespect to our insurance companies, but as a cancer survivor, along with Senator Jacobson, we know that the insurance companies can be the most challenging to work with. We've, we've heard from so many families, Nebraska families whose lives have been touched by cancer regardless of the cause in our state of Nebraska. You know, they're just asking the insurance companies to work with them diligently instead of denying, denying, denying. You know, we've had bills introduced about genetic markers, biomarkers that would help guide medical professionals in quickly diagnosing and quickly treating the cause of that cancer or the disease, and that is really kind of the stumbling block that we're seeing with many litigation when it comes to cancer-related causes and who is responsible for that. You know on my last time at the mic, I talked about the overwhelming cancer-related issues in our state of Nebraska that science, medical data, medical research, has made that clear causation to herbicides, insecticides, pesticides, and phosphates, nitrates, that Nebraskans are routinely exposed to, particularly those in our agriculture community and the hazards that they pose to their health. And that's why there are some concerns in trying to make that direct cause. Family genetics also plays a big part in that. You get-- dealt a set of DNA markers that you have to live with that can make you-- predetermine your cause of cancer. So I wanna say, I think this bill is a good bill, but I think it needs work. And I, I know that Senator Wordekemper is really open to making these positive changes to make the bill better. Thank you, Mr. President.

**ARCH:** Senator Jacobson, you are recognized to speak. Senator Moser, you are recognized to speak.

**MOSER:** Thank you, Mr. Speaker. Good morning, colleagues. This day marks the crossing point of 15% of our session having been completed. And so far, we haven't got a lot of work done, and we have a lot things that need to be done. And so I just thought I'd mention that to those that are trying to drag this out. I support the motion to indefinitely postpone. This bill puts the thumb on the scales of justice toward the worker. Now, if the worker has cancer that could have been caused by their occupation, there's a process to go through. And if it's found to be the cause-- if their occupation is found to be the cause, then they are-- they'll get their claim approved. But if we go in with a presumption that if they get cancer, it was caused by

their occupation, then that's going to give us a whole new class of awardees. I just did a Google search a few minutes ago and half the men in the United States are going to have cancer before they die, and a third of the women in the United States are going to have cancer before they die. So firefighters are either men or women, fit in one of those categories, and so the odds are 50% if they're male that they're going to have cancer anyway. And so to say that the presumption is that their cancer was caused by their occupation is unfair, I think, to the cities, the counties, the fire districts that hire these firefighters. There's a process to go through and they still can get damages if their cancer is proven to be caused by their occupation. But this bill puts the thumb on the scales of justice and makes it a presumption that it was caused by their occupation. I don't think that's fair just in general terms. And in my years of elected office, I was mayor for 12 years, I have an appreciation for the process, and so I don't, I mean, I love our firefighters and I think they can be traded fairly under this current system. But I don't think that we should give presumptive precedence to their sicknesses. I don't think we should assume that it came from their occupation. So I hope people will vote to postpone this and let Senator Hallstrom work out-- he's got an insurance plan kind of thing in mind. I think that could be a better solution. And so with that, I appreciate it Mr. Speaker. Thank you.

**ARCH:** Senator Wordekemper, you're recognized to speak.

**WORDEKEMPER:** Thank you, Mr. President. I want to talk about the Cancer Benefits Act that Senator Hallstrom is proposing as a replacement for LB400. LB400 deals with workers' compensation, and the Cancer Benefit Act is simply a supplemental insurance policy. Two completely different things. Let me provide a brief background on the Cancer Benefits Act started as LB299 in 2021 by former Senator McDonnell. Senator McDonnell brought this bill on behalf of volunteer firefighters in an attempt to help them when contracting cancer by providing supplemental cancer insurance coverage. The bill was intended to require every rural and suburban fire district, airport authority, city and village to provide and maintain enhanced cancer benefits. The benefits include a \$25,000 lump-sum benefit for each qualifying cancer diagnosis, a \$6,250 lump-sum benefit for carcinoma and other cancers, and monthly disability payments of \$1,500 for up to 36 months for firefighters totally disabled by cancer. The bill was only opposed-- this bill was opposed by the League of Municipalities.

When it eventually was amended into committee package, the offering of benefits came as optional under law. Changing the key word from "may"-- from "shall" to "may." As you can imagine, not a single entity purchased these insurance policies that we're talking about mandating now. They had an option to do that. The League of Municipalities actually requested an interim study on the act, LR229, this past summer. We had a hearing on September 5th, 2025. The League was unable to attend their own interim study because of an open house event for their new building. Senator Hallstrom reached out to me late Friday afternoon to float the idea of replacing LB400 with the simple change of "may" to "shall" in the Cancer Benefits Act. This idea was not discussed during the interim study and somehow it only, it was only offered late on Friday afternoon as we were getting ready to debate LB400. This approach is disingenuous. This change sounds good in conversation, but let's be clear about what it actually does. It would require every single rural, suburban fire district, airport authority, city, and village in Nebraska to carry a separate cancer insurance policy year after year for all firefighters. The intent here is to produce a massive fiscal note. This is significantly more expensive than taking cancer claims on a case-by-case basis with rebuttable presumption as LB400 aims to do. I can assure you that the municipalities won't be paying for those policies. The state will be. This is a backroad effort to strip LB400 of its provisions, produce a fiscal note large enough to kill the bill on Select File, and front it as legitimate compromise. The facts speak for themselves, but I'll say it plainly. I would consider this as an extremely bad-faith proposal and a hostile amendment if Senator Hallstrom ends up filing it, which he did. If Senator Hallstrom is serious about this change, he can welcome-- he's welcome to bring that legislation himself. Today we are focused on a supplemental-- we are not focused on a supplemental insurance policy. We're talking about a rebuttable presumption for workers' compensation to where medical doctors can weight in on the claims process. So I guess I, I don't understand, why don't we just insure the firefighters now in the workers' comp and replace their wages and medical benefits when they get sick, if they can prove their claim. But instead we want to put a statewide insurance policy that we're going to mandate everybody gets? We're hired to do a job that's "carcinogous." The city should stand behind that. I would urge all of you to not support the indefinitely postpone motion and we can move forward with debate. Thank you, Mr. President.

Floor Debate January 21, 2026

Rough Draft

**ARCH:** Senator Hallstrom, you are recognized to speak.

**HALLSTROM:** Mr. Speaker, members, I didn't think I'd have to repeat my prayer this quickly. Where differences of opinion exist instill in us the humility to agree to disagree without being disagreeable, preserving the respect and unity essential to our mission. I take umbrage with the fact that Senator Wordekemper on the mic has suggested that this is a disingenuous approach. He used the term "bad faith." This is neither. I reached out to him in advance. It's existing law, existing law that was designed by Senator McDonnell to provide a benefit to both paid and volunteer firefighters, and it isn't working. It's, it's true that the municipalities back then opposed that. We have the choice of two separate unfunded mandates, I'll mix no words-- mince no words on that. But the one that they prefer greatly is the modification of the permissive Firefighters Cancer Benefit Act to make it mandatory over the workers' compensation rebuttable presumption. So again, probably pretty clear from Senator Wordekemper's actions that he is not willing to drop his motions and his amendments and get to my amendment and continue to work on this issue with an eye towards a statewide, even cheaper program. He talked about the fiscal impact. There is no fiscal impact to the state. I do have an amendment that would pick up the tab by the State Fire Marshal, which was a bill that Senator McDonnell brought in 2024. But given our fiscal woes at this point, I'm not inclined to bring that amendment. So we have an amendment that's going to put the premium cost on the back of the municipalities to provide a meaningful benefit to both volunteer and paid firefighters. And I think that's the best way to go, as opposed to running the risk that we're going to take a, a vote somewhat shortly on this motion. And if that one doesn't happen to get 25 votes, then we'll continue discussing this for some period of time, maybe to cloture, maybe not. And if we go to cloture, we'll see where 33 votes stand or don't stand. But for the moment, I'll continue in good faith, in genuine concern and interest in the bill, as opposed to disingenuous and bad faith, as it was characterized by Senator Wordekemper, in hopes that we can do something for the firefighters instead of potentially doing nothing. Thank you.

**ARCH:** Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. I, I do think it's important to rise and clarify a couple of maybe misunderstandings, that I'm going to be polite. The League of Municipalities had, had dropped an interim

study last year. That got co-opted by the firefighters and they ended up scheduling a hearing without notifying the League. And the day that they had it was the same day that the League had the grand opening on their building. So that's really not a genuine interest in sitting down and talking about the differences. I think the questions that remain out there today is, what are you really looking for? As a paid firefighter, you have a great salary, you have benefits-- and here's the benefits package, you have disability, you have insurance, you have, you have the normal health insurance, you have all of those benefits today. So what, what's missing? What are you looking for? If you get cancer for whatever reason-- and by the way, I asked the doctors, what caused my cancer? They said it's really hard to determine what caused your cancer. We don't know. We just know you have it and how you can treat it. OK? So this idea that there's some doctor out there that can look at somebody and say, you know, you have this cancer and here's what caused it, they would be lying to you. There's no way they're going to be able to tell you that. That's part of the problem. So, if you look at firefighters, many paid firefighters who have second jobs, what if that's-- what if they're a chain smoker and their second job is a welder, does that have any impact on perhaps lung cancer? Possibly. That's what's so-- that's what's so ridiculous about this bill. But I still would like to know the answer. What are you looking for that you don't currently have? If it's more insurance, then let's talk about that. If it's more disability, then let's talk about that. But this is so over the top, includes small volunteer forces. I mean, I look at Purdum, and I, I don't want to insult people at Purdum, but I'm not sure Purdum has 50 people that live in the town. But there's a, there's a volunteer force of 47. How do they pay for a claim? It's a, it's a property tax increase. That's the problem with this. We have got to stop-- I said this on Friday, I'm going to say it again. We have got to stop passing unfunded mandates. Now the firefighters can send all the flyers out that they want to. My understanding is a lot of residents in Omaha this past weekend got, got flyers sent out by the firefighters talking about how your state senator is turning their back on the firefighters. We're not. Every year this Legislature passes legislation to help firefighters. The Promise Act at the university, \$21 million a year cost to the university to be able to allow free tuition for the kids of EMS workers. Every year they're asking for something. Can you please tell me when will there be enough? When will it be enough and you do your job just like all the rest of us do? And

if there's something specific that you need, tell us what it is. But if you have disability insurance and you have life insurance and you have health insurance, what's missing in this equation? And if there's something out there, tell us it is. But passing a broad bill like LB400 that's going to bring all these other people in and basically open season on workman's comp claims that are unaffordable is not the answer. I think everyone, the League, everyone's willing to work with firefighters. We need firefighters. All of us appreciate firefighters. They're critical to us working and, and, and running our communities, and, and we all have to know that we've got firefighters and we've got police. So there's a willingness to compromise, but you've got to get everybody invited to same meeting and sit down and truly negotiate. And we haven't done that here. It's here's LB400, take it or leave it. Thank you, Mr. President.

**ARCH:** Senator Clouse, you're recognized to speak.

**CLOUSE:** Thank you, Mr. President. Colleagues, with regard to the interim study, that's the one that I dropped on behalf of the League. And in their defense, the date that was presented was one that they had a pretty significant event for the League, and that was when they opened up their new building and they had a lot of festivities going on that day. And they'd ask if we would change it, and I said, no, we're gonna proceed with it, because really just wanted to hear from the firefighters, you know, what their stance was. And so in defense of the League, you can put that one on me. They were willing to come, but they had another event going on. Now with regard to the particular bill, it is really difficult for me simply because the city of Kearney has the largest volunteer fire department in the state. Great people on there. I've always supported our fire department as mayor of Kearney. And just recently, we just lost one of our longstanding leaders in our fire department due to cancer. And it was a tremendous loss to our city. And Terry Eirich was a great man. And, you know, those, those are some of the casualties of firefighting. And we do miss him and we know that what he provided our community was immeasurable. Now, also, at the same time, we're talking to the city manager, talking about what the funding is, what the cost could be to the city. I've got a couple of villages in my district. They're all volunteer obvious-- obviously. And, and so when you look at the cost to them is significant, because they are smaller. And, you know, volunteer fire department and the EMS, we all know the challenges we have with EMS. There's a long report, 60-page sum report on the lack

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Floor Debate January 21, 2026

Rough Draft

of EMS folks across our state. So that's another issue we have to be dealing with, and how do we enhance our EMS, emergency providers, that we need desperately in the rural parts of the state. So this whole issue is one that you can't take lightly. And quite honestly, I'm, I'm torn, because I love our volunteer firemen. They've done a great job for our community. I've always supported them. But then as an elected official, what does this cost? And I don't really have a good, good feel for what that cost is. And I'm hoping that we can work with Senator Hallstrom and maybe keep moving forward on this. I know I talked to Senator Wordekemper, I know the passion he has behind it. And justifiably so. So I don't know where we're going to go with this, but certainly you have to look at all sides of the equation, and, and hopefully we can reach some type of compromise. But with that, I just wanted to clarify the issue with the League of municipalities on the interim study that I dropped. Thank you.

**ARCH:** Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills. LB1178, introduced by Senator DeBoer. It's a bill for an act relating to the Nebraska Probate Code; to amend sections 30-2619, 30-2623, 30-2625, 30-2627, and 30-2636, Reissue Revised Statutes of Nebraska; to allow for an incapacitated person, ward, minor, or protected person to attend hearings related to guardianships virtually; to change provisions relating to duties of guardians; to provide for awards of costs and expenses, including attorney fees, in certain judicial proceedings; and to repeal the original sections. LB1179, introduced by Senator DeBoer. It's a bill for an act relating to the Legislature; to amend sections 2-409, 2-3226.01, 2-3414, section 37-431, 37-1406, 46-1305, 50-447, 50-448, 54-642, 72-2008, 84-120, 86-331, 86-333, 86-515, and 86-524, Reissue Revised Statutes of Nebraska, sections 2-6315, 39-2825, and 66-2305, Revised Statutes Cumulative Supplement, 2024, and sections 46-1304, 50-1601, 61-227, 61-520, 70-1003, 81-15, 327, 81-1604, and 86-1068, Revised Statutes Supplement, 2025; to change references relating to the Agriculture Committee of the Legislature, the Natural Resources Committee of Legislature and the Transportation and Telecommunications Committee of the Legislature and the chairpersons of such committees for purposes of implementing renamed and merged standing committee structures; to add references to the Telecommunications and Technology Committee of the Legislature; to harmonize provisions; to provide an operative date; and to repeal the original sections. LB1180, introduced by Senator DeBoer. It's a bill

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

for an act relating to transportation; to amend section 75-303.01, 75-303.02, and 75-303.03, Reissue Revised Statutes of Nebraska, section 75-118, 75-302, and 75-307, Revised Statutes Cumulative Supplement, 2024, and section 75-126, 75-311, and 75-342, Revised Statutes Supplement, 2025; to provide that certain rates charged by motor carriers and regulated motor carriers are not subject to regulation by the Public Service Commission; to provide for licenses to engage in intrastate Medicaid non-emergency medical transportation services as prescribed; to provide powers and duties for the Public Services Commission; to provide fees; to redefine terms; to harmonize provisions; to eliminate obsolete provisions; and to eliminate the original sections. LB1181, introduced by Senator Bosn. It's a bill for an act relating to victim's rights; to amend sections 23-1201, 25-21,279, 81-1844.01, 81-1848, 81-1848.01, 81,1848.02 and 83-109, Reissue Revised Statutes of Nebraska, section 29-4705 Revised Statutes Cumulative Supplement, 2024, and sections 29-2261 and 81-1850, Revised Statutes Supplement, 2025; to change provisions relating to victims' rights; to define and redefine terms; to change duties for prosecuting attorneys relating to plea agreements; to transfer provisions; harmonize provisions; to repeal the original sections; and to outright repeal sections 29-119 and 29-120, Reissue Revised Statutes of Nebraska. LB1182, introduced by Senator Lippincott. It's a bill for an act relating to education; to amend section 79-1001, Reissue Revised Statutes of Nebraska; to provide for a base salary for certified teachers as prescribed; to state intent relating to establishing a new public education funding system based on block grant funding; to state intent for changes to the Tax Equity Educational Opportunities Support Act; and to provide severability; and to repeal the original section. LB1183, introduced by Senator Lippincott. It's a bill for an act relating to revenue and taxation; to amend section 79-1016, Reissue Revised Statutes of Nebraska, and section 77-201 and 77-5023, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the valuation of property; to harmonize provisions; and to provide an operative date; and to repeal the original sections. LB1184, introduced by Senator Fredrickson. It's a bill for an act relating to tribal colleges; to adopt the Nebraska Tribal College Investment Act. LB1185, introduced by Senator Bostar. It's a bill for an act relating to consumer protection; to adopt the Conversational Artificial Intelligence Safety Act; to provide powers and duties to the Attorney General; to provide civil penalties; and to provide an operative date. LB1186, introduced by Senator John Cavanaugh. It's a bill for an act

relating to electricity; to amend Section 77-6202, Revised Statutes Cumulative Supplement, 2024, and section 77-6204, Revised Statutes Supplement, 2025; to adopt the Affordable American Energy and Jobs Act; to redefine a term and change distribution provisions relating to the nameplate capacity tax; and to repeal the original sections.

LB1187, introduced by Senator DeKay. It's a bill for an act relating to the Livestock Brand Act; to amend section 54-1,108, Reissue Revised Statutes of Nebraska; to change fees for physical inspections and electronic inspections; to eliminate a mileage charge and provide for a surcharge; to harmonize provisions; to eliminate obsolete provisions; to repeal the original section; and to declare an emergency.

LB1188, introduced by Senator Bostar. It's a bill for an act relating to the Foreign-owned Real Estate National Security Act; to amend sections 76-3702 and 76-3703, Revised Statutes Supplement, 2025; to update a federal reference; to prohibit ownership of real estate in adversary nations by the state and any political subdivision thereof; and to repeal the original sections.

LB1189, introduced by Senator Conrad. It's a bill for an act relating to revenue and taxation; to create a pilot program administered by the Department of Revenue to raise awareness of the earned income tax credit; to provide an operative date; and declare an emergency.

LB1190, introduced by Senator Conrad. It's a bill for an act relating to appropriations; to amend Laws 2025, LB261, and section 245; to change the authorized use of funds appropriated to the Department of Economic Development; to repeal the original section; and to declare an emergency.

LB1191, introduced by Senator Hallstrom and others. It's a bill for enact relating to the Nebraska Advantage Act; to amend section 77-5723 and 77-5735, Revised Statutes Cumulative Supplement, 2024; to change the time period in which the required levels of employment investment must be met for certain projects; to provide for applicability; to provide a fee; to harmonize provisions; and to repeal the original sections.

LB1192, introduced by Senator Prokop. It's a bill for an act relating to the Convention Center Facility Financing Assistance Act; to amend section 13-2603, Revised Statutes Supplement, 2025; to redefine a term; and to repeal the original section.

LB1193, introduced by Senator Prokop. It's a bill for an act relating to electricity; to amend Section 77-105 and 77-2601 [SIC-- 77-6201], Reissue Revised Statutes of Nebraska, section 77-6202 and 77-6203, Revised Statutes Cumulative Supplement, 2024, and sections 13-518, 70-1001.01, 77-202, and 77-6204, Revised Statutes Cumulative Supplemental-- Supplement, 2025; to state legislative findings and declarations; to define and

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

redefine terms; to provide regulation of and requirements for energy storage resources; to change provisions relating to property tax exemptions and the nameplate capacity tax; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LB1194, introduced by Senator Storer and others. It's a bill for an act relating to public health and welfare; to adopt the Real Food Act; and to provide an operative date. LB1195, introduced by Senator Storer. It's a bill for an act related to jails; to eliminate requirements relating to female inmates of county jails and jail matrons; and to outright repeal section 47-111, Reissue Revised Statutes of Nebraska. LB1196, introduced by Senator Storer. It's a bill for an act relating to post-secondary education; to prohibit the use of state or local funds for low-earning outcome programs as prescribed; to provide powers and duties for the Coordinating Commission for Postsecondary Education; and to require an annual report. LB1197, introduced by Senator Storer and others. It's a bill for an act relating to hunting permits; to amend section 37-455, Revised Statutes Supplement, 2025; to change provisions relating to limited landowner permits; and to repeal the original section. LB1198, introduced by Senator Prokop. It's a bill for an act relating to ticket sales; to require paper tickets for certain events as prescribed; and to provide penalties. LB1199, introduced by Senator Ibach. It's a bill for an act relating to the practice of law; to amend section 7-203, Reissue Revised Statutes of Nebraska, and section 59-1608.04, Revised Statutes Cumulative Supplement, 2024; to change the definition of a designated legal profession shortage area under the Legal Education for Public Service and Rural Practice Loan Repayment Assistance Act; to provide funds for transfer from the State Settlement Cash Fund; and to repeal the original sections. LB1200, introduced by Senator Guereca. It's a bill for an act relating to public health and welfare; to require industrial integrators to develop an annual disaster mitigation plan for disaster events as prescribed. LB1201, introduced by Senator Guereca. It's a bill for an act relating to schools; to amend section 79-1021 and 79-2601, Reissue Revised Statutes of Nebraska; to amend the uses of the Education Future Fund as prescribed; to amend the Nebraska Reading Improvement Act; to provide for a grant program related to classroom libraries and engagement materials as prescribed; to harmonize provisions; to repeal the original sections; and declare an emergency. LB1202, introduced by Senator Clouse. It's a bill for an act relating to ignition interlock permits; to amend section 60-6,211.11 and 83-1,127.02, Reissue Revised

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Statutes of Nebraska, section 60-497.01, Revised Statutes Cumulative Supplement, 2024, and section 60-4,118.06, 60-601 and 60-6,211.05, Revised Statutes Supplement, 2025; to provide penalties for violations related to ignition interlock devices and ignition interlock permits; to provide powers and duties to the Department of Motor Vehicles; to reorganize and transfer provisions; to eliminate obsolete provisions; to harmonize provisions; and to repeal the original sections. LB1203, introduced by Senator Clouse. It's a bill for an act relating to counties; to provide for the treatment of uncashed checks issued by counties as prescribed. LB1204, introduced by Senator Clouse. It's a bill for an act relating to electricity; to amend section 77-105 and 77-6201, Reissue Revised Statutes of Nebraska, section 77-1359, 77-6202 and 77-6203, Revised Statutes Cumulative Supplement, 2024, and sections 13-518, 77-202, and 77-6204, Revised Statutes Supplement, 2025; to adopt the Nameplate Capacity Tax Facility Standards Act; to define and redefine terms; to change provisions relating to property tax exemptions and the nameplate capacity tax; to harmonize provisions; to provide an operative date; to provide severability; and to repeal the original section. LB1205, introduced by Senator Clouse. It's a bill for an act relating to the Department of Economic Development; to amend section 81-12,162, Reissue Revised Statutes of Nebraska; to change the requirement relating to the small business investment program; and to repeal the original section. LB1206, introduced by Senator Juarez and others. It's a bill for an act relating to revenue and taxation; to amend section 77-2716, Revised Statutes Supplement, 2025; to exempt income received from certificated teachers, paraeducators, and paraprofessionals from state income taxation as prescribed; and to repeal the original section. LB1207, introduced by Senator Juarez. It's a bill for an act relating to school districts; to provide for mental health leave as prescribed; and declare an emergency. LB1208, introduced Senator Juarez. It's a bill for an act relating to the Tax Equity and Educational Opportunities Support Act; to amend section 79-1001, Reissue Revised Statutes of Nebraska; to provide a budget requirement; to harmonize provisions; and repeal the original section. LB1209, introduced by Senator Clements. It's a bill for an act relating to appropriations; provide for appropriations to the Legislative Council; and declare an emergency. LB1210, introduced by Senator Clements. It's a bill for an act relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2025; to eliminate obsolete provisions; and to repeal the original section. LB1211, introduced by Senator

Floor Debate January 21, 2026

Rough Draft

Riepe. It's a bill for an act relating to the Automated Medication Systems Act; amends section 71-2444, Reissue Revised Statutes of Nebraska, and section 71-2449, Revised Statutes Cumulative Supplement, 2024; to provide requirements for automated medication systems operated by certain pharmacies; harmonize provisions; and to repeal the original sections. That's all I have at this time, Mr. President.

**ARCH:** Returning to the queue. Senator Hallstrom, you are recognized to speak, and this is your third opportunity.

**HALLSTROM:** Thank you, Mr. Speaker, members. I would just renew my request for Senator Wordekemper to continue to visit on this issue. Perhaps, rather than continuing to a potential cloture motion, if this bill could be passed over, that's one alternative. Otherwise, we'll see how much longer the debate on this issue has to go. Interesting dynamic with regard to the Senator Clouse amendment. I've visited with some of my colleagues and I've probably found just as many folks that are interested in supporting that amendment because it lowers the cost to the cities. And at the same time, I've got the same amount of people almost that are saying, if that amendment gets on and we throw the volunteers under the bus, I'm going to oppose the bill. So I don't know that that particular amendment, as well-intentioned as Senator Clouse may have been, is going to get us very far. Kind of look at this, the old High Noon movie with Gary Cooper and we're coming to the showdown around noon. Maybe not today, maybe Thursday or Friday, if we take this to, to fruition. But I, I do find it interesting the, the proposal to basically take volunteers for the most part out of the bill reeks with benevolence as Dana Carvey with Saturday Night Live Church Lady would say, "Isn't that special?" I don't think we should throw the, the volunteer firefighters under the bus, so I will have some concerns about Senator Clouse's amendment. And with that, again, I would hope that perhaps this bill could be passed over, give us some additional time to try and work out a compromise amendment along the lines of what I filed with AM1750, coupled with the insurance industry suggestion that we make it a statewide insurance program to even further lower the cost. And again, I, I can indicate that of the-- not all unfunded mandates are created equal. In this particular case, again, my proposal does have an element of unfunded mandate to the extent of the cost of the mandatory Firefighters Cancer Benefit Act premiums and, and cost associated therewith. But it is much more preferred by the cities and they would want to go along with that. I also believe that the volunteer firefighters would fully back the

amendment that I'm proposing. And again, if we can put together a statewide insurance program, we even further reduce the cost to the municipalities. So with that, this is my final time on this particular motion. I hope that something will break loose to allow us to move on to other issues that are on the agenda. Thank you.

**ARCH:** Senator Moser, you're recognized to speak.

**MOSER:** Thank you, Mr. Speaker. Good morning again, colleagues. So I agree with Senator Hallstrom that passing over this bill and trying to get it some kind of an agreement first and then bring it back if we have time is the best way to proceed. Otherwise it's going to go eight hours. Because if this indefinitely postponed motion fails, then we'll still be debating the bill and the cloture won't come until the end of eight hours. And if the sponsor of the bill doesn't have 33 votes, suspending it would at least keep it alive. Otherwise, sometime tomorrow or Friday, this bill is going to die anyway because I don't think he's got 33 votes. The, the bill has unknown consequences because we don't know how many people are going to qualify for benefits under his bill and how much it's going to cost. That's the reason I think that the cities object to it, because the losses could be huge. And the courts tend to side with the wronged party, and so if they feel that an employee had cancer because of his job, they're going to give probably some huge awards, and the cities would have to pay those judgments. Hallstrom's suggestion of having insurance to cover these losses is a lot better because it has a more predictable cost. And the cities are not trying to completely abscond from their responsibilities, they just don't like the presumption being put on them because it puts them behind the eight ball in negotiations. The comments about the League of Municipalities lobbying for this, that's their job. I mean, they're, they are hired by cities to represent their interests in the Legislature. So they're, they're going to oppose bills that are going to be to the detriment of cities. And we just have to understand that. Not everybody here is going to agree. I mean, just because my life experiences have shaped what I believe, that doesn't mean that everybody has the same life experiences or the same ideas. And I respect that, you know, there are people who disagree with me. But the League of Municipalities is doing what they do. This is a bill that's going to cause stress on cities and on their budgets, and they're hired by member cities to represent them, to keep bills from being passed in the Legislature, if they can, that are detrimental to cities. So again, I think the best thing to do would be

Floor Debate January 21, 2026

Rough Draft

to pass it over and try to bring it back. Otherwise, it's headed for a slow and painful death after eight hours. Thank you.

**ARCH:** Senator Hansen, you are recognized for an announcement.

**HANSEN:** Thank you, Mr. Speaker. Again, colleagues, just a reminder that the bill introduction deadline is today upon adjournment. My office has received word from the Revisor of Statutes office that all three-part requests have been delivered to the office of the introducers. Yep, round of applause there. I'm sure they're applauding. If your office has not yet received a three-part for a bill, or if you have not yet requested a three-part for a bill that you would like to introduce, please contact the Revisor of Statutes' Office ASAP. Thank you, Mr. Speaker.

**ARCH:** Seeing no one left in the queue, Senator Wordekemper, you are recognized to close on your motion to indefinitely postpone.

**WORDEKEMPER:** Thank you, Mr. President. I would urge my colleagues to vote no to indefinitely postpone this so we can move forward and get to the committee amendment and Senator Clouse's amendment. Thank you, Mr. President.

**ARCH:** There has been a request to place the house under call. The question is, shall the house go under call? All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 21 ayes, 1 nay to place the house under call, Mr. President.

**ARCH:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Fred Meyer, please return to the Chamber. The house is under call. Senator Fred Meyer, please return to the Chamber. The house is under call. Senator Hallstrom, Senator Fred Meyer is not present, would you like to-- all unexcused members are now present. Request by the introducer has been to reverse order. Colleagues, just too, for clarity, consistent with Rule 6-3(f), for this motion to be adopted, it requires 25 votes in the affirmative. Mr. Clerk, please call the roll.

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Floor Debate January 21, 2026

Rough Draft

**ASSISTANT CLERK:** Senator Wordekemper voting no. Senator von Gillern voting no. Senator Strommen voting yes. Senator Storm voting yes. Senator Storer voting yes. Senator Spivey voting no. Senator Sorrentino voting no. Senator Sanders voting no. Senator Rountree voting no. Senator Riepe not voting. Senator Raybould voting yes. Senator Quick voting no. Senator Prokop voting no. Senator Murman not voting. Senator Moser voting yes. Senator Glen Meyer voting yes. Senator Fred Meyer voting yes. Senator McKinney voting no. Senator Lonowski voting yes. Senator Lippincott voting yes. Senator Kauth voting no. Senator Juarez voting no. Senator Jacobson voting yes. Senator Ibach voting yes. Senator Hunt voting no. Senator Hughes voting no. Senator Holdcroft voting no. Senator Hardin voting no. Senator Hansen voting no. Senator Hallstrom not voting. Senator Guereca voting no. Senator Fredrickson voting no. Senator Dungan voting no. Senator Dover. Senator Dorn voting yes. Senator DeKay voting yes. Senator DeBoer. Senator Conrad voting yes. Senator Clouse. Senator Conrad voting no. Senator Clouse voting no. Senator Clements voting yes. Senator Machaela Cavanaugh not voting. Senator John Cavanaugh voting no. Senator Brandt voting yes. Senator Bostar voting no. Senator Bosn voting no. Senator Ballard voting no. Senator Armendariz voting yes. Senator Arch voting no. Senator Andersen voting no. Vote is 16 ayes, 27 nays on the motion to indefinitely postpone, Mr. Speaker.

**ARCH:** The motion is not adopted. I raise the call. Mr. Clerk, next item.

**ASSISTANT CLERK:** Mr. President, I have a motion to reconsider the last vote by Senator Hallstrom.

**ARCH:** Senator Hallstrom, you are recognized to open on your motion to reconsider.

**HALLSTROM:** Yes, I believe I'd just reiterate, Mr. Speaker, that I think this bill is obviously not ready for prime time. I'd like to see a compromise work out that will be meaningful and beneficial to the firefighters, and that's not going to be accomplished with LB400 in its current form. And I would just request the body to vote yes on my motion to reconsider.

**ARCH:** Returning to the queue, Senator Raybould, you're recognized to speak.

**RAYBOULD:** Thank you, Mr. President. Thank you colleagues. I stand in support of the motion to reconsider. I think we're all struggling with thinking that if we vote no, that that no-vote means that we don't support our hardworking, dedicated firefighters and the difficult and hazardous work that they do. That is not the intention. I think Senator Wordekemper has a great bill that needs to be worked on and needs to bring in the League of Municipalities so that we can make sure that there is not yet another unfunded mandate passed on to them. That's my big concern. This year, especially with our, our budget deficit, that this is an unintended consequence, and I don't want to see that happen. And I also don't want to see this happen for my fellow colleagues who vote for this reconsideration, in support of this reconsideration, that they are perceived as being against our firefighters. I feel that sometimes as an elected official, when you make these tough decisions, you get labeled, oh, you don't support our firefighters, and that could be the furthest from the truth of every single member in this body. I know as a county commissioner, as a Lincoln city councilperson, tirelessly voted in support of our firefighters for pay increases, diligently making sure that we do the fiscally responsible thing and fully fund the actuarial recommendations for our pension funds. For those in the cities who manage pension funds, they know that that's the 800-pound gorilla in the room to make sure you fully fund the pension fund. Not only for our firefighters but for our law enforcement personnel as well. That's a commitment that I have made as an elected official consistently every single year that I've been an elected official. We know that many of the rural communities struggle right now to upgrade all the fire equipment, from the ladder trucks to the engines to actual even routine upgrades to the fire houses that house these things. I know in the city of Lincoln we did something very courageous. We did certificates of participation. It's a financial tool that cities have access to to really go out and fund our, our infrastructure needs of our firefighters that hadn't been addressed in about 15 years. So this is a backlog of things. We take our responsibility as elected official to do everything that we can to support our firefighters, but not at the detriment of the municipalities that are left holding the financial obligation to do so. This is a good bill. It needs to be reworked. It needs to take some time to sit down and bring the

stakeholders together, hammer out some of the great amendments that have been talked about that don't create that unnecessary financial burden to the municipalities. They've been clear on that articulation. It's not because we don't want to do everything that we can to support our firefighters. Senator Jacobson spoke very clearly on all the efforts this body has taken in the past to indicate our support for the hard work that they do, the hazardous work that they do. This will continue. There is no one in this body who is unwavering about our commitment to our firefighters. And so I, I feel that that was one of the reasons why some people voted no on indefinitely to postpone. Maybe it's an election year. They didn't wanna be labeled as a person who is anti-firefighters. That hurts, I know. I've been there, done that, even though my track record is unwavering in all the support that I have given throughout my 16 years. So I encourage my colleagues rethink this vote. Let's give this bill the time it needs, the attention it needs to get it right, to make sure we do the right thing, to take care of our firefighters, our firefighters' families, and not create that unnecessary burden to the municipalities. Thank you, Mr. President.

**ARCH:** Senator Hallstrom would like to recognize some guests today. First of all, LuRae Hallstrom, his spouse, and two friends, Karen Wolken and Sue Borcher, both from Tecumseh. They are seated under the balcony. Please rise and be welcomed by your Legislature. Returning to the queue, Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. Again, I'll echo what Senator Raybould just said. No one is opposed to firefighters, paid or volunteer. They're critical to our communities. They are critical to what we do in our everyday lives. All we're looking for is something reasonable, quantifiable. At the end of the day, I was elected to serve District 42 because my taxpayers-- the taxpayers in the district said we're sick of our property taxes going up every year and we're tired of the unfunded mandates. I heard that message, and since my time down here, I have worked to keep that in mind on any bill that comes through the Legislature. If you look at my voting record, I think it's pretty consistent. And if you look this year, even if it's a small increase in spending, I've opposed it. This is a very important bill that needs to be given the right time. I appreciate Senator Clouse explaining what happened with the legislative-- or with the interim study, but this bill needs an interim study. I think the League is waiting for the firefighters to tell them exactly what they

need. What is the specific thing that's missing that they can figure out what the cost would be and be able to deliver on that? But they're not willing to do that. They're now willing to sit down and have a dialogue. They're out there in the Rotunda now, and they're not talking to each other, because I think the firefighters believe we're gonna run this thing. OK, I'm telling you, this is gonna go eight hours. And there's not 33 votes to pass it. So we can mess around here and not vote for one of these blocking motions that were put up by Senator Wordekemper and end it now, or we can go eight hours and, and vote then and have them come up short on the votes to move it forward. But either way, this bill is not gonna pass. So maybe it makes sense, and I've always kind of found that sitting down and negotiating and trying to get the next best alternative is a good idea. As a committee chair, we get bills that get assigned to our committee, and we have committee hearings. And we have people that show up and people that vote-- or that testify in favor, and people that testify in opposition. And I'm going to tell members of my committee, I always tell members of the committee when that happens, you've got some work to do before we're going to exec on the bill. Go talk to the people that are opposed to your bill and figure out what you need to do to get the yes. Now they may not love the compromise, but that's a lot of what we do down here, is we figure out how we can get to yes. I've done that all my career, is how do you get to yes? And you don't get to yes by cramming it down people's throats. That never works. This is an opportunity for the firefighters to sit down with the League and work out what they want. But the League is telling me they aren't-- they don't know what that is. We're already offering, and in fact, if you look in Lincoln and Omaha, they have the Cadillac of Cadillacs for retirement plans. It's a defined benefit plan. For those of you who don't know what that is, the city has to every year do an actuarial study to make sure that they've got enough money put away to guarantee the members that are on that plan a certain income stream every year for the rest of their lives. Everyone else is on a defined contribution plan, which means you contribute to it, we will contribute to it, and whatever the earnings are is what your retirement would be. So they have the Cadillac of retirement plans, they have Cadillac of health care plans that is most cases fully funded by the city, they have a disability plan, and they have life insurance. Now how many people would like to have that, that are listening today? But that's not enough, evidently. So talk about what you do need, but work out a

compromise and bring it back and I will support it. But I will not support an unfunded mandate. Thank you, Mr. President.

**ARCH:** Senator Ibach would like to recognize some guests. They're seated in the north balcony. From the Nebraska Cattlemen is the Young Cattleman's Connections Class of 2026. Please rise and be recognized by your Legislature. Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills. LB1212, introduced by Senator Riepe. It's a bill for an act relating to the Uniform Credentialing Act; to amend sections 38-2001 and 38-2002, Revised Statutes Cumulative Supplement, 2024; to provide for licensure of internationally trained physicians as prescribed; to harmonize provisions; and to repeal the original sections. LB1213, introduced by Senator McKinney. It's a bill for an act relating to foster care; to adopt the Case Management Licensure Act. LB1214, introduced by Senator McKinney. It's a bill for an act relating to neighborhoods; to create a pilot program for neighborhood data collaboratives; to define terms; and to require a report. LB1215, introduced by Senator McKinney. It's a bill for an act relating to political subdivisions; to adopt the Political Subdivision Contracting Transparency Act. LB1216, introduced by Senator McKinney. It's a bill for an act relating to the Nebraska Treatment and Corrections Act; to amend section 83-182, Reissue Revised Statutes of Nebraska; to provide for educational services and educational programming for certain prisoners; to provide duties for the Director of Correctional Services, the Department of Education, and the State Board of Education; and to repeal the original section. LB1217, introduced by Senator Hardin. It's a bill for an act relating to schools; to provide for authorization for schools to maintain epinephrine for emergency first aid as prescribed. LB1218, introduced by Senator Brandt. It's a bill for an act relating to the County Bridge Match Program; to amend sections 39-2805 and 66-4,100, Revised Statutes Cumulative Supplement, 2024; to require the County Bridge Match Working Group to award money as prescribed; to change provisions of the Highway Cash Fund and the Roads Operations Cash Fund; to provide for transfers of money from the Roads Operation Cash Fund; to eliminate obsolete provisions; and to repeal the original section. LB1219, introduced by Senator Brandt. It's a bill for an act relating to revenue and taxation; to limit the amount of property taxes that may be levied by a political subdivision as prescribed; and to define terms. LB1220, introduced by Senator Brandt. It's a bill for an act relating to the Game and Parks Commission; to amend section 37-314,

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Reissue Revised Statutes of Nebraska; to provide a duty to the commission and to repeal the original section. LB1221, introduced by Senator Ballard. It's a bill for an act relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Cumulative Supplement, 2024; to provide definitions relating to community engagement and work requirements; and to repeal the original section. LB1222, introduced by Senator Prokop. It's a bill for an act relating to public health and welfare; to require insurance coverage of acquired brain injury services as prescribed; to define terms; to require an expedited appeal process; to provide duties for the Department of Insurance; and to require insurance and Medicaid coverage for diagnostic testing and treatments or medications as prescribed to slow the progression of Alzheimer's disease and related dementia. LB1223, introduced by Senator Hunt. It's a bill for an act relating to motor vehicles; to amend section 60-6,221, 60-6,224, 60-1411.03, 60-1411.04 and 60-1437, Reissue Revised Statutes of Nebraska; to change headlight requirements under the Nebraska Rules of the Road; to prohibit the sale and distribution of certain motor vehicles by motor vehicle dealers, manufacturers, and distributors under the Motor Vehicle Industry Regulation Act; to harmonize provisions; to repeal the original sections. LB1224, introduced by Senator Hunt. It's a bill for an act relating to schools; to amend sections 28-319, 28-319.01, 28-320, 28-320.01 28-322.02, 28-322.03, 28-322.04, 28-323 and 79-1601, Reissue Revised Statutes of Nebraska, sections 28-322.05, 28-707, and 28-713.03, Revised Statutes Cumulative Supplement, 2024, and sections 28-320.02 and 28-710, Revised Statutes Supplement, 2025; to prohibit persons convicted of certain crimes for monitoring or providing instruction at a school which elects not to meet the accreditation or approval requirements, to change the Child Protection and Family Safety Act; to define a term; to permit the transfer of a student to a school that elects not to meet approval and accreditation requirements in certain circumstances as prescribed; to provide notice; to require confidentiality as prescribed; to provide duties to the Department of Health and Human Services and to the Commissioner of Education; to harmonize provisions; and to repeal the original sections. LB1225, introduced by Senator Raybould. It's a bill for an act relating to the Nebraska Juvenile Code; to amend section 43-247, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to certain expedited appeals; and to repeal the original section. That's all I have, Mr. President.

**ARCH:** Returning to the queue, Senator Storer, you're recognized to speak.

**STORER:** Thank you, Mr. President. I also stand to encourage you to vote to reconsider-- for the vote to reconsider presented by Senator Hallstrom. And I wanted to just make a few comments for the public record that have already been said. It, it is very frustrating when issues like this come up and you're broadly sort of attempted to be bullied into a vote that if you don't support in its entirety that somehow you're characterized as being, in this case, against firefighters. I will say for the record, I am not at all, I support all the volunteer and paid firefighters in the state of Nebraska. Their jobs are unique and we don't appreciate them until we really need them. And I have witnessed in my district, which is all volunteer departments, the commitment and the passion that these men and women put into their jobs. What I also witness is fundraisers after fundraisers from these volunteer fire departments to try and raise enough money to buy equipment. That's what happens in my district. Their budgets are thin. And I think that we have to acknowledge once again in the state of Nebraska we pass things sometimes without consideration of the differences and the variances in this state. This is not a one-size-fits-all bill yet again. What I have not yet been told, and I think it should be the most important factor, is what is this going to cost? We don't get the fiscal note on this because it's not going to be a cost to the state. And we've had lots of discussions on, on the floor about maybe legislation that requires fiscal notes that demonstrate what will be the cost to businesses or municipalities or counties. We don't have that today. So we're left to make this decision with no idea what this is gonna cost. So from my viewpoint, it is irresponsible of anybody to jump on this ship and support the bill in its current form with no understanding of what it's going to cost the fire departments, volunteer or otherwise, in your district. The only thing that we do know for certain is it will cost something. And yes, as Senator Jacobson has said accurately, that would be called a unfunded mandate. We just don't know how big it is. And so I ask for you to support Senator Hallstrom's motion to reconsider and then move to vote yes on the motion to indefinitely postpone and let this bill go back and get the work that it needs so we all have better information to make this decision. This is, this is not light stuff. I cannot, cannot support the bill in its current form and put a burden on my volunteer fire departments that are scrambling. They're having

barbecues and fundraisers and whatever they can do so they can have equipment to do their job safely. They don't have extra room in their budget for something like this that is an unknown, quite frankly, at this point. So let's consider Senator Hallstrom's motion, and then please vote yes on the motion to indefinitely postpone. Thank you.

**ARCH:** Senator Hallstrom, you're recognized to speak.

**HALLSTROM:** Thank you, Mr. Speaker, members. I think I'd just reiterate a few things that Senator Jacobson has already touched on when you're looking at the dynamics between paid and volunteer firefighters. Paid firefighters, I think, have an excellent health insurance plan. So with regard to medical benefits, if they don't have a viable claim or one that they want to take the risk of, of moving forward on through the workers' compensation court, at least their medical benefits are going to be covered by the health insurance in most cases. We do have a pathway for recovery under the current workers' compensation system. It's called an occupational disease. I mentioned earlier, and Senator Wordekemper had gone into some detail about the scientific studies and the research that show the connection between firefighters' occupation and their propensity to contract cancer. I think that goes a long ways, if not the full hundred yards, in proving up the burden of showing that there was causation that was related to the course and scope of employment. Whether or not a lot of cases have been brought or not is irrelevant to the issue. We are dramatically and significantly turning the burden to proof on its head literally under workers' comp. I think that's bad policy to carry out no matter how good the resulting benefit might be to the worthy and deserving firefighters. We also look at the issues of, you know, where, where cancer can be contracted. There may be other industries, as the private businesses who are not impacted directly by this bill pointed out at the public hearing, that they're worried about that proverbial camel's nose under the tent. And I think that's a valid concern, one that I used for years, and I think appropriately so under similar circumstances. I think I'll pivot a little bit. This is one of-- a unique time that we're in. We look at who on earth would have thought that Indiana has become a football school and Nebraska has become a basketball school. Nebraska's undefeated. You might have read in the newspaper recently where this is the highest we've ever been ranked. Before that, the next closest was the 1965-66 Huskers. They were led by Coach Joe Cipriano. They had a, a record of 20-5 that particular year. You go through the roster, their, their tallest player that

played much of anything was a guy named Willie Campbell, 6'5'' center. By the way, they were 20-5. You might ask, how did they do in the NCAA tournament? They didn't play in the NCAA tournament because there were only at that time 22, 22 teams that qualified. The year before, you might remember last session I talked about the University of Texas at El Paso defeating Kentucky in the championship game, beating Jo Jo White from the University of Kansas and his team. At that time, they had 23 teams. They reduced it to 22, further lessening the Huskers' opportunity to play in the national tournament. But going through the rest of the roster, we've got Nate Branch, who ultimately played with the Harlem Globetrotters, that you may remember. Stuart Lantz, who was the player for the Los Angeles Lakers, ultimately became the play-by-play color commentator for the Lakers. And then a cagey sharpshooter, Tom Baack from Fort Wayne, Indiana, had a feathery touch from the corner, one of the high scorers on that team. And then we had some Nebraska-bred players, Grant Simmons, who was a Benson Bunny out of Omaha. And I don't think it was any relation, but from, I believe, Senator Ibach's part of the state, Ron Simmons from Broken Bow, who ultimately became a, a well-known and renowned fast-pitch softball pitcher. We also had Fred Hare. He was infamous for the game-winning shot against Michigan a few years before 1965, I believe, as a sophomore out of Omaha Tech. And then we had guy named Ernie Strausel, who happened to be-- didn't play much, but went on to play quite a bit of AAU ball, and he was from my district down in Falls City in the heart of-- in the edge of District 1. So just a little trip down memory lane. I see the yellow light is on, I will probably get back to the substantive parts of the bill. But until and unless we pass over bill or move on to get to my amendment, we'll have an opportunity to talk about various and sundry subjects, so thank you.

**ARCH:** Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. You may have noticed that Senator Hallstrom pivoted to basketball because he doesn't know how to sing. OK? So that was how he's gonna fill that time. So thank you for not trying the singing. I enjoyed the basketball part. I will repeat again the fact that, and I think Senator Storer sums it up, it would do many some good to go out west understand how the rest of the state operates. I look at my district 42. I have North Platte. North Platte has both a paid and a volunteer fire force. Very qualified individuals. I believe there are 37 on our paid force, and I, I certainly appreciate every one of them. I will also tell you that when

you go to the communities around me, most of them are volunteer forces, and they all have fundraisers, as Senator Storer had outlined. In many cases to buy, buy equipment and to be able to buy-- and equipment might be boots and jackets and coats and the things you wear to fires, and then also in some cases, tanker trucks because we do deal with a lot of grass fires. They're very dedicated. They all have outside jobs, the, the volunteers do. And they get their health insurance and they get the income from their real job that's outside of the volunteer firefighters. I don't know what those jobs are. Many of those jobs could have-- could expose you to carcinogens. I will repeat, however, that when I first went in and was diagnosed with metastatic melanoma, the doctor didn't ask me what my occupation was. They asked me about my family history because that seemed to be the bigger determinant in terms of whether you're going to get cancer and what kind, not necessarily what you're exposed to. I think it's also been pointed out that less than 20 percent of the calls that firemen get, and I'm talking about the professional forces now, are related to fire. And most of them are EMS calls. So it's not like you're going out every day and fighting fires, OK? Even on the biggest of our paid forces. So I, I do think it's a bit of a stretch to get too concerned about the fact that this occupation is significantly more risky than farmers and other occupations that may expose you to, to items that may be carcinogenic, may be carcinogens, or just life in general and your heredity and your time is up. You're getting cancer. And you fight cancer. So I come back again and ask the question, what are we trying to do here? Because if you have health insurance, that's going to pay for your cancer treatments. If you, if you have disability insurance, that's gonna pay you if you're off from work. If you have life insurance, that's to provide your family with income to replace what your income would have been. Now, is that life insurance enough? Well, probably what's provided by the cities and whoever you're employed by isn't, but you'd probably have to buy some yourself. So let's talk about what the real issue is here, because we need to take care of the firefighting forces, but we need do it in a smart sort of way, with the fiscal note, to know what we're talking about. But I'm not ready to do an unfunded mandate to cities or counties or any of our political subdivisions. Thank you, Mr. President.

**ARCH:** Seeing no one left in the queue, Senator Hallstrom, you are recognized to close on your motion to reconsider.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

**HALLSTROM:** Thank you, Mr. Speaker. Appropriate for me to ask Senator Jacobson a question?

**ARCH:** Senator Jacobson, will you yield?

**JACOBSON:** Reluctantly, yes.

**HALLSTROM:** Senator Jacobson, I was listening to what you said. Was, was that a challenge for me to sing on the mic or a--

**JACOBSON:** Well, I-- it's a challenge to please do not. If you don't, I won't. How about that?

**HALLSTROM:** OK. Well, all I can tell you is, "Soon and very soon, we are goin' to see the King." What I'd like to do in closing is encourage the body to take a serious look at this motion to reconsider. More often than not, these are dilatory motions that we're looking at to just burn some more clock and, and carry on with our business. But I think in, in part in terms of the body sending a message, the more votes that we have on this motion to reconsideration, ideally if we have 25, we're back to the IPP motion and we can re-vote on that. But if we don't get to 25, the more votes we have that sends the message that at the end of the day, you are not reluctantly or otherwise going to vote for LB400 in its current form, with or without the committee amendment, with or with Senator Clouse's amendment. And hopefully we can ultimately get to my amendment and see where the votes lay on that particular issue. But for the time being, I would ask your support for the motion to reconsider. Thank you.

**ARCH:** Colleagues, the question before the body is the motion to reconsider. All those in favor, vote aye. There has been a request to place the house under call. The question is, shall the house go under call? All those in favor, vote aye. All those opposed, vote nay. Mr. Clerk, please record.

**ASSISTANT CLERK:** 31 ayes, 1 nay to place the house under call, Mr. President.

**ARCH:** The house is under call. Senators, please record your presence. Those unexcused Senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house under call. Senators Machaela Cavanaugh, Rountree, Hunt, please return to the Chamber. The house is under call.

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Senator Raybould, could I ask you to please check in? Senator Machaela Cavanaugh, please return to the Chamber. The house is under call. All members are now present. There has been a request for a roll call vote. Mr. Clerk, please call the roll.

**ASSISTANT CLERK:** Senator Andersen, voting no. Senator Arch, voting yes. Senator Armendariz, voting yes. Senator Ballard, voting no. Senator Bosn, voting no. Senator Bostar, voting no. Senator Brandt, voting yes. Senator John Cavanaugh, voting no. Senator Machaela Cavanaugh, voting no. Senator Clements, voting yes. Senator Clouse, voting no. Senator Conrad, voting no. Senator DeBoer. Senator DeKay, voting yes. Senator Dorn, voting yes. Senator Dover. Senator Dungan. Senator Fredrickson, voting no. Senator Guereca, voting no. Senator Hallstrom, voting yes. Senator Hansen voting no. Senator Hardin, voting yes. Senator Holdcroft, voting no. Senator Hughes, voting no. Senator Hunt, voting no. Senator Ibach, voting yes. Senator Jacobson, voting yes. Senator Juarez, voting no. Senator Kauth, voting no. Senator Lippincott voting yes. Senator Lonowski, voting yes. Senator McKinney, voting no. Senator Fred Meyer, voting yes. Senator Glen Meyer, voting yes. Senator Moser, voting yes. Senator Murman, voting yes. Senator Prokop, voting no. Senator Quick, voting no. Senator Raybould, voting yes. Senator Riepe. Senator Rountree, voting no. Senator Sanders, voting no. Senator Sorrentino. Senator Sanders, voting no-- oh, so voting yes, I'm sorry. Senator Sorrentino, voting no. Senator Spivey, voting no. Senator Storer, voting yes. Senator Storm, voting yes. Senator Strommen, voting yes. Senator von Gillern, voting no. Senator Wordekemper, voting no. 21 ayes, 24 nays on the motion to reconsider, Mr. President.

**ARCH:** The motion to reconsider is not successful. I raise the call. Mr. Clerk, next item.

**ASSISTANT CLERK:** Mr. President, LB400, introduced by Senator Wordekemper. A bill for an act relating to the Nebraska Workers' Compensation Act to amend Section 48-1,110, Reissue Revised Statutes of Nebraska; to provide for compensability of certain cancers in firefighters; to create rebuttable presumptions; and to define terms; to harmonize provisions; and to repeal the original section. The bill was first read on January 17 of 2025. The bill was referred to the Business and Labor Committee. That committee, Mr. President, has placed the bill on General File. There are committee amendments.

Floor Debate January 21, 2026

Rough Draft

**ARCH:** As the Clerk indicated, there are committee amendments. Senator Kauth, you are recognized to open on the committee amendment.

**KAUTH:** Thank you, Mr. President. The committee amendment, AM702, amended the rebuttable presumption to indicate that the cancer arose out of employment if previous physical exams, either at the time of employment or subsequently, had not shown any evidence of cancer. It additionally added more carcinogens to the list of those known to cause cancer that would fall under the coverage for the firefighters under the Workers' Compensation Act. Thank you.

**ARCH:** Mr. Clerk for an amendment.

**ASSISTANT CLERK:** Mr. President, Senator Clouse would move to amend with AM1696.

**ARCH:** Senator Clouse, you're recognized open on your amendment.

**CLOUSE:** Thank you, Mr. President. This amendment just does some clarification. And I think Senator Wordekemper talked about that in his opening remarks, but the amendment, what it does is it just changed some of the dates. And so here's what the volunteer, this is what this means. It would be 10 years of service means-- so it's changing at least 10 years of service instead of 5 as a, as a volunteer firefighter, and that's up from 5, as I said. And second, the active participation in a minimum of 40% of the drills conducted by their department during the period of service. And third, its response to a minimum 25% of emergency calls received during the time that they're on this-- that they are on call. The reasoning behind this is that 10 years of service means that this is someone committed for the long haul. In other words, they've proven their dedication through the-- through multiple seasons and years. The 40% drill participation means that they're showing up for training regularly, maintaining skills, staying current on procedures, and being exposed to training environments. 25% call response means they're actually turning out for emergencies. They're the ones showing up at 2:00 a.m. in the morning when the barn is on fire and they're responding to vehicle accidents. They're actually doing the actual work. And if someone has 10 years of service, attends 40% of the drills and responds to 25% of calls, their carcinogen exposure from firefighting is substantial and ongoing. So it's, it's not a hobby for them, it's a major part of life. This is the same approach that Wyoming uses and

Floor Debate January 21, 2026

Rough Draft

it's proved to work in that state. The thresholds effectively identify volunteers who are generally active in firefighting while still allowing for individual case evaluations. Cancer doesn't discriminate between paid and volunteer fire departments, and I think we all know that. We, we've had these discussions ongoing for several hours now. But the technical-- there's also some technical changes in this amendment, and it really, it makes two necessary changes. The first one changes, and it was a drafting error that has been talked about, is it corrects digoxin, d-i-g-o-x-i-n, to dioxin in subsection (3)(c), and updates the dates from '26 to '27 since the bill didn't pass last year. So, first this amendment, as Senator Wordekemper and I've talked about, it's based on proven from Wyoming, and so it's something that is not experimental, that it does work. As-- it particularly works in that state. And second, it keeps volunteer firemen-- volunteers in the bill while addressing legitimate concerns about active participation and causation, and it provides recruitment and retention benefits for the volunteer fire departments. And fourth, it maintains the principle that all firefighters, paid and volunteer, who are generally active in firefighting, should be protected when they develop occupational causation. So in, in a nutshell, that is what this amendment does, just provides those clarifications and to simply state that some of those clarifications on what constitutes a volunteer has been defined in other states. Thank you.

**ARCH:** Turning to the queue, Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. I mean, as a general rule, as I've said, I, I oppose the bill and will continue to oppose the bill without massive changes and compromise, which isn't going to get done this session because there's been an unwillingness by the firefighters to really sit down and have true dialogue with the League, who's picking up a tab on, on this bill. I do like Senator Clouse's ideas in terms of his amendment. I think it makes the bill less objectionable. I agree with him. If you've been on the volunteer force for 10 years, which I might add, applying to be on the volunteer force and getting approved, the question then is, do you show up for trainings? He's addressing that. Do you show for fires? He's addressing that, even though the percent of fires that you show up for is at 25%, so a fourth of the fires. And so I appreciate the enhancements that he's trying to bring. But, you know, we have forces out there today with the law the way it is today. There was a case in Scottsbluff with the

current law where there was a substantial award being paid. It's not that we're turning our backs on firefighters. If you truly were-- got cancer as a result of your being employed as a firefighter, you can take that to workmens' comp court, and in the case in Scottsbluff, they won. So it can be done. But this basically just opens the floodgates. And you will have basically a claim anytime anyone dies of cancer while on the force, OK? And I don't think that's right to the political subdivisions because there are, as I said before, so many other causes for cancer. Again, we talk about we're gonna have a doctor's note. I mean, that's like my dog ate, ate my homework, OK? I had prostate cancer back when I was 59, and I had a full body scan at that time. And unless you're gonna do a PET scan, you're not gonna know whether you have cancer. It's not gonna show up. You're not going to do a blood test. The doctor's not going look at you. It looks like you look fine. You're cancer free. It doesn't work that way. It's not that simple. And furthermore, when you do get a biopsy and they tell you you've got cancer, and here's what it is, very few doctors are going to be able to tell you with any kind of accuracy at all that this is what caused it. In fact, I'm not sure that it wouldn't be malpractice if you said, I know that this is what cause it. And with all of the people who get cancer in this country, they're not all firefighters. They're simply not. Some people can be exposed to all kinds of environmental issues and never get cancer and someone else will. It happens and you live with it. There are amazing treatments that are out there today, and I'm continuing to count on those treatments continuing to be out there. I'm very fortunate that the treatments I took are very helpful. I got rid of cancer, it came back. I've taken treatments, a different treatment, and that's worked. So there are ways to treat it. Not everyone dies who gets cancer, and not all people get cancer are firefighters. I'm back again to we need to have a compromise worked out here and there's unwillingness to do that. And we can't open up the floodgates to all these unfunded mandates, so I again will be opposed to anything on this bill, and would encourage that this bill gets voted down. There's not 33 votes to pass it, so I will be here to help take it to a filibuster and take it to get rid of this bill unless there's some willingness to change. This bill should be passed over. They work out a compromise and bring it back, let's hear it. Thank you, Mr. President.

**ARCH:** Mr. Clerk, for a priority motion.

Floor Debate January 21, 2026

Rough Draft

**ASSISTANT CLERK:** Thank you, Mr. President. Senator Hallstrom would move to bracket the bill until April 17, 2026.

**ARCH:** Senator Hallstrom, you're recognized to open on your bracket motion.

**HALLSTROM:** Thank you, Mr. Speaker. Just checking the record, I was a little bit surprised that we moved to the Clouse amendment. Senator Wordekemper had removed his motions to recommit and motion to bracket before they were read into the record. Therefore, by our rules, he's allowed to do so without requiring unanimous consent or a vote of the body. Good to know that for future reference. So I have filed both a motion to recommit and a motion to bracket. I think we'll spend the rest of the time this morning on these two motions if people are willing to stand up, and certainly encourage and welcome Senator Wordekemper to say positive things about his bill, if he's so inclined. We get to noon, hopefully we'll have this up on the agenda tomorrow. And perhaps between adjournment at noon and tomorrow, Senator Wordekemper and I and other representatives that are interested in this bill may have an opportunity to visit in more detail. I would certainly welcome that, to see if there's a way forward short of LB400 in its current form. So with that, I would ask for your support for the motion to bracket.

**ARCH:** Turning to the queue, Senator Wordekemper, you are recognized to speak.

**WORDEKEMPER:** Thank you, Mr. President. I think Senator Clouse's amendment, which I worked with him on, is a very good compromise. I, I understand volunteers should potentially meet a threshold. And I think if they do that, even if they make the 10 year, 40% and 25% threshold, they still have to weigh the option of what their part-time job or full-time job was and decide if they want to move forward thinking that they would get a favorable presumption. They're going to have the brunt of those legal costs. They're, they're gonna have to really look at the issue and say, can I even prove this? Is it even realistic? And I don't know that you could come to that, barring you were immersed in a chemical on a call that you went on. So I think it would be a very uphill battle for a volunteer to present that information and be able to, you know, have the cities even consider paying the benefit. So, I understand that. I, I guess I just don't understand, if we go back to the paid firefighter, we, we already presume that when you die, it was

from your job. Now you still have to present evidence and you still go through that. Why, why would we not, while you're still working? So I, I don't know, I can't fathom that, I guess. And, you know, Senator Jacobson says, you know, what do the firefighters want? What, what is it that they want? We want a doctor's opinion that the evidence that they are at their job, what they do is considered "carcinogous." We want them to review that versus some claims person that sees this claim come across their desk. That's what we want, we want, we want fair opportunity to see if this is even presumed. It's not a blank check that they're writing for this. And, and I hate to bring up the unfortunateness of our Scottsbluff firefighter that passed away, but it's on the table. And let me lay that out for you a little bit. He received a cancer diagnosis in December, I believe it was 2019-ish. He worked on the job for nine months with his cancer diagnosis because we didn't have this presumption. He died nine months after his diagnosis, and he worked. He went to work with his chemo pump. They, they worked out a job for him that he could do. He worked till the day he died. He died in August of '22. 2022 is when he died. He just got his-- he just got his benefit paid this week, four and a half years later. How does that help his family? How does that help him when he's on the job trying to heal himself? And we think this is a substantial amount of money for his widow and his four young kids. We're putting a dollar amount on that, like, like that makes it all better? I just don't understand that and, and so we're, you know, I'll sit down with Senator Hallstrom and look at, you know, if we can come to a compromise, but they're talking about an insurance policy, supplemental insurance policy that we cover all firefighters versus now it's just a work comp deal. So to think that the Fire Marshal can fund that when the very senators that are suggesting that voted with an amendment to hamstring their funding last session-- they hamstrung--

**ARCH:** Time, Senator.

**WORDEKEMPER:** --their funding. Thank you, Mr. President.

**ARCH:** Senator-- excuse me. Mr. Clerk, for new bills.

**ASSISTANT CLERK:** Thank you, Mr. President. New bills. LB1226, introduced by Senator Andersen. It's a bill for an act relating to the Game Law; to amend section 37-420, Revised Statutes Cumulative Supplement, 2024; to provide for the issuance of certain-- to certain veterans of a combination hunting and fishing permit and certain

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

stamps; and to repeal the original section. LB1227, introduced by Senator Andersen and others. It's a bill for an act relating to energy; to amend sections 81-1618 and 81-2125, Reissue Revised Statutes of Nebraska, and section 71-6406, Revised Statutes Supplement, 2025; to change requirements for a county, city, or village to adopt local energy codes or to adopt or enforce local electrical codes; to define a term; harmonize provisions; and to repeal the original section. LB1228, introduced by Senator Holdcroft at the request of the Governor. It's a bill for an act relating to courts; to amend section 29-2709, Reissue Revised Statutes of Nebraska; to provide for a state docket fee; to create funds; to harmonize provisions; and to repeal the original section. LB1229, introduced by Senator Strommen. It's a bill for an act relating to appropriations; to create the Rural Health Transformation Fund; to provide requirements for application for and use of certain funds; and declare an emergency. LB1230, introduced by Senator Strommen. It's a bill for an act relating to property; amends section 69-2303, 69-2308, and 76-14,109, Reissue Revised Statutes of Nebraska, sections 60-149 and 69-2302, Revised Statutes Cumulative Supplement, 2024, and section 60-166, Revised Statutes Supplement, 2025; to provide for certificates of title for mobile homes as prescribed; to provide for certain property relating to mobile homes; and to define and redefine terms in the Disposition of Personal Property Landlord and Tenant Act; to harmonize provisions; and to repeal the original sections. LB1231, introduced by Senator Strommen and others. It's a bill for an act relating to funds; to amend section 81-2,237 and 81-1213.03, Reissue Revised Statutes of Nebraska; to provide for transfer of money from the Panhandle Improvement Project Cash Fund to the Animal Damage Control Cash Fund; to state legislative intent; and repeal the original sections. LB1232, introduced by Senator Strommen and others. It's a bill for an act relating to the Game Law; to amend section 37-456, Reissue Revised Statutes Cumulative Supplement, 2024, and section 37-455, Revised Statutes Supplement, 2025; provide for the issuance of limited mountain lion permits; to repeal the original sections. LB1233, introduced by Senator Hansen. It's a bill for an act relating to developmental disabilities; to adopt the Developmental Disability Provider Excessive Training and Cost Reduction Act. LB1234, introduced by Senator Spivey. It's a bill for an act relating to public health and welfare; to adopt the Freestanding Birth Center Act; to authorize insurance coverage. LB1235, introduced by the General Affairs Committee. It's a bill for an act relating to medical

cannabis; to amend section 77-2701.48, 77-2704.09, and 77-4303, Reissued Revised Statutes of Nebraska, Section 77-27,132, Revised Statutes Cumulative Supplement, 2024, and section 71-24,103, 71-24,104, 71-24,105, 71-24,106, 71-24,107, 71-24,108, 71-24,109, 71-24,110, 71-24,111, Revised Statutes Supplement, 2025; to change and transfer provisions of the Nebraska Medical Cannabis Patient Protection Act and the Nebraska Medical Cannabis Regulation Act; to provide for the registry of patients and caregivers; to provide a directory of healthcare practitioners; to provide duties for healthcare practitioners; to provide for licensure and fees; to provide powers and duties for the Nebraska Medical Cannabis Commission; to provide for rules and regulations, penalties, discipline, appeals, and authority to recall unsafe or mislabeled cannabis; to provide for the taxation of sales of medical cannabis and the distribution of the revenue; to remove medical cannabis from the marijuana and controlled substances tax; to harmonize provisions; to repeal the original sections; and declare an emergency. LB1230, introduced by the Executive Board. It's a bill for an act relating to the Legislature; to amend section 49-501, 49-501.1, 49-502, 49-503, 49-504, 49-505, 49-507, 49-508, 49-708, 84-502 and 85-177; Reissue Revised Statutes of Nebraska, section 49-707, Revised Statutes Cumulative Supplement, 2024, and sections 49-506 and 49-617, Revised Statutes Supplement, 2025; to change provisions relating to the publication, printing and distribution of the Legislative Journal, the session laws and the statutes of Nebraska; harmonize provisions; and to repeal the original sections. LB1237, introduced by the Executive Board. It's a bill for an act relating to State Capitol; to amend sections 28-101 and 81-1108.15, Revised Statutes Supplement, 2025; to prohibit bringing of weapons or prohibited substances into the State Capitol as prescribed; to define terms; to provide a penalty; to provide duty to the Nebraska State Patrol; to harmonize provisions; and to repeal the original sections. That's all I have at this time, Mr. President.

**ARCH:** Returning to the queue, Senator Raybould, you're recognized to speak.

**RAYBOULD:** Thank you, Mr. President. I appreciate this amendment brought by Senator Clouse. I do have four or five questions. I'm hoping either Senator Clouse or Senator Wordekemper might be able to answer them. And so I'll just go ahead and run off the questions, and then I can repeat them one by one. The first question is, does this

amendment, does it impact only the fire-related calls or all calls? I know that it's been established that about 85% of all the firefighter calls are for EMS, medical-related issues, and only 15% are those that are exposed to fire hazards. So that's one question. And then the next question is, how does this work under current workers' compensation plans? Are they gonna have to recraft it so that only those volunteer firefighters who have worked 10 years, have completed 40% of all the training programming and have responded to 25% it's either of all the calls or all the fire-related calls. The next question, how does this impact or change obligations under the group term life insurance? Are they gonna have to carve out and craft special language that involves tenure, volunteer firefighter commitment, 40% of work training, and then 25% of responding to calls, either fire-related or all calls. And so-- and then last, how does this impact the mutual aid agreements that many communities have with one another? So if there is an issue in one community, they can reach out to the volunteer firefighters right next door and call them in for assistance? Are they going to have to all agree on putting in this new language in, in the same for their workers' comp, the life insurance, and the mutual-aid agreements? And so, Senator Wordekemper, Senator Clouse, I think-- Wordekemper, you get to answer all those questions. OK, the first question is, does this impact only the fire-related calls?

**ARCH:** Senator Wordekemper, will you yield to a question?

**WORDEKEMPER:** Yes.

**RAYBOULD:** Oh, and the answer is yes?

**WORDEKEMPER:** No.

**RAYBOULD:** Oh, OK. Sorry. Sorry. OK.

**WORDEKEMPER:** He asked me if I would respond to you, and I'm saying, yes, I will.

**RAYBOULD:** OK, so the question is, in this amendment, it talks about responding to 25% of the calls. Is it 25% percent of all the calls, or 25% of the fire-related calls?

**WORDEKEMPER:** It would be 25% of all of the calls because you're wearing your gear even on medical calls. Not just fire calls. It is on EMS calls, if it's a car accident, if it's other training things,

Floor Debate January 21, 2026

Rough Draft

you're wearing that gear. So it would be 25% of all calls. And realistically, that's the way it should be. And, and the goal, I would think, if you're a volunteer firefighter and we passed this, we all talk about it's hard to get firefighters into the job. And you, you can talk to your volunteer fire departments, it's like, well yeah, we got 40 on the roster but only 10 of them show up or 15 of them show up. This may be an incentive so they say, you know what, I'm going to start showing up more because I might have this potential to file a claim. It's not a guarantee. I don't even know if I'll meet the threshold. So I, I look at it as an incentive for them to be more active.

**RAYBOULD:** OK, thank you. The next question is, how does this work under the current workers' compensation plans? Do they have to include that specific carve-out language as well?

**WORDEKEMPER:** Are you talking with the thresholds?

**RAYBOULD:** Yes, for this amendment.

**WORDEKEMPER:** It would be my understanding that if you do not meet this threshold, you don't even have the means to file a claim. So it wouldn't even go to the work comp and it wouldn't even be submitted that you're eligible to even submit anything.

**RAYBOULD:** OK, well, and I appreciate that answer, but I certainly hope that's not the case. Because if, if a firefighter is in the performance of their duty responding to a call, I would hope that they would be covered. And to me, that is very important that we take care of the firefighters in that capacity. But I didn't know--

**ARCH:** Time, Senator.

**RAYBOULD:** Oh, thank you.

**ARCH:** Senator Ibach, you're recognized to speak.

**IBACH:** Thank you, Mr. President. I would echo many of Senator Raybould's comments, as well as Senator Jacobson. We share a county in our districts, and we have a lot of crossover issues that become really, really relevant. And a lot the same issues that arise in our district arise across the state, especially in rural communities. I would also say thank you to Senator Clouse for bringing some

definition to what a volunteer is. I think it's very important for us to, to designate the difference because many of my cities, actually all of my villages and, and cities are volunteer fire departments. And so much of what applies in very urban districts doesn't apply in rural Nebraska. With that, I, I have a letter that I received from one of my city administrators who is kind of my go-to speed dial guy. He does a great job of managing his, his municipality. And we share and exchange a lot of ideas during the session on a lot at the different issues and bills. And he wrote me a very, very eloquent and thorough overview of how this bill will affect his municipality. And he says, while we deeply value the service of the firefighters across this great state, both paid and volunteer, this bill represents a significant unfunded mandate-- which seems to be a real buzzword this session already-- that would place an unsustainable financial and legal burden on rural municipalities like ours. He goes on in to talk about mutual aid, and this is something that we haven't really talked a lot about on the floor yet. He goes on to say, volunteer firefighters frequently respond to rural fires and provide mutual aid to neighboring communities. This was validated here in the last couple of years. We've had a couple really significant prairie fires in Gosper County, another one up in Custer County, which is in Senator Storer's district, but very close to where I live. And those resulted in a couple of fatalities. So, we know the urgency and the, and the importance of it. But he goes on to say, not only would this bill require the city to rebut-- or rebut the presumption, the firefighter's exposure occurred by fighting fires within the city limits. The bill would also require the city to prove the firefighters' cancer was also not caused by exposures that may have happened while assisting another neighboring department in mutual aid calls in other communities or even out in the rural counties, he cites, where the city has no control over safety protocols, carcinogen mitigation, or equipment maintenance used by other mutual aid responders. He goes on to say, should this burden be imposed on municipalities, it creates a massive disincentive for municipalities to send volunteers across city or county lines, potentially dismantling the entire mutual aid network rural Nebraska depends on for survival. I can attest to that because we belong to a very small rural fire department in my village of Sumner, and Senator Storer alluded to how they conduct their fundraisers. I know I think this weekend we have a pancake feed to come up with some funds to support those rural fire departments. And as we've experienced, we've had a

combine start on fire in the past, and we've had to call several units to kind of contain and control those fires. So although I, I'm very respectful of our firefighters, both volunteer and paid, I would just follow the lead of our municipalities and know that this bill does have a work-- has some work to do. I do think we can come to a compromise eventually on how to move forward with it, but today I will be in opposition to this bill. Thank you very much, Mr. President.

**ARCH:** Senator Jacobson, you're recognized to speak.

**JACOBSON:** Thank you, Mr. President. I want to start by acknowledging a fairly significant error that I, in my statement I made earlier, and that had to do with the population of Purdum. I said that they had approximately 50 residents. I'm wrong, they have 9 residents. So I was grossly exaggerated and I apologize for that. So anyone who was thinking that the metropolis of Purdum had 50 people in it, I was wrong. It's 9. Now, their, their firefighters or volunteer firemen, that would be 36, OK? and including Brenda Masek, who was under the balcony here earlier, who's a rancher, cattle rancher in that area. Now, again, I probably shouldn't, in fairness, I should probably should not be held responsible for knowing the population of Purdum because that's in Senator Storer's district, not my district. But it's close, OK? So I want to get that off my chest because I felt really guilty about that. I will tell you that I'm wondering again, if this bill passed, how they would possibly, without significant increases in property taxes, pay for any claims that would come as a result of this bill passing. How do you make that happen? I would also tell you that as I continue to look at the question, and I ask this-- I'm not going to ask Senator Wordekemper to get on the mic because I've always felt when I ask another senator to get on a mic, I see that happen a lot, and it's always these "gotcha" questions. And I have too much respect for Senator Wordekemper to do that to him. I appreciate his passion for the bill. I respect him as a person, I respect him for being a firefighter and working as a firefighter all these years. So but I do have lots of concerns about the bill. And when I asked the question about what do the firefighters want. I don't mean, what do they want in terms of passing this bill. What I mean is what kind of-- what are you looking for that's missing in your benefit package today? If you're on a paid force that has a retirement plan, a very good salary, health insurance, and disability insurance, then it would seem to me that if you contract cancer, you have health insurance to pay for it. You have disability insurance to keep the income coming if you can't

work, and you have life insurance if you pass away. So I realize it's all about money. So the question is how much money are we looking for and from what source? That's really the question, is what's missing in this equation? I remember growing up as a kid, my dad didn't have any life insurance, we didn't have any health insurance. We sure as heck didn't have disability or anything like that. He was a farmer. We were on a rented farm. So none of this was a concern. And, and I remember starting a lot of fires as a kid. That was a lot-- kind of a lot of fun. I was kind of a fire bug. But we exposed ourselves to a lot of different things, which is why today, when I'm asking a doctor about what caused this cancer, they don't know. OK? They don't know. They understand what's out there for various carcinogens, but they can't pinpoint and say your cancer was caused by X, stake my reputation on it. It just doesn't happen that way. That's one of the flaws in this bill. So it seems to me that we have to go back and be fair to our firefighters. We need to make sure that their families are properly compensated, if there's a loss of life along the way. That absolutely needs to happen. I don't think there's a senator in this body that would disagree with that statement. The question is, how do we do it? And I don't think you do it with an unfunded, uncapped mandate. We need more definition than that. So that's really what I'm looking for. Thank you very much, Mr. President.

**ARCH:** Colleagues, just a reminder that this is the final day for bill introduction. If you have not brought the bills up to the front, please do so immediately. We're nearing adjournment and the bills need to be read across during-- while we are in session. So please bring them forward if you have not already done so. Senator Hallstrom, there is no one in the queue beside yourself, would you like to use this as your close?

**HALLSTROM:** I will do so, Mr. Speaker. Thank you. I will talk just a little bit about Senator Clouse's amendment. The way I understand it, there's a certain percentage of the drills or the training protocols and the emergency calls that you have to be involved with. I would question how fair that is across the board for those volunteer firefighters who have a limited number of calls per year that may be more able to qualify for whatever benefits are attributable to LB 400, while those that have a higher number of calls would be left out. I think in this case, a lot of times you'd say don't make a bad bill better. I'm not even sure that applies. I've talked to many of you, as I've suggested, and some people think the Clouse amendment reduces the

Floor Debate January 21, 2026

Rough Draft

cost, so let's vote for it and it makes the bill better. Others say if this amendment gets on, I'm going to vote against the bill because it leaves some volunteer firefighters behind. I think in this case, my position would be what's good for the goose is good for the gander and probably also for the goslings. And we ought to treat volunteer firefighters with respect in terms of the application of this bill. With that, I indicated that I was going to take this to the limit at least today and see what happens overnight. I appreciate Senator Wordekemper indicating his willingness to, to sit down and visit, and we'll see if those are-- those visits are productive. But in the meantime, I'm going to attempt to move this thing along by allowing a vote to take place on the motion to bracket. I would request your support for the motion to bracket, and with that, Mr. Speaker, I'd call the house and a roll call vote.

**ARCH:** There has been a request to place the house under call. The question is, shall the house go under call? All those in favor, vote aye. All those opposed, vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 35 ayes, 2 nays to place the house under call, Mr. President.

**ARCH:** The house is under call. Senators, please record your presence. Those unexcused senators outside the Chamber, please return to the Chamber and record your presence. All unauthorized personnel, please leave the floor. The house is under call. Senator Jacobson, Senator Hunt, please return to the Chamber. The house is under call. All excused members are now present. Senator Hallstrom, did you request a roll call vote? A roll call vote has been requested. Mr. Clerk, please call the roll.

**ASSISTANT CLERK:** Senator Andersen, Senator Andersen voting no. Senator Arch, voting no. Senator Armendariz, voting yes. Senator Ballard, voting no. Senator Bosn, voting no. Senator Bostar, voting no. Senator Brandt, voting yes. Senator John Cavanaugh, voting no. Senator Machaela Cavanaugh-- I'm sorry, Senator? Not voting. Senator Clements, voting yes. Senator Clouse, voting no. Senator Conrad, voting no. Senator DeBoer. Senator DeKay, voting yes. Senator Dorn, voting yes. Senator Dover. Senator Dungan, voting no. Senator Fredrickson, voting no. Senator Guereca, voting no. Senator Hallstrom, not voting. Senator Hansen, voting no. Senator Hardin, voting yes. Senator Holdcroft, voting no. Senator Hughes, voting no. Senator Hunt, voting no. Senator

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Ibach, voting yes. Senator Jacobson, voting yes. Senator Juarez, voting no. Senator Kauth, voting no. Senator Lippincott, voting yes. Senator Lonowski, voting no. Senator McKinney, voting no. Senator Fred Meyer, voting yes. Senator Glen Meyer, voting yes. Senator Moser. Senator Murman. Senator Prokop, voting no. Senator Quick, voting no. Senator Raybould, voting yes. Senator Riepe, not voting. Senator Rountree, voting no. Senator Sanders, voting no. Senator Sorrentino, voting no. Senator Spivey, voting no. Senator Storer, voting yes. Senator Storm, voting yes. Senator Strommen, voting yes. Senator von Gillern, voting no. Senator Wordekemper, voting no. 15 ayes, 27 nays on the motion to bracket, Mr. President.

**ARCH:** The motion is not successful. I raise the call. Mr. Clerk, new bills.

**CLERK:** New bills, Mr. President. LB1238, introduced by Senator Hughes. It's a bill for an act relating to revenue and taxation, amend section 77-2602, Revised Statutes Cumulative Supplement, 2024, and sections 77-4008 and 81-638, Revised Statutes Supplement, 2025; to change the cigarette tax and distribution of such tax as prescribed; to change the taxes imposed under the Tobacco Products Tax Act as prescribed; to harmonize provisions; provided an operative date; and repeal the original sections; and declare an emergency. LB1239, introduced by Senator DeKay. It's a bill for an act relating to public health and welfare; it amends section 71-2451.01, Reissue Revised Statutes of Nebraska; to change provisions relating to management of long-term care facilities; and repeal the original section. LB1240, introduced by Senator Murman and others. It's a bill for an act relating to the achieving a better life experience program; it amends section 77-1403, Revised Statutes Cumulative Supplement, 2024; change provisions relating to state recovery of certain amounts; and repeal the original section. LB1241, introduced by Senator Murman and others. It's a bill for an act relating to schools; defines terms; to provide requirements relating to applications for employment by and employment of certain individuals by a school board or governing authority of a public, private, denominational, or parochial school; provide for civil penalties; provide powers and duties to the State Department of Education. LB1242, introduced by Senator Murman and others. It's a bill for an act relating to child support; amends section 43-512.02, 43-512.03, 43-512.05, and 43-512.10, Reissue Revised Statutes of Nebraska, and sections 43-512 and 43-2924, Revised Statutes Cumulative Supplement, 2024; provide for the establishment and enforcement of a

child support order for an unborn child by the Department of Health and Human Services; and repeal the original sections. LB1243, introduced by Senator Murman. It's a bill for an act relating to education; amends section 79-2,136, Revised Statutes Supplement, 2025; change provisions relating to part-time enrollment; and repeal of the original section. LB1244, introduced by Senator Murman at the request of the Governor. It's a bill for an act relating to revenue and taxation; it amends section 77-2701.47, Reissue Revised Statutes of Nebraska, section 77-382, 77-2704.36, 77-2912, 77-3005, Revised Statutes Cumulative Supplement, 2024, section 77-2701.16, 77-2716, Revised Statutes, 2025; eliminate certain sales and use tax exemptions and impose the sales and use taxes on certain services; to change the Mechanical Amusement Device Tax Act and the Tax Expenditure Reporting Act as prescribed; to change provisions relating to the Nebraska Job Creation and Mainstreet Revitalization Act; to harmonize provisions; to provide an operative date; repeal the original sections; outright repeal sections 77-2704.55, 77-2704.60, and 77-2704.67, Reissue Revised Statutes of Nebraska, and section 77-2704.66, Revised Statutes Cumulative Supplement, 2024; and to declare an emergency. LB1245, introduced by Senator Dover. It's a bill for an act relating to the Nebraska State Capitol; to amend sections 81-1101, 81-1102, Reissue Revised Statutes of Nebraska; change parking requirements for members of the Legislature and judges as provided; harmonize provisions; repeal the original section; and declare an emergency. LB1246, introduced by Senator Dover. It's a bill for an act relating to money and finance; to amend section 58-201, Revised Statutes Cumulative Supplement, 2024, and section 58-708, Revised Statutes Supplement, 2025; to define terms; to provide duties for the Nebraska Investment Finance Authority; change provisions relating to reporting requirements under the Nebraska Affordable Housing Act; harmonize provisions; and repeal the original sections. LB1247, introduced by Senator Dover. It's a bill for an act relating to the Nebraska Career Scholarship Act; to amend section 85-3005, Reissue Revised Statutes of Nebraska, and sections 85-3003 and 85-3004, Revised Statutes, 2025; to require participation in the Nebraska Statewide Workforce and Education Reporting System by postsecondary institutions as prescribed; and repeal the original sections. LB1248, introduced by Senator Dover. It's a bill for an act relating to appropriations; amends Laws 2025, LB261, section 280; to change appropriations to the Department of Water, Energy and Environment; and repeal the original section; declare an emergency. LB1249, introduced by Senator

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Sorrentino. It's a bill for an act relating to the Nebraska Healthy Families and Workplaces Act; it amends sections 48-3802, 48-3803, 48-3806, Revised Statutes Supplement, 2025; to redefine terms; change provisions relating to the carryover of paid sick time; to eliminate obsolete provisions; and repeal the original section. LB1250, introduced by Senator Guereca and others. It's a bill relating to cities and villages; to authorize certain cities and villages to sell waterworks, sewer systems, and water systems as prescribed. LB1251, introduced by Senator Dover. It's a bill for an act relating to liens; to amend section 52-2001 and 76-874, Reissue Revised Statutes of Nebraska; change provisions relating to the liens of homeowners' associations and unit owners associations; and repeal the original sections. LB1252, introduced by Senator Murman. It's a bill for an act relating to revenue and taxation; to amend section 77-2701, 77-2701.04, Revised Statutes Cumulative Supplement, 2024; to define terms; to provide for a retail delivery fee; to harmonize provisions; to provide an operative date; and repeal the original sections.

**ARCH:** The Legislature will now stand at ease while we process the remaining bills.

**Speaker 11:** [EASE]

**ARCH:** Mr. Clerk, for new bills.

**CLERK:** Thank you, Mr. President. Introduction to new bills. LB1253, introduced by Senator Prokop. It's a bill for an act relating to tax deed proceedings; to amend section 77-1837-01, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to applicability of laws; to repeal the original section; and declare an emergency. LB1245, introduced by Senator Prokop. It's a bill for an act relating to crimes; it amends section 28-101, Revised Statutes Supplement, 2025; to define a term; to prohibit the retail sale of electronic smoking devices without a child safety feature as provided; to provide a penalty; to harmonize provisions; and to repeal the original sections. LB1255, introduced by Senator Prokop. It's a bill for an act relating to eminent domain; amends section 70-670, Reissue Revised Statutes of Nebraska, and section 70-1409, Revised Statutes Cumulative Supplement, 2024; to prohibit public power suppliers from exercising the power of eminent domain; harmonize provisions; and to repeal the original sections. LB1256, introduced by Senator John Cavanaugh. It's a bill for an act relating to the Emergency Management

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

Act; amends section 81-829.39, Reissue Revised Statutes of Nebraska; to redefine a term; and to repeal the original section. LB1257, introduced by Senator Hansen. It's a bill for an act relating to revenue and taxation; it amends sections 2-2701, 77-2701.24, 77-2701.36, 77-2704.03, 77-2704.04, 77-2704.05, 77-2704.07, 77-274.10, 77-2704.13, 77-2704.14, 77-2704.16, 77-2704.17, 77-2704.22, 77-2704.23, 77-2704.24, 77-2704.25, 77-2704.26, 77-2704.27, 77-2704.28, 77-2704.30, 77-2704.38, 77-2704.39, 77-2704.40, 77-2704.41, 77-2704.42, 77-2704.45, 77-2704.46, 77-2704.47, 77-2704.48, 77-2704.50, 77-2704.51, 77-2704.52, 77-2704.53, 77-2704.56, 77-2704.47, 77-2704.58, 77-2704.60, 77-2704.61, 77-2704.62, 77-2704.63, 77-2704.64, 77-2704.65, 77-2704.67, 77-2706, 77-27,235, 79-1006, 79-3405, Reissue Revised Statutes of Nebraska, in section 77-382, 77-2701, 77-2701.04, 77-2701.32, 77-2703.01, 77-2704.12, 77-2704.15, 77-2704.20, 77-2704.36, 77-2704.68, 77-2704.69, 77-27,132, Revised Statutes Cumulative Supplement, 2024, and sections 77-2701.16, 77-2703, 77-2706.02, 77-3442, 77-4403, 77-4405, 77-4602, 77-7304, and 77-7305, Revised Statutes Supplement, 2025; to define and redefine terms; to impose sales and use taxes on services as prescribed; to eliminate certain sales tax exemptions; change school district levy limitations to provide exemptions; change provisions relating to the transfer of funds; to eliminate the School District Property Tax Relief Act; terminate a fund; to provide additional foundation aid under the Tax Equity and Educational Opportunities Support Act; change provisions of the School District Property Tax Limitation Act; to create a fund; to harmonize provisions; to provide an operative date; repeal the original sections; and outright repeal section 77-2701.56, Revised Statutes Cumulative Supplement, 2024. LB1258, introduced by Senator Hansen. It's a bill for an act relating to livestock; in section 11-201, 54-170, 54-171, 54-171.01, 54-172, 54-176, 54-179, 54-180, 54-182, 54-187.01, 54-193, 54-194, 54-196, 54-197, 54-198, 54-199, 54-1100, 54-1,101, 54-1,102, 54-1,103, 54-1,104, 54-1,105, 54-1,108, 54-1,115, 54-1,116, 54-1,118, 54-1,124.01, 54-1,125, 54-1,126, 54-1,127, 54-1,128, 54-1,129, 54-1,131, 54-415, 54-1160.01, 60-3,135, 60-480.01, 81-1021, and 84-1005, Revised Statutes of Nebraska, and sections 81-1316, 84-1411, Revised Statutes Supplement, 2025; to rename the Livestock Brand Act as the Livestock Protection Act; to eliminate the Nebraska Brand Committee; to provide for the Division of Brand Registration, Brand Inspection, and Livestock Theft Investigation and a brand recorder in the Department of Agriculture; to eliminate the

brand inspection area and mandatory brand requirements within such area; change provisions relating to brand inspections and fees, and to define, redefine, eliminate terms under the Livestock Protection Act; to eliminate provisions relating the registered feed lots and open markets under the Livestock Protection Act; to provide for the transition of brand inspection duties from the Nebraska Brand Committee to the Department of Agriculture; to change provisions related to estrays; change provisions relating to undercover license plates, undercover drivers' license identification requirements for certain motor vehicles, the State Personnel System, the regular work hours of certain state employees, and virtual conferencing under the Open Meetings Act; state legislative intent; to harmonize provisions; provide an operative date; to repeal the original sections; outright repeal sections 54-175, 54-175.01, 54-179.01, 54-179.02, 54-179.03, 54-179.04, 54-186, 54-187.02, 54-188, 54-191, 54-192, 54-195, 54-1,106, 54-1,109, 54-1,110, 54-1,111, 54-1,112, 54-1,113, 54-1,114, 54-1,117, 54-1,119, 54-1,120, 54-1,121, and 54-1,122, Reissue Revised Statutes of Nebraska. LB1259, introduced by Senator Ben Hansen. It's a bill for an act relating to electricity; to adopt the Grid Modernization Act. LB1260, introduced by Senator Clements. It's a bill for an act relating to taxation; amends section 60-3,186, 60-3,187, 60-3,190, and 79-1018.01, Revised Statutes Supplement-- Revised-- Reissue Revised Statutes of Nebraska; change the percentage of motor vehicle tax proceeds and collected tax-- collected fees that are retained by county treasurers; change the allocation of motor vehicle tax proceeds and collected fees; to provide for a motor vehicle tax supplement; change and provide motor vehicle taxes and fee schedules; change the local system formula resources under the Tax Equity and Educational Opportunities Support Act; and repeal of the original sections. LR11-- LR311CA, introduced by Senator John Cavanaugh. It's a constitutional amendment to require appointment of a commissioner on redistricting to draw and recommend to the Legislature the boundaries of election districts. LR312CA introduced by Senator Clouse is a constitutional amendment to authorize cities and villages to incur indebtedness for residential development projects and pledge taxes for such indebtedness; and to change provisions relating to redevelopment projects. LR313 from Senator McKinney and LR314. LR315 from Senator Strommen. Those will all be laid over. New LR, LR316CA from Senator Machaela Cavanaugh. It's a constitutional amendment to provide for certain rights of persons with disabilities. LR317CA from Senator Brandt. It is a constitutional amendment to limit the annual growth in

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate January 21, 2026

Rough Draft

the amount of proper taxes levied by political subdivisions. Mr. President, with that, a series of items. Senator Sanders has announced LB538 as her personal priority for the session. Notification from Senator Sanders, she has selected LB538 as her personal priority. Committee report, your Committee on Agriculture, chaired by Senator DeKay, reports LB794 to General File. Additionally, committee report, your Committee on Banking, Commerce and Insurance, chaired by Senator Jacobson, reports LB717, 719 to General File, LB719, having committee amendments. Notice of committee hearing from the Revenue Committee, as well as the Agriculture Committee and the Natural Resources Committee. Amendments to be printed from Senator Hallstrom to LB400. Amendment-- motion to be printed from Senator Hallstrom and Senator Machaela Cavanaugh to LB400. Senator Fredrickson, amendment to be printed to LB203. Notice that the Referencing Committee will meet in room 1524 upon adjournment. Name adds. Senator Dover, name added to LB819. Prokop, LB848. John Cavanaugh, LB865. Dover, LB1067. DeBoer, LB1158, and Senator Fredrickson, name withdrawn from LB1159. Finally, Mr. President, a priority motion, Senator Quick would be adjourned to the body until Thursday, January 22, at 9:00 a.m.

**ARCH:** Colleagues, you've heard the motion to adjourn. All those in favor say aye. Opposed, nay. We are adjourned.