

Transcript Prepared by Clerk of the Legislature Transcribers Office

Floor Debate February 7, 2024

Rough Draft

**KELLY:** Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the twenty-fourth day of the One Hundred Eighth Legislature, Second Session. Our chaplain today from Senator DeKay's district is Marcus Kramer of the Faith, Hope, and Love Fellowship in Creighton, Nebraska. Please rise.

**MARCUS KRAMER:** Good morning and God bless you. Father God, we come to you this morning, we lift up each man and woman here in this building, Lord. We thank you that your spirit can reside big on the inside of them, Lord. We pray, Father, that your spirit is leading and guiding them as they legislate our wonderful state, Lord. We also speak over our land, the whole state of Nebraska, the north, the east, the south, and the west. We pray a blessing over each man, woman, and child, Lord. We want to pray a special blessing over all of our teachers, all of our firefighters, police officers, EMT squads, our military veterans and service people, Lord. We speak over every farmer and rancher in our great state, Lord, and all the businessmen. Father, we lift up this legislative session, Lord, that there would be a "cohesivity" and a teamwork, Father God, where things that matter would get done and that they would be approved according to you, God. Father, we lift up this building, Lord, we speak safety and protection over it. We rebuke any evil influences that would attempt to come into this building, Lord. We know that you're the greater one and we claim dominion over this building and over this legislative session, Lord. Father, we also want to acknowledge that this is a place of power and you are the ultimate power and we look to you to continue to provide for above and beyond all of our needs according to Christ's riches and glory. Lord, we thank you for the amazing sacrifice of your precious Son, Jesus Christ. And father, we ask all these things in his name. Father, we thank you for this great day. Amen.

**KELLY:** I recognize Senator Moser for the Pledge of Allegiance.

**MOSER:** Please join me in the pledge. 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.

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

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

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**KELLY:** Are there any corrections for the Journal?

**CLERK:** I have no corrections this morning.

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

**CLERK:** There are, Mr. President, new A bill, LB16A, introduced by Senator Conrad. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB16. Additionally, committee reports concerning gubernatorial appointments for the Nebraska Retirement Systems Committee, 3 appointments to the Public Employees Retirement Board, an appointment to the Nebraska Investment Council, and an appointment to the Nebraska Public Employees Retirement Systems, Director John Murante. Additionally, Mr. President, notice that the General Affairs Committee has selected LB685 as a committee priority bill. General Affairs, LB685, committee priority. And an announcement, the Exec Board will hold an Executive Session at 9:30 under the south balcony. Exec Board, Exec Session, 9:30 under the south balcony. That's all I have this time, Mr. President.

**KELLY:** While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR290. Senator Erdman would like to announce some guests under the south balcony, his wife Cathy, daughter Cortney, and grandchildren Micah, Noah, and Faith Erdman. Please stand and be recognized by your Nebraska Legislature. Senator Brandt has a guest under the south balcony, Tim Anderson, the Council of State Governments. Please stand and be recognized by your Nebraska Legislature. Senator DeKay has a guest under the north balcony, Annie Kramer of Creighton, Nebraska. Please stand and be recognized by your Nebraska Legislature. Speaker Arch, you're recognized for an announcement.

**ARCH:** Thank you, Mr. President. I will be circulating a memo this morning and it is concerning the Speaker priority request letters and the identification of senator and committee priority bill. And you'll notice that the deadline to submit a Speaker priority request letter to me is prior to adjournment on Wednesday, February 14. And the deadline for senator and committee priority is the next day prior to adjournment on Thursday, February 15. Also, I will designate an additional 22 priority bills as Speaker priority bills. And if you-- I'll announce those no, no later than adjournment on Wednesday, February 20. So there's instructions in here making sure that you deliver those to my office. There's also a second to the Clerk's

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office. But, also, please outline why the bill warrants a Speaker priority designation. I'm-- every year I obviously receive more than, than the number that's available, and so that explanation is very helpful to me in considering that. The only other thing I would say is people have asked me about a consent calendar. And, yes, I do still plan to have a consent calendar and I'll announce the criteria prior to beginning to accept request letters. So hold those for now. As you're working some of these bills through committee, some of those will become obvious. Some of the bills that we're actually discussing on the floor right now maybe could have been candidates for consent calendar as well. So let's just hold those and I'll let you know when to submit those to me. Thank you, Mr. President.

**KELLY:** Thank you, Speaker Arch. Senator Aguilar has guests in both the south and north balcony, 150 members of the Nebraska Christian Home Educators Association. Please stand and be recognized by your Nebraska Legislature. Mr. Clerk, for items.

**CLERK:** Mr. President, first item on the agenda, committee report from the Revenue Committee concerning gubernatorial appointment Steven Keetle to the Tax Equalization and Review Commission.

**KELLY:** Senator von Gillern, you're recognized to open on the committee report.

**von GILLERN:** Thank you, Mr. President and good morning, colleagues. Good morning, Nebraskans. I rise today to speak to the confirmation of Steven Keetle. Steve is a-- is actively serving as a TERC commissioner and has since December of 15-- 2015 in the 2nd Congressional District. He was chair of TERC from July of '17 through June of 2019 and July of 2021 through June of 2023. He is currently the vice chair of TERC. He was a legal counsel with TERC from May of 1999 through December of 2015. The confirmation hearing was held in the Revenue-- Revenue confirmation hearing was held on January 26, and the committee voted 8 to 0 to advance the report to the floor. I respectfully request a green vote to confirm Steve Terc as commissioner-- or excuse me, Steve Keetle as the TERC commissioner. Thank you.

**KELLY:** Thank you, Senator von Gillern. Seeing no one else in the queue, you're recognized to close on that nomination and waive. Members, the question is the approval of the Revenue Committee report. All those in favor vote aye; all those opposed vote nay. Mr. Clerk, please record.

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**CLERK:** 33 ayes, 0 nays, Mr. President, on adoption of the committee report.

**KELLY:** Committee report is adopted. Mr. Clerk, for items.

**CLERK:** Mr. President, next item on the agenda, LB218, introduced by Senator Ibach. It's a bill for an act relating to the Noxious Weed Control Act; changes provisions relating to intent to appropriate funds; and repeals the original section. The bill was read for the first time on January 10 of last year and referred to the Agriculture Committee. That committee placed the bill on General File. There are no committee amendments. There are-- there is an additional amendment, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Ibach, you're recognized to open.

**IBACH:** Thank you, Mr. President. Good morning. Today, I want to present for you LB218 for your consideration. This is a holdover bill from last year. It increases the appropriation to the Noxious Weed and Invasive Plant Species Assistance Fund to \$6 million beginning in fiscal year 2024 for the management of vegetation within the banks or the floodplain of a natural stream. Three years ago, Senator Dan Hughes, my predecessor, introduced LB805, which was enacted into law. LB805 amended the intent of the program to include the prevention of noxious weeds or invasive plant species and expanded the land area covered by this program from 100 feet of the banks of a channel of any natural stream to the entire floodplain of the natural stream. While LB805 did intend to increase funding from \$1 million to \$3 million, multiple stakeholders have offered that funding is still lacking. The current appropriation for this critical program is \$706,000. And so for some background, in 2007, the Nebraska Legislature first appropriated \$5 million to help control the invasive species in our state's waterways. Due to the lean budget years in the following years, funding for this program has been reduced time after time. Beginning in 2016, the Legislature has slowly been increasing the funding for this program. However, this program still remains underfunded now that the program was expanded to include all the tributaries and floodplains. It is important for our state to increase our investment in ridding the waterways from these noxious weeds and invasive species. These species clog our waterways. The reduced water flow takes away the ability of humans to fully utilize the water that should be flowing normally. When Nebraska experiences rain that causes flooding, floods may be exacerbated due to the clogged waterways. These floods also distribute the seeds of these invasive species onto

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the fields that we use to feed the world, and when they grow these species then outcompete the crops and water and soil nutrients. One of the positive results of the state implementation of this program is the Republican River and the lawsuit that we were engaged in with Kansas. Originally clogged by invasive species, only 300 cubic feet per second of water flowed through the river. After mitigation efforts, the river now handles 1,100 cubic feet per second. Because of the increase in water flows, the original \$72 million lawsuit that Nebraska faced was reduced to a \$5 million settlement. As water is our most precious resource, it is important to continue and expand these efforts which have been proven successful. LB218 received no opposition testimony and was supported unanimously by the Agriculture Committee. With that, I ask for your support for LB218 and AM2195, which is a simple amendment that changes the implementation date. Thank you, Mr. President, and I will yield back.

**KELLY:** Thank you, Senator Ibach. Mr. Clerk, for an item.

**CLERK:** Mr. President, Senator Ibach would move to amend with AM2195.

**KELLY:** Senator Ibach, you're recognized to open.

**IBACH:** Thank you very much. And that's just a clarification, the bill asks for an additional \$5,294,000 to bring the total appropriation to that \$6 million that I outlined. The total-- current appropriation is \$706,000. So putting those two together will get us to the \$6 million. Thank you, Mr. President.

**KELLY:** Thank you, Senator Ibach. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. Good morning. I was wondering if Senator Ibach would yield to a question?

**KELLY:** Senator Ibach, would you yield to a question?

**IBACH:** I will. Thank you.

**ERDMAN:** Senator Ibach, as this program has been in effect for several years, have they exhausted the \$3 million that has been appropriated?

**IBACH:** Actually, the \$3 million was exhausted and we've been relying on ARPA funds the last couple of years. And so what this will do will just secure that we can continue the program.

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**ERDMAN:** OK. So the \$3 million included ARPA funds. Is that what-- is that what you said?

**IBACH:** Yes. That's correct. Thank you.

**ERDMAN:** OK. So as you said it in your opening, Senator Dan Hughes had this as a bill that he had introduced a couple of years ago. Right?

**IBACH:** Yes. That's correct, LB805.

**ERDMAN:** So is this expanding the distance from the river stream that you can treat these noxious weeds?

**IBACH:** That's correct. Senator Hughes's bill actually just addressed the actual waterway. What this does is it expands it to the floodplains, as well, so that we can, can control the noxious weeds beyond the river banks because they tend to flow back in.

**ERDMAN:** And these are-- these are General Funds. Is that correct?

**IBACH:** That's correct. Thank you.

**ERDMAN:** All right. Thank you.

**KELLY:** Thank you, Senators Ibach and Erdman. Seeing no one else in the queue, Senator Ibach, you're recognized to close on AM2195.

**IBACH:** Thank you, Mr. President. For the reasons that I've identified in my opening, I would ask for support of this bill and support of this, this program. Thank you.

**KELLY:** Thank you, Senator Ibach. Members, the question is the adoption of AM2195. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays, Mr. President, on adoption of the amendment.

**KELLY:** The amendment is adopted. Seeing no one else in the queue, Senator Ibach, you're recognized to close on LB218.

**IBACH:** Thank you, Mr. President. For the reasons I outlined in my opening, I would appreciate your support of this bill. Thank you.

**KELLY:** Thank you, Senator Ibach. Members, the question is the adoption of LB218. All those-- all those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

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**CLERK:** 33 ayes, 0 nays on advancement of the bill, Mr. President.

**KELLY:** LB218 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item on the agenda, General File LB218A, introduced by Senator Ibach. It's a bill for an act relating to appropriations; appropriates funds to aid in the carrying out of the provisions of LB218. The bill was read for the first time on January 25 of this year and placed directly on General File.

**KELLY:** Senator Ibach, you're recognized to open.

**IBACH:** Thank you very much, Mr. President. For the reasons that we just discussed, I would encourage everyone's green light on the A bill, it simply appropriates \$5,294,000 to bring the total appropriation for this program to \$6 million. Thank you very much. I yield back.

**KELLY:** Thank you, Senator. Seeing no one else in the queue, you're recognized to close, Senator Ibach.

**IBACH:** Thank you again. I would just close-- I would waive my closing and ask for your support. Thank you.

**KELLY:** Thank you, Senator. Members, the question is the advancement of LB218A to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 31 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB218A advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next bill, LB605, introduced by Senator Albrecht. It's a bill for an act relating to the Uniform Credentialing Act; changes provisions of the Mental Health Practice Act to include protections and requirements for certified art therapists; defines terms; changes the membership of the Board of Mental Health Practice; provides powers and duties to the Board of Mental Health Practice; harmonize provisions; provides an operative date; and repeals the original section. The bill was read for the first time on January 17 of last year and referred to the Health and Human Services Committee. That committee placed the bill on General File. There are no committee amendments. There is an additional amendment. Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Albrecht, you're recognized to open.

**ALBRECHT:** Good morning and thank you, Mr. President. Good morning, colleagues. I introduced LB605 on behalf of a constituent in my district who wanted to use art therapy in her practice as a licensed mental health practitioner. I first introduced this bill as LB325 in January of 2021. This bill was advanced to General File from the Health and Human Services Committee and became a carryover bill. Time ran out, as many bills do in a 60-day session. I then reintroduced the bill again on January 17 of 2023, and it was heard in Health and Human Services on February 23 of 2023. It was voted out of committee 7-0. LB605 is the result of a 6-year advocacy and review process. The 407 credentialing review process for the art therapy began on October 9 of 2018, with the director's acceptance of the Nebraska Art Therapy Licensure Coalition Letter of Intent. The coalition comprised of Nebraskans for the Arts, Concordia University, the Brain Injury Alliance of Nebraska, Heartland Counseling, the Nebraska Arts Council. An individual art therapist proposed providing for credentialing of professional art therapist as licensed mental health practitioners under the Mental Health Practice Act with associated certification as professionals art-- as professional art therapist. This decision was a pivot from the coalition's original intent to create an independent licensure art therapy, and was adjusted in response to the feedback from the Platte Institute and lawmakers. In September of 2019, the coalition submitted the full 150-page, 407 credentialing review application for art therapy. Following this submission, the Department of Health and Human Services established the Art Therapists Technical Review Committee, which held 6 meetings between October of 2019 and March of 2020, included in a public hearing. The final reports in the-- in support of the proposal were issued by the Technical Review Committee, the Board of Health, and the director. The director's report stated, and I quote, the Technical Review Committee members recommended in favor of the art therapy proposal. The Board of Health recommended in favor of the art therapy proposal. I concur with these recommendations. End of quote. The report shares comments particular to the four criteria of the 407 process and concludes, quote, the only way to address the shortcomings of the current practice situation of art therapy services in Nebraska is by passing the applicant's proposal. End of quote. While the 407 process was underway, the coalition's original bill sponsor, Senator Sara Howard, introduced LB422 as a shell bill in 2019 to familiarize the Legislature of the process while the 407 review was underway. During this time, the



coalition also worked with the Art-- American Art Therapy Association and Nebraska's Mental Health Practice Board to ensure that the amendment that you have before you today incorporated not only the feedback from the 407 process, but the feedback from other important stakeholders. Per the recommendations of the Department of Health and Human Services and other parties, this bill utilizes the legal framework that currently extends title protection to clinical social workers, professional counselors, and marriage and family therapists. For each of these professions, title protection ensure that the Nebraska practitioners are held to the highest standard of care, and that the public have a clear understanding of what services their practitioner can provide them. Accordingly, I hope that you'll agree that offering this title protection to the art therapist would be a value, not only to art therapists, but also to members of the public seeking mental health care. This bill would give one more tool in the toolbox of licensed mental health practitioners or licensed independent mental health practitioners. And I'd ask for your green vote on LB605. And before that, I'd just like to ask the President if I can just open on my amendment very quickly.

**KELLY:** Thank you, Senator Albrecht. Mr. Clerk.

**CLERK:** Mr. President, Senator Albrecht would move to amend with AM2365.

**KELLY:** Senator Albrecht, you're recognized to open on the amendment.

**ALBRECHT:** Thank you, Mr. President. OK. Amend-- the AM2365, because this has been going on for such a long time, we had to just go in and change some dates. So on-- in Section 24 the act becomes operative on January 1 of 2025. That'd be page 18, line 21. And on page 16, line 5, we would strike the "2024" and insert "2025." OK. And at this point, I'd just like to ask for a green light on both LB605 and AM2365. Thank you, Mr. President.

**KELLY:** Thank you, Senator Albrecht. Returning to the queue, Senator Dungan, you're recognized to speak.

**DUNGAN:** Thank you, Mr. President, and good morning, colleagues. I do rise today in support of both AM2365 as well as LB605. I actually signed on to this bill as a cosponsor after I got a chance to read it. And I wanted to take just a minute to talk about how important this is. Yesterday when I saw this on the agenda, I went and spoke with Senator Albrecht and I thanked her for shepherding this through. I

know that it sounds like the process that LB605 has gone through to get to where we are today has been long, it sounds like it's been very intentional, and it sounds like there's been a lot of really hard work that's been done to get us to where we are. But I do think that we, as a state, should be recognizing art therapy as an actual certification. And I think what LB605 does really well is balance the importance of art therapy and allowing individuals to hold themselves out as such if they meet certain qualifications, while balancing that with the guardrails and ensuring there is proper protections around people actually getting certified as such. So I personally know a number of people who are mental health practitioners. I know people who actually are art therapists. Last night I shared with them that this bill was going to be on the calendar today. They were elated because it's been a long time coming they said, and they were very excited they would finally have the ability in Nebraska to hold themselves out as an art therapist. In particular, the people that I know who do a lot of this work, work with individuals in the developmental disability community. And art therapy is one really incredible tool that can be used with folks in the DD community to reach them and allow communication and interaction in ways that maybe wouldn't otherwise be permitted. You know, in particular folks who are nonverbal or maybe have a little bit of difficulty communicating in other ways can utilize art therapy to work with a therapist, to work through problems. It encourages people to have sort of self-actualization. It can build self-esteem, empowerment. There's just so many amazing things this work can do. And so based on the fact that there's a lot of documented evidence of the benefits of art therapy and that it's gone through this entire process, I would just encourage my colleagues to vote yes on AM2365, as well as LB605. And I, again, want to thank Senator Albrecht for her hard work getting us to where we are today, because I think this is a really important step forward for our art therapy-- art therapy community. Thank you, Mr. President.

**KELLY:** Thank you, Senator Dungan. Senator Hardin, you're recognized to speak.

**HARDIN:** Thank you, Mr. President. Would encourage everyone to vote for the amendment as well as LB605. Thank you, Senator Albrecht, for bringing this bill. Just wanted to point out, again, that HHS did pass it through 7-0 and I think it's a very strong bill. Please support both of them.

**KELLY:** Thank you, Senator Hardin. Seeing no one else in the queue, Senator Albrecht, you're recognized to close on the amendment.

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**ALBRECHT:** I'd just like to thank Senator Hardin for representing the Health and Human Services Committee. They've heard this bill a few times in that committee and I appreciate their support. And thank you, Senator Dungan, for also standing on behalf of the art therapy groups. And, again, I'm just asking for a green light on LB605 and AM2365. Thank you.

**KELLY:** Thank you, Senator Albrecht. Members, the question is the adoption of AM2365. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 32 ayes, 0 nays on adoption of the amendment, Mr. President.

**KELLY:** AM2365 is adopted. Seeing no one else in the queue, Senator Albrecht, you're recognized to close on LB605. And waive. Members, the question is the advancement to E&R Initial of LB605. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 32 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB605 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, LB303, introduced by Senator Linehan. It's a bill for an act relating to school funding; changes provisions relating to the annual estimate for necessary funding under the Tax Equity and Educational Opportunities Support Act; repeals the original section. The bill was read for the first time on January 11 of last year and referred to the Revenue Committee. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Linehan, you are recognized to open.

**LINEHAN:** Thank you, Mr. President and good morning, colleagues, and good morning, Nebraska. LB303 is simple. The bill would add two legal counsels or research analysts, one from the Revenue Committee and one from the Education Committee to a group of individuals that are briefed in the fall on the TEEOSA estimate by the Department of Education. This helps keep staff and those committees involved and informed about TEEOSA before going into session. So what has been the situation is the appropriators get briefed and the Department of Education knows, but then Revenue and Education doesn't know until we get here. And it's-- thank you. I'm getting a thumbs up. Yeah, it's not-- so anytime we do school finance, it all-- any degree, it always

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has to include the appropriators, Revenue, and the Education Committee. And it's just those committees should be there from the get-go instead of finding out 3 months later. So I'd appreciate your green vote. Thank you very much.

**KELLY:** Thank you, Senator Linehan. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. Good morning. I wonder if Senator Linehan would yield to a question?

**KELLY:** Senator Linehan, would you yield to some questions?

**LINEHAN:** Certainly.

**ERDMAN:** Senator Linehan, you're adding a couple of FTEs to the Education Department?

**LINEHAN:** No, these people are already on staff. So the Education Committee has a legal counsel--

**ERDMAN:** Correct.

**LINEHAN:** --and an analyst. So does-- well, the Revenue Committee only has a legal counsel right now, but we have an opening for an analyst if anybody's interested. We have-- so one of those two from that committee would be involved in this briefing in the fall.

**ERDMAN:** OK.

**LINEHAN:** So it's no more staff, it's just right now it's only Appropriations Committee staff and the Department of Education and I, I think maybe a Governor's person is in that meeting, too.

**ERDMAN:** OK.

**LINEHAN:** I'm not sure on that.

**ERDMAN:** All right. Thank you very much.

**LINEHAN:** Thank you.

**KELLY:** Thank you, Senator Erdman and Linehan. Seeing no one else in the queue, Senator Linehan, you're recognized to close. And waive. Members, the question is the advancement of LB303 to E&R Initial. All

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those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB303 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, General File LB317, introduced by Senator von Gillern. It's a bill for an act relating to county assessors; changes provisions relating to the inspection of real property; and repeals the original section. The bill was read for the first time on January 11 of this year-- excuse me of last year and referred to the Revenue Committee. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator von Gillern, you're recognized to open.

**von GILLERN:** Thank you, Mr. President. Good morning, colleagues. Good morning, Nebraskans. LB317 is pretty simple. It provides county assessors more flexibility with property inspections. It would make possible the action of virtual assessments. The intent is to provide savings to counties and taxpayers by cutting unnecessary inspection time and travel costs. This simply allows the counties to determine which method they choose for property inspections, in-person or use of virtual capabilities. LB317 advanced out of the Revenue Committee 8 to 0. Those who testified in support were the Nebraska Association of County Officials and the Douglas County Board of Commissioners. The fiscal note reflected what Douglas County testified upon, that there are over 200,000 taxable parcels of real property in the county, and under the 6-year inspection period this means an excess of 30,000 properties per year need to be inspected. The ability to use tools available today that appraisers-- available to appraisers today will help these offices focus on the properties that are most in need of review. This should speed up the process and also pass along savings to the counties and taxpayers. This bill simply allows the assessors to take advantage of tools which are available in the 21st century. It's a simple bill that makes sense. It's a win-win, and I'd appreciate your green vote to advance LB317 to Select File. Thank you, Mr. President.

**KELLY:** Thank you, Senator von Gillern. Senator Bostelman, you're recognized to speak.

**BOSTELMAN:** Thank you, Mr. President. Good morning, Nebraskans. And, Senator von Gillern, I just-- sorry I didn't ask you before you got on the mic. This one jumped up real quick. So this is just on the assessment portion of valuation of the assessment of the property, not on the, the physical structure of a-- of a building. Right?

**KELLY:** Senator von Gillern, will you yield--

**BOSTELMAN:** Yield to a question?

**KELLY:** --to some questions?

**von GILLERN:** I will. And, yes, you are correct.

**BOSTELMAN:** Yeah, this is. OK. I just wanted to make sure and I thought that's what-- that was the intent as I read it. Just wanted to make sure because there are some companies trying to come into Nebraska to do virtual inspections on facilities, on buildings, and construction, and that. And I just want to make sure I understood we're not talking about that, we're just talking about the assessment of property, so.

**von GILLERN:** Yes, again, you're correct. And, again, what the bill actually says is it gives the assessors the latitude to use these tools if and when they're appropriate. They can still use the old method of an on-site inspection if they feel that that's the most appropriate way to determine the value of a property.

**BOSTELMAN:** Thank you.

**KELLY:** Thank you, Senator Bostelman and von Gillern. Senator Erdman, you're recognized to speak.

**ERDMAN:** Good morning. Thank you, Mr. President. So, Senator von Gillern, I read the bill. I understand what it is you're trying to do. I guess I would ask if you would yield. The question is, what kind of programs are they going to use? What would be their, their availability for them to inspect property without going there?

**KELLY:** Senator von Gillern, will you yield to some questions?

**von GILLERN:** Yes, I will. And, and since I heard the question, I'll go ahead and respond. The tools that are available-- there are tools that are unique to, to this area of-- what am I trying to say-- the appraisal areas but pictometry is a-- is a tool that's used, but the one that we're all most familiar with is Google Maps and Google Street

View. And if you can pull up on, on Google Maps and you can see that a building looks bigger than it did before, then that would probably generate an on-site inspection to determine what that addition looks like or Google Street View could possibly detect those kinds of things. So it would also allow assessors to use tools such as drones if they wanted. Say you had a large parcel of property that would be very difficult to do a physical survey on, they could employ the use of a drone to fly that property and generate a, a-- an image from that, that would either generate additional on-site, personal physical inspections or might satisfy their need for information to determine whether a property had increased in value or not.

**ERDMAN:** Yep. OK. I appreciate that. One of the-- one of the things I think that need to take into consideration, this may be a valuable tool for the most populated counties, Sarpy, Douglas, and Lancaster. But when you get in my region, I don't think they have street view for a lot of the properties we have there. So this may be an advantage to the more populous counties. But for us, there may be some of that, but I can guarantee they don't have a street view of some of the farms out there and the buildings on those farms. So this could be a very advantageous thing for the assessor to find buildings and things that she may have missed. And so your taxes may go up if you find something that she didn't know about. But thank you for your, your answers.

**von GILLERN:** Thank you.

**KELLY:** Thank you, Senators Erdman and von Gillern. Senator Dorn, you're recognized to speak.

**DORN:** Thank you, Mr. Lieutenant Governor. It wasn't until Senator von Gillern got up and started talking or mentioned pictometry that I decided, too, to get up and explain a little bit of this. When, when I was on County Board in Gage County, we were approached by a company to do this, and we were going to do it with-- in conjunction with other, I call it, with other counties. If I remember like at that time, Sarpy, Douglas, Lancaster, they were already doing this. They fly over with a plane and they can get it down to-- you can-- you can pick the size of, I'd call it, charts you want or the size of squares you want and you can have it 6 inches, a foot, or 2 foot or whatever. So it depends on whether it's a rural area or a, a building. What we used it-- and we decide to go ahead and do it in Gage County. There's a cost to it and the county picks up the cost to do that. And why we did it in Gage County was to-- they also gave me a report every year of any change in any buildings. We didn't use it so much at that time

for, I call it, the exact dimension of the buildings, although you could get as close as you could by physically measuring it with that pictometry. But what we used it for was to-- they gave you a report that showed any difference in that building or whatever. So that was an automatically generated report that they gave you so that now you could go and look at those properties as you reviewed all your valuations throughout the year, that maybe this one changed and why did it change? And did it need to have a different value on it or whatever? So there's parts of this-- and, and thank Senator von Gillern for bringing this-- there's parts of this are very, very helpful to some of the counties and also for us in Gage County it saved costs. There was no way we were going to go out and, and look at, I don't know, a couple thousand buildings a year every year and see if something new was on there. But what this helped, helped very much was we now had a list of 25, 50 or whatever buildings that were now added on to or they changed based on those flyovers. We did it every 3 years in Gage County, we did the flyover, but it also showed that very much. So thank you, Senator von Gillern.

**KELLY:** Thank you, Senators Dorn and von Gillern. Seeing no one else in the queue, Senator von Gillern, you're recognized to close.

**von GILLERN:** Thank you, Mr. President. I'll be very brief. I just want to address something that Senator Dorn raised. And, and just as a reminder, we, we, we thought about being more detailed in the tools that could be used within the bill. But, of course, as we all know over time those tools change and different tools become available. So with the bill-- the, the, the only change in the statute is on line 17, it says: Inspection of real property shall be completed in the amount-- in the manner as directed by the county assessor. So it leaves all kinds of flexibility to the board, each individual county, to choose what manner that they would like to use and how far they want to employ these tools or not use them or stay on the-- stay on their-- the traditional method. And with that, I thank you for the time and I'll close on that.

**KELLY:** Thank you, Senator von Gillern. Members, the question is the advancement to E&R Initial of LB317. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 32 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB317 advances to E&R Initial. Mr. Clerk.



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**CLERK:** Mr. President, next item on the agenda, LB235, introduced by Senator Wayne. It's a bill for an act relating to the ImagiNE Nebraska Act; transfers the definition; changes provisions relating to the use of credits for certain childcare expenses; harmonize provisions; repeals the original section. The bill was read for the first time on January 10 of last year and referred to the Revenue Committee. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Senator Wayne, you're recognized to open.

**WAYNE:** Thank you, Mr. President. Colleagues, this bill came out 8-0 out of the Revenue Committee. It's a small change. And what the change was, is when we passed LB1107 some years back, we allowed for child-- tax credits for childcare facilities. The issue is in downtown Hastings, downtown Norfolk, downtown Omaha, not necessarily downtown Omaha, but north Omaha and south Omaha there are-- we are recruiting businesses to these areas but childcare is still a problem. But they can't build their childcare facility on site because there's just not enough land in these downtown areas that are-- that have economic redevelopment plans. So what this says is if you have a, a area that has an economic redevelopment plan, which is typically downtown Sioux-- downtown Nebraska-- nope, downtown Grand Island, downtown Hastings, downtown Norfolk, north and south Omaha that you can build a childcare facility, the company can within 1 mile in that economic redevelopment area, which is usually the high-poverty area to provide those services to your employees for the same tax credit. So it's just a way to make sure that we're not hindering our urban cores and our city cores from actually growing. So it's just a simple fix. There is no fiscal note. And that's what this does. So I'd appreciate a green vote on LB235. Thank you.

**KELLY:** Thank you, Senator Wayne. Seeing no one else in the queue, you're recognized to close. And waive. Members, the question is the advancement to E&R Initial of LB235. All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**CLERK:** 35 ayes, 0 nays on advancement of the bill, Mr. President.

**KELLY:** LB235 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, LB190, introduced by Senator Brandt. It's a bill for an act relating to county bridges; authorizes bridge project payment over a scheduled period of time extending beyond the

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completion date. The bill was read for the first time on January 9 of last year and referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Brandt, you're recognized to open.

**BRANDT:** Thank you, Mr. President. Good morning, colleagues. Today, I'm asking for your green vote on LB190. This bill seeks to provide county boards with the authority to adopt resolutions that provide for a project payment plan extending for multiple years beyond the completion date of projects to repair, retrofit, reconstruct, or replace any bridge. LB190 also provides that full authority to create and adopt these payment plan resolutions shall be vested in the county boards. County boards will not be required to take further action under any state law to exercise this power. Finally, if any other provision of law in the county conflicts with LB190, the bill will take precedence. This bill is necessary to provide safe roads and bridges for people to drive on. There are currently-- is currently a large gap in funding that is critical to the repair and upkeep of current infrastructure in Nebraska counties. LB190 provides a solution to our infrastructure needs without seeking to increase property taxes or additional bonding authority. This bill was supported by the Nebraska Association of County Officials, the Nebraska Highway Superintendents, and the Professional Engineers Coalition. It was voted out of committee on a 8-0 vote. And with that, I ask for your green light on LB190.

**KELLY:** Thank you, Senator Brandt. Seeing no one else in the queue, Senator Brandt, you're recognized to close. And waive. Members, the question is the advancement of LB190 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays on advancement of the bill, Mr. President.

**KELLY:** LB190 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, LB358, introduced by Senator Walz. It's a bill for an act relating to the Medical Assistance Act; states legislative intent for dental service reimbursement; and repeals the original section. The bill was read for the first time on January 12 of last year and referred to the Health and Human Services Committee.

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That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Walz, you're recognized to open.

**WALZ:** Thank you, Mr. President. Good morning, colleagues. Today, I'm introducing LB358 which is a bill to increase Medicaid reimbursement rates by 25% for dental procedures. I introduced this bill last session because a constituent from my district contacted my office to share her story about the difficulties of finding a dentist for her and her child that will accept individuals on Medicaid. She explained that 2 years ago, her daughter needed a dental procedure done and was referred to a dentist in February. That dentist told her that they weren't accepting new Medicaid patients until August and that she needs to call back early on August 1 because acceptance is on a first-come-first-serve basis, meaning her child had to walk around with painful overcrowding for months on end. Unfortunately, this is the reality for many of our neighbors. This was just one story that was shared with me. There are thousands of more that are nearly identical. After I approached the Dental Association about this, they explained that this is actually a problem across the state in both rural and urban areas. I want to be clear that this is not because dentists don't want to accept Medicaid patients. I've heard from dentists across the state that they would accept Medicaid patients if it was financially viable. The estimate that I received is that dentists typically have a 60 to 70% overhead when they accept patients on Medicaid. At the end of the day, dentists are running a business so I completely understand the tough decisions they need to make, which is why I think it's time we need to step in and help. For adults, poor dental health can cause employment issues, mental health problems, impaired speech, and other physical health problems like heart attack, stroke, and dementia. People on Medicaid are already struggling to get-- to get by day by day, but compounding factors like poor mental health make life even harder. We need to ensure that people on Medicaid are able to confidently walk into a job interview, that their children are able to feel comfortable and able to learn at school, and overall lead healthy lives. After introducing this bill, there has been an outpouring of support from our dental community. So many dentists and dental students want to accept Medicaid patients. They truly see this as giving back to the community they're in. In addition to the-- to the dental community, local boards of health, emergency room physicians, local health directors, pediatricians, ESUs, and NACO have all shown their support for this bill. There has been support from all over the state, too, from Gering to Ord to Pender. This

support on the bill has really shown how, how important dental health is to our children, our disabled community, and all Nebraskans. LB358 provides a 25% reimbursement rate increase for dentists who accept Medicaid. This came out of the Health and Human Services Committee unanimously. I should note that Senator Ibach has a companion bill to this, LB935, that has a hearing in Appropriations next week. I know this has been-- this has a large fiscal note, but this is a serious issue that is really impacting citizens across Nebraska. And I believe it's something that is seriously worth considering. I ask that you vote this past General File and as the budget continues to develop we can reevaluate the spending levels. Thank you, Mr. President.

**KELLY:** Thank you, Senator Walz. Senator Clements, you're recognized to speak.

**CLEMENTS:** Thank you, Mr. President. I see that this bill has over \$6 million per year additional spending from General Funds. And we've had another-- other bills this morning that are going to be requesting General Fund expenses. Just wanted to go with how the procedure works. If this advances today, it doesn't mean we're approving the \$6 million spending. It will have an appropriation bill. And after the budget passes, these spending bills will then be considered, depending on how much there is, what they call money to the floor. And so I'm not sure that the full amount of this funding is going to be available, maybe not any, but if we advance it today, it will have a, a chance to be considered later in the session with the other appropriation bills. And so the-- I have heard from dentists who say that their reimbursement for Medicaid patients is below their cost. And I have also heard that there-- it is hard to find a dentist that will treat a Medicaid patient. That is true. There's priorities, though, of what's the most important. We could spray the weeds in the river or do dental items or we could pay the pharmacists who also are filling Medicaid prescriptions below their cost and those are just 3 items today and we'll have a lot of other ones. We have 60 bills in Appropriations for over \$100 million of new requests that go along with these requests today. So I'm, I'm in favor of advancing this today, but it doesn't mean that they will be fully funded. Thank you, Mr. President.

**KELLY:** Thank you, Senator Clements. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. I appreciated Senator Clements' comments. I do agree exactly what he described could come up later. I was wondering if Senator Walz would yield to a question or two?

**KELLY:** Senator Walz, would you yield to some questions?

**WALZ:** Of course.

**ERDMAN:** Senator Walz, I see there's going to be a federal contribution. And I notice that that federal contribution increases. Is that a 25% match by the state or how is that calculated that we'll get an increase from the federal government?

**WALZ:** I probably-- I need to look at that.

**ERDMAN:** OK. Because you notice--

**WALZ:** I want to say yes, but I just want to make sure I'm saying correctly.

**ERDMAN:** Yeah, because you notice that it was, like, \$11 million, I think, the first year. And then the second year was, like, \$18 million. My concern is what guarantee do we have going forward that the federal government will continue to match whatever we're contributing or give us that amount that you're projecting? That-- that's my question. If you can find that out, I'd appreciate it. All right. Thank you.

**WALZ:** Thank you, Senator Erdman.

**ERDMAN:** Thank you.

**KELLY:** Thank you, Senator Erdman and Walz. Senator Hansen, you're recognized to speak.

**HANSEN:** Thank you, Mr. President. If I could maybe sort of answer Senator Erdman's question. I believe, yes, the federal match would equal the amount that we would increase it by. And I also want to touch on, in my opinion, the importance of this bill. We come-- we have a lot of providers come to the HHS Committee often trying to increase provider rates. I personally would like to see more of a stable formula, which is something I'm going to be working on over the interim, some kind of formula that we can use as a state to increase provider rates consistently every biennium that would incorporate what our surrounding states do, a base rate, projected revenue coming into the state. So we can actually-- so providers in the state of Nebraska have some confidence on what's going to happen from year in and year out. Not an easy task, but that is something I was hoping we can work on. And so going back to LB358, we have a lot of providers that come

to HHS Committee asking for raises, pretty much. And, in my opinion, in the priority of providers currently, this is, in my opinion, the most important one that we need to look at as a state increasing the rates since it's been a long time coming. And, more importantly, we're talking about pediatric dentistry and the patients that they serve. As you know, whenever-- if kids' teeth are not well taken care of by a pediatric dentist, it will have lifelong effects on their health in general. And so what we're starting to see in the state of Nebraska is almost a pediatric dentistry desert because I take Medicaid in my office and if you do not get paid very well over time you start to see less and less providers taking Medicaid patients because they can't afford it. And that's what we're starting to see in the state of Nebraska. So if we can kind of get back to normal here, increase the rates, start providing some of this care to kids in the state of Nebraska, I think that's doubly important. So I would encourage my colleagues to vote for LB358. And I know we do-- we got a lot of things that we have to appropriate money to in the state of Nebraska, but this is in HHS Committee one of our priorities. So I would encourage Senator Clements, and, and Senator Clements is a good guy, I'm sure he'll see this and he'll appropriate all the money for this bill. And so I have no doubt. So with that, I, I encourage my colleagues to vote green on LB358 so we can kind of move this bill forward. Thank you, Mr. President.

**KELLY:** Thank you, Senator Hansen. Seeing no one else in the queue, Senator Walz, you're recognized to close.

**WALZ:** Thank you, Mr. President. And thank you, Senator Hansen, for that explanation. I appreciate that. This is a really important program. I do want to answer Senator Erdman's question the best that I can. Each year, the federal-- the federal Medical Assistance Program sets a new rate every year. It fluctuates maybe a couple percentage points each year, and currently it's at 57.79, so. I also want to say that I do agree with Senator Hansen when he talks about how we should make this a consistent increase instead of having to catch up like we have to do right now with Medicaid cost. Thank you for your attention and please vote green on LB-- what is this-- LB358. Thank you.

**KELLY:** Thank you, Senator Walz. Members, the question is the advancement of LB358 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 35 ayes, 0 nays on the motion to advance the bill.

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**KELLY:** LB358 advances to E&R Initial. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, next bill, LB130. It is a bill that was offered by Senator Dorn. It's a bill for an act relating to the Department of Health and Human Services; to create the Medicaid nursing facility services program. The bill was introduced on January 6 of last year, referred to Appropriations. That committee reports the bill to General File with committee amendments attached.

**KELLY:** Thank you, Mr. Clerk. Senator Dorn, you're recognized to open on LB130.

**DORN:** Thank you, Mr. Lieutenant Governor. LB130 is a culmination of a number of attempts to place language into statute, rather than having to place it into the appropriation budget each biennium. Former Senator Stinner had a bill to do the same thing, it was a committee priority bill, but time ran out in 2021. The original LB130 created a separate Medicaid nursing facility budget program in statute. The original bill did have a fiscal note and also had opposition from the Department of Health and Human Services. However, the committee amendment, AM899, becomes a bill and is a compromise language we developed in cooperation with DHHS. This amendment will simply put into statute the language the Appropriations Committee has included in the budget for the past 5 years. On page 2 of AM899, number (4)(a), you will see the intent language regarding Medicaid nursing facility rates, its calculation, and annual inflation factor. The amendment also specifies that the total amount appropriated to the department of Medicaid nursing facility service be utilized in a calculation of the rates and used as a base for funding for the following fiscal year. Again, this is the same language the committee had to put into the budget each time. It is cleaner to have this intent language in statute. I want to thank DHHS for working with us to develop this amendment. AM899 still requires the department to file its 2 annual reports with leg-- with the Legislative Fiscal Office and the Clerk of the Legislature. I want to emphasize the-- that the amendment does not appropriate funds or require that funds be appropriated. Funding would continue to be the responsibility of the Appropriations Committee and this Legislature through our usual budgetary process. AM899 becomes a bill and would continue what the department is already doing and simply put these practices in statute. Please support AM899 and then LB130. I just want to say that it also came out of committee 9-0 so thank you.

**KELLY:** Thank you, Senator Dorn. Mr. Clerk, for an amendment. As the Clerk indicated, there are amendments from the committee. Senator Clements, you're recognized to open on the committee amendments.

**CLEMENTS:** Thank you. This bill is addressing a problem that we've had in Appropriations, where we had a hard time figuring out what, what was appropriated to nursing homes, what was actually being provided to them. And we found that some of the money, a lot of the money that we were authorizing to be spent for nursing homes wasn't getting to them. And we had a hard time-- it's wrapped up in a larger area of Health and Human Services. And this-- we wanted to have them allocate a separate program so that we can separately identify the nursing home Medicaid expenses. And that's what this is doing, it helps us track the nursing home separately from other Medicaid expenses. And I believe that's, that's basically what it is, fairly simple, but it seemed like it was hard to get the numbers from Health and Human Services another way so we were-- are directing them to be allocated for us split out so that we can see those expenses separately and allocate-- appropriate money to them and make sure it's spent-- the amount is spent that we have budgeted for. And so I ask for your green vote on AM899. Thank you, Mr. President.

**KELLY:** Thank you, Senator Clements. Senator Clements, you're next in the queue.

**CLEMENTS:** I waive. I already explained what the bill is doing. Thank you.

**KELLY:** Thank you, Senator Clements. Seeing no one else in the queue, Senator Clements, you're recognized to close on the amendment.

**CLEMENTS:** I waive.

**KELLY:** It's waived. Members, the question is the adoption of AM899. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 28 ayes, 0 nays on the adoption of committee amendments.

**KELLY:** AM899 is adopted. Seeing no one else in the queue, Senator Dorn, you're recognized to close. And waive. Members, the question is the advancement to E&R Initial of LB130. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.



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**ASSISTANT CLERK:** 26 ayes, 0 nays on the motion to advance the bill.

**KELLY:** LB130 advances to E&R Initial. Mr. Clerk.

**ASSISTANT CLERK:** Mr. President, next bill, LB204, offered by Senator Riepe. It's a bill for an act relating to the Medical Assistance Act; amends Section 68-901; to establish reimbursement for pharmacy dispensing fees for pharmacies participating in the medical assistance program; to harmonize provisions; repeal the original section. The bill was introduced on January 9 of last year, referred to the Health and Human Services Committee. That committee placed the bill on General File with committee amendments.

**KELLY:** Thank you, Mr. Clerk. Senator Riepe, you're recognized to open.

**RIEPE:** Thank you, Mr. President and good morning, senators. We're, we're here and it seems that we're, we're working Senator Clements over pretty hard here, but. I'm here this morning to present LB204, which directs the Department of Health and Human Services to establish an enhanced fee for service for pharmacy dispensing fee reimbursement of \$10.38 per prescription for independent pharmacies in the medical assistance program. An independent pharmacy, as amended, refers to any-- owning 6 or fewer pharmacies. And there's a handout going around that shows some of the decline of pharmacies in the state. LB204 also directs DHHS to conduct a cost-dispensing survey every 2 years, as noted by Chairman Hansen. Brought to me by the Nebraska Pharmacists Association, LB204 passes the-- HHS Committee passed it with a 7-0 vote and 1 amendment. LB204 addresses only the dispensing fee component of pharmacy Medicaid reimbursement under the Nebraska Medical Assistance Act and not the product cost. Before 2015, dispensing fees varied from \$3.25 to \$5. But in 2011, Nebraska Medicaid set a fee of \$4.65. Managed care, however, was allowed to negotiate lower fees. Modeling the Iowa legislation, LB204 proposes a dispensing fee to cover average cost of \$10.38. In, in 2021, Iowa established a similar dispensing fee for all prescriptions to all pharmacies serving Medicaid patients conducting biennial surveys to adjust rates accordingly. While Nebraska last surveyed fees in 2008, setting a fee of \$4.65, Iowa conducts biennial surveys to ensure fees reflect actual cost. This proactive approach promotes fair compensation for pharmacies while maintaining access to essential medications for Medicaid beneficiaries. Medicaid provider rates currently for pharmacy reimbursement impact-- impacts communities. As you note on the chart, using data provided by the Nebraska Pharmacists Association, approximately 460 pharmacies in Nebraska saw 60 closures

between 2010 and 2019, with 25 of those closures being in 2019 alone, disproportionately affecting rural and low-income communities. LB204 aims to stabilize the pharmacy landscape, improve access, and enhance services for Medicaid recipients. Expanding LB204 significantly, this legislation not only addresses immediate reimbursement concerns, but also tackles the broader issue of healthcare access. With the closure-- closure of independent pharmacies, many Nebraskans, particularly those in rural and low-income areas, face challenges in accessing vital medications and healthcare services. By establishing a fair and sustainable dispensing fee, LB204 not only promotes the viability of pharmacies but also safeguards the health and well-being of vulnerable populations across the state. Thank you for your time and I yield to questions.

**KELLY:** Thank you, Senator Riepe. As stated, there is a committee amendment. Senator Hansen, you're recognized to open.

**HANSEN:** Thank you, Mr. President. AM1418 is a white copy amendment that makes a small but significant change to the original-- original LB204. More specifically, AM1418 would limit the pharmacies able to collect dispensing fees to pharmacies with 6 or fewer locations. The amendment encompasses negotiations between stakeholders as well as committee members. During the committee hearing, the Department of Health and Human Services appeared in opposition to the bill, expressing concerns over the fiscal note, which indicated that the state's portion of the cost of the bill was in excess of \$10 million. Proponents worked with the department to reduce the cost of the bill, which resulted in this amendment. It is anticipated that the state's portion of the costs will be reduced to a little over \$5 million. Further, by limiting eligibility to pharmacies with less than 6 locations, the dispensing fees would be going primarily to Nebraska owned and operated pharmacies and not big box chain pharmacies with out-of-state ownership. As amended with AM1418, LB204 was voted out of committee unanimously, and I would urge the body to adopt AM1418 and advance LB204. Thank you.

**KELLY:** Thank you, Senator Hansen. Seeing no one else in the queue, you're recognized to close on the amendment. And waive. Members, the question is the adoption of AM1418. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 30 ayes, 0 nays on the adoption of committee amendments.

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**KELLY:** AM1418 is adopted. Seeing no one else in the queue, Senator Riepe, you're recognized to close. And waive. Members, the question is the advancement of LB204 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**ASSISTANT CLERK:** 32 ayes, 0 nays to advance the bill, Mr. President.

**KELLY:** LB204 advances to E&R Initial. Mr. Clerk, for items.

**CLERK:** Thank you, Mr. President. Notice of committee hearings from the Revenue Committee. Additionally, amendment to be printed from Senator Moser to LB1198. And, and a committee report from the General Affairs Committee placing LB839 on General File. Mr. President, LB198, introduced by Senator McDonnell. It's a bill for an act relating to retirement; defines and redefines terms; provides for a return to work and authorizes contributions as prescribed; harmonize provisions; repeals the original section; declares an emergency. The bill was read for the first time on January 9 of last year and referred to the Nebraska Retirement Systems Committee. That committee placed the bill on General File. There are committee amendments, Mr. President.

**KELLY:** Senator McDonnell, you're recognized to open.

**McDONNELL:** Thank you, Mr. President. Good morning, colleagues. LB198 is a bill that was heard by the Retirement Committee on February 23 of last year. It was the product of a tremendous amount of work by practically every educating group I can think of: NSEA, Nebraska Council of School Administrators, Nebraska Association of School Boards, Greater Nebraska Schools Association, OPS, OSERS, and others with the goal of being able to increase the pool of substitute teachers by utilizing teachers that are towards the end of their career. Over a 3- to 4-month period at the end of 2022, these groups met at numerous times to reach a consensus on this bill. Part of the difficulty with the current statute is the definition and interpretation of termination, and the limitation that a terminated member may not be reemployed for 180 days to establish a bona fide separation of service. This is-- this is currently an exception that for intermittent services that is limited to 8 substitute days per month. In a nutshell, LB198 adds language that an employee who has experienced a separation of service from their employer, but has not applied for or received benefits from the retirement system, may provide temporary or substitute service within the 80-day period and in excess of 8 days per month limitation under the current statute. Temporary substitute employees do not contribute to the retirement

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plan or accrue service credits. In addition, the new language allows for a teacher that has experienced a separation of service, for example, a teacher that takes a semester off to return within 180 days, assuming they did not apply or receive retirement benefits to become a regular employee. In that situation, the employee would contribute to the retirement plan and would accrue service credit. LB198 was advanced to the General File with the committee amendment on a 6-0 vote and, and was a committee priority bill last year. With that opening, I'd like to move on to AM1391.

**KELLY:** As stated, there are amendments from the committee. Senator McDonnell, you're recognized to open.

**McDONNELL:** Committee AM1391 is an amendment version-- amended version of LB378, which was heard by the Retirement Committee on March 3, 2023 and cleans up some language in the current NPERS's statutes. LB378 was introduced in response to an Attorney General's Opinion requested by NPERS to clarify if the term-- the term qualified alien contained in current Nebraska statute was proper. The question was whether it was appropriate to use the term in light of the observation that the federal Immigration and Nationality Act does not use the term qualified alien directly. Current statute provides that a retirement plan member must have a lawful presence in the United States. The Opinion in footnote 10 suggested current provisions in Arizona and Minnesota might be more appropriate in lieu of the qualified alien language. LB398 was modeled after the Arizona statute. The proposal would provide a list of 12 documents that may be used to demonstrate lawful presence. The purpose of the Retirement System participate-- participation, one of these documents must be provided to and maintained by the employer and made available to NPERS upon request. The adopted amendment to LB378 added United States citizen to the phrase lawful presence, added language that the document is not expired, and added one additional document and a catchall that additional documents could be used if allowed by the PERB Board. The vote in the committee to amend LB378 into LB198 was adopted on a 6-0 vote. I would urge you to adopt the committee amendment, AM1391, and LB198. I'm here to answer any of your questions, and I want to thank the Retirement Committee for their hard work.

**KELLY:** Thank you, Senator McDonnell. Mr. Clerk, for an item.

**CLERK:** Mr. President, Senator Machaela Cavanaugh has MO364 through MO370, all with notes that she wishes to withdraw.

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**KELLY:** Without objection, they are withdrawn. Returning to the queue, Senator Clements, you're recognized to speak.

**CLEMENTS:** Thank you, Mr. President. I stand in support of AM1391 and LB198 as amended. The schools have found that, of course, needing more teachers and substitute teachers, the current provisions of the retirement plan prevented some of them from substituting the-- there are federal requirements with retirement plans on what you can do if you retire, whether you can go back and work as an employee. And this is fitting in one exception that we found to allow some teachers that have been prevented from substituting to be able to go back and do some teaching, but still be within the IRS guidelines. So this is a way for schools to be able to hire some more teachers that they weren't able to do in the past. So I support LB1391 [SIC--AM1391] and ask for your green vote. Thank you.

**KELLY:** Thank you, Senator Clements. Senator Holdcroft, you're recognized to speak.

**HOLDCROFT:** Thank you, Mr. President. Will Senator McDonnell yield to the question?

**KELLY:** Senator McDonnell, would you yield to some questions?

**MCDONNELL:** Yes.

**HOLDCROFT:** Senator McDonnell, I noticed that NPERS came in, in a neutral capacity on the-- at the hearing. Can you expand on that a bit?

**MCDONNELL:** That's pretty much their, their practice. They come in neutral.

**HOLDCROFT:** OK. Thank you very much. I yield the remainder of my time.

**KELLY:** Thank you, Senator Holdcroft and McDonnell. Seeing no one else in the queue, Senator McDonnell, you're recognized to close on AM1391. And waive. Members, the question is the adoption of AM1391. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 31 ayes, 0 nays, Mr. President, on adoption of the committee amendment.

**KELLY:** AM1391 advances. Seeing no one else in the queue, Senator McDonnell, you're recognized to close on LB198. And waive. Members,

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the question is the advancement to E&R Initial of LB198. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 30 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB198 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, LB908, introduced by Senator Aguilar. It's a bill for an act relating to the Legislature; eliminates provisions relating to a legislative policy on telephones and telefax machines; outright repeals Section 50-401.05. The bill was read for the first time on January 4 of this year and referred to the Executive Board. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Senator Aguilar, you're recognized to open.

**AGUILAR:** Thank you, Mr. President, members of the Legislature. LB908 is designed to clean up the statutes governing the Legislature. Before cell phones, it was common practice for members of the Legislature to need a way to contact their home or office without running afoul of the prohibition on improper use of government resources. In 1994, the then-Chair of the Executive Board brought a bill to authorize the Executive Board to adopt policies for the installation of private phone lines and fax machines in senators' offices. An Executive Board policy on private phone lines was in place starting in 1994 but no senator has elected to install the private phone or fax machine since 2007. In December of 2022, the Executive Board adopted a series of cleanup changes in the Legislative Policy Manual, including repealing the private phone line policy. LB908 would outright repeal the section of statute authorizing the Executive Board to adopt a private phone line policy as this authorization is no longer necessary. LB908 saw no opposition testimony and was advanced by the Executive Board on a unanimous 9-0 vote. I would ask for your support and a green vote to advance LB908. Thank you, Mr. President.

**KELLY:** Thank you, Senator Aguilar. And Senator Aguilar would like to announce some guests in the north balcony, members of the family and consumer and science teachers of Nebraska. Please stand and be recognized by your Nebraska Legislature. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. We seem to be moving quite rapidly here this morning so I think we have some time that I'd like to

address an issue that has come to my attention as I travel the streets of this wonderful city. I've noticed that the pothole season has arrived early this year and some are like manholes. And reports have said that they're filling 700 potholes daily. I drive numerous streets, I have yet to see anybody filling any potholes. But I'm starting to name them, they're so big and I so often see them. I have discovered which lane I should be in at which time I'm driving on each street so I miss the ones that will swallow my pickup. And for the life of me, I have never figured out why a city such as this, being a State Capital, does not move the snow around the Capitol Building, but it's quite obvious that we don't have people in management in this city that understand what roads are to do and how they're supposed to be safe and free of potholes. The only portion of the city that has a decent street is 84th Street, south of O Street, where they've overlaid that and reconstructed that. The rest of the city is in dire need of help. So if someone listening from the city could give me an indication of where these 700 manholes are being filled daily, that would be great information to have, because then maybe I could make it that my-- make that my route to the Capitol. So I have been here nearly 8 years. These streets have not improved in the last 8 years, and you would assume that at some time management should figure out how to fix potholes in the street. It is what it is. It's very similar to the lighting in the Chamber and in this building. It's actually 1927 lighting. We haven't updated that either. So I have a few concerns about how we do things here in this Capitol of our state. But watch out for the manholes because they will swallow your vehicle. Thank you.

**KELLY:** Thank you, Senator Erdman. Senator Machaela Cavanaugh, you're recognized to speak.

**M. CAVANAUGH:** Thank you, Mr. President. Good morning, colleagues. I would ask if Senator Aguilar would yield to a question?

**KELLY:** Senator Aguilar, would you yield to some questions?

**AGUILAR:** Yes, I will.

**M. CAVANAUGH:** Thank you, Senator. So you were talking about the phone lines, and if we were to move this forward and enact this in the future, if there is a senator that needs to have something like that installed, do they still-- is there still a path forward for them?

**AGUILAR:** We would have to address that at that time, I'm sure.

**M. CAVANAUGH:** OK. Because I agree, like, technology and its usages have changed quite a bit, but I'm certain that if there's some sort of, like a medical professional or a doctor that might need something like that, that if we are ever graced with someone like that in this body that we would need to consider their professional obligations outside of the body. So I think for now, I'm going to be present not voting on this but, but thank you for answering my question. I yield the remainder of my time.

**KELLY:** Thank you, Senator Cavanaugh. Senator Wayne, you're recognized to speak.

**WAYNE:** Thank you, Mr. President. I kind of-- I do agree with Senator Erdman, we are moving really quick and it makes people a little nervous. So I just wanted to briefly tell you about-- Senator DeKay asked me if I watched the movie the other day, and I didn't, so I went and watched it. It was called "The Greatest Night in Pop" and it's on Netflix. I encourage everybody to watch it. It's about how they created the song "We Are the World" and how they had one night to record it, and how they had to bring all these people from tours, from everything to one night, and they stayed up literally from 11 to 7 in the morning making "We Are the World" and watching all these people from different diverse backgrounds, different philosophies in life, different ways that they all kind of live their life, come together, and all of them struggled with being uncomfortable. Particularly being uncomfortable was Bob Dylan the most because he didn't really sound like anybody else. And so at one point they had Stevie Wonder, who can basically copy any voice in the world, sit down and sing Bob Dylan's voice, his part, to get Bob Dylan to understand how he can sing it in his own way and not have to be like everybody else. But what made me think of why I should bring this up right now is because when we all come together from our different backgrounds, our different areas of life, our different walks of life, and if we can just focus on 1 or 2 things, we can actually create something that's priceless and timeless. And we've done that over and over in this body. And I just thought it was an interesting thing that Senator DeKay asked me if I watched it and I went home and I watched it. And the most important thing I found was, one, you have to be uncomfortable with-- you have to be comfortable with being uncomfortable, but, two, Quincy Jones wrote at the door, there's a little thing that's etched on a piece of paper that said: Check your ego at the door. And I'm just-- I would just encourage everybody in this body to watch that because you'll find a little bit of you in this-- in this movie and how it can relate to here. And we can spend a whole day talking about how I can point



out to who everybody is in, in that room and how you are in this body, and kind of how I think you match with that artist. But one of the cool things, and I'll end with this, is at one point, Diana Ross went up to Bob Dylan and asked for his autograph because she was such a big fan. So you have stars who are also now star struck by other stars in this-- in this night at 4:30 in the morning, 5:00, trying to record this, this hit. And then all of them started signing each other's music sheets just to remember this moment forever. And I say that to say that this is my last year, we got one shot to do-- for me to do some magnificent things left. And I just look forward that we all sit down and maybe we'll break out in song and sing "We Are the World" after this session because we have a very productive session. And I don't know, I think McDonnell could do Kenny Rogers. I think-- von Gillern, I could-- I could see you doing Bruce Springsteen. So I look forward to that. Thank you, Mr. President.

**KELLY:** Thank you, Senator Wayne. Seeing no one else in the queue, Senator Aguilar, you're recognized. And waive closing. Members, the question is the advancement of LB908 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 34 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB908 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, LB909, introduced by Senator Aguilar. It's a bill for an act relating to the Administrative Procedure Act; changes the requirement relating to agency notice to the Executive Board of Legislative Council; and repeals the original section. The bill was read for the first time on January 4 of this year and referred to the Executive Board. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Aguilar, you're recognized to open.

**AGUILAR:** Thank you, Mr. President and members of the Legislature. LB909 is designed to clarify agency reports filed with the Executive Board Chair's office. In 2018, the Legislature passed the Occupational Board Reform Act, commonly referred to as OBRA. The goal of OBRA was to create a process for ongoing review and analysis of occupational regulations, with reviews assigned to the 14 standing committees of the Legislature. One aspect of OBRA that members may, may be unaware of is that the fact that if there are any occupational regulations

pending before a state agency, they have not been adopted and promulgated, the state agency must report those regulations to the Executive Board on or before July 1 of each year. The current language in statute is somewhat confusing with agencies regularly interpreting the language to require a report of all pending regulations, not just occupational regulations under OBRA. LB909 would simply clarify the language so that only the rules and regulations considered an occupational regulation under OBRA must be reported to the Exec Board. LB909 saw no opposition testimony and was advanced to the Exec Board on a unanimous 9-0 vote-- advanced by the Exec Board on a 9-0 vote. I would ask for your support and a green vote to advance LB909. Thank you, Mr. President.

**KELLY:** Thank you, Senator. Seeing no one else in the queue, you're recognized to close on LB909. And waive. Members, the question is the advancement of LB909 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk.

**CLERK:** 36 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB909 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, LB989, introduced by Senator Dungan. Its bill for an act relating to real property; changes and eliminates provisions of the Real Property Appraiser Act and the Nebraska Appraisal Management Company Registration Act; provides civil and criminal immunity for the Real Property Appraiser Board; defines and redefines terms; harmonize provisions; repeals the original section; outright repeals Section 76-3209, 76-3211. The bill was read for the first time on January 5 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File. There are no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Dungan, you're recognized to open.

**DUNGAN:** Thank you, Mr. President and good morning again, colleagues. If there was a fear that we were moving too quickly, don't worry, I have some riveting introduction to read about Appraisal Management Companies and the appraisal boards. So please buckle up for some information. Colleagues, LB989 is an update to the Nebraska Appraisal Management Company Registration Act. First, I want to briefly overview what an Appraisal Management Company or an AMC does. In Nebraska, we have 75 AMCs and about 650 to 700 appraisers. Appraisal Management

Companies are entities that act as intermediaries between real estate appraisers and lenders or financial institutions. Their primary function is to facilitate the appraisal process for real estate transactions, ensuring that appraisals are conducted impartially and in compliance with relevant regulations. AMCs play a crucial role in the real estate and mortgage industries by helping to maintain independence and objectivity in the appraisal process. This separation is essential to avoid conflicts of interest and to ensure that property valuations are conducted fairly. Additionally, using AMCs can help streamline the appraisal process, improve efficiency, and enhance the overall quality of appraisals. The distinct purpose of LB989 is to update the Nebraska Appraisal Management Company Registration Act in order to implement the recommendations of the Appraisal Subcommittee of the Federal Financial Institutions Examination Council, as identified during its 2022 state off-site assessment. These changes are required for the board's continued compliance with Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 and the Appraisal Subcommittee Policy Statements 1, 7-9, 10-12. Title XI, as amended by the Dodd-Frank Wall Street Reform and Consumer Protection Act of 2010, expanded the appraisal subcommittee's core functions to include monitoring the requirements established by states that register and supervise the operations and activities of Appraisal Management Companies. If the state of Nebraska is found to be noncompliant with Title XI by the Appraisal Subcommittee, the Appraisal Subcommittee may then remove all Nebraska's registered Appraisal Management Companies from the AMC registry, resulting in no Appraisal Management Companies authorized to provide appraisal management services in connection with federally related transactions. Such an action would be substantial-- substantially negatively impact the mortgage loan activity in Nebraska. Along with the changes to the Appraisal Subcommittee's SOA recommendations, LB989 includes a small upward change from \$1,500 to \$2,000 for renewal of registration. Colleagues, to sum this all up, this is a bill that harmonizes our statutes with federal requirements. If we do not do this, we are going to be out of compliance with federal recommendations, which ultimately will result in our Appraisal Management Companies being removed from the registries, which would be a big problem for our industries. Happy to answer any questions if anybody has any, but I would encourage your green vote on LB989.

**KELLY:** Thank you, Senator Dungan. Seeing no one else in the queue, you're recognized to close.

**DUNGAN:** I'll waive it.

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**KELLY:** And waive. Members, the question is the advancement of LB989 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk.

**CLERK:** 33 ayes, 0 nays on advancement of the bill, Mr. President.

**KELLY:** LB989 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, next item, LB992, introduced by Senator Dungan. It's a bill for an act relating to Real Property Appraiser Act; defines and redefines terms; changes provisions relating to exemptions, qualifications, credentials, scope of real property appraisal practice, terminology, continuing education fees, and the directory of appraisals-- appraisers; eliminates a random fingerprint audit program; harmonize provisions; repeals the original section; and declares an emergency. The bill was read for the first time on January 5 of this year and referred to the Banking, Commerce and Insurance Committee. That committee placed the bill on General File with no committee amendments, Mr. President.

**KELLY:** Thank you, Mr. Clerk. Senator Dungan, you're recognized to open.

**DUNGAN:** Thank you, Mr. President, colleagues. And now for something completely different. This is the Nebraska appraisal mana-- I'm sorry, this is the Nebraska Real Property Appraiser Act that's going to be modified by this bill. So, once again, some riveting introduction to make sure we talk about all of the specifics that this bill does. LB992 is to update the Nebraska Real Property Appraiser Act to implement the Real Property Appraiser qualifications criteria adopted by various subcommittees and boards at the national level. These changes are required for the board's continued compliance with Title XI of the Federal Financial Institutions Reform, Recovery, and Enforcement Act of 1989 and Appraisal Subcommittee Policy Statements 1-7 and 10-12. Title XI requires each state to prescribe appropriate standards for the performance of real estate appraisals in connection with federally related transactions. In addition, real estate appraisals are to be performed in accordance with the generally accepted uniform appraisal standards and are to be performed by an individual whose competency has been demonstrated and whose professional conduct is subject to adequate state supervision. Suppose the state of Nebraska does not comply with Title XI? Well, like the last bill, in that case, the Appraisal Subcommittee may remove all Nebraska real property appraisers from the appraiser registry,

resulting in no appraisers qualified to appraise real property concerning federally related transactions. Such action would substantially negatively impact the mortgage loan activity in Nebraska. LB992 includes changes to 4 fee limits: the credential application, the renewal fee, the temporary credential application, and the temporary credentialing fee. All would be include-- increased by \$50 each. Colleagues, similar to the last bill, this is a necessary update. All this does is put our state standards in line with the federal recommendations. If we fail to adopt this, we would no longer be in line with Title XI, which could ultimately result in our appraisal-- appraisers being removed from the registry which would be a big problem for the industry. So, again, I'm happy to answer any and all questions you might have. I see there's some people in the queue, so I look forward to having a rigorous debate about LB992 and I'd encourage your green vote.

**KELLY:** Thank you, Senator Dungan. Senator Erdman, you're recognized to speak.

**ERDMAN:** Thank you, Mr. President. I hate to spoil Senator Dungan's opinion here on this, but I seem to be an equal opportunity offender and it appears some of my colleagues have mentioned that I forgot about Omaha. So lest I do that, I don't want to speak about the potholes in Omaha. Senator Hunt said that perhaps the reason could be that the leadership in Lincoln is Democratic. And I want to tell you that from the colleagues that I've spoken with, it's the same in Omaha, and that is a Republican-led city. So I don't think it makes any difference who's in charge. Senator Hunt-- Senator Hunt also asked the question, did I paint the numbers in the parking lot? And the answer was yes. So she said, if you did paint the numbers, could you also fix potholes? And I had never thought about that. So that may be something I could get into when we adjourn. But I, I would ask if Senator Wayne would yield to a question?

**KELLY:** Senator Wayne, would you yield to a question?

**WAYNE:** Yes.

**ERDMAN:** Senator Wayne, you being a resident of Omaha, are my assumptions about the streets in Omaha correct?

**WAYNE:** You, you are correct. We have some craters. We don't necessarily call them potholes in my district. I have a lot of unpaved streets in my district. I have the most unpaved streets I think in the

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state at this point, means that they're not paved at all. And on those streets, we have craters. I tried fishing in them, but I didn't catch anything.

**ERDMAN:** I see. So these unpaved streets-- these, these dirt streets, do they maintain those better than they do the paved streets?

**WAYNE:** No, they just put some rock down. We use an asphalt material in Omaha that tends to come up after the first snowstorm. So we, we cover the pothole with asphalt and then the next snowstorm it's water so it happens. But we have a rule in Omaha that if you get-- if your car gets messed up, they'll pay for it.

**ERDMAN:** Oh, wow. OK. Well, thank you for answering that. You know what, if I was going to be here past this year, I think we ought to do an interim study on how to fix potholes correctly. That would be something that I think would be beneficial to everybody. It appears, especially in the eastern part of the state, and I would take exception to Senator Wayne saying he has the most dirt streets, I have a lot of communities that have one paved street and the rest of them are all dirt, so. Anyway, thank you for your time.

**KELLY:** Thank you, Senators Erdman and Wayne. Senator Wayne, you're recognized to speak.

**WAYNE:** Thank you, Mr. President, and I'll be brief. Senator DeKay will go ahead and do the Bob Dylan verse. Senator Dungan will-- he has been nominated-- we're trying to figure out whether it's Kenny Loggins or Huey Lewis. We're getting close to that. We'll narrow that down. I hate to state the obvious, but McKinney, we got-- we got choices between Stevie Wonder, Ray Charles, and Michael Jackson. I'll probably do Michael. I think Senator Hunt said she'll do Cyndi Lauper. So we got that working out. Senator Ibach is going to do Tina Turner. We're looking for a Diana Ross. I think Senator Sanders will handle that for me. Kim Carnes, I think, Senator Walz. Oh, I like it. Senator Walz. Yeah. Yeah. Dionne Warwick, I think that goes to Senator Cavanaugh-- Machaela Cavanaugh. James Ingram, that one's tough. But we do know Quincy Jones, the architect of it all, is Speaker Arch. Thank you, Mr. President.

**KELLY:** Thank you, Senator Wayne. Seeing no one else in the queue, Senator Dungan, you're recognized to close.

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**DUNGAN:** Thank you, Mr. President. Colleagues, I appreciate the rigorous debate pertaining LB992 and the Real Property Appraiser Act. I didn't know it would get into that kind of-- that talk, but I'm glad we could have that conversation. Senator Wayne, I agree with everyone you laid out there. When you start assigning people celebrities, you kind of put yourself in the danger zone sometimes. A little Kenny Loggins joke for those who aren't paying attention. Colleagues, I do encourage your green vote on LB992. This is an important bill to get done and, also, it's the last thing on the agenda today. Thank you, Mr. President.

**KELLY:** Thank you, Senator Dungan. Members, the question is the advancement of LB992 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Record. Mr. Clerk.

**CLERK:** 38 ayes, 0 nays, Mr. President, on advancement of the bill.

**KELLY:** LB992 advances to E&R Initial. Mr. Clerk.

**CLERK:** Mr. President, some items. Notice of committee hearings from the Judiciary and Revenue Committees. Additionally, name adds: Senator Vargas to LB644; Senator Lowe to LB929; Senator Machaela Cavanaugh, LB1071; Senator Hardin, LB1338 [SIC--LB1368] and LB1397; Senator Fredrickson, LB1400; Senator Hardin, LB1406, and withdraw from LB1408. Additionally, Mr. President, notice that the Government Committee will have an Executive Session today immediately following their hearing in 1507. Executive Session, Government, today, 1507, after the hearing.

**KELLY:** Thank you, Mr. Clerk. Senator DeBoer, you're recognized for an announcement.

**DeBOER:** Thank you, Mr. President. Colleagues, as we're approaching the priority bill designation deadline, as Chair of the Planning Committee, I wanted to reach out to everybody and say that the Planning Committee has elected to prioritize either a bill in the area of childcare or in the area of housing. And we are interested in having you all that have bills in those areas to please let me know if you have a bill you'd like to have designated as a priority by the Planning Committee in one of those areas. So if you could let me know by the end of business tomorrow if you have a bill in the area of childcare or housing that you would like to have prioritized by the Planning Committee, even if it's a small bill, we might have a couple that go together or something like that. So if you have any bills in

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those areas that you think is a good bill that's ready to go, please let me know by end of business day tomorrow. Thank you very much.

**KELLY:** Thank you, Senator. Pursuant to the Speaker's instructions, we will stand at ease. Speaker Arch, you're recognized for a message.

**ARCH:** Thank you. I just wanted to clarify why we're standing at ease. We're waiting-- there's a committee hearing that needs to be scheduled, we're waiting for that to come so that we can read it in and then-- and then we, we can adjourn quickly after that. Thank you.

**KELLY:** Thank you, Mr. Speaker. We will stand at ease.

[EASE]

**KELLY:** Mr. Clerk.

**CLERK:** Mr. President, priority motion. Senator McDonnell would move to adjourn the body until Thursday, February 8, 2024 at 9:00 a.m.

**KELLY:** Members, you've heard the motion to adjourn. All those in favor say aye. Those opposed, nay. We are adjourned.