

TWENTY-FOURTH DAY - FEBRUARY 10, 2026

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
SECOND SESSION**

TWENTY-FOURTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 10, 2026

PRAYER

The prayer was offered by Pastor Raymond Wicks, First Baptist Church, Plattsmouth.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Dover.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Kelly presiding.

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

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-third day was approved.

MESSAGE(S) FROM THE GOVERNOR

February 9, 2026

Brandon Metzler
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. Metzler:

Engrossed Legislative Bills 60, 207, 212, 258, 384, and 518 were received in my office on February 5, 2026, and signed on February 9, 2025.

GENERAL FILE

LEGISLATIVE BILL 940. Senator Murman renewed [AM1817](#), found on page 556 and considered on page 648.

The Murman amendment was adopted with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

Senator M. Cavanaugh offered the following amendment:

[AM2053](#)

1 1. Insert the following new sections:

2 Sec. 2. Sections 2 to 7 of this act shall be known and may be cited

3 as the Hunger-Free Schools Act.

4 Sec. 3. Section 79-10,137, Reissue Revised Statutes of Nebraska, is

5 amended to read:

6 79-10,137 The Legislature finds that, for Nebraska to compete
7 effectively in the world, it must have an educated and productive work
8 force. In order to have an educated and productive work force, it must
9 prepare its children to learn, and in order to do so the children must be
10 well-nourished. The Legislature further finds that school breakfast and
11 lunch programs are integral parts of Nebraska's educational system and
12 that every student deserves access to healthy food during the school day.

13 Sec. 4. For purposes of the Hunger-Free Schools Act:

14 (1) Department means the State Department of Education;

15 (2) Eligible meal means a school breakfast or school lunch that is

16 both (a) served to a student who qualifies for reduced-price school meals

17 under United States Department of Agriculture child nutrition programs

18 and (b) served at no cost to such student;

19 (3) Federal reimbursement rate means the payment a school receives
20 for a school meal and is dependent on whether the school meal was a
21 breakfast or a lunch, whether or not the student qualifies for free or
22 reduced-price school meals, and the school year in which the school meal
23 is served, as published by the United States Department of Agriculture
24 pursuant to the federal Child Nutrition Act of 1966, 42 U.S.C. 1771 et
25 seq., and the federal Richard B. Russell National School Lunch Act, 42
26 U.S.C. 1751 et seq., and regulations promulgated under such acts, as such
27 acts and regulations existed on January 1, 2026; and

1 (4) Qualified school means a public school or a nonprofit approved
2 or accredited private, denominational, or parochial school which is
3 participating in the school breakfast program or the national school
4 lunch program under the federal Child Nutrition Act of 1966, 42 U.S.C.
5 1771 et seq., or the federal Richard B. Russell National School Lunch
6 Act, 42 U.S.C. 1751 et seq., as such acts existed on January 1, 2026, and
7 which does not serve free meals to all students under the community
8 eligibility provision.

9 Sec. 5. The Hunger-Free Schools Program is created. To comply with
10 the Hunger-Free Schools Program, a qualified school shall:
11 (1) Serve eligible meals through any school breakfast program or
12 school lunch program operated by such school during the school day; and
13 (2) Submit information regarding the number of eligible meals served
14 in a manner prescribed by the department.

15 Sec. 6. The department shall annually reimburse each qualified
16 school a portion of the cost of each eligible meal served by such school
17 during the second preceding school fiscal year in an amount equal to the
18 difference between the federal reimbursement rate for a free meal and the
19 federal reimbursement rate for a reduced-price meal for each eligible
20 meal. The calculation of the reimbursement for each eligible meal shall
21 be based on the federal reimbursement rates for a school breakfast or a

22 school lunch as applicable to the eligible meal.
23 Sec. 7. (1) The State Board of Education may adopt and promulgate
24 rules and regulations to carry out the Hunger-Free Schools Act.
25 (2) It is the intent of the Legislature to appropriate money from
26 the General Fund to the State Department of Education to carry out the
27 Hunger-Free Schools Act.
28 Sec. 8. Original section 79-10,137, Reissue Revised Statutes of
29 Nebraska, is repealed.
30 Sec. 9. The following sections are outright repealed: Sections
31 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

Senator M. Cavanaugh withdrew and refiled [AM2053](#).

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 1022. Title read. Considered.

Pending.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507 1:30 PM

Wednesday, February 18, 2026

LB969
LB1147
LB776

Room 1507 1:30 PM

Thursday, February 19, 2026

LB919
LB923
LB896
LB1058

Room 1507 1:30 PM

Friday, February 20, 2026

LB975
LB1108
LB1149

(Signed) Rita Sanders, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1022. Considered.

Senator Kauth moved for a call of the house. The motion prevailed with 27 ayes, 1 nay, and 21 not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 7 nays, 10 present and not voting, and 4 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 110. Placed on Final Reading with the attached statement.

ST50

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

1. In lieu of the Hughes amendment, FA949, in the Enrollment and Review amendments, ER104, on page 1, line 16, "as defined in section 71-7907" has been inserted after "provider"; and in lines 17 and 18 "medical clinic" has been struck and "health care facility as defined in section 71-413" inserted.

LEGISLATIVE BILL 203. Placed on Final Reading.

LEGISLATIVE BILL 365. Placed on Final Reading.

LEGISLATIVE BILL 437. Placed on Final Reading.

LEGISLATIVE BILL 668. Placed on Final Reading.

LEGISLATIVE BILL 716. Placed on Final Reading.

LEGISLATIVE BILL 807. Placed on Select File with amendment.

ER115

1 1. On page 1, strike beginning with "the" in line 1 through line 14
2 and insert "noxious weeds; to amend sections 2-945.01 and 2-958.02,
3 Reissue Revised Statutes of Nebraska, and section 61-218, Revised
4 Statutes Supplement, 2025; to eliminate the Riparian Vegetation
5 Management Task Force; to change the uses of the Water Resources Cash
6 Fund; to provide for grants for the removal of certain riparian
7 vegetation and for certain equipment; to provide duties for the
8 Department of Water, Energy, and Environment; to define terms; to
9 harmonize provisions; to repeal the original sections; and to outright
10 repeal section 2-970, Reissue Revised Statutes of Nebraska, and section
11 2-969, Revised Statutes Supplement, 2025.".

LEGISLATIVE BILL 70. Placed on Select File with amendment.

ER118

1 1. On page 1, strike lines 2 through 5 and insert "43-104.15,
2 43-107, 43-512.04, 43-1402, 43-1404, 43-1405, and 43-1410, Reissue
3 Revised Statutes of Nebraska, sections 43-101, 43-101.01, 43-102, 43-104,
4 43-104.08, 43-104.13, and 43-2924, Revised Statutes Cumulative
5 Supplement, 2024, and section 43-1401, Revised Statutes Supplement, 2025;
6 to provide".

LEGISLATIVE BILL 877. Placed on Select File with amendment.

ER117

1 1. On page 1, strike beginning with "the" in line 1 through line 6
2 and insert "to the Uniform Controlled Substances Act; to amend section
3 28-405, Revised Statutes Supplement, 2025; to designate certain
4 substances as controlled substances; to correct the spelling of certain
5 substances; and to repeal the original section.".

6 2. On page 51, strike beginning with "28-401" in line 7 through
7 "section" in line 8; and in line 9 strike "are" and insert "is".

LEGISLATIVE BILL 429. Placed on Select File with amendment.

ER116

1 1. On page 1, strike beginning with "restrictions" in line 1 through
2 line 2 and insert "requirements and restrictions relating to professional
3 employees' organizations; and to define terms.".

LEGISLATIVE BILL 365A. Placed on Select File.

(Signed) Dunixi Guereca, Chairperson

Transportation and Telecommunications

The Transportation and Telecommunications Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Heath Mello - State Highway Commission

Aye: 8. Ballard, Bosn, Brandt, DeBoer, Fredrickson, Guereca, Moser, Storer.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Mike Moser, Chairperson

GENERAL FILE

LEGISLATIVE BILL 748. Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 924. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 956. Title read. Considered.

Senator J. Cavanaugh offered AM1943, found on page 590.

The J. Cavanaugh amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 749. Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 771. Title read. Considered.

Senator Ballard offered [AM1948](#), found on page 611.

Pending.

AMENDMENT(S) - Print in Journal

Senator McKinney filed the following amendment to [LB653](#):

[AM1947](#)

(Amendments to AM1701)

1 1. Strike original section 3 and insert the following new section:
2 Sec. 3. Section 79-265.01, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 79-265.01 (1) Except as provided in subsection (3)(2) of this
5 section, an elementary school shall not suspend a student in pre-
6 kindergarten through second grade. Each school district shall develop a
7 policy to implement this section which shall include disciplinary
8 measures inside the school as an alternative to suspension as provided in
9 subsection (2) of this section.
10 (2)(a) An elementary school may utilize purposeful in-school
11 suspension for students in pre-kindergarten through second grade as a
12 disciplinary measure for disruptive behavior, including chronic
13 disruptive behavior. Students in such grades shall not be defined
14 primarily by behavior labels, but by support needs and developmental
15 readiness. Purposeful in-school suspension of a student shall:
16 (i) Only be used only as a short-term, corrective, and supportive
17 intervention, not as a punitive or exclusionary practice, and shall
18 prioritize rapid reintegration into the regular learning environment; and
19 (ii) Include:
20 (A) Access to appropriate grade-level instructional materials and
21 aligned coursework for the student;
22 (B) Continuation of academic credit and participation in learning
23 activities;
24 (C) Behavioral supports, restorative practices, and social-emotional
25 learning components;
26 (D) Developmentally appropriate interventions;
1 (E) Targeted literacy and numeracy interventions when academic gaps
2 are identified;
3 (F) Skill-building supports aligned with the individual needs of the
4 student;
5 (G) Reflection, conflict resolution, and goal-setting activities;
6 and
7 (H) A reintegration plan for the return of the student to the
8 classroom.
9 (b) Repeated use of purposeful in-school suspension for the same
10 student shall trigger a mandatory behavior plan review.
11 (3)(2) An elementary school may suspend a student in pre-
12 kindergarten through second grade if such student:
13 (a) Brings brings a deadly weapon as defined in section 28-109
14 onto school grounds, into a vehicle owned, leased, or contracted by a
15 school being used for a school purpose or into a vehicle being driven
16 for a school purpose by a school employee or his or her designee, or to a

17 a school-sponsored activity or athletic event; or;

18 (b) Engages in violent behavior.

19 (4) For purposes of this section:

20 (a) Chronic disruptive behavior means repeated classroom behaviors
21 that significantly interfere with learning and persist despite the
22 provision of developmentally appropriate interventions, supports, and
23 accommodations. A student shall not be considered to have chronic
24 disruptive behavior without prior documented interventions, family
25 engagement efforts, support services as defined in section 79-1125.01,
26 and instructional modifications;

27 (b) Purposeful in-school suspension means a structured, school-based
28 alternative to out-of-school suspension that temporarily removes a
29 student from the regular classroom environment of such student for a
30 period not to exceed three consecutive school days for each incident
31 resulting in such suspension, while maintaining the student's access to
1 instruction, behavioral supports, and trauma-informed care interventions;
2 and

3 (c) Violent behavior means behavior that presents a clear,
4 immediate, and serious risk of physical harm to the student or others,
5 and that cannot be safely managed through standard classroom
6 interventions, de-escalation strategies, or developmentally appropriate
7 behavioral supports. In determining whether an action qualifies as
8 violent behavior, the school district shall consider that young children
9 are in early stages of emotional regulation, impulse control, language
10 development, and self-expression. Developmentally typical behaviors,
11 including tantrums, hitting, throwing objects, elopement, verbal
12 outbursts, or dysregulation shall not, by default, be classified as
13 violent behavior. The behavior of a student for purposes of determining
14 appropriate or authorized disciplinary measures shall be assessed by the
15 school district in the context of developmental stage, trauma exposure,
16 unmet needs, learning challenges, and communication barriers of the
17 student.

18 2. On page 4, line 14, after "student" insert "and the parent,
19 guardian, or educational decisionmaker as defined in section 79-530 of
20 the student"; in line 15 strike beginning with the first "or" through
21 "her", show as stricken, and insert "and written notice of the charges
22 against the student"; and in line 17 strike "his or her", show as
23 stricken, and insert "the student's" and after "version" insert "of the
24 events leading to the alleged conduct or violation the principal has
25 determined necessitates a short-term suspension and evidence to support
26 the student's version of such events".

27 3. On page 5, after line 3, insert the following new subsection:
28 "(5)(a) Within five days after a suspension pursuant to this
29 section, the principal shall propose a written behavior plan for the
30 student that provides a functional behavior analysis and a positive
31 intervention plan to teach replacement behaviors, reinforce positive
1 actions, and maximize strategies to keep the student in school. If the
2 behaviors that resulted in the suspension indicate the child may have
3 specific academic or behavioral needs and the student has not previously
4 been identified as a child with a disability, the principal shall also
5 make a written proposal to the parent, guardian, or educational
6 decisionmaker as defined in section 79-530 to assess the student and
7 determine whether the student is eligible for special education or
8 support services pursuant to the Special Education Act.

9 (b) A parent, guardian, or educational decisionmaker as defined in
10 section 79-530 may, within five days after the receipt of a behavioral
11 plan pursuant to subdivision (a) of this subsection, submit a written
12 request to the school for a meeting with the principal relating to such
13 behavioral plan.

14 (c) Upon receipt of a request by a parent, guardian, or educational

15 decisionmaker pursuant to subdivision (b) of this subsection, the school
16 shall initiate a meeting between the principal and other appropriate
17 school personnel and the parent, guardian, or educational decisionmaker
18 of such student to address such student's behavioral difficulties.
19 Participants at such meeting or meetings shall be allowed meaningful
20 participation to address concerns, explore strategies to improve student
21 success, and potentially initiate the special education assessment,
22 identification, and verification process pursuant to sections 79-1137 to
23 79-1139 for the student.".

Senator Hughes filed the following amendment to LB110:
AM2048

(Amendments to Final Reading copy)

1 1. On page 2, line 14, strike "as defined in section 71-7907" and
2 insert "licensed under the Uniform Credentialing Act"; in line 16 strike
3 "hospital or"; and in line 27 strike "hospital or medical clinic" and
4 insert "health care facility".

Senator McKinney filed the following amendment to LB855:
AM2047

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 8 of this act shall be known and may be
4 cited as the Youth Early Intervention and Support Act.
5 Sec. 2. (1) The Legislature finds that: (a) Early signs of trauma,
6 neglect, or instability in youth often manifest through patterns of
7 school disengagement, academic decline, and unmet physical needs; (b)
8 research on adverse childhood experiences confirms a direct link between
9 early trauma and negative outcomes in education, health, and justice
10 system involvement; (c) effective early intervention can be achieved when
11 schools, families, community health workers, and public systems work
12 together in a coordinated and trauma-informed manner; and (d) many
13 schools and communities already possess networks of support professionals
14 and organizations who, if connected through a formal system, can identify
15 and respond to student needs without requiring additional full-time
16 employees.
17 (2) It is the intent of the Legislature to: (a) Establish a
18 standardized framework for early identification and support using
19 existing school and community data; and (b) promote cross-sector
20 collaboration to reduce juvenile justice and child welfare involvement.
21 Sec. 3. (1) The State Department of Education, in consultation with
22 the Department of Health and Human Services, shall develop and administer
23 an early support system to be implemented in all Nebraska public school
24 districts.
25 (2) The early support system shall identify students who exhibit two
26 or more of the following early warning indicators: (a) Chronic or sudden
27 changes in school attendance not including excused absences; (b)
1 declining academic performance or chronically incomplete work; (c)
2 persistent or unusual behavior challenges unexplained by the student's
3 parent, guardian, or educational decisionmaker; (d) lack of engagement or
4 participation in class; or (e) unaddressed, documented, or disclosed
5 exposure to adverse childhood experiences reasonably believed to cause
6 any of the indicators described in subdivisions (a) through (d) of this
7 subsection.
8 (3) The goal of the early support system is not punitive, but is to
9 facilitate early, compassionate, trauma-informed interventions through
10 collaborative planning and service coordination.
11 Sec. 4. (1) Each school district shall convene a youth support
12 coordination team to implement the early support system. This team may

13 include, but is not limited to: (a) School counselors or social workers;
14 (b) teachers and administrators; (c) community health workers from public
15 health agencies or nonprofit organizations; (d) representatives from
16 community-based organizations; (e) public health or behavioral health
17 liaisons; and (f) parents or family and community advocates.
18 (2) Each youth support coordination team shall: (a) Develop
19 protocols for reviewing flagged student data; (b) conduct trauma-informed
20 needs assessments; (c) engage families in support planning; (d)
21 coordinate referrals to mental health, academic, and basic needs
22 resources; and (e) document and monitor interventions using secure
23 systems.
24 (3) The team shall designate a lead agency or coordinator which may
25 be a school district, nonprofit organization, local public health
26 department, or educational service unit.
27 Sec. 5. (1) Each school district shall include one or more
28 community health workers on the school district's youth support
29 coordinating team, using existing partnerships with (a) federally
30 qualified health centers, (b) local public health departments, (c)
31 behavioral health organizations, and (d) community-based nonprofit
1 organizations.
2 (2) Community health workers shall support (a) family outreach and
3 trust-building, (b) social determinants of health screening, (c)
4 referrals and linkage to resources, and (d) culturally responsive and
5 trauma-informed care.
6 Sec. 6. (1) The State Department of Education shall: (a) Provide
7 standardized protocols and training materials on trauma-informed care,
8 adverse childhood experiences, community health worker integration, the
9 federal Family Educational Rights and Privacy Act of 1974, as amended, 20
10 U.S.C. 1232g, the federal Health Insurance Portability and Accountability
11 Act of 1996, and cultural responsiveness; (b) offer technical assistance
12 to school districts for implementation, youth support coordination team
13 formation, and referral coordination; and (c) maintain or enhance secure
14 data systems to enable districts to flag and track student indicators.
15 (2) The Department of Health and Human Services shall support cross-
16 agency collaboration, including: (a) Participation in training efforts;
17 (b) integration of relevant health and behavioral health resources; and
18 (c) promotion of community health worker workforce support and
19 deployment.
20 Sec. 7. (1) All data collected shall comply with the federal Family
21 Educational Rights and Privacy Act of 1974, as amended, 20 U.S.C. 1232g,
22 and the federal Health Insurance Portability and Accountability Act of
23 1996.
24 (2) No student shall be referred to law enforcement or child welfare
25 based solely on eligibility for the early support system under the Youth
26 Early Intervention and Support Act.
27 (3) No parent shall be referred to law enforcement or child welfare
28 based solely on the refusal to participate in the early support system
29 under the act.
30 (4) The Department of Health and Human Services shall monitor
31 implementation to prevent disproportionate impact based on race,
1 disability, income, or language.
2 Sec. 8. Each school district shall submit an annual implementation
3 report to the State Department of Education regarding implementation of
4 the Youth Early Intervention and Support Act. The department shall
5 compile such implementation data and electronically submit an annual
6 report to the Legislature that evaluates (1) the number of students
7 identified and supported, (2) the interventions provided, (3) stakeholder
8 feedback, and (4) outcomes related to attendance, achievement, and system
9 involvement.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510 1:30 PM

Wednesday, February 18, 2026

Linda Mentink - Commission for the Blind and Visually Impaired
Jeremiah Rethwisch - State Board of Health
Cheryl Livingston - Commission for the Blind and Visually Impaired
Jaime Dodge - State Board of Health
LB1091
LB737
LB1012
LB1233
LB1057

Room 1510 1:30 PM

Thursday, February 19, 2026

Ryan Palmer - State Board of Health
Mark Berth - State Board of Health
Patricia Kucera - State Board of Health
LB933
LB1016
LB944
LB843
LB1217

Room 1510 1:30 PM

Friday, February 20, 2026

David Reese - State Board of Health
Jacob Sikes - State Board of Health
Dan Vehle - State Board of Health
LB970
LB1213
LB1033
LB740

Room 1510 1:30 PM

Wednesday, February 25, 2026

Kate Hesser - Nebraska Rural Health Advisory Commission
Katherine Kusek - Nebraska Rural Health Advisory Commission
Myra Stoney - Nebraska Rural Health Advisory Commission
April Dexter - Nebraska Rural Health Advisory Commission
LB777
LB949
LB1239
LR296

Room 1510 12:30 PM

Thursday, February 26, 2026

David Owens - Stem Cell Research Advisory Committee
Jim Ulrich - Nebraska Rural Health Advisory Commission
Tracy Zamora - Nebraska Rural Health Advisory Commission
LB746
LB796
LB958
LB734
LB1200

(Signed) Brian Hardin, Chairperson

Urban Affairs
Room 1200 1:30 PM

Tuesday, February 17, 2026

LB915
LB988
LR312CA
LB976
LB1113

Room 1200 1:30 PM

Tuesday, February 24, 2026

LB1134
LB1227
LB1168
LB1250
LB1129

(Signed) Terrell McKinney, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wordekemper name added to LB304.

VISITOR(S)

Visitors to the Chamber were students, teachers, and parents from Nebraska Christian Home Educators Association; Steven Jessen, Rayln Steiner, Jaxyn Steiner, Norfolk; students from Trinity Lutheran School, Lincoln; members of the Seward Junior Women's Club, Seward; members of Nebraska

Bankers Association Young Bankers; members of Nebraska Association of County Extension Boards from across the state; members of Black Hills Energy from across the state.

The Doctor of the Day was Dr. Jason Summa, Seward.

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Rountree, the Legislature adjourned until 9:00 a.m., Wednesday, February 11, 2026.

Brandon Metzler
Clerk of the Legislature

