

FIFTY-SEVENTH DAY - APRIL 8, 2025

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION**

FIFTY-SEVENTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, April 8, 2025

PRAYER

The prayer was offered by Senator Bosn.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Murman.

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, Brandt, DeKay, Guereca, and Hunt who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-sixth day was approved.

MESSAGE(S) FROM THE GOVERNOR

April 7, 2025

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

Dear Clerk Metzler:

Engrossed Legislative Bills 7, 105e, 143, 179, 185, 195, 248, 266, 294e, 312, 325, 341, 372, 478, 501e, 527e, 527Ae, 529e, and 592 were received in my office on April 3, 2025, and signed on April 7, 2025.

These bills were delivered to the Secretary of State on April 7, 2025.

Sincerely,
(Signed) Jim Pillen
Governor

March 31, 2025

Mr. President, Speaker Arch
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Arch, and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Tourism Commission - District 6:

Debra L Kelly, 925 Fairway Drive, O'Neill, NE 68763

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

COMMITTEE REPORT(S)
Judiciary

LEGISLATIVE BILL 80. Placed on General File with amendment.
[AM801](#) is available in the Bill Room.

LEGISLATIVE BILL 383. Placed on General File with amendment.
[AM837](#) is available in the Bill Room.

(Signed) Carolyn Bosn, Chairperson

Revenue

LEGISLATIVE BILL 170. Placed on General File.

LEGISLATIVE BILL 566. Placed on General File with amendment.
[AM800](#)

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

3 Section 1. Section 77-2715.07, Revised Statutes Cumulative
4 Supplement, 2024, is amended to read:

5 77-2715.07 (1) There shall be allowed to qualified resident
6 individuals as a nonrefundable credit against the income tax imposed by
7 the Nebraska Revenue Act of 1967:

8 (a) A credit equal to the federal credit allowed under section 22 of
9 the Internal Revenue Code; and

10 (b) A credit for taxes paid to another state as provided in section
11 77-2730.

12 (2) There shall be allowed to qualified resident individuals against
13 the income tax imposed by the Nebraska Revenue Act of 1967:

14 (a) For returns filed reporting federal adjusted gross incomes of
15 greater than twenty-nine thousand dollars, a nonrefundable credit equal
16 to twenty-five percent of the federal credit allowed under section 21 of
17 the Internal Revenue Code of 1986, as amended, except that for taxable
18 years beginning or deemed to begin on or after January 1, 2015, such
19 nonrefundable credit shall be allowed only if the individual would have
20 received the federal credit allowed under section 21 of the code after
21 adding back in any carryforward of a net operating loss that was deducted
22 pursuant to such section in determining eligibility for the federal
23 credit;

24 (b) For returns filed reporting federal adjusted gross income of
25 twenty-nine thousand dollars or less, a refundable credit equal to a
26 percentage of the federal credit allowable under section 21 of the
27 Internal Revenue Code of 1986, as amended, whether or not the federal
1 credit was limited by the federal tax liability. The percentage of the
2 federal credit shall be one hundred percent for incomes not greater than
3 twenty-two thousand dollars, and the percentage shall be reduced by ten
4 percent for each one thousand dollars, or fraction thereof, by which the
5 reported federal adjusted gross income exceeds twenty-two thousand
6 dollars, except that for taxable years beginning or deemed to begin on or
7 after January 1, 2015, such refundable credit shall be allowed only if
8 the individual would have received the federal credit allowed under
9 section 21 of the code after adding back in any carryforward of a net
10 operating loss that was deducted pursuant to such section in determining
11 eligibility for the federal credit;

12 (c) A refundable credit as provided in section 77-5209.01 for
13 individuals who qualify for an income tax credit as a qualified beginning
14 farmer or livestock producer under the Beginning Farmer Tax Credit Act
15 for all taxable years beginning or deemed to begin on or after January 1,
16 2006, under the Internal Revenue Code of 1986, as amended;

17 (d) A refundable credit for individuals who qualify for an income
18 tax credit under the Angel Investment Tax Credit Act, the Nebraska
19 Advantage Microenterprise Tax Credit Act, the Nebraska Advantage Research
20 and Development Act, the Reverse Osmosis System Tax Credit Act, or the
21 Volunteer Emergency Responders Incentive Act; and

22 (e) A refundable credit equal to ten percent of the federal credit
23 allowed under section 32 of the Internal Revenue Code of 1986, as
24 amended, except that for taxable years beginning or deemed to begin on or
25 after January 1, 2015, such refundable credit shall be allowed only if
26 the individual would have received the federal credit allowed under
27 section 32 of the code after adding back in any carryforward of a net
28 operating loss that was deducted pursuant to such section in determining
29 eligibility for the federal credit.

30 (3) There shall be allowed to all individuals as a nonrefundable
31 credit against the income tax imposed by the Nebraska Revenue Act of
1 1967:

2 (a) A credit for personal exemptions allowed under section
3 77-2716.01;

4 (b) A credit for contributions to programs or projects certified for

5 tax credit status as provided in the Creating High Impact Economic
6 Futures Act. Each partner, each shareholder of an electing subchapter S
7 corporation, each beneficiary of an estate or trust, or each member of a
8 limited liability company shall report his or her share of the credit in
9 the same manner and proportion as he or she reports the partnership,
10 subchapter S corporation, estate, trust, or limited liability company
11 income;
12 (c) A credit for investment in a biodiesel facility as provided in
13 section 77-27,236;
14 (d) A credit as provided in the New Markets Job Growth Investment
15 Act;
16 (e) A credit as provided in the Nebraska Job Creation and Mainstreet
17 Revitalization Act;
18 (f) A credit to employers as provided in sections 77-27,238 and
19 77-27,240;
20 (g) A credit as provided in the Affordable Housing Tax Credit Act;
21 (h) A credit to grocery store retailers, restaurants, and
22 agricultural producers as provided in section 77-27,241;
23 (i) A credit as provided in the Sustainable Aviation Fuel Tax Credit
24 Act;
25 (j) A credit as provided in the Nebraska Shortline Rail
26 Modernization Act;
27 (k) A credit as provided in the Nebraska Pregnancy Help Act; and
28 (l) A credit as provided in the Caregiver Tax Credit Act.
29 (4) There shall be allowed as a credit against the income tax
30 imposed by the Nebraska Revenue Act of 1967:
31 (a) A credit to all resident estates and trusts for taxes paid to
1 another state as provided in section 77-2730;
2 (b) A credit to all estates and trusts for contributions to programs
3 or projects certified for tax credit status as provided in the Creating
4 High Impact Economic Futures Act; and
5 (c) A refundable credit for individuals who qualify for an income
6 tax credit as an owner of agricultural assets under the Beginning Farmer
7 Tax Credit Act for all taxable years beginning or deemed to begin on or
8 after January 1, 2009, under the Internal Revenue Code of 1986, as
9 amended. The credit allowed for each partner, shareholder, member, or
10 beneficiary of a partnership, corporation, limited liability company, or
11 estate or trust qualifying for an income tax credit as an owner of
12 agricultural assets under the Beginning Farmer Tax Credit Act shall be
13 equal to the partner's, shareholder's, member's, or beneficiary's portion
14 of the amount of tax credit distributed pursuant to subsection (6) of
15 section 77-5211.
16 (5)(a) For all taxable years beginning on or after January 1, 2007,
17 and before January 1, 2009, under the Internal Revenue Code of 1986, as
18 amended, there shall be allowed to each partner, shareholder, member, or
19 beneficiary of a partnership, subchapter S corporation, limited liability
20 company, or estate or trust a nonrefundable credit against the income tax
21 imposed by the Nebraska Revenue Act of 1967 equal to fifty percent of the
22 partner's, shareholder's, member's, or beneficiary's portion of the
23 amount of franchise tax paid to the state under sections 77-3801 to
24 77-3807 by a financial institution.
25 (b) For all taxable years beginning on or after January 1, 2009,
26 under the Internal Revenue Code of 1986, as amended, there shall be
27 allowed to each partner, shareholder, member, or beneficiary of a
28 partnership, subchapter S corporation, limited liability company, or
29 estate or trust a nonrefundable credit against the income tax imposed by
30 the Nebraska Revenue Act of 1967 equal to the partner's, shareholder's,
31 member's, or beneficiary's portion of the amount of franchise tax paid to
1 the state under sections 77-3801 to 77-3807 by a financial institution.
2 (c) Each partner, shareholder, member, or beneficiary shall report

3 his or her share of the credit in the same manner and proportion as he or
4 she reports the partnership, subchapter S corporation, limited liability
5 company, or estate or trust income. If any partner, shareholder, member,
6 or beneficiary cannot fully utilize the credit for that year, the credit
7 may not be carried forward or back.

8 (6) There shall be allowed to all individuals nonrefundable credits
9 against the income tax imposed by the Nebraska Revenue Act of 1967 as
10 provided in section 77-3604 and refundable credits against the income tax
11 imposed by the Nebraska Revenue Act of 1967 as provided in section
12 77-3605.

13 (7)(a) For taxable years beginning or deemed to begin on or after
14 January 1, 2020, and before January 1, ~~2032~~2026, under the Internal
15 Revenue Code of 1986, as amended, a nonrefundable credit against the
16 income tax imposed by the Nebraska Revenue Act of 1967 in the amount of
17 five thousand dollars shall be allowed to any individual who purchases a
18 residence during the taxable year if such residence:

19 (i) Is located within an area that has been declared an extremely
20 blighted area under section 18-2101.02;

21 (ii) Is the individual's primary residence; and

22 (iii) Was not purchased from a family member of the individual or a
23 family member of the individual's spouse.

24 (b) The credit provided in this subsection shall be claimed for the
25 taxable year in which the residence is purchased. If the individual
26 cannot fully utilize the credit for such year, the credit may be carried
27 forward to subsequent taxable years until fully utilized.

28 (c) No more than one credit may be claimed under this subsection
29 with respect to a single residence.

30 (d) The credit provided in this subsection shall be subject to
31 recapture by the Department of Revenue if the individual claiming the
1 credit sells or otherwise transfers the residence or quits using the
2 residence as his or her primary residence within five years after the end
3 of the taxable year in which the credit was claimed.

4 (e) For purposes of this subsection, family member means an
5 individual's spouse, child, parent, brother, sister, grandchild, or
6 grandparent, whether by blood, marriage, or adoption.

7 (8) There shall be allowed to all individuals refundable credits
8 against the income tax imposed by the Nebraska Revenue Act of 1967 as
9 provided in the Cast and Crew Nebraska Act, the Nebraska Biodiesel Tax
10 Credit Act, the Nebraska Higher Blend Tax Credit Act, the Nebraska
11 Property Tax Incentive Act, the Relocation Incentive Act, and the
12 Renewable Chemical Production Tax Credit Act.

13 (9)(a) For taxable years beginning or deemed to begin on or after
14 January 1, 2022, under the Internal Revenue Code of 1986, as amended, a
15 refundable credit against the income tax imposed by the Nebraska Revenue
16 Act of 1967 shall be allowed to the parent of a stillborn child if:

17 (i) A fetal death certificate is filed pursuant to subsection (1) of
18 section 71-606 for such child;

19 (ii) Such child had advanced to at least the twentieth week of
20 gestation; and

21 (iii) Such child would have been a dependent of the individual
22 claiming the credit.

23 (b) The amount of the credit shall be two thousand dollars.

24 (c) The credit shall be allowed for the taxable year in which the
25 stillbirth occurred.

26 (10) There shall be allowed to all individuals refundable credits
27 against the income tax imposed by the Nebraska Revenue Act of 1967 as
28 provided in section 77-7203 and nonrefundable credits against the income
29 tax imposed by the Nebraska Revenue Act of 1967 as provided in section
30 77-7204.

31 (11) There shall be allowed to all individuals refundable credits

1 against the income tax imposed by the Nebraska Revenue Act of 1967 as
 2 provided in section 77-3157 and nonrefundable credits against the income
 3 tax imposed by the Nebraska Revenue Act of 1967 as provided in sections
 4 77-3156, 77-3158, and 77-3159.
 5 Sec. 2. Original section 77-2715.07, Revised Statutes Cumulative
 6 Supplement, 2024, is repealed.

(Signed) R. Brad von Gillern, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525 1:00 PM

Wednesday, April 16, 2025

Clay Smith - Nebraska Educational Telecommunications Commission

Paul Turman - Nebraska Educational Telecommunications Commission

(Signed) Dave Murman, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 613A. Introduced by Andersen, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 613, One Hundred Ninth Legislature, First Session, 2025.

MOTION(S) - Confirmation Report(s)

Senator Hardin moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 862:

Nebraska Rural Health Advisory Commission

Jeffrey D Harrison

Rebecca Schroeder

Roger Wells

Diva Wilson

Voting in the affirmative, 33:

Andersen	Dungan	Ibach	Moser	Sanders
Arch	Fredrickson	Jacobson	Murman	Storer
Ballard	Hallstrom	Juarez	Prokop	Storm
Bosn	Hansen	Kauth	Quick	von Gillern
Clouse	Hardin	Lonowski	Raybould	Wordekemper
Conrad	Holdcroft	McKeon	Riepe	
DeBoer	Hughes	Meyer	Rountree	

Voting in the negative, 0.

Present and not voting, 10:

Armendariz	Cavanaugh, M.	Dorn	Lippincott	Sorrentino
Cavanaugh, J.	Clements	Dover	McKinney	Spivey

Excused and not voting, 6:

Bostar	DeKay	Hunt
Brandt	Guereca	Strommen

The appointments were confirmed with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

Senator Hardin moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 862:

State Board of Health
 Mark Bertch
 J Paul Cook
 Staci Hubert
 Patricia Kucera
 Brett Lindau
 Kimberly Stuhmer
 Kenneth Tusha

Voting in the affirmative, 30:

Andersen	DeKay	Ibach	Meyer	Sanders
Arch	Hallstrom	Jacobson	Moser	Sorrentino
Ballard	Hansen	Juarez	Murman	Storer
Bosn	Hardin	Kauth	Quick	Storm
Clouse	Holdcroft	Lonowski	Raybould	von Gillern
Conrad	Hughes	McKeon	Riepe	Wordekemper

Voting in the negative, 0.

Present and not voting, 14:

Armendariz	Clements	Dover	Lippincott	Rountree
Cavanaugh, J.	DeBoer	Dungan	McKinney	Spivey
Cavanaugh, M.	Dorn	Fredrickson	Prokop	

Excused and not voting, 5:

Bostar	Brandt	Guereca	Hunt	Strommen
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The appointments were confirmed with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

Senator Hardin moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 863:

Health Information Technology Board
Drew D Gonshorowski

Voting in the affirmative, 29:

Andersen	Hallstrom	Jacobson	Moser	Sorrentino
Arch	Hansen	Juarez	Murman	Storer
Ballard	Hardin	Kauth	Quick	Storm
Bosn	Holdcroft	Lonowski	Raybould	von Gillern
Clouse	Hughes	McKeon	Riepe	Wordekemper
Conrad	Ibach	Meyer	Sanders	

Voting in the negative, 0.

Present and not voting, 15:

Armendariz	Clements	Dorn	Fredrickson	Prokop
Cavanaugh, J.	DeBoer	Dover	Lippincott	Rountree
Cavanaugh, M.	DeKay	Dungan	McKinney	Spivey

Excused and not voting, 5:

Bostar	Brandt	Guereca	Hunt	Strommen
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The appointment was confirmed with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Senator Hardin moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 863:

Commission for the Deaf and Hard of Hearing
Kay Crabtree
John Culver
Valerie Hitz
Richard McCowin
Julie Ann Mruz

Voting in the affirmative, 34:

Andersen	DeKay	Jacobson	Murman	Sorrentino
Arch	Hallstrom	Juarez	Prokop	Spivey
Ballard	Hansen	Kauth	Quick	Storer
Bosn	Hardin	Lonowski	Raybould	Storm
Cavanaugh, M.	Holdcroft	McKeon	Riepe	von Gillern
Clouse	Hughes	Meyer	Rountree	Wordekemper
Conrad	Ibach	Moser	Sanders	

Voting in the negative, 0.

Present and not voting, 10:

Armendariz	Clements	Dorn	Dungan	Lippincott
Cavanaugh, J.	DeBoer	Dover	Fredrickson	McKinney

Excused and not voting, 5:

Bostar	Brandt	Guereca	Hunt	Strommen
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The appointments were confirmed with 34 ayes, 0 nays, 10 present and not voting, and 5 excused and not voting.

Senator Kauth moved the adoption of the Business and Labor Committee report for the confirmation of the following appointment(s) found on page 886:

Department of Labor
Katie Thurber

Voting in the affirmative, 28:

Andersen	Hallstrom	Juarez	Murman	Storer
Ballard	Hardin	Kauth	Prokop	Storm
Bosn	Holdcroft	Lonowski	Quick	von Gillern
Clouse	Hughes	McKeon	Raybould	Wordekemper
Conrad	Ibach	Meyer	Riepe	
DeKay	Jacobson	Moser	Sanders	

Voting in the negative, 0.

Present and not voting, 15:

Arch	Cavanaugh, M.	Dorn	Fredrickson	Rountree
Armendariz	Clements	Dover	Lippincott	Sorrentino
Cavanaugh, J.	DeBoer	Dungan	McKinney	Spivey

Excused and not voting, 6:

Bostar	Guereca	Hunt
Brandt	Hansen	Strommen

The appointment was confirmed with 28 ayes, 0 nays, 15 present and not voting, and 6 excused and not voting.

Senator Moser moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 895:

Game and Parks Commission
Lisa Roskens

Voting in the affirmative, 30:

Andersen	DeBoer	Juarez	Murman	Sanders
Arch	DeKay	Kauth	Prokop	Sorrentino
Ballard	Hallstrom	Lonowski	Quick	Spivey
Bosn	Hughes	McKeon	Raybould	Storer
Clouse	Ibach	Meyer	Riepe	Storm
Conrad	Jacobson	Moser	Rountree	Wordekemper

Voting in the negative, 0.

Present and not voting, 13:

Armendariz	Clements	Dungan	Holdcroft	von Gillern
Cavanaugh, J.	Dorn	Fredrickson	Lippincott	
Cavanaugh, M.	Dover	Hardin	McKinney	

Excused and not voting, 6:

Bostar	Guereca	Hunt
Brandt	Hansen	Strommen

The appointment was confirmed with 30 ayes, 0 nays, 13 present and not voting, and 6 excused and not voting.

Senator Sanders moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 955:

Nebraska Tourism Commission
Courtney Dentlinger
David Fudge
Rachel Kreikemeier
Roger Kuhn
Robert Sabin
David Wolf
Paul Younes

Voting in the affirmative, 29:

Andersen	DeKay	Juarez	Prokop	Spivey
Arch	Hallstrom	Kauth	Quick	Storer
Bosn	Holdcroft	McKeon	Raybould	Storm
Cavanaugh, J.	Hughes	Meyer	Riepe	von Gillern
Clouse	Ibach	Moser	Sanders	Wordekemper
Conrad	Jacobson	Murman	Sorrentino	

Voting in the negative, 0.

Present and not voting, 14:

Armendariz	Clements	Dover	Hardin	McKinney
Ballard	DeBoer	Dungan	Lippincott	Rountree
Cavanaugh, M.	Dorn	Fredrickson	Lonowski	

Excused and not voting, 6:

Bostar	Guereca	Hunt
Brandt	Hansen	Strommen

The appointments were confirmed with 29 ayes, 0 nays, 14 present and not voting, and 6 excused and not voting.

Senator Holdcroft moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 968:

Nebraska Arts Council
 Karen Harris
 Julie J Jacobson
 Clark Kolterman
 Jeanne Salerno

Voting in the affirmative, 31:

Andersen	DeBoer	Juarez	Raybould	Strommen
Armendariz	Fredrickson	Kauth	Rountree	von Gillern
Ballard	Guereca	Lippincott	Sanders	Wordekemper
Cavanaugh, J.	Hallstrom	McKeon	Sorrentino	
Clements	Hansen	Moser	Spivey	
Clouse	Holdcroft	Murman	Storer	
Conrad	Hughes	Quick	Storm	

Voting in the negative, 0.

Present and not voting, 15:

Arch	DeKay	Dungan	Jacobson	Meyer
Bosn	Dorn	Hardin	Lonowski	Prokop
Cavanaugh, M.	Dover	Ibach	McKinney	Riepe

Excused and not voting, 3:

Bostar	Brandt	Hunt
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The appointments were confirmed with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 95, 99, 100, and 101 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 95, 99, 100, and 101.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 97. Placed on Final Reading.

LEGISLATIVE BILL 113. Placed on Final Reading with the attached statement.

[ST15](#)

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

1. In the Holdcroft amendment, AM851, section 5 has been renumbered as section 6.
2. On page 1, the matter beginning with "the" in line 1 through line 6 has been struck and "the Nebraska Liquor Control Act; to amend section 53-123.17, Reissue Revised Statutes of Nebraska, and sections 53-123.01, 53-123.14, 53-123.16, and 53-129, Revised Statutes Cumulative Supplement, 2024; to change provisions relating to the rights of a holder of a manufacturer's, craft brewery, microdistillery, or entertainment district license; to redefine a term; to harmonize provisions; to provide severability; and to repeal the original sections." inserted.
3. On page 8, line 28, "section 53-123.17, Reissue Revised Statutes of Nebraska, and" has been inserted after "Original".

LEGISLATIVE BILL 326. Placed on Final Reading.

LEGISLATIVE BILL 390. Placed on Final Reading.

LEGISLATIVE BILL 246. Placed on Select File with amendment.

[ER38](#)

1. On page 1, line 3, strike "and prohibit" and insert "; to
- 2 prohibit certain conduct related to adulterated food including".

LEGISLATIVE BILL 257. Placed on Select File with amendment.

[ER37](#) is available in the Bill Room.

LEGISLATIVE BILL 258. Placed on Select File.

LEGISLATIVE BILL 646. Placed on Select File with amendment.

[ER41](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 5
2 and insert "the Livestock Brand Act; to amend sections 54-170, 54-171,
3 54-1,108, 54-1,110, 54-1,111, 54-1,119, 54-1,120, and 54-1,121, Reissue
4 Revised Statutes of Nebraska; to define terms; to change fees; to provide
5 exemptions for brand inspections; to change requirements for registering
6 as a registered feedlot; to harmonize provisions; and to repeal the
7 original sections."

LEGISLATIVE BILL 380. Placed on Select File with amendment.

[ER39](#)

1 1. On page 1, strike lines 2 through 6 and insert "sections 68-982,
2 68-985, 68-986, 68-987, and 68-988, Reissue Revised Statutes of Nebraska,
3 and sections 68-974, 68-995, and 68-996, Revised Statutes Cumulative
4 Supplement, 2024; to change provisions relating to program integrity,
5 ground emergency medical transport, and mental health and substance use
6 disorder services; to provide duties for the Division of Medicaid and
7 Long-Term Care; to harmonize provisions; and to repeal the original
8 sections."

LEGISLATIVE BILL 323. Placed on Select File.

LEGISLATIVE BILL 192. Placed on Select File with amendment.

[ER40](#)

1 1. On page 1, line 3, strike "to remove a sunset date;" and insert
2 "to change and eliminate provisions relating to eligibility for benefits
3 under the Supplemental Nutrition Assistance Program; to eliminate
4 requirements for an evaluation and a report;"

(Signed) Dunixi Guereca, Chairperson

MOTION(S) - Print in Journal

Senator von Gillern filed the following motions to [LB650](#):

[MO153](#)

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

[MO154](#)

Bracket until June 10, 2025.

[MO155](#)

Recommit to the Revenue Committee.

[MO156](#)

Bracket until June 10, 2025.

[MO157](#)

Recommit to the Revenue Committee.

AMENDMENT(S) - Print in Journal

Senator von Gillern filed the following amendments to LB650:

[FA84](#)

Strike the enacting clause

[FA85](#)

Strike Section 2.

Senator Prokop filed the following amendment to LB36:

[AM930](#)

(Amendments to Standing Committee amendments, AM635)

1 1. Insert the following new section:

2 Sec. 35. The Research Excellence Cash Fund is created. The fund
 3 shall be administered by the University of Nebraska. The fund shall
 4 consist of money from gifts, grants, or bequests designated for the fund
 5 and transfers authorized by the Legislature. The fund may be used to
 6 support research-based investments in data, data collection, and ongoing
 7 research critical to the Nebraska economy, including, but not limited to,
 8 the Nebraska Mesonet system. No money appropriated or transferred from
 9 the fund shall be used for electronic-related equipment or electronic-
 10 related components manufactured or supplied by a foreign adversary as
 11 identified in 15 C.F.R. 791.4, as such regulation existed on February 7,
 12 2025, for data gathering equipment that will be or is located within a
 13 ten-mile radius of a military installation as defined in section
 14 70-1001.01. Any money in the fund available for investment shall be
 15 invested by the state investment officer pursuant to the Nebraska Capital
 16 Expansion Act and the Nebraska State Funds Investment Act.
 17 2. Renumber the remaining section accordingly.

Senator Hansen filed the following amendments to LB677:

[AM935](#)

1 1. On page 2, line 21, after "plant" insert "of the genus cannabis".

[AM934](#)

1 1. On page 2, line 7, after the comma insert "unless the context
 2 otherwise requires,".

BILLS ON FIRST READING

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

LEGISLATIVE BILL 391A. Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 391, One Hundred Ninth Legislature, First Session, 2025.

LEGISLATIVE BILL 712A. Introduced by Hughes, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 712, One Hundred Ninth Legislature, First Session, 2025.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 109. Introduced by Hallstrom, 1; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Clouse, 37; Conrad, 46; DeBoer, 10; DeKay, 40; Dorn, 30; Dover, 19; Dungan, 26; Fredrickson, 20; Guereca, 7; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Juarez, 5; Kauth, 31; Lippincott, 34; Lonowski, 33; McKeon, 41; McKinney, 11; Meyer, 17; Moser, 22; Murman, 38; Prokop, 27; Quick, 35; Raybould, 28; Riepe, 12; Rountree, 3; Sanders, 45; Sorrentino, 39; Spivey, 13; Storer, 43; Storm, 23; Strommen, 47; von Gillern, 4; Wordekemper, 15.

WHEREAS, Nebraska's Natural Resource Districts Outstanding Community Conservation Award recognizes communities leading the state in natural resource conservation efforts and was awarded to the Southeast Nebraska Cancer Memorial Garden; and

WHEREAS, the Southeast Nebraska Cancer Memorial Garden has, for many years, brought hope and a sense of community through its carefully designed landscaping and is considered a treasured asset of southeast Nebraska; and

WHEREAS, for individuals whose lives have been touched by cancer, the connection to nature provided by the Memorial Garden offers solace, healing, and deep spiritual meaning; and

WHEREAS, the mission of the Memorial Garden to serve as a loving tribute to all cancer survivors, those still fighting cancer, and those who have lost their battle with cancer has been fulfilled; and

WHEREAS, each year, volunteers devote countless hours to the landscaping, maintenance, and enhancement of the Memorial Garden and its amenities; and

WHEREAS, the Memorial Garden promotes conservation through its thoughtful display of native and ornamental plants, pollinator habitat, educational components, and wildlife habitat.

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

1. That the Legislature congratulates the Southeast Nebraska Cancer Memorial Garden as being named Nebraska's Natural Resources Districts Outstanding Community Conservation Award winner.

2. That a copy of this resolution be sent to the Southeast Nebraska Cancer Memorial Garden.

Laid over.

SELECT FILE

LEGISLATIVE BILL 140. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 428. Senator Murman offered [AM803](#), found on page 951.

The Murman amendment was adopted with 36 ayes, 0 nays, 12 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 504. [ER21](#), found on page 653, was offered.

ER21 was adopted.

Senator Bosn withdrew [FA16](#), found on page 418.

Senator Bosn offered [AM856](#), found on page 945.

Pending.

COMMITTEE REPORT(S) Revenue

LEGISLATIVE BILL 649. Placed on General File with amendment.
[AM933](#)

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. Sections 1 to 19 of this act shall be known and may be
- 4 cited as the Defense Efforts Workforce Act.
- 5 Sec. 2. The purpose of the Defense Efforts Workforce Act is to
- 6 provide incentives to encourage employers to locate their workforce in
- 7 this state to support military defense efforts and foster the growth of
- 8 the workforce required to advance global defense communications and
- 9 technologies.
- 10 Sec. 3. For purposes of the Defense Efforts Workforce Act, the
- 11 definitions found in sections 4 to 13 of this act shall be used.
- 12 Sec. 4. Any term defined in the Nebraska Revenue Act of 1967 has
- 13 the same meaning in the Defense Efforts Workforce Act unless the context
- 14 or the express language of the Defense Efforts Workforce Act requires a
- 15 different meaning.
- 16 Sec. 5. Base year means the year immediately preceding the year of
- 17 application.
- 18 Sec. 6. Full-time employee means with respect to any month, an
- 19 employee who is employed on average at least thirty hours of service per
- 20 week.
- 21 Sec. 7. Nebraska statewide average hourly wage for any year means
- 22 the most recent statewide average hourly wage paid by all employers in
- 23 all counties in Nebraska as calculated by the Office of Labor Market
- 24 Information of the Department of Labor using annual data from the
- 25 Quarterly Census of Employment and Wages by October 1 of the year prior
- 26 to application. Hourly wages shall be calculated by dividing the reported
- 27 average annual weekly wage by forty.
- 1 Sec. 8. Performance period means the year of application plus the
- 2 next nine years.
- 3 Sec. 9. Qualified employee means a person employed by the taxpayer
- 4 who is (1) a full-time employee, (2) exclusively dedicated to supporting

5 military defense efforts in this state, and (3) paid wages at a rate
6 equal to at least one hundred fifty percent of the Nebraska statewide
7 average hourly wage.

8 Sec. 10. Qualified employer means a taxpayer that:

9 (1) Employs (a) at least ten full-time qualified employees in
10 Nebraska during the base year and (b) at least the same number of full-
11 time qualified employees as were employed in the prior year for each year
12 of the performance period;

13 (2) Pays wages for services rendered (a) at a rate equal to at least
14 one hundred fifty percent of the Nebraska statewide average hourly wage
15 in the base year and (b) at a rate equal to at least one hundred two
16 percent of the prior year wage level during each year of the performance
17 period; and

18 (3) Electronically verifies the work eligibility status of all new
19 qualified employees employed in Nebraska prior to hire during the entire
20 performance period.

21 Sec. 11. Taxpayer means any person subject to sales and use taxes
22 under the Nebraska Revenue Act of 1967 and subject to withholding under
23 section 77-2753 and any entity that is or would otherwise be a member of
24 the same unitary group, if incorporated, that is subject to such sales
25 and use taxes and such withholding. Taxpayer does not include a political
26 subdivision or an organization that is exempt from income taxes under
27 section 501(a) of the Internal Revenue Code of 1986, as amended. For
28 purposes of this section, political subdivision includes any public
29 corporation created for the benefit of a political subdivision and any
30 group of political subdivisions forming a joint public agency, organized
31 by interlocal agreement, or utilizing any other method of joint action.

1 Sec. 12. Wage credit means the credit described in the Defense
2 Efforts Workforce Act.

3 Sec. 13. Year means calendar year.

4 Sec. 14. (1) If a qualified employer has entered into an agreement
5 with the state pursuant to section 15 of this act, the qualified employer
6 shall during each year of the performance period receive the wage credit
7 approved by the Tax Commissioner in the manner provided in the Defense
8 Efforts Workforce Act.

9 (2) The wage credit shall equal five percent of the total
10 compensation paid by the qualified employer in the year to all qualified
11 employees of the qualified employer in Nebraska. The wage credit earned
12 for all qualified employers shall not exceed four million dollars in any
13 year. If two or more qualified employers qualify for benefits in any
14 given year, the one with the earlier approval will be fully funded first.

15 (3) The wage credits shall be allowed for each year in the
16 performance period. Unused credits may carry over and be applied against
17 future state withholdings.

18 (4) The total amount all qualified employers may receive in credits
19 pursuant to the Defense Efforts Workforce Act shall not exceed forty
20 million dollars. If two or more qualified employers qualify for benefits,
21 the one with the earlier approval will be fully funded first. This
22 benefit is in addition to any benefits the qualified employer may
23 otherwise qualify for under the ImagiNE Nebraska Act or may have
24 qualified for previously under the Nebraska Advantage Act, the Employment
25 and Investment Growth Act, or the Key Employer and Jobs Retention Act.

26 (5) The qualified employer may use the wage credit to reduce the
27 qualified employer's income tax withholding employer or payor tax
28 liability under section 77-2756 or 77-2757. To the extent of the credit
29 used, such withholding shall not constitute public funds or state tax
30 revenue and shall not constitute a trust fund or be owned by the state.
31 The use by the qualified employer of the credit shall not change the
1 amount that otherwise would be reported by the qualified employer to the
2 employee under section 77-2754 as income tax withheld and shall not

3 reduce the amount that otherwise would be allowed by the state as a
4 refundable credit on an employee's income tax return as income tax
5 withheld under section 77-2755.

6 Sec. 15. (1) In order for the qualified employer to be eligible for
7 the wage credit, the qualified employer shall file an application for an
8 agreement with the Tax Commissioner.

9 (2) The application shall:

10 (a) State the exact name of the taxpayer and any related companies;

11 (b) Include a description, in detail, of the nature of the company's
12 business, including the products sold and respective markets;

13 (c) Request that the company be considered for approval under the
14 Defense Efforts Workforce Act;

15 (d) Acknowledge that the qualified employer understands and complies
16 with the requirements for verifying the work eligibility status of all
17 new qualified employees;

18 (e) Include a description, in detail, regarding each qualified
19 employee employed during the base year, including employment status and
20 wages paid; and

21 (f) Include a nonrefundable application fee of five thousand
22 dollars. The fee shall be remitted to the State Treasurer for credit to
23 the Nebraska Incentives Fund.

24 (3) Any complete application shall be considered a valid application
25 on the date submitted for the purposes of the Defense Efforts Workforce
26 Act.

27 (4) The application and all supporting information are confidential
28 except for the name of the taxpayer, the number of qualified employees,
29 and whether the application has been approved.

30 (5) The Tax Commissioner shall determine whether to approve the
31 application based upon whether the applicant meets the definition of a
1 qualified employer.

2 (6) The Tax Commissioner shall notify the applicant in writing as to
3 whether the application has been approved or not. The Tax Commissioner
4 shall decide and mail the notice within thirty days after receiving the
5 application, regardless of whether he or she approves or disapproves the
6 application, unless the time is extended by mutual written consent of the
7 Tax Commissioner and the applicant.

8 (7) An application may be approved only if it is consistent with the
9 legislative purposes contained in section 2 of this act.

10 (8) If the application is approved by the Tax Commissioner, the
11 qualified employer and the state shall enter into a written agreement,
12 which shall be executed on behalf of the state by the Tax Commissioner.
13 In the agreement, the qualified employer shall agree to maintain the
14 required level of employment and make the required wage increases, and in
15 consideration of the qualified employer's agreement, the state shall
16 agree to allow the wage credits as provided in the Defense Efforts
17 Workforce Act. The application, and all supporting documentation, to the
18 extent approved, shall be considered a part of the agreement. The
19 agreement may contain such terms and conditions as the Tax Commissioner
20 specifies in order to carry out the legislative purposes of the Defense
21 Efforts Workforce Act. The agreement shall contain provisions to allow
22 the Tax Commissioner to verify that the required levels of employment
23 have been maintained and the appropriate increases in wages have been
24 made.

25 Sec. 16. (1) If the taxpayer fails to maintain the required level
26 of employment and meet the wage requirements through the entire
27 performance period, all or a portion of the wage credits shall be
28 recaptured directly by the state from the taxpayer or shall be
29 disallowed. In no event shall any wage credits be required to be paid
30 back directly or indirectly by the employees. All such credits must be
31 repaid by the taxpayer.

1 (2) The recapture or disallowance shall be as follows:

2 (a) No wage credits shall be allowed, and if already allowed shall
3 be recaptured, for the actual year or years in which the required level
4 of employment was not maintained or the wage requirement was not met;
5 (b) For wage credits allowed in prior years, one-tenth of the
6 credits shall be recaptured from the taxpayer for each year the required
7 level of employment was not maintained or the wage requirement was not
8 met; and

9 (c) For wage credits for future years, one-tenth of the credits
10 shall be disallowed for each year the required level of employment was
11 not maintained or the wage requirement was not met in previous years.
12 (3) Any amounts required to be recaptured shall be deemed to be an
13 underpayment of tax, immediately due and payable, and shall constitute a
14 lien on the assets of the taxpayer. When wage credits were received in
15 more than one year, the credits received in the most recent year shall be
16 recovered first and then the credits received in earlier years shall be
17 recovered up to the extent of the required recapture.

18 (4) Interest shall accrue from the due date for the return for the
19 year in which the taxpayer failed to maintain the required level of
20 employment or meet the required wage level.

21 (5) Penalties shall not accrue until ninety days after the
22 requirement for recapture or disallowance becomes known or should have
23 become known to the taxpayer.

24 (6) The recapture or disallowance required by this section may be
25 waived by the Tax Commissioner if he or she finds the failure to maintain
26 the required level of employment or meet the required wage level was
27 caused by unavoidable circumstances such as an act of God or a national
28 emergency.

29 Sec. 17. (1) The wage credits allowed under the Defense Efforts
30 Workforce Act shall not be transferable except in the following
31 situations:

1 (a) Any credit allowable to a partnership, a limited liability
2 company, a subchapter S corporation, a cooperative, including a
3 cooperative exempt under section 521 of the Internal Revenue Code of
4 1986, as amended, a limited cooperative association, or an estate or
5 trust may be distributed to the partners, members, shareholders, patrons,
6 or beneficiaries in the same manner as income is distributed for use
7 against their income tax liabilities, and such partners, members,
8 shareholders, or beneficiaries shall be deemed to have made an
9 underpayment of their income taxes for any recapture required by section
10 16 of this act. A credit distributed shall be considered a credit used
11 and the partnership, limited liability company, subchapter S corporation,
12 cooperative, including a cooperative exempt under section 521 of the
13 Internal Revenue Code of 1986, as amended, limited cooperative
14 association, estate, or trust shall be liable for any repayment required
15 by section 16 of this act; and

16 (b) The credits previously allowed and future credits may be
17 transferred when an agreement is transferred in its entirety by sale or
18 lease to another taxpayer or in an acquisition of assets qualifying under
19 section 381 of the Internal Revenue Code of 1986, as amended.

20 (2) The acquiring taxpayer, as of the date of notification to the
21 Tax Commissioner of the completed transfer, shall be entitled to any
22 unused credits and to any future credits allowable under the Defense
23 Efforts Workforce Act.

24 (3) The acquiring taxpayer shall be liable for any recapture that
25 becomes due after the date of the transfer for the repayment of any
26 credits received either before or after the transfer.

27 (4) If a taxpayer dies and there is a credit remaining after the
28 filing of the final return for the taxpayer, the personal representative
29 shall determine the distribution of the credit or any remaining carryover

30 with the initial fiduciary return filed for the estate. The determination
 31 of the distribution of the credit may be changed only after obtaining the
 1 permission of the Tax Commissioner.
 2 (5) The Tax Commissioner may disclose information to the acquiring
 3 taxpayer about the agreement and prior credits that is reasonably
 4 necessary to determine the future credits and liabilities of the
 5 taxpayer.
 6 Sec. 18. The Tax Commissioner may adopt and promulgate rules and
 7 regulations necessary or appropriate to carry out the purposes of the
 8 Defense Efforts Workforce Act.
 9 Sec. 19. (1) The Department of Revenue shall submit electronically
 10 an annual report to the Legislature no later than October 31 of each
 11 year. The report shall be on a fiscal year, accrual basis that satisfies
 12 the requirements set by the Governmental Accounting Standards Board. The
 13 Department of Revenue shall, on or before December 15 of each year,
 14 appear at a joint hearing of the Appropriations Committee of the
 15 Legislature and the Revenue Committee of the Legislature and present the
 16 report. Any supplemental information requested by three or more committee
 17 members must be provided within thirty days after the request.
 18 (2) The report shall list (a) the agreements which have been signed
 19 during the previous calendar year, (b) the agreements which are still in
 20 effect, and (c) the identity of each taxpayer that is a party to an
 21 agreement.
 22 (3) The report shall provide information on agreement-specific total
 23 credits used every two years for each agreement. The report shall
 24 disclose the identity of the taxpayer and the total credits used during
 25 the immediately preceding two years, expressed as a single, aggregated
 26 total. The information required to be reported under this subsection
 27 shall not be reported for the first year the taxpayer maintains the
 28 required employment threshold. The information on first-year credits used
 29 shall be combined with and reported as part of the second year.
 30 Thereafter, the information on credits used for succeeding years shall be
 31 reported for each agreement every two years containing information on two
 1 years of credits used.
 2 (4) No information shall be provided in the report that is protected
 3 by state or federal confidentiality laws.
 4 Sec. 20. This act becomes operative on July 1, 2027.

AMENDMENT(S) - Print in Journal

Senator Hansen filed the following amendment to LB148A:

FA86

Strike the enacting clause

Senator Bostar filed the following amendment to LB78A:

AM931

1 1. On page 2, lines 2 and 4, after "Survivor" insert "Housing".

Senator Sorrentino filed the following amendment to LB265:

AM900 is available in the Bill Room.

Senator J. Cavanaugh filed the following amendment to LB504:

FA87

In AM856, on page 9, line 23 after "." insert "All penalties collected under this section shall be remitted to the State Treasurer for the distribution in accordance with Article VII Section 5 of the Constitution of the State of Nebraska."

RESOLUTION(S)**LEGISLATIVE RESOLUTION 110.** Introduced by Hughes, 24.

WHEREAS, the 2025 Nebraska School Activities Association State Basketball Championships were held at Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the McCool Junction Mustangs boys basketball team, the Cross County Cougars boys basketball team, and the Milford Eagles girls basketball team competed in the 2025 State Basketball Championships; and

WHEREAS, the McCool Junction Mustangs earned the third-place Class D-1 title against the Bancroft-Rosalie Panthers 71-49; and

WHEREAS, the Cross County Cougars earned the runner-up Class C-2 title against the Johnson-Brock Eagles; and

WHEREAS, the Milford Eagles earned the runner-up Class C-1 title against Lincoln Christian; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

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

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

1. That the Legislature congratulates the McCool Junction Mustangs, the Cross County Cougars, and the Milford Eagles on earning their respective State Basketball Championship titles.

2. That copies of this resolution be sent to the McCool Junction Mustangs boys basketball team, the Cross County Cougars boys basketball team, and the Milford Eagles girls basketball team.

Laid over.

LEGISLATIVE RESOLUTION 111. Introduced by Hughes, 24.

WHEREAS, the Nebraska School Activities Association State Speech Championship was held on March 26, 2025, in Kearney, Nebraska; and

WHEREAS, the York High School speech team participated in the Class B State Speech Championship title; and

WHEREAS, for the past two years, York has earned the runner-up title against Gering High School, but the team took first place this year; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

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

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

1. That the Legislature congratulates the York High School speech team on winning the Class B State Speech Championship.

2. That a copy of this resolution be sent to the York High School speech team.

Laid over.

LEGISLATIVE RESOLUTION 112. Introduced by Arch, 14; Guereca, 7; Holdcroft, 36; Murman, 38; Raybould, 28; Spivey, 13.

WHEREAS, Special Olympics was founded in 1968 with a mission "to provide year-round sports training and athletic competition in a variety of Olympic-type sports for children and adults with intellectual disabilities, giving them continuing opportunities to develop physical fitness, demonstrate courage, experience joy, and participate in a sharing of gifts, skills, and friendship with their families, other Special Olympics athletes, and the community"; and

WHEREAS, Rachel Sue Mulligan of Papillion, Nebraska, was one of the one hundred athletes from the United States of America to compete in the Special Olympics World Winter Games, was one of only five athletes from the USA to compete in cross country skiing, and was the sole athlete from Nebraska to compete in the Special Olympics World Winter Games; and

WHEREAS, the Special Olympics World Winter Games was held in Turin, Italy, from March 8 through 16, 2025; and

WHEREAS, Rachel Mulligan has been involved in competitive skiing and Special Olympics for thirteen years; and

WHEREAS, Rachel Mulligan medaled in the 2023 Special Olympics Heartland Games, was nominated by Special Olympics Nebraska to compete in the Special Olympics World Winter Games, was selected by Special Olympics USA, and attended training camp in Salt Lake City, Utah, in 2024; and

WHEREAS, Rachel Mulligan earned three silver medals in the Special Olympics World Winter Games medaling in the 1K – Free Technique, the 4x1K Relay – Free Technique, and the 2.5K-Classical – Technique.

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

1. That the Legislature congratulates Rachel Sue Mulligan of Papillion for her participation in Special Olympics and her success at the World Winter Games.

2. That a copy of this resolution be sent to Rachel Mulligan.

Laid over.

LEGISLATIVE RESOLUTION 113. Introduced by Dungan, 26; Cavanaugh, J., 9.

WHEREAS, Gordon Kissel was born in Lincoln, Nebraska, on February 25, 1950, and was a graduate of Southeast High School; and

WHEREAS, Gordon Kissel attended the University of Nebraska at Lincoln and graduated with a Bachelor's of Science in English and

Education, a Master's of Education, and a Master's of the Arts in Political Science with an emphasis in American Government; and

WHEREAS, Gordon Kissel was a junior high English teacher for Lincoln Public Schools for several years; and

WHEREAS, Gordon Kissel served as Executive Director of the Nebraska Association of Resources Districts from 1980 until 1994; and

WHEREAS, Gordon Kissel founded the Kissel E and S Associates LLC lobbying, governmental relations, and association management firm in 1994; and

WHEREAS, Gordon Kissel served in the role of managing partner of the firm and developed it into one of the leading lobbying firms in Nebraska; and

WHEREAS, after Gordon Kissel's retirement in 2017, he continued to serve the clients and the firm as a Senior Advisor; and

WHEREAS, Gordon Kissel was married to Joann Kissel for fifty-three years, was father to Alex and Meg, and was an avid golfer and grandfather; and

WHEREAS, Gordon Kissel was most proud of his roles as husband, father, and grandfather; and

WHEREAS, Gordon Kissel passed away peacefully on March 20, 2025.

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

1. That the Legislature extends its condolences to the family of Gordon Kissel.
2. That a copy of this resolution be sent to the family of Gordon Kissel.

Laid over.

VISITOR(S)

Visitors to the Chamber were students from students from Cardinal Elementary, South Sioux City; members of Women's Fund of Omaha, Circles Leadership Group; members of Alpha Kappa Alpha Sorority, Incorporated, Lincoln and Omaha; students from Bloomfield Elementary, Bloomfield; students from St. Paul's Lutheran School, Plymouth; students and teachers from St. Paul's Lutheran School, Arlington.

RECESS

At 11:57 a.m., on a motion by Senator DeKay, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Kelly presiding.

ROLL CALL

The roll was called and all members were present except Senators McKinney and Strommen who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 3. Senator Conrad offered [MO1](#), found on page 152, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Lippincott opened on his bill, LB3.

Senator Conrad opened on her motion, MO1.

SPEAKER ARCH PRESIDING**PRESIDENT KELLY PRESIDING**

Pending.

COMMITTEE REPORT(S)

Health and Human Services

LEGISLATIVE BILL 110. Placed on General File with amendment.

[AM63](#)

1 1. Strike the original section and insert the following new section:

2 Section 1. (1) For purposes of this section, intimate examination
3 means the manual examination of a patient's breast or an internal pelvic,
4 prostate, or rectal examination but does not include a visual examination
5 of a patient's breast or any body part associated with an internal
6 pelvic, prostate, or rectal examination.

7 (2) The Legislature finds and declares that:

8 (a) The ethical principle of informed consent in medical practice is
9 critical to the trust a patient places in a health care provider;

10 (b) A patient has the rational expectation to have control over the
11 patient's medical decisions; and

12 (c) The parts of the body subject to an intimate examination are
13 protected under state law and deserve similar protection in medical
14 practice.

15 (3) A health care provider shall not perform an intimate examination
16 on a patient who is anesthetized or unconscious in a hospital or medical
17 clinic without prior written consent unless:

18 (a) An individual authorized to make health care decisions for the
19 patient has given written consent for the examination;

20 (b) The examination is necessary for emergency diagnostic or
21 emergency treatment purposes; or

22 (c) A court orders the performance of the examination for the
23 collection of evidence.

24 (4) If an intimate examination is performed on an unconscious or
25 anesthetized patient, the patient shall be notified in writing prior to
26 discharge of such patient from the hospital or medical clinic.

27 (5) A health care provider who violates subsection (1) of this
1 section is subject to discipline under the Uniform Credentialing Act.

LEGISLATIVE BILL 365. Placed on General File with amendment.**AM816**

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 68-911, Revised Statutes Cumulative Supplement,
4 2024, is amended to read:
5 68-911 (1) Medical assistance shall include coverage for health care
6 and related services as required under Title XIX of the federal Social
7 Security Act, including, but not limited to:
8 (a) Inpatient and outpatient hospital services;
9 (b) Laboratory and X-ray services;
10 (c) Nursing facility services;
11 (d) Home health services;
12 (e) Nursing services;
13 (f) Clinic services;
14 (g) Physician services;
15 (h) Medical and surgical services of a dentist;
16 (i) Nurse practitioner services;
17 (j) Nurse midwife services;
18 (k) Pregnancy-related services;
19 (l) Medical supplies;
20 (m) Mental health and substance abuse services;
21 (n) Early and periodic screening and diagnosis and treatment
22 services for children which shall include both physical and behavioral
23 health screening, diagnosis, and treatment services;
24 (o) Rural health clinic services; and
25 (p) Federally qualified health center services.
26 (2) In addition to coverage otherwise required under this section,
27 medical assistance may include coverage for health care and related
28 services as permitted but not required under Title XIX of the federal
29 Social Security Act, including, but not limited to:
30 (a) Prescribed drugs;
31 (b) Intermediate care facilities for persons with developmental
32 disabilities;
33 (c) Home and community-based services for aged persons and persons
34 with disabilities;
35 (d) Dental services;
36 (e) Rehabilitation services;
37 (f) Personal care services;
38 (g) Durable medical equipment;
39 (h) Medical transportation services;
40 (i) Vision-related services;
41 (j) Speech therapy services;
42 (k) Physical therapy services;
43 (l) Chiropractic services;
44 (m) Occupational therapy services;
45 (n) Optometric services;
46 (o) Podiatric services;
47 (p) Hospice services;
48 (q) Mental health and substance abuse services;
49 (r) Hearing screening services for newborn and infant children; and
50 (s) Administrative expenses related to administrative activities,
51 including outreach services, provided by school districts and educational
52 service units to students who are eligible or potentially eligible for
53 medical assistance.
54 (3) No later than July 1, 2009, the department shall submit a state
55 plan amendment or waiver to the federal Centers for Medicare and Medicaid
56 Services to provide coverage under the medical assistance program for
57 community-based secure residential and subacute behavioral health

31 services for all eligible recipients, without regard to whether the
1 recipient has been ordered by a mental health board under the Nebraska
2 Mental Health Commitment Act to receive such services.
3 (4) On or before October 1, 2014, the department, after consultation
4 with the State Department of Education, shall submit a state plan
5 amendment to the federal Centers for Medicare and Medicaid Services, as
6 necessary, to provide that the following are direct reimbursable services
7 when provided by school districts as part of an individualized education
8 program or an individualized family service plan: Early and periodic
9 screening, diagnosis, and treatment services for children; medical
10 transportation services; mental health services; nursing services;
11 occupational therapy services; personal care services; physical therapy
12 services; rehabilitation services; speech therapy and other services for
13 individuals with speech, hearing, or language disorders; and vision-
14 related services.
15 (5)(a) No later than January 1, 2023, the department shall provide
16 coverage for continuous glucose monitors under the medical assistance
17 program for all eligible recipients who have a prescription for such
18 device.
19 (b) Effective August 1, 2024, eligible recipients shall include all
20 individuals who meet local coverage determinations, as defined in section
21 1869(f)(2)(B) of the federal Social Security Act, as amended, as such act
22 existed on January 1, 2024, and shall include individuals with
23 gestational diabetes.
24 (c) It is the intent of the Legislature that no more than six
25 hundred thousand dollars be appropriated annually from the Medicaid
26 Managed Care Excess Profit Fund, as described in section 68-996, for the
27 purpose of implementing subdivision (5)(b) of this section. Any amount in
28 excess of six hundred thousand dollars shall be funded by the Medicaid
29 Managed Care Excess Profit Fund.
30 (6) On or before October 1, 2023, the department shall seek federal
31 approval for federal matching funds from the federal Centers for Medicare
1 and Medicaid Services through a state plan amendment or waiver to extend
2 postpartum coverage for beneficiaries from sixty days to at least six
3 months. Nothing in this subsection shall preclude the department from
4 submitting a state plan amendment for twelve months.
5 (7)(a) No later than October 1, 2025, the department shall submit a
6 medicaid waiver or state plan amendment to the federal Centers for
7 Medicare and Medicaid Services to designate two medical respite
8 facilities to reimburse for services provided to an individual who is:
9 (i) Homeless; and
10 (ii) An adult in the expansion population.
11 (b) For purposes of this subsection:
12 (i) Adult in the expansion population means an adult (A) described
13 in 42 U.S.C. 1396a(a)(10)(A)(i)(VIII) as such section existed on January
14 1, 2024, and (B) not otherwise eligible for medicaid as a mandatory
15 categorically needy individual;
16 (ii) Homeless has the same meaning as provided in 42 U.S.C. 11302 as
17 such section existed on January 1, 2024;
18 (iii) Medical respite care means short-term housing with supportive
19 medical services; and
20 (iv) Medical respite facility means a residential facility that
21 provides medical respite care to homeless individuals.
22 (c) The department shall choose two medical respite facilities, one
23 in a city of the metropolitan class and one in a city of the primary
24 class, best able to serve homeless individuals who are adults in the
25 expansion population.
26 (d) Once such waiver or state plan amendment is approved, the
27 department shall submit a report to the Health and Human Services
28 Committee of the Legislature on or before November 30 each year, which

29 provides the (i) number of homeless individuals served at each facility,
 30 (ii) cost of the program, and (iii) amount of reduction in health care
 31 costs due to the program's implementation.
 1 (e) The department may adopt and promulgate rules and regulations to
 2 carry out this subsection.
 3 (f) The services described in subdivision (7)(a) of this section
 4 shall be funded by the Medicaid Managed Care Excess Profit Fund as
 5 described in section 68-996.
 6 (8)(a) No later than January 1, 2025, the department shall provide
 7 coverage for an electric personal-use breast pump for every pregnant
 8 woman covered under the medical assistance program, or child covered
 9 under the medical assistance program if the pregnant woman is not
 10 covered, beginning at thirty-six weeks gestation or the child's date of
 11 birth, whichever is earlier. The electric personal-use breast pump shall
 12 be capable of (i) sufficiently supporting milk supply, (ii) double and
 13 single side pumping, and (iii) suction power ranging from zero mmHg to
 14 two hundred fifty mmHg. No later than January 1, 2025, the department
 15 shall provide coverage for a minimum of ten lactation consultation visits
 16 for every mother covered under the medical assistance program or child
 17 covered under the medical assistance program, if the mother is not
 18 covered under such program.
 19 (b) It is the intent of the Legislature that the appropriation for
 20 lactation consultation visits shall be equal to an amount that is a one
 21 hundred forty-five percent rate increase over the current lactation
 22 consultation rate paid by the department.
 23 (9)(a) No later than January 1, 2024, the department shall provide
 24 coverage, and reimbursement to providers, for all necessary translation
 25 and interpretation services for eligible recipients utilizing a medical
 26 assistance program service. The department shall take all actions
 27 necessary to maximize federal funding to carry out this subsection.
 28 (b) The services described in subdivision (9)(a) of this section
 29 shall be funded by the Medicaid Managed Care Excess Profit Fund as
 30 described in section 68-996.
 31 (10) No later than January 1, 2026, the department shall provide
1 coverage and reimbursement for self-measure blood pressure monitoring
2 services for pregnant and postpartum women eligible under the medical
3 assistance program. Such services shall include (a) education and
4 training on the setup and use of a home blood pressure monitoring device,
5 (b) separate self-measurement blood pressure readings, (c) daily
6 collection, and (d) transmission of data by the patient or caregiver to
7 report blood pressure readings to allow a health care provider to review
8 such readings and create or modify a treatment plan.
 9 Sec. 2. Original section 68-911, Revised Statutes Cumulative
 10 Supplement, 2024, is repealed.

(Signed) Brian Hardin, Chairperson

AMENDMENT(S) - Print in Journal

Senator Quick filed the following amendment to LB454:
AM952

(Amendments to Standing Committee amendments, AM547)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 71-809, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 71-809 (1) Each regional behavioral health authority shall be
 6 responsible for the development and coordination of publicly funded
 7 behavioral health services within the behavioral health region pursuant

8 to rules and regulations adopted and promulgated by the department,
9 including, but not limited to, (a) administration and management of the
10 regional behavioral health authority, (b) integration and coordination of
11 the public behavioral health system within the behavioral health region,
12 (c) comprehensive planning for the provision of an appropriate array of
13 community-based behavioral health services and continuum of care for the
14 region, (d) submission for approval by the division of an annual budget
15 and a proposed plan for the funding and administration of publicly funded
16 behavioral health services within the region, (e) submission of annual
17 reports and other reports as required by the division, (f) initiation and
18 oversight of contracts for the provision of publicly funded behavioral
19 health services, and (g) coordination with the division in conducting
20 audits of publicly funded behavioral health programs and services.

21 (2) Each regional behavioral health authority shall adopt a policy
22 for use in determining the financial eligibility of all consumers and
23 shall adopt a uniform schedule of fees and copays, based on the policy
24 and schedule developed by the division, to be assessed against consumers
25 utilizing community-based behavioral health services in the region. The
26 methods used to determine the financial eligibility of all consumers
1 shall take into account taxable income, the number of family members
2 dependent on the consumer's income, liabilities, and other factors as
3 determined by the division. The policy and the schedule of fees and
4 copays shall be approved by the regional governing board and included
5 with the budget plan submitted to the division annually. Providers shall
6 charge fees consistent with the schedule of fees and copays in accordance
7 with the financial eligibility of all consumers but not in excess of the
8 actual cost of the service. Each regional behavioral health authority
9 shall assure that its policy and schedule of fees and copays are applied
10 uniformly by the providers in the region.

11 (3) Except for services being provided by a regional behavioral
12 health authority on July 1, 2004, under applicable state law in effect
13 prior to such date, no regional behavioral health authority shall provide
14 behavioral health services funded in whole or in part with revenue
15 received and administered by the division under the Nebraska Behavioral
16 Health Services Act unless:

17 (a) There has been a public competitive bidding process for such
18 services or the process is authorized pursuant to subsection (5) of this
19 section;

20 (b) There are no qualified and willing providers to provide such
21 services; and

22 (c) The regional behavioral health authority receives written
23 authorization from the director and enters into a contract with the
24 division to provide such services.

25 (4) Each regional behavioral health authority shall comply with all
26 applicable rules and regulations of the department relating to the
27 provision of behavioral health services by such authority, including, but
28 not limited to, rules and regulations which (a) establish definitions of
29 conflicts of interest for regional behavioral health authorities and
30 procedures in the event such conflicts arise, (b) establish uniform and
31 equitable ~~public bidding~~ procedures for such services, and (c) require
1 each regional behavioral health authority to establish and maintain a
2 separate budget and separately account for all revenue and expenditures
3 for the provision of such services.

4 (5) A behavioral health services provider may, with approval by the
5 department, provide new behavioral health services or expand the capacity
6 of existing services if the provider (a) meets the department's required
7 network enrollment standards, (b) is enrolled as a network provider with
8 the department and a regional behavioral health authority, and (c) is
9 contracted with a regional behavioral health authority.

10 Sec. 2. Section 71-812, Revised Statutes Cumulative Supplement,

11 2024, is amended to read:

12 71-812 (1) The Behavioral Health Services Fund is created. The fund
13 shall be administered by the division and shall contain cash funds
14 appropriated by the Legislature or otherwise received by the department
15 for the provision of behavioral health services from any other public or
16 private source and directed by the Legislature for credit to the fund.
17 Transfers may be made from the fund to the General Fund at the direction
18 of the Legislature.
19 (2) The Behavioral Health Services Fund shall be used to encourage
20 and facilitate the statewide development and provision of community-based
21 behavioral health services, including, but not limited to, (a) the
22 provision of grants, loans, and other assistance for such purpose and (b)
23 reimbursement to providers of such services.
24 (3)(a) Money transferred to the fund under section 76-903 shall be
25 used for housing-related assistance for very low-income adults with
26 serious mental illness or ~~substance abuse disorder~~, except that if the
27 division determines that all housing-related assistance obligations under
28 this subsection have been fully satisfied, the division may distribute
29 any excess, up to twenty percent of such money, to regional behavioral
30 health authorities for acquisition or rehabilitation of housing to assist
31 such persons. The division shall manage and distribute such funds based
1 upon a formula established by the division, in consultation with regional
2 behavioral health authorities and the department, in a manner consistent
3 with and reasonably calculated to promote the purposes of the public
4 behavioral health system enumerated in section 71-803. The division shall
5 contract with each regional behavioral health authority for the provision
6 of such assistance. Each regional behavioral health authority may
7 contract with qualifying public, private, or nonprofit entities for the
8 provision of such assistance.
9 (b) For purposes of this subsection:
10 (i) Adult with serious mental illness means a person eighteen years
11 of age or older who has, or at any time during the immediately preceding
12 twelve months has had, a diagnosable mental, behavioral, or emotional
13 disorder of sufficient duration to meet diagnostic criteria identified in
14 the most recent edition of the Diagnostic and Statistical Manual of
15 Mental Disorders and which has resulted in functional impairment that
16 substantially interferes with or limits one or more major life functions.
17 Serious mental illness does not include DSM V codes, substance abuse
18 disorders, or developmental disabilities unless such conditions exist
19 concurrently with a diagnosable serious mental illness;
20 (ii) Housing-related assistance includes rental payments, utility
21 payments, security and utility deposits, landlord risk mitigation
22 payments, and other related costs and payments;
23 (iii) Landlord risk mitigation payment means a payment provided to a
24 landlord who leases or rents property to a very low-income adult with
25 serious mental illness which may be used to pay for excessive damage to
26 the rental property, any lost rent, any legal fees incurred by the
27 landlord in excess of the security deposit, or any other expenses
28 incurred by the landlord as a result of leasing or renting the property
29 to such individual; and
30 (iv) Very low-income means a household income of fifty percent or
31 less of the applicable median family income estimate as established by
1 the United States Department of Housing and Urban Development.
2 (4) Any money in the fund available for investment shall be invested
3 by the state investment officer pursuant to the Nebraska Capital
4 Expansion Act and the Nebraska State Funds Investment Act.
5 Sec. 3. Original section 71-809, Reissue Revised Statutes of
6 Nebraska, and section 71-812, Revised Statutes Cumulative Supplement,
7 2024, are repealed.

Senator Brandt filed the following amendment to LB36:

FA88

Strike Section 1.

Senator Hansen filed the following amendment to LB676:

AM941

(Amendments to Standing Committee amendments, AM655)

- 1 1. Strike sections 32 and 35 and insert the following new sections:
- 2 Sec. 13. Immediate newborn care means care that focuses on the
- 3 newborn up to and including seven days after birth. Immediate newborn
- 4 care includes, but is not limited to, the following:
- 5 (1) Routine assistance to the newborn to establish respiration and
- 6 maintain thermal stability;
- 7 (2) Routine physical assessment including Apgar scoring;
- 8 (3) Vitamin K administration;
- 9 (4) Eye prophylaxis for ophthalmia neonatorum;
- 10 (5) Methods to facilitate newborn adaptation to extrauterine life,
- 11 including stabilization, resuscitation, and emergency management as
- 12 indicated; and
- 13 (6) Collecting and submitting blood specimens in accordance with
- 14 section 71-519.
- 15 Sec. 23. Immediate newborn care means care that focuses on the
- 16 newborn up to and including seven days after birth. Immediate newborn
- 17 care includes, but is not limited to, the following:
- 18 (1) Routine assistance to the newborn to establish respiration and
- 19 maintain thermal stability;
- 20 (2) Routine physical assessment including Apgar scoring;
- 21 (3) Vitamin K administration;
- 22 (4) Eye prophylaxis for ophthalmia neonatorum;
- 23 (5) Methods to facilitate newborn adaptation to extrauterine life,
- 24 including stabilization, resuscitation, and emergency management as
- 25 indicated; and
- 26 (6) Collecting and submitting blood specimens in accordance with
- 1 section 71-519.
- 2 Sec. 34. (1) Subject to subsection (2) of this section, a licensed
- 3 professional midwife may practice professional midwifery at any location
- 4 other than a hospital as defined in section 71-419 and shall not be
- 5 required to practice under the supervision of or under a collaborative
- 6 practice agreement with another health care provider.
- 7 (2) In order to be permitted to practice professional midwifery in a
- 8 health care practitioner facility as defined in section 71-414 or a
- 9 health clinic as defined in section 71-416, a licensed professional
- 10 midwife shall be subject to the rules and procedures of the facility
- 11 relating to medical staff membership and privileges.
- 12 Sec. 37. Except as otherwise provided in subsection (2) of section
- 13 34 of this act, nothing in the Licensed Professional Midwives Practice
- 14 Act shall abridge, limit, or change in any way the right of parents to
- 15 deliver their baby where, when, how, and with whom they choose,
- 16 regardless of credentialed status.
- 17 2. On page 8, lines 20 and 27, strike "section 11" and insert
- 18 "sections 11 and 13".
- 19 3. On page 10, line 26, strike "for females"; in line 27 strike
- 20 "immediately following birth"; and in line 28 after "age" insert "1",
- 21 except that in the case of a home birth, the practice of the certified
- 22 nurse midwife relating to the newborn shall be limited to immediate
- 23 newborn care".
- 24 4. On page 11, strike line 19 and show the old matter as stricken.
- 25 5. On page 15, line 12, strike "17 to 37" and insert "18 to 39"; and
- 26 in line 16 strike "19 to 24" and insert "20 to 26".

- 27 6. On page 17, strike beginning with "care" in line 14 through line 28 15 and insert "immediate newborn care."
 29 7. On page 21, line 13, strike "40" and insert "42".
 30 8. On page 23, line 20, strike "38-618, and 44-2803" and insert "and 31 38-618".
 1 9. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 3. Senator Conrad renewed [MO1](#), found on page 152, and considered in this day's Journal, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Senator Lippincott offered the following motion:

[MO158](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Lippincott moved for a call of the house. The motion prevailed with 40 ayes, 0 nays, and 9 not voting.

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

Voting in the affirmative, 31:

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

Voting in the negative, 18:

Bostar	DeBoer	Hunt	Quick	Spivey
Cavanaugh, J.	Dungan	Juarez	Raybould	Wordekemper
Cavanaugh, M.	Fredrickson	McKinney	Riepe	
Conrad	Guereca	Prokop	Rountree	

The Lippincott motion to invoke cloture failed with 31 ayes, 18 nays, and 0 not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 422. Placed on General File with amendment.

[AM841](#)

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

2 sections:

3 Section 1. Section 76-3401, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 76-3401 Sections 76-3401 to 76-3423 and section 3 of this act shall

6 be known and may be cited as the Nebraska Uniform Real Property Transfer
7 on Death Act.

8 Sec. 2. Section 76-3410, Reissue Revised Statutes of Nebraska, is

9 amended to read:

10 76-3410 (a) A transfer on death deed:

11 (1) Except as otherwise provided in subdivision (2) of this
12 subsection, must contain the essential elements and formalities of a
13 properly recordable inter vivos deed;

14 (2) Must state that the transfer to the designated beneficiary is to
15 occur at the transferor's death;

16 (3) Must contain the warnings provided in subsection (b) of this
17 section; and

18 (4) Must be recorded (i) within thirty days after being executed as
19 required in section 76-3409, (ii) before the transferor's death, and
20 (iii) in the public records in the office of the register of deeds of the
21 county where the property is located.

22 (b)(1) A transfer on death deed shall contain the following

23 warnings:

24 WARNING: The property transferred remains subject to inheritance
25 taxation in Nebraska to the same extent as if owned by the transferor at
26 death. Failure to timely pay inheritance taxes is subject to interest and
27 penalties as provided by law.

1 WARNING: The designated beneficiary is personally liable, to the
2 extent of the value of the property transferred, to account for medicaid
3 reimbursement to the extent necessary to discharge any such claim
4 remaining after application of the assets of the transferor's estate. The
5 designated beneficiary may also be personally liable, to the extent of
6 the value of the property transferred, for claims against the estate,
7 statutory allowances to the transferor's surviving spouse and children,
8 and the expenses of administration to the extent needed to pay such
9 amounts by the personal representative.

10 WARNING: The Department of Health and Human Services may require
11 revocation of this deed by a transferor, a transferor's spouse, or both a
12 transferor and the transferor's spouse in order to qualify or remain
13 qualified for medicaid assistance.

14 (2) A transfer on death deed created after the effective date of
15 this act shall contain the following warning in addition to the warnings
16 required under subdivision (1) of this subsection:

17 WARNING: Property insurance on the transferred property may expire
18 thirty days after the death of the transferor. Unless the transferor has
19 added the designated beneficiary as an insured or additional named
20 insured to the property insurance policy of the transferred property, any
21 property insurance coverage of the transferred property will end on the
22 earliest to occur of the following after the transferor's death: The end
23 of the policy period as determined as if the transferor was still living;
24 the date the designated beneficiary obtains alternative coverage; or
25 thirty days after the transferor's death only if any premium required for
26 the additional days beyond the policy period is paid.

27 (3)(2) No recorded transfer on death deed shall be invalidated
28 because of any defects in the wording of the warnings required by this
29 subsection.

30 (c) No action may be commenced to set aside a transfer on death
31 deed, based on failure to comply with the requirement of disinterested
1 witnesses pursuant to section 76-3409, more than ninety days after the
2 date of death of the transferor or, if there is more than one transferor,
3 more than ninety days after the date of death of the last surviving

4 transferor.

5 (d) Notwithstanding subsection (c) of this section, an action to set
6 aside a transfer on death deed, based on failure to comply with the
7 requirement of disinterested witnesses pursuant to section 76-3409, in
8 which the transferor or, if there is more than one transferor, the last
9 surviving transferor, has died prior to May 8, 2013, shall be commenced
10 by the later of (1) ninety days after the date of death of the transferor
11 or, if there is more than one transferor, ninety days after the date of
12 death of the last surviving transferor, or (2) ninety days after May 8,
13 2013.

14 Sec. 3. (a) In addition to any other coverage provided under an
15 insurance policy on real estate transferred pursuant to a transfer on
16 death deed, the designated beneficiary shall be deemed to be an insured
17 party under any property insurance policy for the period from the date of
18 the transferor's death until the first to occur of:

19 (1) The end of the policy period as determined as if the transferor
20 was still living;

21 (2) The date the designated beneficiary obtains alternative
22 coverage; or

23 (3) Thirty days after the transferor's death only if any premium
24 required for the additional days beyond the policy period is paid.

25 (b) Nothing in this section shall affect coverage provided under an
26 insurance policy to household members or others who are deemed to be
27 insured upon the death of the transferor.

28 (c) The designated beneficiary shall not acquire any interest in
29 proceeds of an insurance policy that have accrued before the death of the
30 insured.

31 Sec. 4. Original sections 76-3401 and 76-3410, Reissue Revised
1 Statutes of Nebraska, are repealed.

(Signed) Carolyn Bosn, Chairperson

AMENDMENT(S) - Print in Journal

Senator Dungan filed the following amendments to LB80:

FA89

In AM801, strike the comma on page 1, line 22 after " 28-311.08".

FA90

In AM801, remove the comma on page 1, line 16 after the word "municipalities".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 114. Introduced by Holdcroft, 36;
Bosn, 25; Clouse, 37; Dorn, 30; Fredrickson, 20; Guereca, 7; Juarez, 5;
Kauth, 31; Lonowski, 33; Wordekemper, 15.

WHEREAS, the 2025 Nebraska School Activities Association Class A
Boys State Basketball Championship was held on March 15, 2025, at
Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the Papillion-La Vista South High School boys basketball
team, the Titans, defeated the Omaha Westside High School Warriors in the
championship game by a score of 61-58; and

WHEREAS, the Titans won the 2025 Class A Boys State Basketball
Championship; and

WHEREAS, the well-deserved title was earned by the Titans after three years of falling short in district finals; and

WHEREAS, Coach Joel Hueser has been the team's only coach in its twenty-two year history; and

WHEREAS, this is Papillion-La Vista South's first Boys State Basketball Championship; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

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

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

1. That the Legislature congratulates the Papillion-La Vista High School boys basketball team on winning the 2025 Class A Boys State Basketball Championship.

2. That copies of this resolution be sent to the Papillion-La Vista High School boys basketball team and to Coach Joel Hueser.

Laid over.

LEGISLATIVE RESOLUTION 115. Introduced by Holdcroft, 36; Bosn, 25; Bostar, 29; Clouse, 37; Dorn, 30; Fredrickson, 20; Guereca, 7; Juarez, 5; Kauth, 31; Lonowski, 33; Sanders, 45; Spivey, 13; Wordekemper, 15.

WHEREAS, Walter "Thane" Baker is the oldest living male United States Olympic medalist in track and the second oldest in the world; and

WHEREAS, Thane was born in Elkhart, Kansas, on October 4, 1931; and

WHEREAS, Thane enrolled at Kansas State University, joined the track team as a walk-on, and earned numerous accolades, including the 1953 NCAA championship in the 220-yard dash; and

WHEREAS, Thane participated in the 1952 Summer Olympics in Helsinki, Finland, and earned a silver medal in the 200-meter event wearing borrowed shoes from Kansas State University; and

WHEREAS, Thane also competed in the 1956 Summer Olympics in Melbourne, Australia, where he won a gold medal in the 400-meter relay event with the United States team, a silver medal in the 100-meter event, and a bronze medal in the 200-meter event; and

WHEREAS, Thane resides in Bellevue, Nebraska, and has kept track in his life by officiating for fifty-five years and mentoring others; and

WHEREAS, Thane is one of the greatest runners and Olympians in the history of Nebraska and the United States.

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

1. That the Legislature honors Walter "Thane" Baker for his many incredible accomplishments in the sport of track and field and his extraordinary success in the 1952 and 1956 Summer Olympics.

2. That copies of this resolution be sent to Walter "Thane" Baker and his family.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator DeKay name added to LB693.

VISITOR(S)

Visitors to the Chamber were students from Wilber-Clatonia, Wilber; students from Cornerstone Christian School, Bellevue; Mackenzie Reidy, Omaha.

The Doctor of the Day was Dr. Dave Hoelting, Pender.

ADJOURNMENT

At 5:38 p.m., on a motion by Senator Ibach, the Legislature adjourned until 9:00 a.m., Wednesday, April 9, 2025.

Brandon Metzler
Clerk of the Legislature

