

SIXTY-SIXTH DAY - APRIL 23, 2025

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION**

SIXTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, April 23, 2025

PRAYER

The prayer was offered by Chaplain Bob Gannon, Pleasant View Bible Church, Aurora.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Andersen.

ROLL CALL

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

The roll was called and all members were present except Senators Jacobson and Sanders who were excused; and Senators Bostar, Conrad, DeBoer, Hansen, Juarez, Raybould, and Spivey who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixty-fifth day was approved.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR125 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR125.

MOTION(S) - Confirmation Report(s)

Senator Moser moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 1037:

Board of Public Roads Classifications and Standards

Kyle Anderson

Nathan J Sorben

Voting in the affirmative, 31:

Andersen	Clements	Hardin	Meyer	Strommen
Arch	Clouse	Holdcroft	Moser	von Gillern
Armendariz	DeKay	Hughes	Murman	Wordekemper
Ballard	Dorn	Ibach	Prokop	
Bosn	Dungan	Juarez	Quick	
Bostar	Guereca	Kauth	Riepe	
Brandt	Hallstrom	Lippincott	Storm	

Voting in the negative, 0.

Present and not voting, 13:

Cavanaugh, J.	Dover	Lonowski	Raybould	Storer
Cavanaugh, M.	Fredrickson	McKeon	Rountree	
Conrad	Hunt	McKinney	Sorrentino	

Excused and not voting, 5:

DeBoer	Hansen	Jacobson	Sanders	Spivey
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The appointments were confirmed with 31 ayes, 0 nays, 13 present and not voting, and 5 excused and not voting.

Senator Murman moved the adoption of the Education Committee report for the confirmation of the following appointment(s) found on page 1064:

Board of Educational Lands and Funds

Duane Kime

Voting in the affirmative, 33:

Andersen	Clouse	Hallstrom	McKeon	Sorrentino
Arch	DeBoer	Hansen	McKinney	Storer
Armendariz	DeKay	Hardin	Moser	Storm
Ballard	Dorn	Holdcroft	Prokop	von Gillern
Bosn	Dover	Ibach	Quick	Wordekemper
Brandt	Dungan	Jacobson	Raybould	
Cavanaugh, J.	Fredrickson	Kauth	Riepe	
Clements	Guereca	Lippincott	Rountree	

Voting in the negative, 0.

Present and not voting, 11:

Bostar	Hunt	Meyer	Spivey
Conrad	Juarez	Murman	Strommen
Hughes	Lonowski	Sanders	

Excused and not voting, 5:

Cavanaugh, M.

The appointment was confirmed with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 613A. Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 14 present and not voting, and 5 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 78A. Senator Bostar offered [AM931](#), found on page 1020.

The Bostar amendment was adopted with 29 ayes, 0 nays, 15 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 177A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 230A. Advanced to Enrollment and Review for Engrossment.

AMENDMENT(S) - Print in Journal

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

[AM1118](#)

(Amendments to E&R amendments, ER45)

- 1 1. On page 68, line 28, strike "No", show as stricken, and insert
- 2 "And"; in line 29 after "shall" insert "not"; and strike beginning with
- 3 "except" in line 30 through "subsection" in line 31 and insert "other
- 4 than for the purposes described in this subsection".

[AM1132](#)

(Amendments to E&R amendments, ER45)

- 1 1. Strike sections 43 and 46 and insert the following new sections:
- 2 Sec. 43. Section 77-27,187.02, Revised Statutes Cumulative
- 3 Supplement, 2024, is amended to read:
- 4 77-27,187.02 (1) To earn the incentives set forth in the Nebraska
- 5 Advantage Rural Development Act, the taxpayer shall file an application

6 for an agreement with the Tax Commissioner. There shall be no new
7 applications for incentives filed under this section after December 31,
8 2027.

9 (2) The application shall contain:

10 (a) A written statement describing the full expected employment or
11 type of livestock production and the investment amount for a qualified
12 business, as described in section 77-27,189, in this state;

13 (b) Sufficient documents, plans, and specifications as required by
14 the Tax Commissioner to support the plan and to define a project; and

15 (c) An application fee of (i) one hundred dollars for an investment
16 amount of less than twenty-five thousand dollars, (ii) two hundred fifty
17 dollars for an investment amount of at least twenty-five thousand dollars
18 but less than fifty thousand dollars, and (iii) five hundred dollars for
19 an investment amount of fifty thousand dollars or more. The fee shall be

20 remitted to the State Treasurer for credit to the Nebraska Incentives

21 Fund. The application and all supporting information shall be
22 confidential except for the name of the taxpayer, the location of the
23 project, and the amounts of increased employment or investment.

24 (3)(a) The Tax Commissioner shall approve the application and
25 authorize the total amount of credits expected to be earned as a result
26 of the project if he or she is satisfied that the plan in the application
1 defines a project that (i) meets the requirements established in section
2 77-27,188 and such requirements will be reached within the required time
3 period and (ii) for projects other than livestock modernization or
4 expansion projects, is located in an eligible county, city, or village.

5 (b) For applications filed in calendar year 2016 and each year
6 thereafter, the Tax Commissioner shall not approve further applications
7 from applicants described in subsection (1) of section 77-27,188 once the
8 expected credits from approved projects in this category total: For
9 calendar years 2016 through 2022, one million dollars; ~~and for calendar~~
10 ~~years year 2023 through 2025 and each calendar year thereafter,~~ two million
11 dollars; ~~and for calendar year 2026 and each calendar year thereafter,~~
12 ~~one million dollars.~~ For applications filed in calendar year 2016 and
13 each year thereafter, the Tax Commissioner shall not approve further
14 applications from applicants described in subsection (2) of section
15 77-27,188 once the expected credits from approved projects in this
16 category total: For calendar year 2016, five hundred thousand dollars;
17 for calendar years 2017 and 2018, seven hundred fifty thousand dollars;
18 for calendar years 2019, 2020, and 2021, one million dollars; ~~and for~~
19 ~~calendar years year 2022 through 2024 and each calendar year thereafter,~~
20 ~~ten million dollars; for calendar year 2025, seven million five hundred~~
21 ~~thousand dollars; and for calendar year 2026 and each calendar year~~
22 ~~thereafter, one million dollars.~~ Four hundred dollars of the application
23 fee shall be refunded to the applicant if the application is not approved
24 because the expected credits from approved projects exceed such amounts.

25 (c) Applications for benefits shall be considered separately and in
26 the order in which they are received for the categories represented by
27 subsections (1) and (2) of section 77-27,188.

28 (d) Applications shall be filed by November 1 and shall be complete
29 by December 1 of each calendar year. Any application that is filed after
30 November 1 or that is not complete on December 1 shall be considered to
31 be filed during the following calendar year.

1 (4) After approval, the taxpayer and the Tax Commissioner shall
2 enter into a written agreement. The taxpayer shall agree to complete the
3 project, and the Tax Commissioner, on behalf of the State of Nebraska,
4 shall designate the approved plans of the taxpayer as a project and, in
5 consideration of the taxpayer's agreement, agree to allow the taxpayer to
6 use the incentives contained in the Nebraska Advantage Rural Development
7 Act up to the total amount that were authorized by the Tax Commissioner
8 at the time of approval. The application, and all supporting

9 documentation, to the extent approved, shall be considered a part of the
 10 agreement. The agreement shall state:
 11 (a) The levels of employment and investment required by the act for
 12 the project;
 13 (b) The time period under the act in which the required level must
 14 be met;
 15 (c) The documentation the taxpayer will need to supply when claiming
 16 an incentive under the act;
 17 (d) The date the application was filed; and
 18 (e) The maximum amount of credits authorized.
 19 Sec. 46. Section 77-3110, Revised Statutes Cumulative Supplement,
 20 2024, is amended to read:
 21 77-3110 The department may approve tax credits under the Relocation
 22 Incentive Act each year until the total amount of credits approved for
 23 the year reaches one~~five~~ million dollars.

Senator Hallstrom filed the following amendments to LB650:

AM1089

(Amendments to E&R amendments, ER45)

- 1 1. Strike section 38.
- 2 2. Renumber the remaining sections, correct internal references, and
- 3 correct the repealer accordingly.

AM1066

(Amendments to E&R amendments, ER45)

- 1 1. On page 40, reinstate the stricken matter in lines 10 through 12.

AM1123

(Amendments to E & R amendments, ER45)

- 1 1. On page 52, line 26; and page 57, line 10, strike "three" and
- 2 insert "four".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 131. Introduced by Dover, 19; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Clouse, 37; Conrad, 46; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Fredrickson, 20; Guereca, 7; Hallstrom, 1; 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, Stanley Staab of Kearney, Nebraska, is posthumously inducted into the Nebraska Natural Resources Districts (NRD) Hall of Fame in the employee category, in recognition of his extraordinary career and lifelong commitment to conserving and protecting Nebraska's natural resources; and

WHEREAS, Stan Staab dedicated nearly thirty-six years of his professional life to Nebraska's NRDs, beginning in 1979 at the Upper Big

Blue NRD in York, Nebraska, and then serving twenty-eight years as the General Manager of the Lower Elkhorn NRD in Norfolk, Nebraska; and

WHEREAS, Staab provided visionary leadership in the planning, development, and construction of numerous flood control projects, including the Scribner, Pender, Howells, Wakefield, and Winslow levees, as well as the Maple Creek Recreation Area and flood control dam near Leigh, Nebraska, which required more than a decade of dedicated effort to complete; and

WHEREAS, Staab's legacy includes the enhancement and improvement of recreation areas such as Maskenthine Lake and Willow Creek State Recreation Area, and the successful development of rural water systems, including the Logan East Rural Water System and the Wau-Col Regional Water System, which provide safe and reliable water to thousands of Nebraskans; and

WHEREAS, Staab was a strong advocate for groundwater management, working closely with staff, research partners, and the board of directors to develop comprehensive and innovative plans to address groundwater challenges, particularly during periods of drought; and

WHEREAS, Staab was a champion of outdoor recreation and community partnerships, supporting trail development projects such as the Cowboy Trail Connector in Norfolk and the Norfolk Riverfront Project, as well as urban recreation and forestry projects throughout the district; and

WHEREAS, Staab's leadership was marked by his ability to build strong relationships with local communities, partnering agencies, elected boards, and staff, all united by a shared commitment to soil and water stewardship and the long-term sustainability of Nebraska's natural resources; and

WHEREAS, Staab passed away peacefully on March 5, 2024, at the age of seventy-seven, leaving behind a profound legacy of leadership, dedication, and passion for Nebraska's natural resources and the people who depend on them.

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

1. That the Legislature congratulates Stanley Staab for his exceptional service, vision, and impact on Nebraska's Natural Resources Districts and for his well-deserved posthumous induction into the Nebraska Natural Resources Districts Hall of Fame.

2. That a copy of this resolution be sent to the family of Stanley Staab.

Laid over.

LEGISLATIVE RESOLUTION 132. Introduced by Dover, 19; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Clouse, 37; Conrad, 46; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Fredrickson, 20; Guereca, 7; Hallstrom, 1; 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, Jessica Evans, an Art and Agriculture teacher and Future Farmers of America (FFA) Advisor at Osmond Community Schools, has been selected as the Lower Elkhorn Natural Resources District Educator of the Year; and

WHEREAS, Jessica's dedication to hands-on, experience-based learning has provided her students with meaningful opportunities to expand their knowledge of natural resources through participation in programs such as Know Your Well and Northeast Area Land Judging competitions; and

WHEREAS, Jessica has instilled in her students the importance of land and soil conservation by implementing no-till practices on the Osmond FFA test plot, reinforcing real-world applications of sustainable agriculture; and

WHEREAS, through her leadership and collaboration with the Osmond community, Jessica developed and manages an eight-acre corn and soybean test plot, providing invaluable experiential learning for her students; and

WHEREAS, Jessica began her career in agricultural education in 2015, co-teaching at Osmond Community Schools and establishing the Osmond FFA Chapter, which officially chartered in 2016; and

WHEREAS, through her leadership over the past nine years, the Osmond FFA Chapter has achieved remarkable success, earning sixteen State FFA Degrees, seven Top-3 State Proficiency Awards, one State Proficiency Champion, and numerous Leadership Development Event and Career Development Event State Qualifiers; and

WHEREAS, Jessica continues to serve the agricultural education community as Chair of FFA District 4 and as a member of the Nebraska Agricultural Educators Association Board; and

WHEREAS, Jessica's exceptional ability to engage, inspire, and motivate students has been recognized by colleagues and community members alike.

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

1. That the Legislature congratulates Jessica Evans for her outstanding contributions to agricultural education, her unwavering commitment to conservation and natural resources, and her well-deserved honor as the Lower Elkhorn Natural Resources District Educator of the Year.

2. That a copy of this resolution be sent to Jessica Evans.

Laid over.

LEGISLATIVE RESOLUTION 133. Introduced by Dover, 19; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Clouse, 37; Conrad, 46; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Fredrickson, 20; Guereca, 7; Hallstrom, 1; 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, the 2025 Nebraska School Activities Association State Wrestling Tournament was held from February 20 through February 22 at the CHI Health Center Omaha; and

WHEREAS, the Battle Creek High School boys wrestling team, coached by Cody Wintz, secured the Class C Wrestling State Championship title; and

WHEREAS, Battle Creek's victory was secured by top scorers Ayden Wintz, Ryan Stusse Jr., Brek Thompson, Ryan Hoehne, Mason Planer, Casey Schnebel, Ashton Kuchar, Hunter Kruse, and Tyan Thompson; and

WHEREAS, this is Battle Creek's second consecutive state wrestling title; 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 members of the Battle Creek High School boys wrestling team on winning the 2025 Class C State Wrestling Championship and their second consecutive state title.

2. That a copy of this resolution be sent to Battle Creek High School and Coach Cody Wintz.

Laid over.

LEGISLATIVE RESOLUTION 134. Introduced by Dover, 19; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; Brandt, 32; Cavanaugh, J., 9; Cavanaugh, M., 6; Clements, 2; Clouse, 37; Conrad, 46; DeBoer, 10; DeKay, 40; Dorn, 30; Dungan, 26; Fredrickson, 20; Guereca, 7; Hallstrom, 1; 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, the 2025 Nebraska State Cheer and Dance Competition was held at the Heartland Events Center in Grand Island, Nebraska; and

WHEREAS, the Norfolk High School cheer team and unified cheer team competed in the competition; and

WHEREAS, the Norfolk High School cheer team placed fourth in Class A non-tumbling marking their highest placement in that category; and

WHEREAS, the Norfolk High School unified cheer team became the state champions in unified sideline cheer for Classes A, B, and C just one year after forming; and

WHEREAS, cheer team coaches Katie Nedela, Alissa Melcher, and Andi Husk and unified cheer team coaches Phoebe Matson and Phoebe Melcher

provided the team leadership and guidance to excel at the state competition; 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 members of the Norfolk High School cheer team and unified cheer team for their outstanding performance at the 2025 Nebraska State Cheer and Dance Competition.

2. That copies of this resolution be sent to the Norfolk High School cheer team.

Laid over.

MOTION(S) - Return LB287 to Select File

Senator McKinney moved to return LB287 to Select File for his specific amendment, [AM1000](#), found on page 1059.

The McKinney motion to return prevailed with 34 ayes, 5 nays, 6 present and not voting, and 4 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 287. Senator McKinney offered [AM1000](#), found on page 1059.

Senator Hunt moved for a call of the house. The motion prevailed with 34 ayes, 0 nays, and 15 not voting.

The McKinney specific amendment was adopted with 27 ayes, 7 present not voting, and 15 not voting.

Senator Kauth requested a machine vote on the readvancement of the bill.

Readvanced to Enrollment and Review for Engrossment with 25 ayes, 10 nays, 10 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 257. [ER37](#), found on page 1012, was offered.

ER37 was adopted.

Senator Hunt offered [AM947](#), found on page 1098.

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

The Hunt amendment was adopted with 31 ayes, 6 nays, and 12 not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 323. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 192. [ER40](#), found on page 1013, was offered.

ER40 was adopted.

Senator J. Cavanaugh withdrew [FA96](#), found on page 1075.

Senator J. Cavanaugh withdrew [FA97](#), found on page 1075.

Senator Andersen offered the following amendment:

[AM1131](#)

1 1. On page 6, after line 29, insert the following new subsections:
 2 "(5) Unless expressly required by federal law, the department shall
 3 not seek, apply for, accept, or renew a waiver of any work requirement
 4 established by the Supplemental Nutrition Assistance Program under 7
 5 U.S.C. 2015(o), as such section existed on January 1, 2025, except that
 6 the department may exercise the state's option to provide an exemption
 7 from the work requirement under 7 U.S.C. 2015(o)(6), as such section
 8 existed on January 1, 2025.
 9 (6) The department may, at its discretion, exercise its authority
 10 under 7 U.S.C. 2015(d), as such section existed on January 1, 2025, to
 11 require individuals, unless specifically exempted by federal regulations
 12 or law, to participate in an employment and training program as defined
 13 in 7 U.S.C. 2015(d)(4), as such section existed on January 1, 2025."

Senator Andersen requested a roll call vote on his amendment.

Senator Andersen moved for a call of the house. The motion prevailed with 39 ayes, 3 nays, and 7 not voting.

Voting in the affirmative, 22:

Andersen	DeKay	Kauth	Moser	Strommen
Armendariz	Hansen	Lippincott	Murman	von Gillern
Ballard	Hardin	Lonowski	Sorrentino	
Bosn	Holdcroft	McKeon	Storer	
Clements	Ibach	Meyer	Storm	

Voting in the negative, 14:

Cavanaugh, J.	DeBoer	Hughes	McKinney	Rountree
Clouse	Dungan	Hunt	Quick	Spivey
Conrad	Fredrickson	Juarez	Raybould	

Present and not voting, 11:

Arch	Cavanaugh, M.	Guereca	Riepe
Bostar	Dorn	Hallstrom	Wordekemper
Brandt	Dover	Prokop	

Excused and not voting, 2:

Jacobson Sanders

The Andersen amendment lost with 22 ayes, 14 nays, 11 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Kauth requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 29 ayes, 9 nays, 9 present and not voting, and 2 excused and not voting.

LEGISLATIVE RESOLUTION 20CA. Senator von Gillern offered [MO194](#), found on page 1175, to bracket until June 9, 2025.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 246. Placed on Final Reading.

(Signed) Dunixi Guereca, Chairperson

AMENDMENT(S) - Print in Journal

Senator Rountree filed the following amendments to [LB319](#):

[FA124](#)

On page 2, line 15, strike "December" and insert "November".

[FA125](#)

On page 2, in line 14, strike "department" and insert "Department of Health and Human Services".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 135. Introduced by Storm, 23; Clements, 2; Dungan, 26; Holdcroft, 36; Hughes, 24; Ibach, 44; Lonowski, 33; Moser, 22; Riepe, 12; Storer, 43; Strommen, 47; Wordekemper, 15.

WHEREAS, on April 12, 2025, the Bone Creek Museum of Agrarian Art in David City, Nebraska, celebrated its Grand Reopening; and

WHEREAS, the museum has been a cornerstone in the David City community since its opening in 2008; and

WHEREAS, the museum is the nation's only museum dedicated solely to Agrarian Art; and

WHEREAS, the museum has restored the historic David City Ford building once home to an assembly plant for Model T automobiles; and

WHEREAS, the museum connects people to the land through art, exemplifies local culture, and attracts national attention.

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

1. That the Legislature congratulates Bone Creek Museum of Agrarian Art on its Grand Reopening.

2. That a copy of this resolution be sent to Bone Creek Museum of Agrarian Art.

Laid over.

VISITOR(S)

Visitors to the Chamber were students from Elmwood Murdock Elementary, Elmwood; Nebraska manufacturers on behalf of the Nebraska Chamber of Commerce and Industry; students from Rumsey Station Elementary, Papillion; Community College Phi Theta Kappa Awardees and Aksarben Scholars from all six Nebraska Community Colleges.

RECESS

At 11:59 a.m., on a motion by Senator Rountree, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., Senator DeBoer presiding.

ROLL CALL

The roll was called and all members were present except Senator Sanders who was excused; and Senators Armendariz, J. Cavanaugh, Conrad, Dorn, Dungan, Fredrickson, Guereca, Hansen, Hardin, Hughes, Hunt, Jacobson, and Juarez who were excused until they arrive.

AMENDMENT(S) - Print in Journal

Senator Holdcroft filed the following amendment to [LB677](#):
[AM1006](#) is available in the Bill Room.

SELECT FILE

LEGISLATIVE RESOLUTION 20CA. Senator von Gillern renewed [MO194](#), found on page 1175 and considered in this day's Journal, to bracket until June 9, 2025.

SPEAKER ARCH PRESIDING

Speaker Arch, at the request of Senator Bostar, requested to pass over LR20CA.

BILL ON FIRST READING

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

LEGISLATIVE BILL 80A. Introduced by Hallstrom, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 80, One Hundred Ninth Legislature, First Session, 2025.

AMENDMENT(S) - Print in Journal

Senator Andersen filed the following amendment to [LB243](#):
[AM1145](#) is available in the Bill Room.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 136. Introduced by Dungan, 26.

WHEREAS, the Annunciation Greek Orthodox Church in Lincoln, Nebraska, was established in 1945, and has served as a spiritual, cultural, and community anchor for generations of Nebraskans; and

WHEREAS, the church has been a place of worship, fellowship, and service, upholding the values of the Orthodox Christian faith and the traditions of Greek heritage throughout its eighty years of ministry; and

WHEREAS, the Annunciation Greek Orthodox Church has contributed significantly to the broader Lincoln community by fostering interfaith dialogue, promoting charitable efforts, offering educational, cultural, and social programs that enrich the lives of many; and

WHEREAS, through events such as the annual Greek Festival, community outreach, and youth involvement through programs like Sunday School and

Greek Dance, the church has shared its vibrant culture and values with Nebraskans of all backgrounds; and

WHEREAS, the church has been blessed by the leadership of dedicated clergy, lay leaders, and faithful parishioners who have nurtured and sustained the life of the parish for eight decades; and

WHEREAS, the celebration of this milestone offers an opportunity to reflect on the past, honor those who have served the church and the community, and look forward to continued growth and service in the years to come;

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

1. That the Legislature congratulates the Annunciation Greek Orthodox Church on the celebration of eighty years of service to the community.
2. That a copy of this resolution be sent to the Annunciation Greek Orthodox Church.

Laid over.

SELECT FILE

LEGISLATIVE BILL 80. [ER50](#), found on page 1160, was offered.

ER50 was adopted.

Senator Dungan withdrew [FA98](#), found on page 1096.

Senator Dungan withdrew [FA99](#), found on page 1096.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 559. Senator Dungan withdrew [FA114](#), found on page 1144.

Senator Dungan withdrew [FA115](#), found on page 1144.

Senator Dungan offered the following amendment:

[FA126](#)

Strike Section 3 on page 4.

PRESIDENT KELLY PRESIDING

The Dungan amendment lost with 8 ayes, 28 nays, 11 present and not voting, and 2 excused and not voting.

Senator Conrad offered the following amendment:

[FA129](#)

Strike Sections 10, 11, and 12.

The Conrad amendment was withdrawn.

Senator M. Cavanaugh requested a record vote on the advancement of the bill.

Voting in the affirmative, 35:

Andersen	Clouse	Holdcroft	McKeon	Riepe
Arch	DeKay	Hughes	Meyer	Rountree
Armendariz	Dorn	Jacobson	Moser	Sorrentino
Ballard	Fredrickson	Juarez	Murman	Storm
Bosn	Guereca	Kauth	Prokop	Strommen
Brandt	Hansen	Lippincott	Quick	von Gillern
Clements	Hardin	Lonowski	Raybould	Wordekemper

Voting in the negative, 2:

Hunt McKinney

Present and not voting, 10:

Bostar	Cavanaugh, M.	DeBoer	Dungan	Ibach
Cavanaugh, J.	Conrad	Dover	Hallstrom	Spivey

Excused and not voting, 2:

Sanders Storer

Advanced to Enrollment and Review for Engrossment with 35 ayes, 2 nays, 10 present and not voting, and 2 excused and not voting.

BILL ON FIRST READING

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

LEGISLATIVE BILL 645A. Introduced by Ballard, 21.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 645, One Hundred Ninth Legislature, First Session, 2025; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 137. Introduced by Lippincott, 34; Andersen, 49; Arch, 14; Armendariz, 18; Ballard, 21; Bosn, 25; Bostar, 29; 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; Hallstrom, 1; Hansen, 16; Hardin, 48; Holdcroft, 36; Hughes, 24; Hunt, 8; Ibach, 44; Jacobson, 42; Juarez, 5;

Kauth, 31; Lonowski, 33; McKeon, 41; McKinney, 11; Meyer, 17; Moser, 22; Murman, 38; Prokop, 27; Quick, 35; Raybould, 28; Riepe, 12; Rountree, 3; Sorrentino, 39; Spivey, 13; Storer, 43; Storm, 23; Strommen, 47; von Gillern, 4; Wordekemper, 15.

WHEREAS, April 30, 2025, marks the fiftieth anniversary of the end to the Vietnam War; and

WHEREAS, the war began November 1, 1955, and brutally continued until April 30, 1975; and

WHEREAS, Vietnam veterans represent about ten percent of their generation fighting under challenging conditions that would alter their personal worlds forever; and

WHEREAS, the veterans were not always welcomed upon their return and were often blamed and denigrated for their participation in the war regardless of whether they had been drafted or they had volunteered; and

WHEREAS, more than fifty-eight thousand United States service members died fighting for their country or were deemed missing in action during the war; and

WHEREAS, all who served during the Vietnam War deserve honor and recognition.

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

1. That the Legislature honors the veterans and the lives lost to the Vietnam War.

2. That the Legislature celebrates the fiftieth anniversary of the end to the Vietnam War.

Laid over.

SELECT FILE

LEGISLATIVE BILL 332. [ER42](#), found on page 1046, was offered.

ER42 was adopted.

Senator Hardin withdrew [AM1117](#), found on page 1157.

Senator Hardin offered the following amendment:

[AM1154](#) is available in the Bill Room.

The Hardin amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 474. [ER48](#), found on page 1158, was offered.

ER48 was adopted.

Senator Jacobson withdrew [AM1041](#), found on page 1119.

Senator Jacobson offered the following amendment:

[AM1080](#)

(Amendments to AM669)

1 1. Strike sections 29, 110, and 111 and insert the following new
 2 sections:
 3 Sec. 29. Section 8-2724, Revised Statutes Cumulative Supplement,
 4 2024, as amended by section 18, Legislative Bill 251, One Hundred Ninth
 5 Legislature, First Session, 2025, is amended to read:
 6 8-2724 (1) Before a licensee is authorized to conduct business
 7 through an authorized delegate or allows a person to act as the
 8 licensee's authorized delegate, the licensee shall:
 9 (a) Adopt, and update as necessary, written policies and procedures
 10 reasonably designed to ensure that the licensee's authorized delegates
 11 comply with applicable state and federal law;
 12 (b) Enter into a written contract that complies with subsection (3)
 13 of this section; and
 14 (c) Conduct a reasonable risk-based background investigation
 15 sufficient for the licensee to determine whether the authorized delegate
 16 has complied and will likely comply with applicable state and federal
 17 law.
 18 (2) An authorized delegate shall operate in full compliance with the
 19 Nebraska Money Transmitters Act.
 20 (3) The written contract required by subdivision (1)(b) of this
 21 section shall be signed by the licensee and the authorized delegate and,
 22 at a minimum, also shall:
 23 (a) Appoint the person signing the contract as the licensee's
 24 authorized delegate with the authority to conduct money transmission on
 25 behalf of the licensee;
 26 (b) Set forth the nature and scope of the relationship between the
 1 licensee and the authorized delegate and the respective rights and
 2 responsibilities of the parties;
 3 (c) Require the authorized delegate to agree to fully comply with
 4 all applicable state and federal laws, rules, and regulations pertaining
 5 to money transmission, including the Nebraska Money Transmitters Act and
 6 the rules and regulations implementing the act, the Bank Secrecy Act, and
 7 the Uniting and Strengthening America by Providing Appropriate Tools
 8 Required to Intercept and Obstruct Terrorism Act of 2001;
 9 (d) Require the authorized delegate to remit and handle money and
 10 monetary value in accordance with the terms of the contract between the
 11 licensee and the authorized delegate;
 12 (e) Impose a trust on money and monetary value net of fees received
 13 for money transmission for the benefit of the licensee;
 14 (f) Require the authorized delegate to prepare and maintain records
 15 as required by the Nebraska Money Transmitters Act or the rules and
 16 regulations implementing the act, or as reasonably requested by the
 17 director;
 18 (g) Acknowledge that the authorized delegate consents to examination
 19 or investigation by the director;
 20 (h) State that the licensee is subject to regulation by the director
 21 and that, as part of that regulation, the director may suspend or revoke
 22 an authorized delegate designation or require the licensee to terminate
 23 an authorized delegate designation; and
 24 (i) Acknowledge receipt of the written policies and procedures
 25 required under subdivision (1)(a) of this section.
 26 (4) If the licensee's license is suspended, revoked, canceled,
 27 surrendered, or expired, the licensee shall, within five business days,

28 provide documentation to the director that the licensee has notified all
29 applicable authorized delegates of the licensee whose names are in a
30 record filed with the director of the suspension, revocation,
31 cancellation, surrender, or expiration of the license. Upon suspension,
1 revocation, cancellation, surrender, or expiration of the license,
2 applicable authorized delegates shall immediately cease to provide money
3 transmission as an authorized delegate of the licensee.
4 (5) An authorized delegate of a licensee holds in trust for the
5 benefit of the licensee all money net of fees received from money
6 transmission. If any authorized delegate commingles any funds received
7 from money transmission with any other funds or property owned or
8 controlled by the authorized delegate, all commingled funds and other
9 property shall be considered held in trust in favor of the licensee in an
10 amount equal to the amount of money net of fees received from money
11 transmission by the authorized delegate on behalf of the licensee.
12 (6) An authorized delegate may not use a subdelegate to conduct
13 money transmission on behalf of a licensee.
14 (1) The requirement for a license under the Nebraska Money
15 Transmitters Act does not apply to:
16 (a) The United States or any department, agency, or instrumentality
17 thereof;
18 (b) Any post office of the United States Postal Service;
19 (c) A state or any political subdivision thereof;
20 (d)(i) Banks, credit unions, digital asset depository institutions
21 as defined in section 8-3003, building and loan associations, savings and
22 loan associations, savings banks, or mutual banks organized under the
23 laws of any state or the United States;
24 (ii) Subsidiaries of the institutions listed in subdivision (d)(i)
25 of this subsection;
26 (iii) Bank holding companies which have a banking subsidiary located
27 in Nebraska and whose debt securities have an investment grade rating by
28 a national rating agency; or
29 (iv) Authorized delegates of the institutions and entities listed in
30 subdivision (d)(i), (ii), or (iii) of this subsection, except that
31 authorized delegates that are not banks, credit unions, building and loan
1 associations, savings and loan associations, savings banks, mutual banks,
2 subsidiaries of any of the foregoing, or bank holding companies shall
3 comply with all requirements imposed upon authorized delegates under the
4 act;
5 (e) The provision of electronic transfer of government benefits for
6 any federal, state, or county governmental agency, as defined in Consumer
7 Financial Protection Bureau Regulation E, 12 C.F.R. part 1005, as such
8 regulation existed on January 1, 2025, by a contractor for and on behalf
9 of the United States or any department, agency, or instrumentality
10 thereof or any state or any political subdivision thereof;
11 (f) An operator of a payment system only to the extent that the
12 payment system provides processing, clearing, or settlement services
13 between or among persons who are all exempt under this section in
14 connection with wire transfers, credit card transactions, debit card
15 transactions, automated clearinghouse transfers, or similar fund
16 transfers; or
17 (g) A person, firm, corporation, or association licensed in this
18 state and acting within this state within the scope of a license;
19 (i) As a collection agency pursuant to the Collection Agency Act;
20 (ii) As a credit services organization pursuant to the Credit
21 Services Organization Act; or
22 (iii) To engage in the debt management business pursuant to sections
23 69-1201 to 69-1217.
24 (2) An authorized delegate of a licensee or of an exempt entity,
25 acting within the scope of its authority conferred by a written contract

~~26 as described in section 8-2739, is not required to obtain a license under~~
~~27 the Nebraska Money Transmitters Act, except that such an authorized~~
~~28 delegate shall comply with the other provisions of the act which apply to~~
~~29 money transmission transactions.~~

30 Sec. 110. Section 4, Legislative Bill 527, One Hundred Ninth

31 Legislature, First Session, 2025, is amended to read:

1 Sec. 4. (1) No later than January 1, 2026, the Director of Insurance
 2 shall establish a schedule for the collection of a tax of not to exceed
 3 six percent of the gross amount of non-medicare direct writing premiums
 4 written under a health maintenance organization certificate of authority
 5 pursuant to section 44-32,115, to the extent not preempted by federal
 6 law, during the current year for business done in the state. The director
 7 shall remit the tax paid under this section to the State Treasurer. The
 8 State Treasurer shall annually credit the entirety of the tax remitted to
 9 the Medicaid Access and Quality Fund.

10 (2) No later than August 1, 2025, the Department of Health and Human
 11 Services shall amend the medicaid state plan or file other federal
 12 authorizing documents necessary to receive federal financial
 13 participation for the Medicaid Access and Quality Act.

14 (3) The tax established by this section shall be effective January
 15 1, 2026, and applies to premiums received during the current calendar
 16 year and each year thereafter.

17 Sec. 111. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 18 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32,
 19 33, 34, 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 51,
 20 53, 54, 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70,
 21 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, 88,
 22 89, 90, 91, 92, 93, 94, 95, 96, 97, 98, 99, 100, 101, 102, 103, 104, 105,
 23 106, 107, 108, 109, 113, and 114 of this act become operative on October
 24 1, 2025. The other sections of this act become operative on their
 25 effective date.

26 Sec. 112. Original sections 44-502 and 44-4109.01, Reissue Revised
 27 Statutes of Nebraska, and section 4, Legislative Bill 527, One Hundred
 28 Ninth Legislature, First Session, 2025, are repealed.
 29 2. On page 203, line 12, strike "and" and strike "8-2724,"; and in
 30 line 14 after the last comma insert "and section 8-2724, Revised Statutes
 31 Cumulative Supplement, 2024, as amended by section 18, Legislative Bill
 1 251, One Hundred Ninth Legislature, First Session, 2025,".
 2 3. Renumber the remaining sections accordingly.

The Jacobson amendment was adopted with 33 ayes, 0 nays, 14 present and
 not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 398. [ER46](#), found on page 1159, was offered.

ER46 was adopted.

Senator M. Cavanaugh offered the following motion:

[MO198](#)

Bracket until May 6, 2025.

Senator M. Cavanaugh asked unanimous consent to withdraw her motion.

No objections. So ordered.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 36. [ER54](#), found on page 1159, was offered.

ER54 was adopted.

Senator Brandt offered the following amendment:

[AM998](#)

(Amendments to Standing Committee amendments, AM635)

- 1 1. On page 19, strike lines 21 through 31 and insert the following
- 2 new subdivisions:
- 3 "(a) Establish a hub for information about the availability and
- 4 application processes of and eligibility for grants, loans, or other
- 5 programs that fund home weatherization projects, whether administered by
- 6 the department, other state or local agencies, nonprofit organizations,
- 7 or the federal government; and
- 8 (b) Assist in coordination efforts by state and local agencies to
- 9 optimize the execution of home weatherization projects."
- 10 2. On page 20, strike lines 1 through 6; and in line 7 strike "(5)"
- 11 and insert "(4)".

The Brandt amendment was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 288. Title read. Considered.

Committee [AM733](#), found on page 895, was offered.

Senator McKinney withdrew [AM1052](#), found on page 1105, to the committee amendment.

Senator McKinney offered [AM1074](#), found on page 1120, to the committee amendment.

The McKinney amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Senator Dover offered [AM968](#), found on page 1072, to the committee amendment.

The Dover amendment, to the committee amendment, was adopted with 40 ayes, 0 nays, 8 present and not voting, and 1 excused and not voting.

The committee amendment, as amended, was adopted with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 660. Title read. Considered.

Committee [AM1008](#), found on page 1130, was offered.

Senator Conrad offered the following amendment, to the committee amendment:

[AM1147](#)

(Amendments to Standing Committee amendments, AM1008)

- 1 1. Strike section 37 and insert the following new section:
- 2 Sec. 37. (1) Beginning January 1, 2026, each agency shall begin a
- 3 review of all existing and pending rules and regulations. Every rule or
- 4 regulation shall be reviewed every five years.
- 5 (2) Each agency head shall designate an individual who is
- 6 responsible for oversight of the review.
- 7 (3) Each agency shall submit electronically a detailed report of its
- 8 findings along with any supporting documentation to the Clerk of the
- 9 Legislature on or before June 30 of each year for reviews conducted in
- 10 the previous year. The report shall indicate whether:
- 11 (a) The rule or regulation is essential to the health, safety, or
- 12 welfare of the public;
- 13 (b) The costs of the rule or regulation outweigh the benefits;
- 14 (c) The agency has a process in place to measure the effectiveness
- 15 of the rule or regulation;
- 16 (d) A less restrictive alternative has been considered; and
- 17 (e) The rule or regulation was promulgated as the result of a (i)
- 18 state statutory requirement, (ii) federal mandate, or (iii) court
- 19 decision.
- 20 (4) Upon receipt of the agency reports required by this section, the
- 21 Reference Committee of the Legislature shall reference each report to the
- 22 appropriate standing committee of the Legislature based on each
- 23 committee's jurisdictional oversight. The standing committee shall review
- 24 the agency report and submit a report electronically to the Clerk of the
- 25 Legislature by December 15 of such year. Each such committee report shall
- 26 include recommendations for legislation, if necessary, to clarify any
- 1 rule or regulation or provide recommendations for clarifications to any
- 2 rule or regulation.
- 3 (5) Agency rulemaking and regulationmaking authorized by the
- 4 Administrative Procedure Act shall be suspended during the pendency of
- 5 the agency review process mandated by this section with the exception of
- 6 any proposed rule or regulation that:
- 7 (a) Affects the health, safety, or welfare of the public;
- 8 (b) Is time sensitive; or
- 9 (c) Is subject to state or federal statutory deadlines.

SPEAKER ARCH PRESIDING

Pending.

EASE

The Legislature was at ease from 5:57 p.m. until 6:30 p.m.

PRESIDENT KELLY PRESIDING

GENERAL FILE

LEGISLATIVE BILL 660. Committee [AM1008](#), found on page 1130 and considered in this day's Journal, was renewed.

Senator Conrad renewed [AM1147](#), found and considered in this day's Journal, to the committee amendment.

The Conrad amendment, to the committee amendment, was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

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

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 561. Title read. Considered.

Committee [AM316](#), found on page 593, was offered.

Senator Brandt offered [AM758](#), found on page 1038, to the committee amendment.

The Brandt amendment, to the committee amendment, was adopted with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 13 present and not voting, and 3 excused and not voting.

Senator McKeon withdrew [AM978](#), found on page 1046, to the committee amendment.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 399. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 696. Title read. Considered.

Committee [AM499](#), found on page 734, was offered.

The committee amendment was adopted with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 434. Title read. Considered.

Committee [AM750](#), found on page 1126, was offered.

The committee amendment was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Senator Wordekemper withdrew [AM494](#), found on page 697.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Bostar filed the following amendment to [LB645](#):
[AM1135](#)

(Amendments to Standing Committee amendments, AM876)

- 1 1. Insert the following new section:
- 2 Sec. 3. Section 81-2026, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 81-2026 (1)(a) Any officer qualified for an annuity as provided in
- 5 section 81-2025 for reasons other than disability shall be entitled to
- 6 receive a monthly annuity for the remainder of the officer's life. The
- 7 annuity payments shall continue until the end of the calendar month in
- 8 which the officer dies. The amount of the annuity shall be a percentage
- 9 of the officer's final average monthly compensation. For retirement on or
- 10 after the fifty-fifth birthday of the member or on or after the fiftieth
- 11 birthday of a member who has been in the employ of the state for twenty-
- 12 five years, as calculated in section 81-2033, the percentage shall be
- 13 three percent multiplied by the number of years of creditable service, as
- 14 calculated in section 81-2033, except that the percentage shall never be
- 15 greater than seventy-five percent.
- 16 (b) For retirement pursuant to subsection (2) of section 81-2025 on
- 17 or after the fiftieth birthday of the member but prior to the fifty-fifth
- 18 birthday of the member who has been in the employ of the state for less
- 19 than twenty-five years, as calculated in section 81-2033, the annuity
- 20 which would apply if the member were age fifty-five at the date of
- 21 retirement shall be reduced by five-ninths of one percent for each month
- 22 by which the early retirement date precedes age fifty-five or for each
- 23 month by which the early retirement date precedes the date upon which the
- 24 member has served for twenty-five years, whichever is earlier. Any
- 25 officer who has completed thirty years of creditable service with the
- 26 Nebraska State Patrol shall have retirement benefits computed as if the
- 1 officer had reached age fifty-five.
- 2 (c) For purposes of this computation:
- 3 (i) For an officer who became a member prior to July 1, 2016, final
- 4 average monthly compensation means the sum of the officer's total
- 5 compensation during the three twelve-month periods of service as an
- 6 officer in which compensation was the greatest divided by thirty-six and:
- 7 (A) For any officer employed on or before January 4, 1979, the
- 8 officer's total compensation includes payments received for unused
- 9 vacation and sick leave accumulated during the final three years of
- 10 service; or

11 (B) For any officer employed after January 4, 1979, and prior to
12 July 1, 2016, the officer's total compensation includes payments received
13 for unused holiday compensatory time and unused compensatory time; and
14 (ii) For an officer who became a member on or after July 1, 2016,
15 final average monthly compensation means the sum of the officer's total
16 compensation during the five twelve-month periods of service as an
17 officer in which compensation was the greatest divided by sixty and does
18 not include payments received for unused sick leave, unused vacation
19 leave, unused holiday compensatory time, unused compensatory time, or any
20 other type of unused leave, compensatory time, or similar benefits,
21 converted to cash payments. The five twelve-month periods used for
22 calculating an officer's final average monthly compensation ends with the
23 month during which the officer's final compensation is paid. In the
24 determination of compensation, that part of an officer's compensation for
25 the plan year which exceeds the officer's compensation for the preceding
26 plan year by more than eight percent during the capping period shall be
27 excluded. Such officer's compensation for the first plan year of the
28 capping period shall be compared to the officer's compensation received
29 for the plan year immediately preceding the capping period. For purposes
30 of this subdivision, capping period means the five plan years preceding
31 the officer's retirement date. The board may adopt and promulgate rules
1 and regulations for the implementation of this section, including rules
2 and regulations related to prorating, annualizing, or recalculating an
3 officer's final average monthly compensation for each plan year in the
4 capping period.

5 (2) Any officer qualified for an annuity as provided in section
6 81-2025 for reasons of disability shall be entitled to receive a monthly
7 annuity for the remainder of the period of disablement as provided in
8 sections 81-2028 to 81-2030. The amount of the annuity shall be fifty
9 percent of the officer's monthly compensation at the date of disablement
10 if the officer has completed seventeen or fewer years of creditable
11 service. If the officer has completed more than seventeen years of
12 creditable service, the amount of the annuity shall be three percent of
13 the final monthly compensation at the date of disablement multiplied by
14 the total years of creditable service but not to exceed seventy-five
15 percent of the final average monthly compensation as defined in
16 subsection (1) of this section. The date of disablement shall be the date
17 on which the benefits as provided in section 81-2028 have been exhausted.

18 (3) Upon the death of an officer after retirement for reasons other
19 than disability, benefits shall be provided as a percentage of the amount
20 of the officer's annuity, calculated as follows:

21 (a) If there is a surviving spouse but no dependent child or
22 children of the officer under nineteen years of age, the surviving spouse
23 shall receive a benefit equal to ~~one hundred seventy-five~~ one hundred percent of the
24 amount of the officer's annuity for the remainder of the surviving
25 spouse's life;

26 (b) If there is a surviving spouse and the surviving spouse has in
27 his or her care a dependent child or children of the officer under
28 nineteen years of age and there is no other dependent child or children
29 of the officer not in the care of the surviving spouse under nineteen
30 years of age, the benefit shall be equal to one hundred percent of the
31 officer's annuity. When there is no remaining dependent child of the
1 officer under nineteen years of age, the benefit shall be one
2 ~~hundred seventy-five~~ percent of the amount of the officer's annuity to the
3 surviving spouse for the remainder of the surviving spouse's life;

4 (c) If there is a surviving spouse and the surviving spouse has in
5 his or her care a dependent child or children of the officer under
6 nineteen years of age or there is another dependent child or children of
7 the officer under nineteen years of age not in the care of the surviving
8 spouse, the benefit shall be twenty-five percent of the amount of the

9 officer's annuity to the surviving spouse and seventy-five percent of the
10 amount of the officer's annuity to the dependent children of the officer
11 under nineteen years of age to be divided equally among such dependent
12 children but in no case shall the benefit received by a surviving spouse
13 and dependent children residing with such spouse be less than fifty
14 percent of the amount of the officer's annuity. At such time as any
15 dependent child of the officer attains nineteen years of age, the benefit
16 shall be divided equally among the remaining dependent children of the
17 officer who have not yet attained nineteen years of age. When there is no
18 remaining dependent child of the officer under nineteen years of age, the
19 benefit shall be ~~one hundredseventy-five~~ percent of the amount of the
20 officer's annuity to the surviving spouse for the remainder of the
21 surviving spouse's life;

22 (d) If there is no surviving spouse and a dependent child or
23 children of the officer under nineteen years of age, the benefit shall be
24 equal to ~~one hundredseventy-five~~ percent of the officer's annuity to the
25 dependent children of the officer under nineteen years of age to be
26 divided equally among such dependent children. At such time as any
27 dependent child of the officer attains nineteen years of age, the benefit
28 shall be divided equally among the remaining dependent children of the
29 officer who have not yet attained nineteen years of age; and

30 (e) If there is no surviving spouse or no dependent child or
31 children of the officer under nineteen years of age, the amount of
1 benefit such officer has received under the Nebraska State Patrol
2 Retirement Act shall be computed. If such amount is less than the
3 contributions to the State Patrol Retirement Fund made by such officer,
4 plus regular interest, the difference shall be paid to the officer's
5 designated beneficiary or estate.

6 (4) Upon the death of an officer after retirement for reasons of
7 disability, benefits shall be provided as if the officer had retired for
8 reasons other than disability.

9 (5) Upon the death of an officer before retirement, benefits shall
10 be provided as if the officer had retired for reasons of disability on
11 the date of such officer's death, calculated as follows:

12 (a) If there is a surviving spouse but no dependent child or
13 children of the officer under nineteen years of age, the surviving spouse
14 shall receive a benefit equal to ~~one hundredseventy-five~~ percent of the
15 amount of the officer's annuity for the remainder of the surviving
16 spouse's life;

17 (b) If there is a surviving spouse and the surviving spouse has in
18 his or her care a dependent child or children of the officer under
19 nineteen years of age and there is no other dependent child or children
20 of the officer not in the care of the surviving spouse under nineteen
21 years of age, the benefit shall be equal to one hundred percent of the
22 officer's annuity. When there is no remaining dependent child of the
23 officer under nineteen years of age, the benefit shall be ~~one~~
24 ~~hundredseventy-five~~ percent of the amount of the officer's annuity to the
25 surviving spouse for the remainder of the surviving spouse's life;

26 (c) If there is a surviving spouse and the surviving spouse has in
27 his or her care a dependent child or children of the officer under
28 nineteen years of age or there is another dependent child or children of
29 the officer under nineteen years of age not in the care of the surviving
30 spouse, the benefit shall be twenty-five percent of the amount of the
31 officer's annuity to the surviving spouse and seventy-five percent of the
1 amount of the officer's annuity to the dependent children of the officer
2 under nineteen years of age to be divided equally among such dependent
3 children but in no case shall the benefit received by a surviving spouse
4 and dependent children residing with such spouse be less than fifty
5 percent of the amount of the officer's annuity. At such time as any
6 dependent child of the officer attains nineteen years of age, the benefit
7 shall be divided equally among the remaining dependent children of the

8 officer who have not yet attained nineteen years of age. When there is no
 9 remaining dependent child of the officer under nineteen years of age, the
 10 benefit shall be ~~one hundredseventy-five~~ percent of the amount of the
 11 officer's annuity to the surviving spouse for the remainder of the
 12 surviving spouse's life;

13 (d) If there is no surviving spouse and a dependent child or
 14 children of the officer under nineteen years of age, the benefit shall be
 15 equal to ~~one hundredseventy-five~~ percent of the officer's annuity to the
 16 dependent children of the officer under nineteen years of age to be
 17 divided equally among such dependent children. At such time as any
 18 dependent child of the officer attains nineteen years of age, the benefit
 19 shall be divided equally among the remaining dependent children of the
 20 officer who have not yet attained nineteen years of age; and

21 (e) If no benefits are paid to a surviving spouse or dependent child
 22 or children of the officer, benefits will be paid as described in
 23 subsection (1) of section 81-2031.

24 (6) A lump-sum death benefit paid to the member's beneficiary, other
 25 than the member's estate, that is an eligible distribution may be
 26 distributed in the form of a direct transfer to a retirement plan
 27 eligible to receive such transfer under the provisions of the Internal
 28 Revenue Code.

29 (7) For any member whose death occurs on or after January 1, 2007,
 30 while performing qualified military service as defined in section 414(u)
 31 of the Internal Revenue Code, the member's beneficiary shall be entitled
 1 to any additional death benefit that would have been provided, other than
 2 the accrual of any benefit relating to the period of qualified military
 3 service. The additional death benefit shall be determined as if the
 4 member had returned to employment with the Nebraska State Patrol and such
 5 employment had terminated on the date of the member's death.

6 (8) Any changes made to this section by Laws 2004, LB 1097, shall
 7 apply only to retirements, disabilities, and deaths occurring on or after
 8 July 16, 2004.

9 2. Renumber the remaining sections and correct the repealer
 10 accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Rountree name added to LB173.

VISITOR(S)

Visitors to the Chamber were Doug and Vikki Gremel, Seward; Blaine and
 Connie Brokaw, California; students from Norfolk Catholic, Norfolk;
 students from Arnold Elementary, Arnold.

ADJOURNMENT

At 7:57 p.m., on a motion by Senator Prokop, the Legislature adjourned
 until 9:00 a.m., Thursday, April 24, 2025.

Brandon Metzler
 Clerk of the Legislature