

SEVENTY-THIRD DAY - MAY 6, 2025

LEGISLATIVE JOURNAL

**ONE HUNDRED NINTH LEGISLATURE
FIRST SESSION**

SEVENTY-THIRD DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 6, 2025

PRAYER

The prayer was offered by Joe Laughlin, Victory Church, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Clouse.

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 Ballard, Bosn, Bostar, Conrad, DeBoer, Hunt, and Spivey who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventy-second day was approved.

MESSAGE(S) FROM THE GOVERNOR

May 6, 2025

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

Dear Clerk Metzler:

Engrossed Legislative Bill 650e was received in my office on April 30, 2025, and signed on May 6, 2025.

This bill was delivered to the Secretary of State on May 6, 2025.

Sincerely,
(Signed) Jim Pillen
Governor

May 6, 2025

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

Dear Clerk Metzler:

Engrossed Legislative Bill 317e was received in my office on May 1, 2025, and signed on May 6, 2025.

This bill was delivered to the Secretary of State on May 6, 2025.

Sincerely,
(Signed) Jim Pillen
Governor

April 24, 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 reappointed to the Nebraska Environmental Trust Board:

Joshua N Andersen, 2080 Road 307, Edgar, NE 68935, District 3

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

April 24, 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 Superintendent of Law Enforcement and Public Safety for the State of Nebraska:

Bryan D Waugh, 6011 5th Avenue Place, Kearney, NE 68847

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

Sincerely,
(Signed) Jim Pillen
Governor

Enclosures

AMENDMENT(S) - Print in Journal

Senator J. Cavanaugh filed the following amendments to LB677:

[FA167](#)

In AM1251, on page 11, after line 17 insert "(p) post-traumatic stress disorder".

[FA168](#)

In AM1251, Strike Section 1.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR141 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR141.

GENERAL FILE

LEGISLATIVE BILL 261. Title read. Considered.

Committee [AM832](#), found on page 1260, was offered.

Senator Meyer offered [AM1246](#), found on page 1285, to the committee amendment.

Pending.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 346. Placed on Select File with amendment. [ER61](#) is available in the Bill Room.

LEGISLATIVE BILL 316. Placed on Select File with amendment. [ER67](#)

1 1. On page 1, strike beginning with "cannabis" in line 1 through
2 line 8 and insert "cannabis; to amend sections 2-501, 2-503, 2-505,
3 2-515, and 28-401, Revised Statutes Cumulative Supplement, 2024; to
4 redefine hemp under the Nebraska Hemp Farming Act; to define terms; to
5 provide an excise tax for certain cannabidiol products; to prohibit
6 conduct relating to hemp other than cannabidiol products as prescribed;
7 to provide a period of time for compliance with certain hemp-related
8 prohibitions; to change provisions relating to transportation of hemp; to
9 provide for regulation of cannabidiol products; to define and redefine
10 terms in the Uniform Controlled Substances Act; to harmonize provisions;
11 and to repeal the original sections."

LEGISLATIVE BILL 468. Placed on Select File with amendment. [ER68](#)

1 1. On page 1, strike beginning with "revenue" in line 1 through line
2 17 and insert "revenue and taxation; to amend sections 33-110, 60-158,
3 60-3,186, 76-903, 77-684, 77-912, 77-1720, 77-1804, and 81-12,146,
4 Reissue Revised Statutes of Nebraska, and sections 8-1120, 77-913,
5 77-2004, 77-2005, 77-2006, 77-6203, 77-6801, 77-6815, 77-6831, and
6 77-6833, Revised Statutes Cumulative Supplement, 2024; to distribute
7 certain funds to counties as prescribed; to change provisions relating to
8 certain fees and the motor vehicle tax; to change the distribution of the
9 documentary stamp tax; to change the distribution of taxes relating to
10 car line companies and insurance premiums; to change fee provisions
11 relating to real estate sold for delinquent taxes; to change provisions
12 relating to inheritance taxes and the nameplate capacity tax; to change
13 provisions of the ImagiNE Nebraska Act; to eliminate a sales tax
14 exemption and definitions relating to data centers; to state legislative
15 intent; to provide applicability; to harmonize provisions; to provide an
16 operative date; to repeal the original sections; to outright repeal
17 sections 77-2701.54 and 77-2704.62, Reissue Revised Statutes of Nebraska;
18 and to declare an emergency."

LEGISLATIVE BILL 704. Placed on Select File.

LEGISLATIVE BILL 166. Placed on Select File with amendment. [ER66](#)

1 1. On page 1, strike beginning with "county" in line 1 through line
2 4 and insert "public records; to amend sections 23-3211 and 24-814,
3 Reissue Revised Statutes of Nebraska, and section 32-607, Revised
4 Statutes Cumulative Supplement, 2024; to require the county treasurer to
5 maintain confidentiality relating to residential addresses of certain

6 persons; to prohibit the disclosure of certain information filed with the
 7 Secretary of State relating to judicial officeholders; to change
 8 provisions relating to candidate filing forms; and to repeal the original
 9 sections."

LEGISLATIVE BILL 640. Placed on Select File.

LEGISLATIVE BILL 311. Placed on Select File with amendment.

[ER69](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 5
 2 and insert "law; to amend sections 75-342, 76-2325.01, 86-111.01, 86-124,
 3 86-704, and 86-1505, Reissue Revised Statutes of Nebraska, and sections
 4 75-109.01 and 75-311, Revised Statutes Cumulative Supplement, 2024; to
 5 adopt the Telecommunications Exchange Deregulation Act; to provide
 6 certain restrictions on governing entities as prescribed; to change
 7 provisions relating to jurisdiction of the Public Service Commission; to
 8 change and provide provisions relating to certificates of public
 9 convenience and necessity, permits for certain common or contract
 10 carriers, medicaid nonemergency medical transportation services and
 11 certificates of authority, and certain transportation network companies
 12 and participating drivers; to provide duties for the Public Service
 13 Commission; to provide penalties for interference with certain facilities
 14 of broadband, communications, and wireless infrastructure companies; to
 15 redefine terms and change provisions of the Nebraska Telecommunications
 16 Regulation Act; to change provisions relating to telecommunications
 17 companies and governing entities as prescribed; to change provisions of
 18 the Rural Communications Sustainability Act; to eliminate requirements
 19 relating to issuance of securities by a common carrier; to provide
 20 operative dates; to repeal the original sections; to outright repeal
 21 section 75-148; and to declare an emergency."

LEGISLATIVE BILL 647. Placed on Select File with amendment.

[ER70](#)

1 1. In the Standing Committee amendments, AM994:
 2 a. Strike section 54 and insert the following new section:
 3 Sec. 54. Sections 21, 22, 25, 30, 35, 36, 37, 38, 39, 40, 41, 42,
 4 43, 44, 45, 46, 47, 48, 49, 50, 51, 52, 53, and 57 of this act become
 5 operative on October 1, 2025. Sections 1, 2, 3, 4, 5, 6, 23, 24, 26, and
 6 58 of this act become operative on January 1, 2026. Sections 7, 8, 9, 29,
 7 31, 32, 33, and 56 of this act become operative three calendar months
 8 after the adjournment of this legislative session. The other sections of
 9 this act become operative on their effective date.
 10 b. On page 17, line 8; page 70, line 17; page 77, lines 18 and 29;
 11 page 80, line 25; and page 81, line 8, strike "higher" and show as
 12 stricken.
 13 2. On page 1, strike beginning with "property" in line 1 through
 14 line 4 and insert "revenue and taxation; to amend sections 14-109,
 15 15-202, 15-203, 16-205, 17-525, 77-1613, 85-1801, 85-1802, 85-1804,
 16 85-1805, 85-1806, 85-1807, 85-1808, 85-1809, 85-1810, 85-1811, 85-1812,
 17 85-1813, 85-1814, 85-1815, 85-1816, 85-1817, 85-2802, 85-2803, and
 18 85-2804, Reissue Revised Statutes of Nebraska, and sections 13-518,
 19 13-3402, 13-3403, 13-3405, 13-3406, 18-1208, 68-1201, 72-1239.01, 76-214,
 20 77-202, 77-3, 110, 77-1631, 77-1701, 77-2715.07, 77-2716, 77-2727,
 21 77-2734.01, 77-2776, and 77-7305, Revised Statutes Cumulative Supplement,
 22 2024; to adopt the Recreational Trail Easement Property Tax Exemption
 23 Act; to adopt the Adoption Tax Credit Act; to redefine a term relating to
 24 budget limitations; to redefine terms and change provisions of the
 25 Property Tax Growth Limitation Act relating to calculation of property

26 tax request authority, authorized increases to such authority, and unused
 27 property tax request authority; to change provisions relating to
 1 municipal occupation taxes; to change provisions relating to the filing
 2 of statements of recorded easements and property tax exemptions; to
 3 change provisions relating to duties of the county assessor regarding
 4 real property assessments; to define and redefine terms under the
 5 Property Tax Request Act; to change provisions relating to income tax
 6 credits allowed for the purchase of certain residences; to change
 7 provisions relating to the taxation of partnerships and small business
 8 corporations and notices of deficiency; to change certain calculations
 9 and authorize the county to retain certain funds for costs under the
 10 School District Property Tax Relief Act; to include savings plans for
 11 elementary and secondary education in the Nebraska educational savings
 12 plan trust and redefine terms relating to such trust; to change the names
 13 of certain funds; to transfer provisions; to eliminate obsolete
 14 provisions; to harmonize provisions; to provide operative dates; to
 15 repeal the original sections; and to declare an emergency."

LEGISLATIVE BILL 380A. Placed on Select File.

LEGISLATIVE BILL 120. Placed on Select File.

LEGISLATIVE BILL 614. Placed on Select File with amendment.

[ER71](#)

1 1. On page 1, line 3, strike "and structures".

LEGISLATIVE BILL 258. Placed on Final Reading.

LEGISLATIVE BILL 319. Placed on Final Reading.

LEGISLATIVE BILL 380. Placed on Final Reading.

LEGISLATIVE BILL 383. Placed on Final Reading with the attached statement.

[ST31](#)

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

1. In the E&R amendments, ER53, on page 17, lines 11 and 24, the comma has been struck and shown as stricken.

LEGISLATIVE BILL 613A. Placed on Final Reading.

LEGISLATIVE BILL 649. Placed on Final Reading.

(Signed) Dunixi Guereca, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 288A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 288, One Hundred Ninth Legislature, First Session, 2025.

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1023 2:00 PM

Thursday, May 22, 2025

Lorelle Muetting - Nebraska Medical Cannabis Commission

Monica Oldenburg - Nebraska Medical Cannabis Commission

(Signed) Rick Holdcroft, Chairperson

Nebraska Retirement Systems
Room 1524 12:00 PM

Tuesday, May 13, 2025

Michael Donley - Public Employees Retirement Board

Brent Larson - Public Employees Retirement Board

(Signed) Beau Ballard, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 144.** Introduced by Kauth, 31.

PURPOSE: The purpose of this resolution is to propose an interim study to examine potential changes to Nebraska's teacher certification requirements to create an apprenticeship-based pathway for individuals with equivalent education and professional experience who seek to transition into kindergarten through grade twelve teaching.

Nebraska faces ongoing challenges in attracting and retaining qualified educators, particularly in rural and high-need school districts, and the traditional teacher certification process may present barriers for individuals with equivalent education and professional experience in other fields who seek to transition into the teaching profession later in their careers. Alternative pathways to certification, including onsite apprenticeship programs conducted by school districts, may provide opportunities to increase the number of qualified teachers while maintaining high-quality standards for Nebraska schools. Such apprenticeship programs would focus on pedagogical training, classroom management, and other essential instructional skills to ensure competency and effectiveness in teaching. The State Board of Education plays a critical role in establishing standards and oversight mechanisms for teacher certification programs, including alternative pathways such as school district led apprenticeships.

This interim study is meant to examine potential changes to Nebraska's teacher certification requirements to allow individuals with equivalent education and experience to enter the teaching profession through an apprenticeship-based pathway conducted by school districts. Such study shall include, but need not be limited to:

(1) An evaluation of existing barriers within Nebraska's current teacher certification process that may hinder professionals from transitioning into teaching;

(2) An examination of best practices from other states that have implemented alternative certification pathways, including apprenticeship programs;

(3) An assessment of the pedagogical and classroom management training necessary to maintain high-quality instructional standards in an apprenticeship program;

(4) A determination of the role of school districts in designing and implementing apprenticeship programs for prospective teachers;

(5) An examination of the process by which the State Board of Education would approve school district apprenticeship programs and ensure alignment of such programs with state educational standards;

(6) An investigation of the criteria and process by which individuals completing an apprenticeship program would be certified as teachers in Nebraska;

(7) Consideration of the potential impact of an apprenticeship pathway on addressing teacher shortages in critical subject areas and geographic regions;

(8) An identification of any statutory or regulatory changes necessary to implement such an apprenticeship pathway; and

(9) Input from relevant stakeholders, including representatives from the State Department of Education, the State Board of Education, school district administrators, teacher preparation programs, educators, and other interested parties.

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

1. That the Education Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 145. Introduced by Kauth, 31.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the effectiveness of hyperbaric oxygen therapy.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

VISITOR(S)

Visitors to the Chamber were University of Nebraska President Jeffrey Gold, University of Nebraska-Kearney Priority Chancellor, Neal Schnoor; Chris Kratovil, Jackie Ostrowicki; Grand Island Central Catholic, Grand Island; students from Tri-County School, De Witt; students and teachers from St. Cecilia School, Omaha.

RECESS

At 12:07 p.m., on a motion by Senator Spivey, the Legislature recessed until 1:00 p.m.

AFTER RECESS

The Legislature reconvened at 1:00 p.m., President Kelly presiding.

ROLL CALL

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

MESSAGE(S) FROM THE GOVERNOR

May 6, 2025

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

Dear Clerk Metzler:

Engrossed Legislative Bills 645e and 645Ae were received in my office on April 30, 2025, and signed on May 6, 2025.

These bills were delivered to the Secretary of State on May 6, 2025.

Sincerely,
(Signed) Jim Pillen
Governor

GENERAL FILE

LEGISLATIVE BILL 261. Committee [AM832](#), found on page 1260 and considered in this day's Journal, was renewed.

Senator Meyer renewed [AM1246](#), found on page 1285 and considered in this day's Journal, to the committee amendment.

The Meyer amendment, to the committee amendment, was withdrawn.

Senator M. Cavanaugh offered the following amendment, to the committee amendment:

[AM1303](#) is available in the Bill Room.

SPEAKER ARCH PRESIDING

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 385. Placed on Select File.

LEGISLATIVE BILL 69. Placed on Select File with amendment.

[ER72](#)

1 1. On page 1, strike lines 2 through 4 and insert "to amend sections
2 81-2601, 81-2602, 81-2603, 81-2604, 81-2606, and 81-2607, Reissue Revised
3 Statutes of Nebraska; to change provisions relating to membership,
4 purpose, powers, duties, meetings, and reports; to harmonize provisions;
5 and to repeal the original sections."

LEGISLATIVE BILL 470. Placed on Select File.

LEGISLATIVE BILL 90. Placed on Final Reading.

LEGISLATIVE BILL 183. Placed on Final Reading.

LEGISLATIVE BILL 364. Placed on Final Reading.

LEGISLATIVE BILL 399. Placed on Final Reading.

LEGISLATIVE BILL 419. Placed on Final Reading.

LEGISLATIVE BILL 519. Placed on Final Reading.

LEGISLATIVE BILL 560. Placed on Final Reading.

LEGISLATIVE BILL 561. Placed on Final Reading.

LEGISLATIVE BILL 635. Placed on Final Reading.

LEGISLATIVE BILL 696. Placed on Final Reading.

(Signed) Dunixi Guereca, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hallstrom filed the following amendments to [LB79](#):

[FA169](#)

Strike Section 1.

[FA170](#)

On line 10, between "and" and "scope" insert "the".

Senator Bosn filed the following amendment to [LB79](#):

[FA171](#)

Strike Section 1.

[FA172](#)

On line 10 between "and" and "scope" insert "the".

BILLS ON FIRST READING

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

LEGISLATIVE BILL 647A. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 647, One Hundred Ninth Legislature, First Session, 2025; and to declare an emergency.

LEGISLATIVE BILL 275A. Introduced by Hunt, 8.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 275, One Hundred Ninth Legislature, First Session, 2025.

GENERAL FILE

LEGISLATIVE BILL 261. Committee [AM832](#), found on page 1260 and considered in this day's Journal, was renewed.

Senator M. Cavanaugh renewed [AM1303](#), found and considered in this day's Journal, to the committee amendment.

SENATOR DEBOER PRESIDING

PRESIDENT KELLY PRESIDING

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 26 not voting.

The M. Cavanaugh amendment, to the committee amendment, lost with 4 ayes, 32 nays, 12 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

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

[AM1264](#)

(Amendments to Standing Committee amendments, AM832)

1 1. On page 61, strike line 9 and insert "CASH FUND 20,325,817
2 20,325,817"; strike line 11 and insert "PROGRAM TOTAL 112,257,738
3 112,257,738"; in lines 13 and 16 strike "\$20,025,817" and insert
4 "\$20,325,817"; and after line 30 insert the following new paragraph:
5 "There is included in the amount shown as aid for this program for
6 FY2025-26 \$300,000 Cash Funds from the Nebraska Health Care Cash Fund for
7 state aid to a nonprofit organization holding a certificate of exemption
8 under section 501(c)(3) of the Internal Revenue Code of 1986 providing
9 health care screening, sports competitions, educational opportunities,
10 and leadership training for persons with developmental or intellectual
11 disabilities, which shall only be used for such purpose. There is
12 included in the amount shown as aid for this program for FY2026-27
13 \$300,000 Cash Funds from the Nebraska Health Care Cash Fund for state aid
14 to a nonprofit organization holding a certificate of exemption under
15 section 501(c)(3) of the Internal Revenue Code of 1986 providing health
16 care screening, sports competitions, educational opportunities, and
17 leadership training for persons with developmental or intellectual
18 disabilities, which shall only be used for such purpose."

SENATOR DEBOER PRESIDING

Senator Guereca moved for a call of the house. The motion prevailed with 30 ayes, 0 nays, and 19 not voting.

The Guereca amendment, to the committee amendment, was adopted with 29 ayes, 7 nays, 12 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

SPEAKER ARCH PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator von Gillern filed the following amendment to [LB558](#):

[AM1317](#)

1 1. Strike the original section and insert the following new section:
2 Section 1. (1) The Infrastructure Review Task Force is created.
3 (2) The task force shall:
4 (a) Review and analyze Nebraska's transportation infrastructure
5 network;
6 (b) Examine and consider Nebraska's historic transportation
7 infrastructure development efforts and expected future transportation
8 infrastructure needs;
9 (c) Utilize information and research available from the annual
10 report on the needs of the state highway system prepared by the
11 Department of Transportation and any other information or resources
12 available to the department;
13 (d) Examine the status and condition of Nebraska's transportation

14 infrastructure with consideration given to highway safety concerns and
 15 make recommendations as to how Nebraska might maintain and ensure safe
 16 transportation infrastructure now and in the future;
 17 (e) Consider transportation through the lens of its economic impact
 18 on Nebraska; and
 19 (f) Research any federal funding that may be available to Nebraska
 20 and make recommendations as to how Nebraska might obtain and use such
 21 funds.
 22 (3)(a) The task force consists of the following members:
 23 (i) The Governor;
 24 (ii) A designee of the Governor;
 25 (iii) The chairperson of the Revenue Committee of the Legislature;
 26 (iv) The chairperson of the Transportation and Telecommunications
 27 Committee of the Legislature;
 1 (v) The Speaker of the Legislature;
 2 (vi) The Director-State Engineer;
 3 (vii) The Tax Commissioner; and
 4 (viii) Three members of the Legislature appointed by the Executive
 5 Board of the Legislative Council.
 6 (b) Members of the task force who are not members of the Legislature
 7 shall be nonvoting, ex officio members.
 8 (4) The chairperson of the task force shall be the chairperson of
 9 the Revenue Committee of the Legislature. Any staff support needed for
 10 the task force shall be fulfilled by the staff of the Revenue Committee
 11 of the Legislature.
 12 (5) The members of the task force shall serve on the task force
 13 without compensation.
 14 (6) On or before December 1 of each year, the task force shall
 15 submit a report containing the results of its work study and its
 16 recommendations, if any, together with drafts of legislation necessary to
 17 carry out its recommendations. The reports shall be submitted
 18 electronically to the Clerk of the Legislature.

COMMITTEE REPORT(S)

General Affairs

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

State Racing and Gaming Commission:

John Barrett
J Chris Stinson

Aye: 8. Andersen, J. Cavanaugh, Clouse, DeKay, Holdcroft, Quick, Rountree, Storm. Nay: 0. Absent: 0. Present and not voting: 0.

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

State Electrical Board:

Tyler C Ritz

Aye: 8. Andersen, J. Cavanaugh, Clouse, DeKay, Holdcroft, Quick, Rountree, Storm. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Rick Holdcroft, Chairperson

MESSAGE(S) FROM THE GOVERNOR

May 6, 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 Director of the Department Water, Energy and Environment for the State of Nebraska:

Jesse Bradley, 245 Fallbrook Blvd, Lincoln, NE 68521

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

(Signed) Sincerely,
Jim Pillen
Governor

Enclosures

May 6, 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 Chief Water Officer of the Department of Water, Energy and Environment for the State of Nebraska:

Matthew T Manning, 14601 Alvo Road, Waverly, NE 68462

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

(Signed) Sincerely,
Jim Pillen
Governor

Enclosures

EASE

The Legislature was at ease from 5:29 p.m. until 6:00 p.m.

GENERAL FILE

LEGISLATIVE BILL 261. Committee [AM832](#), found on page 1260 and considered in this day's Journal, was renewed.

PRESIDENT KELLY PRESIDING

Speaker Arch offered the following motion:

[MO225](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Speaker Arch moved for a call of the house. The motion prevailed with 38 ayes, 0 nays, and 11 not voting.

Speaker Arch requested a roll call vote on his motion to invoke cloture.

Voting in the affirmative, 35:

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

Voting in the negative, 6:

Cavanaugh, J.	Conrad	Hunt
Cavanaugh, M.	Dungan	McKinney

Present and not voting, 8:

DeBoer	Guereca	Quick	Rountree
Fredrickson	Juarez	Raybould	Spivey

The Arch motion to invoke cloture prevailed with 35 ayes, 6 nays, and 8 present and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 5 nays, and 6 present and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 6 nays, and 6 present and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 288. Placed on Final Reading with the attached statement.

ST30

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

1. In the E&R amendments, ER55:
 - a. On page 29, line 30, "9, 10, and 17" has been struck and "11, 12, and 20" inserted; and
 - b. On page 30, line 2, "58-701," has been inserted after "18-2102,;" in line 4 "and 18-2103," has been struck and "18-2103, and 72-805," inserted; in line 10 "58-701," has been inserted after "18-2102,;" in lines 11 and 12 "and 18-2103," has been struck and "18-2103, and 72-805," inserted; and the matter beginning with "to" in line 16 through the semicolon in line 18 has been struck and "to change and provide provisions under the Nebraska Affordable Housing Act relating to the construction of new buildings, grants, and reports; to change provisions relating to buildings constructed with state funds;" inserted.

(Signed) Dunixi Guereca, Chairperson

AMENDMENT(S) - Print in Journal

Senator von Gillern filed the following amendment to LB707:
AM1282 is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 264. Title read. Considered.

Committee AM835, found on page 1260, was offered.

Senator Meyer withdrew AM1247, found on page 1285, to the committee amendment.

Senator Raybould offered AM1245, found on page 1287, to the committee amendment.

The Raybould amendment, to the committee amendment, lost with 5 ayes, 24 nays, 13 present and not voting, and 7 excused and not voting.

Pending.

AMENDMENT(S) - Print in Journal

Senator Arch filed the following amendment to LB346:
AM1297

(Amendments to E&R amendments, ER61)

- 1 1. Strike section 29.
- 2 2. On page 37, strike beginning with "and" in line 13 through
- 3 "consumers" in line 14 and show as stricken; strike beginning with the

4 comma in line 21 through "years" in line 23 and show as stricken; and in
 5 line 26 strike "seven", show as stricken, and insert "ten".
 6 3. On page 79, line 22, strike "58-202,".
 7 4. On page 80, strike lines 1 through 5; in line 6 strike "2-4246,";
 8 and in line 8 strike "sections 43-1306 and" and insert "section".
 9 5. Renumber the remaining sections and correct internal references
 10 accordingly.

Senator M. Cavanaugh filed the following amendment to LB264:
AM1295 is available in the Bill Room.

Senator Hughes filed the following amendment to LB264:
AM1298

(Amendments to Standing Committee amendments, AM835)

1 1. Insert the following new sections:
 2 Sec. 124. Section 79-1119, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 79-1119 Excess cost means the difference between the total cost of
 5 the special education program excluding residential care minus federal
 6 ~~medicaid funds received pursuant to section 43-2511 for services to~~
 7 ~~school-age children excluding amounts designated as reimbursement for~~
 8 ~~costs associated with the implementation and administration of the~~
 9 ~~billing system pursuant to section 43-2511 and minus the product of the~~
 10 number of students in the special education program multiplied by the
 11 adjusted average per pupil cost of the preceding year for the school
 12 district of residence of each child.
 13 Sec. 125. Section 79-1142, Reissue Revised Statutes of Nebraska, is
 14 amended to read:
 15 79-1142 (1) Level I services refers to services provided to children
 16 with disabilities who require an aggregate of not more than three hours
 17 per week of special education services and support services and includes
 18 all administrative, diagnostic, consultative, and vocational-adjustment
 19 counselor services.
 20 (2)(a) The total allowable excess cost for special education
 21 programs and support services is (i) the excess cost for special
 22 education programs plus (ii) the total allowable reimbursable cost for
 23 support services minus (iii) federal medicaid funds received pursuant to
 24 section 43-2511 for services to school-age children excluding amounts
 25 designated pursuant to such section as reimbursement for costs associated
 26 with the implementation and administration of the billing system.
 1 (b)(2) The total allowable reimbursable cost for support services
 2 shall not exceed a percentage, established by the State Board of
 3 Education, of the school district's or approved cooperative's total
 4 allowable reimbursable cost for all special education programs and
 5 support services. The percentage established by the board for support
 6 services shall not exceed the difference of ten percent minus the
 7 percentage of the appropriations for special education approved by the
 8 Legislature set aside for reimbursements for support services pursuant to
 9 subsection (5) of this section.
 10 (3)(a)(3) Except as provided in subsection (6) of this section, for
 11 special education and support services provided in each school fiscal
 12 year, the department shall reimburse each school district in the
 13 following school fiscal year ~~a pro rata amount~~ eighty percent of the total
 14 allowable excess costs for all special education programs and support
 15 services ~~as determined by the department pursuant to subdivision (3)(b)~~
 16 ~~of this section.~~ Cooperatives of school districts or educational service
 17 units shall also be eligible for reimbursement for cooperative programs
 18 pursuant to this section if such cooperatives or educational service
 19 units have complied with the reporting and approval requirements of

20 section 79-1155 for cooperative programs which were offered in the
21 preceding school fiscal year.

22 (b) The department shall reimburse the total allowable excess costs
23 for all special education programs and support services from the General
24 Fund and Education Future Fund appropriations approved by the Legislature
25 for special education pursuant to section 79-1145, minus the amounts set
26 aside pursuant to subsection (5) of this section, on a pro rata basis at
27 the maximum rate of reimbursement such appropriations will allow as
28 determined by the department.

29 (4) The department shall make the reimbursement payments(4)(a) The
30 payments shall be made by the department to the school district of
31 residence, cooperative of school districts, or educational service unit
1 each school fiscal year in a minimum of seven payments between the fifth
2 and twentieth day of each month beginning in December. Such reimbursement
3 payments may be adjusted as claims are reviewed and finalized. Additional
4 payments may be made based upon additional valid claims submitted. The
5 State Treasurer shall, between the fifth and twentieth day of each month,
6 notify the Director of Administrative Services of the amount of funds
7 available in the General Fund and the Education Future Fund for payment
8 purposes. The director shall, upon receiving such certification, draw
9 warrants against such funds as appropriated.

10 (b) If the General Fund appropriations for special education
11 approved by the Legislature, minus the amounts set aside pursuant to
12 subsection (5) of this section, are insufficient to reimburse eighty
13 percent of the total allowable excess costs for all special education
14 programs and support services for any school fiscal year:
15 (i) Such allowable excess costs shall be reimbursed from the General
16 Fund appropriations for special education approved by the Legislature,
17 minus the amounts set aside pursuant to subsection (5) of this section,
18 on a pro rata basis at the maximum rate of reimbursement such
19 appropriations will allow as determined by the department; and
20 (ii) The remainder of the eighty percent reimbursement of such
21 allowable excess costs shall be paid from the Education Future Fund.

22 (5) Residential settings described in subdivision (10)(c) of section
23 79-215 shall be reimbursed for the educational services, including
24 special education services and support services, in an amount determined
25 pursuant to the average per pupil cost of the service agency.
26 Reimbursements pursuant to this section shall be made from funds set
27 aside for such purpose within sixty days after receipt of a reimbursement
28 request submitted in the manner required by the department and including
29 any documentation required by the department for educational services
30 that have been provided, except that if there are not any funds available
31 for the remainder of the state fiscal year for such reimbursements, the
1 reimbursement shall occur within thirty days after the beginning of the
2 immediately following state fiscal year. The department may audit any
3 required documentation and subtract any payments made in error from
4 future reimbursements. The department shall set aside separate amounts
5 from the appropriations for special education approved by the Legislature
6 for reimbursements pursuant to this subsection for students receiving
7 special education services and for students receiving support services
8 for each state fiscal year. The amounts set aside for each purpose shall
9 be based on estimates of the reimbursements to be requested during the
10 state fiscal year and shall not be less than the total amount of
11 reimbursements requested in the prior state fiscal year plus any unpaid
12 requests from the prior state fiscal year.

13 (6) For each school district that received a payment pursuant to the
14 Extraordinary Increase in Special Education Expenditures Act in the
15 school fiscal year for which special education expenditures were
16 reimbursed pursuant to subsection (3) of this section, an amount equal to
17 such payment shall be subtracted from the reimbursement calculated

18 pursuant to subsection (3) of this section and such amount shall be
19 transferred to the Education Future Fund.

20 (7) On or before November 15 of each year, the department shall
21 submit to the Governor, the Appropriations Committee of the Legislature,
22 and the Education Committee of the Legislature:

23 (a) The total allowable excess costs for all special education
24 programs and support services for all school districts, cooperatives of
25 school districts, and educational service units; and

26 (b) The total reimbursements requested pursuant to subsection (5) of
27 this section for the most recently completed school fiscal year.

28 Sec. 126. Section 79-1145, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 79-1145 (1) For purposes of this section:

31 (a) Nonreimbursable expenditure means an expenditure included within
1 the total allowable excess cost for all special education programs and
2 support services as submitted to the department on or before the first
3 October 31 following the school fiscal year in which the expenditure
4 occurred that is later determined to be nonreimbursable as a special
5 education program or support services expenditure; and

6 (b) Three-year average nonreimbursable expenditures means the
7 average total nonreimbursable expenditures for all school districts for
8 the most recent three school fiscal years for which such information is
9 available.

10 (2)(a) For each fiscal year, the aggregate amount appropriated from
11 the of General Fund and the Education Future Fund Funds appropriated for
12 special education programs and support services pursuant to sections
13 79-1129, 79-1132, and 79-1144 shall not be less than the amounts required
14 pursuant to section 79-1142 to (i) reimburse residential settings
15 described in subdivision (10)(c) of section 79-215 for educational
16 services and reimburse eighty percent of the total allowable excess costs
17 for all special education programs and support services or (ii) meet
18 federal maintenance of state financial support requirements, whichever is
19 greater exceed the aggregate amount of General Funds appropriated pursuant
20 to such sections for the previous fiscal year, increased by ten percent.

21 (b) The amount required to reimburse eighty percent of the total
22 allowable excess costs for all special education programs and support
23 services shall be calculated by subtracting eighty percent of three-year
24 average nonreimbursable expenditures from eighty percent of the total
25 allowable excess costs for all special education programs and support
26 services as submitted to the department on or before the first October 31
27 following the school fiscal year in which the allowable excess costs
28 occurred.

29 2. Renumber the remaining sections and correct internal references
30 accordingly.

31 3. Correct the operative date and repealer sections so that the
1 sections added by this amendment become operative on their effective date
2 with the emergency clause.

Senator McKinney filed the following amendments to LB264:

FA174

In AM835, strike Section 13, Page 3, Lines 4-8, Section 17, Page 3, Lines 25-29, Section 79,
Page 13, Lines 28-31, and Page 14, Line 1.

FA176

In AM835, Strike Section 112 on pages 45-46 and in Section 157 on page 89, line 24, on page
90, line 1, line 4, line 17, and line 29, strike "2025" and reinsert "2026".

Senator Hallstrom filed the following amendment to LB264:

AM1294

(Amendments to Standing Committee amendments, AM835)

- 1 1. Strike sections 56, 57, 134, and 135.
- 2 2. Renumber the remaining sections and correct internal references
- 3 and the repealer accordingly.

Senator Raybould filed the following amendment to LB264:

AM1321

(Amendments to Standing Committee amendments, AM835)

- 1 1. Insert the following new section:
- 2 Sec. 71. The State Treasurer shall transfer \$100,000,000 from the
- 3 Perkins County Canal Project Fund to the General Fund on or after July 1,
- 4 2025, but before December 21, 2025, on such dates and in such amounts as
- 5 directed by the budget administrator of the budget division of the
- 6 Department of Administrative Services.
- 7 2. On page 34, line 4, after the period insert "Transfers may be
- 8 made from the fund to the General Fund at the direction of the
- 9 Legislature.".
- 10 3. Renumber the remaining sections and correct internal references
- 11 accordingly.
- 12 4. Correct the operative date section so that the section added by
- 13 this amendment becomes operative on its effective date with the emergency
- 14 clause.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Jacobson name added to LB693.
Senator Quick name added to LB693.
Senator M. Cavanaugh name added to LB693.
Senator Dover name added to LB693.
Senator Hallstrom name added to LB693.
Senator Meyer name added to LB693.
Senator Lippincott name added to LB693.
Senator Murman name added to LB693.

VISITOR(S)

Visitors to the Chamber were students from Lyons-Decatur School, Lyons.

The Doctor of the Day was Dr. Rachel Blake, Lincoln.

ADJOURNMENT

At 9:03 p.m., on a motion by Senator Prokop, the Legislature adjourned until 9:00 a.m., Wednesday, May 7, 2025.

Brandon Metzler
Clerk of the Legislature