

**SIXTH DAY - AUGUST 1, 2024****LEGISLATIVE JOURNAL****ONE HUNDRED EIGHTH LEGISLATURE  
FIRST SPECIAL SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, August 1, 2024

**PRAYER**

The prayer was offered by Senator Erdman.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator McDonnell.

**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 Albrecht, Blood, Bostar, J. Cavanaugh, M. Cavanaugh, Conrad, Hansen, Hunt, Linehan, McKinney, Raybould, Walz, Wayne, and Wishart who were excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifth day was approved.

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB1:

AM18

1 1. Strike original section 18 and insert the following new sections:  
2 Sec. 18. Section 2-2701, Reissue Revised Statutes of Nebraska, is  
3 amended to read:  
4 2-2701 (1) No person shall be permitted to sell or dispose of any  
5 current tractor model of one hundred or more horsepower in the State of  
6 Nebraska without first having (a) made application for a permit and  
7 obtained a permit to sell the tractor model, (b) the model tested by the  
8 University of Nebraska onsite or offsite or by any Organization for  
9 Economic Cooperation and Development test station, and (c) the model  
10 passed upon by the board.  
11 (2) A person may obtain a permit to sell or dispose of a current

12 tractor model of less than one hundred horsepower by meeting the permit  
13 requirements of sections 2-2701 to 2-2711. A purchaser of a current  
14 tractor model is not eligible to claim the exemption from sales and use  
15 tax for agricultural machinery and equipment under section 77-2704.36  
16 unless the current tractor model has been permitted for sale pursuant to  
17 sections 2-2701 to 2-2711.

18 ~~(1)~~ (3) Each and every tractor model presented for testing shall be  
19 a stock model and shall not be equipped with any special accessory unless  
20 regularly supplied to the trade. Any tractor model not complying with  
21 this section shall not be tested under sections 2-2701 to 2-2711.

22 Applications shall be made to the board and shall be accompanied by  
23 specifications of the tractor model required by the board and by the  
24 applicable fees specified in sections 2-2705 and 2-2705.01.

25 ~~(2)~~ (4) If an official test application, with the required  
26 specifications and fees, is submitted to any Organization for Economic  
27 Cooperation and Development test station or to the University of Nebraska  
1 and an application for a temporary permit and the fee prescribed in  
2 section 2-2705.01 are submitted, the department, with the approval of the  
3 board, may issue a temporary permit for the sale of the tractor model  
4 specified in the official test application. The date on which the  
5 temporary permit terminates shall be fixed by the board. All temporary  
6 permits shall be conditioned upon such tractor model being tested at a  
7 mutually agreed-upon date, and the person to whom a temporary permit has  
8 been issued shall submit a tractor model for testing which conforms to  
9 the specifications filed with the official test application. Such tractor  
10 model shall be delivered for testing at the mutually agreed-upon date.  
11 Upon failure so to do, all such fees deposited by such person shall be  
12 forfeited to the University of Nebraska Tractor Test Cash Fund, except  
13 that the fee imposed in section 2-2705.01 shall be deposited in and  
14 forfeited to the Tractor Permit Cash Fund, and in addition such person  
15 shall not be issued any temporary permit for a period of five years from  
16 the date such tractor was to be delivered for testing and until such  
17 person meets the obligations required under subsection ~~(3)~~ (5) of this  
18 section to the department's satisfaction.

19 ~~(3)~~ (5) All sales of tractors upon which a temporary permit has been  
20 issued shall be made subject to the final official test and approval of  
21 the tractor model as follows:

22 (a) If a tractor model upon which a temporary permit has been issued  
23 was not submitted for the official test and approval on the mutually  
24 agreed-upon date, the person to whom the temporary permit was issued  
25 shall repurchase any such tractor sold in Nebraska under the temporary  
26 permit. A claim by a purchaser under this subdivision shall be brought  
27 within two years after the date of the expiration of the temporary  
28 permit; and

29 (b) If a tractor model upon which a temporary permit has been issued  
30 fails in the official test to meet the specifications of the tractor  
31 model which were filed with the application and fees, the person to whom  
1 the temporary permit was issued shall send a notice, as approved by the  
2 department, to any person in Nebraska who has purchased a tractor sold  
3 under the temporary permit. The person to whom the temporary permit was  
4 issued shall either modify the tractor to meet the specifications filed  
5 with the board or remedy to the satisfaction of the purchaser any injury  
6 incurred by the purchaser which was caused by the failure of the tractor  
7 to meet the specifications claimed. Such person shall be prohibited from  
8 modifying sales literature, advertisement claims, or specifications of  
9 the tractor to avoid such notice.

10 Sec. 19. Section 2-2709, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 2-2709 Except when a temporary permit has been issued pursuant to  
13 subsection ~~(2)~~ (4) of section 2-2701, tractors shall be tested by the

14 board in the order in which they are presented for such tests, and no  
15 discrimination shall be made for or against any person in any manner  
16 whatsoever. Complaints alleging a violation of this section shall be  
17 heard by the department.  
18 2. Renumber the remaining sections, correct internal references, and  
19 correct the repealer accordingly.

### **COMMITTEE REPORT(S)**

#### Natural Resources

The Natural Resources 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.

Stanley A. Clouse - Nebraska Natural Resources Commission  
Rick Kubat - Nebraska Natural Resources Commission  
Kennon Meyer - Nebraska Natural Resources Commission  
John Shadle - Nebraska Natural Resources Commission  
Scott Smathers - Nebraska Natural Resources Commission

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Kent J. McNeill - Game and Parks Commission

Aye: 8. Bostelman, Brandt, Cavanaugh, J., Fredrickson, Hughes, Jacobson, Moser, Slama. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Bruce Bostelman, Chairperson

### **MESSAGE(S) FROM THE GOVERNOR**

May 2, 2024

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Nebraska Commission for the Blind and Visually Impaired:

Patricia Schonlau, 14319 South 27<sup>th</sup> Street, Bellevue, NE 68123, ACB representative

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

May 2, 2024

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 individuals are being reappointed as members of the Nebraska Commission for the Blind and Visually Impaired:

Miguel Rocha, 814 W 26<sup>th</sup> Street, Scottsbluff, NE 69361, Blind  
Brent Heyen, 3001 R Street, Lincoln, NE 68503, Blind

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

Sincerely,  
(Signed) Jim Pillen  
Governor

Enclosures

June 24, 2024

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

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

Contingent upon your approval, the following individual is being appointed as a member of the Board of Emergency Medical Services:

Shaila Coffey, 981150 Nebraska Medical Center, Omaha, NE 68198,  
EMT/Paramedic/Emergency Physician

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

**NOTICE OF COMMITTEE HEARING(S)**

Revenue  
Room 1524 9:00 AM

Saturday, August 3, 2024  
LR24CA (cancel)

Revenue  
Room 1524 9:30 AM

Friday, August 2, 2024  
LR24CA

This hearing will operate under annotated committee guidelines.

(Signed) Lou Ann Linehan, Chairperson

**ADJOURNMENT**

At 9:12 a.m., on a motion by Senator DeBoer, the Legislature adjourned until 9:00 a.m., Friday, August 2, 2024.

Brandon Metzler  
Clerk of the Legislature

