

# UNICAMERAL UPDATE

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## Legislative rules debate begins



Sen. Steve Erdman, chairperson of the Rules Committee, said proposed changes to the rules will help senators work more efficiently.

Lawmakers began discussion Jan. 11 on several proposed changes to the permanent rules that govern the legislative process.

The Rules Committee heard testimony on 34 suggested changes earlier in the week and forwarded 16 proposals to the floor for consideration. Lawmakers started debate with five proposed technical changes focused on streamlining debate and codifying existing practices.

All but one of the proposals up for initial consideration originally were brought to the committee by Speaker John Arch of La Vista. Arch described the proposals as part of an attempt to avoid the pitfalls that threatened to derail the 2023 legislative session, but said they also would help the Legislature address broader institutional reforms.

The goal, he said, is to determine the will of the majority while protect-

ing everyone from obstructive tactics.

"Our institution was seriously tested this last session," Arch said, "and it became apparent that there were significant opportunities to improve

our processes and support systems to better address our work."

Bayard Sen. Steve Erdman, chairperson of the Rules Committee, echoed those sentiments. Changes are needed to prevent a repeat of last session and to make the Legislature function more efficiently, he said.

"We can disagree in this body, but we don't have to be disagreeable," Erdman said.

Several lawmakers, including Sen. Danielle Conrad of Lincoln, used the discussion to encourage their colleagues to focus on strengthening relationships, ensuring thoughtful debate and returning to "common sense problem-solving."

She characterized the 2023 session as "acrimonious" and out of step with the state's political culture and history.

"Indeed, I believe it was a low-water mark for our special, unique and beloved Nebraska," Conrad said. "So that's the bad news. The good

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Sens. John Arch and Danielle Conrad confer during debate Jan. 11.

# Legislative rules debate begins

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news is we have nowhere to go but up, together.”

Lincoln Sen. George Dungan agreed that there is a desire to return to a focus on issues such as workforce development, affordable housing and health care – but he urged caution when considering changes to the rules that govern the state’s deliberative body.

Sen. Terrell McKinney of Omaha agreed, saying lawmakers should wait to consider rule changes until next year when members have some distance from the 2023 session.

“I know last session was hard and contentious – and a lot of other things – but ... that doesn’t mean we just change a bunch of rules to make it easier or to make our lives easier,” McKinney said.

The first of Arch’s proposals expands upon a temporary change made last year. Midway through the 2023 legislative session, lawmakers voted – for the remainder of that session – to allow only one of the following motions on a bill or proposal to be offered

on the same day at the same stage of debate: to recommit, postpone to a specified later date or indefinitely postpone.

The three procedural maneuvers are known as “priority motions” because they take priority over amendments and automatically move the introducer of the motion to the top of the speaking queue. The tactic was used in 2023 by opponents of a measure to restrict medical care for transgender youth in an attempt to control debate.

Arch’s proposal further limits the use of priority motions to one during each stage of debate and provides that such motions may be withdrawn only with unanimous consent of the Legislature.

The change also provides an excep-

tion that allows the primary introducer of the bill, resolution or main motion under consideration to offer one additional motion to recommit or indefinitely postpone if such a motion has not previously been decided on.



Sen. Terrell McKinney said lawmakers shouldn’t change the rules in the middle of a biennium.

## UNICAMERAL UPDATE

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Printed copies of bills, resolutions and the Legislative Journal can be requested at [NebraskaLegislature.gov](http://NebraskaLegislature.gov). Status of bills and resolutions can be requested 402-471-2709 or 800-742-7456 or can be found at [NebraskaLegislature.gov/bills](http://NebraskaLegislature.gov/bills). Live video of hearings and floor debate can be viewed on NE-W and at [nebraskapublicmedia.org](http://nebraskapublicmedia.org).

Senators may be contacted by mail at this address:  
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Assistance provided by the Clerk of the Legislature’s Office, the Legislative Technology Center, committee clerks, legal counsels, journal clerks, pages, transcribers, mail/bill room staff and the State Print Shop.

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Following adoption of a technical amendment, the proposed rule change was adopted on a 40-3 vote. Thirty votes were required.

A second Arch proposal, approved 35-3 following adoption of two technical amendments, expands the ability to invoke cloture – a procedure that ceases debate and forces a vote – to resolutions and motions. Cloture will not apply to consideration of changes to the rules of the Legislature.

Arch said the change means that discussion on committee reports, gubernatorial appointments, motions to withdraw a bill and other procedural items will not be subject to filibuster tactics. Currently, he said, the only way to end debate on these types of items is to vote to suspend the rules.

Lawmakers adjourned for the day before taking action on any of the other proposed rule changes.

Among the measures advanced from the committee that have yet to be considered is a proposal that would address how the required number of votes for cloture is calculated.

Currently, a cloture motion requires approval by a two-thirds major-



Sens. George Dungan (left) and John Cavanaugh discuss a possible amendment.

ity of the 49 members of the Legislature, or 33 votes. The proposed change instead would require a two-thirds vote of the members present who are voting yes or no, with at least 25 affirmative votes.

The change would mean that

members who are present in the legislative chamber but do not cast a vote would not be included in the calculus for reaching the required two-thirds majority.

Debate is expected to resume Jan. 16. ■

## COMMITTEE HEARING

Find current hearing schedules at: [NebraskaLegislature.gov/calendar](http://NebraskaLegislature.gov/calendar)

**Tuesday, Jan. 16**

**Urban Affairs**

**Room 1510 - 12:00 PM**

AM2075 (McKinney) Amending LB164

## SEARCH FOR BILLS

Learn more about bills considered by the Unicameral by logging on to [NebraskaLegislature.gov](http://NebraskaLegislature.gov).

The Legislature’s website offers a bill search on the upper-right portion of the homepage. Entering a bill number will retrieve the bill’s text, fiscal note, statement of intent, votes, transcripts and more.

You also can search current laws using the keyword search found below the bill search.

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# NEW BILLS

January 8, 2024

Bill	Introducer	One-line description
LB1036	Vargas	Provide for issuance of free annual combination fishing, fur-harvesting, and hunting permits, habitat stamps, aquatic habitat stamps, and Nebraska migratory waterfowl stamps to certain veterans and members of the armed forces of the United States
LB1037	Brewer	Prohibit certain conduct relating to assistance or referrals in veterans benefits matters
LB1038	DeKay	Change membership of the Nebraska Information Technology Commission
LB1039	Vargas	Appropriate funds to the Department of Economic Development
LB1040	Fredrickson	Change provisions relating to income tax credits for food donations
LB1041	Fredrickson	Change provisions relating to homestead exemptions
LB1042	Fredrickson	Change provisions relating to registering to vote
LB1043	McKinney	Require the development of certain real property and provide for the revocation of property tax exemptions
LB1044	McKinney	Create a task force to study reparations for slavery and change permitted uses of a tax imposed on marijuana
LB1045	J. Cavanaugh	Prohibit use of peremptory challenges against jurors based on membership in certain groups
LB1046	J. Cavanaugh	Provide for appointment of counsel for terminating hearings and eviction proceedings under the Nebraska Housing Agency Act
LB1047	Brandt	Change motor fuel tax provisions
LB1048	Bostar	Require certain chemical facilities to comply with a federal chemical security program
LB1049	Bostar	Change the amount authorized for the municipal occupation tax on telecommunications companies
LB1050	Conrad	Require school districts to provide menstrual products to students
LB1051	DeBoer	Eliminate obsolete provisions and reorganize provisions of the Nebraska Juvenile Code and change certain filing deadlines
LB1052	Walz	Allow a teacher employed at an approved or accredited public, private, denominational, or parochial school to receive reimbursement for school supplies
LB1053	Walz	Authorize an extended-career retention grant under the Nebraska Teacher Recruitment and Retention Act
LB1054	Walz	Adopt the Child Care Safety and Security Act
LB1055	Walz	Require development of a reading instruction system and programming for adults and children, create a steering committee, and provide for a literacy coordinator
LB1056	Walz	Create the School Construction Assistance Task Force
LB1057	DeBoer	Change provisions relating to arraignments, filing of juvenile petitions, and jurisdiction of juvenile courts
LB1058	Wayne	Exclude certain pension and annuity payments from income taxes
LB1059	Linehan	Change provisions relating to income taxes imposed on partnerships and small business corporations and notices of deficiency
LB1060	Hansen	Provide an exemption from newborn screening
LB1061	Ibach	Change provisions of the Nebraska Corn Resources Act
LB1062	Ibach	Change provisions of the Rural Health Systems and Professional Incentive Act
LB1063	Halloran	Require approval by the voters of the school district prior to expenditure of special building funds as prescribed
LB1064	Lippincott	Prohibit tenure at certain postsecondary educational institutions and require a written policy regarding terms and conditions of employment
LB1065	Lippincott	Authorize a school district to hire a chaplain to perform the duties of a school counselor without a certificate issued by the Commissioner of Education
LB1066	Lippincott	Authorize a school board to adopt a policy for participation in an elective course in religious instruction conducted off school district property by a sponsoring entity
LB1067	Clements	Eliminate the inheritance tax, adopt the State Prisoner Reimbursement Act, and change the authorized uses of certain county funds
LB1068	Brewer	Change provisions relating to the appointment, certification, and convening of presidential electors
LB1069	Halloran	Change provisions relating to the State Fire Marshal, pipeline facility administration assessments, and the Boiler Inspection Act and eliminate the Nebraska Fire Safety Appeal Board, appeals procedures, and obsolete provisions

# NEW BILLS

Bill	Introducer	One-line description
LB1070	Bostar	Change closing dates and filing deadlines for campaign statements of ballot question committees
LB1071	Dungan	Protect free speech rights of student journalists and student media advisers
LB1072	Dungan	Provide a tax credit for sustainable aviation fuel

## January 9, 2024

LB1073	Slama	Change provisions relating to onsite audits of the operations of third-party administrators of insurers
LB1074	Slama	Adopt changes to federal law regarding banking and finance and change provisions of the Commodity Code, the Credit Union Act, and the Securities Act of Nebraska
LB1075	Slama	Change provisions of the Delayed Deposit Services Licensing Act, the Nebraska Installment Loan Act, the Nebraska Installment Sales Act, the Nebraska Money Transmitters Act, and the Residential Mortgage Licensing Act
LB1076	M. Cavanaugh	Adopt the Public Contract Provider Open Meetings Act
LB1077	McDonnell	Appropriate funds to the Department of Labor to provide grants for facility expansion relating to workforce development and career readiness programs
LB1078	McDonnell	State intent to appropriate funds for increase in rates for child welfare service providers
LB1079	McDonnell	Appropriate Federal Funds to the Department of Economic Development
LB1080	Holdcroft	Appropriate Federal Funds to the Department of Natural Resources
LB1081	Conrad	Require school districts to comply with student-teacher ratios in certain classrooms
LB1082	Conrad	Require coverage for in vitro fertilization for state employees under the Nebraska State Insurance Program
LB1083	Conrad	Change provisions relating to the Nebraska Career Scholarship Act
LB1084	Ibach	Adopt the Nebraska Shortline Rail Modernization Act and provide tax credits
LB1085	Holdcroft	Eliminate provisions relating to establishment of new separate juvenile court districts and rename existing districts
LB1086	Walz	Eliminate the Department of Health and Human Services and create three departments
LB1087	Jacobson	Adopt the Hospital Quality Assurance and Access Assessment Act
LB1088	Linehan	Change provisions relating to certain employment and investment requirements under the Nebraska Advantage Act
LB1089	DeBoer	Exempt individuals under nineteen years of age from payment of certain court costs and fees and change provisions of the Nebraska Juvenile Code
LB1090	Ballard	Appropriate funds to the Department of Administrative Services for the Nebraska Public Safety Communication System
LB1091	Murman	Provide requirements and restrictions for school boards relating to professional employees' organizations
LB1092	Murman	Adopt the Online Age Verification Liability Act
LB1093	Bostar	Provide for limited law enforcement officer certificates and change provisions relating to tuition waivers under the First Responder Recruitment and Retention Act
LB1094	Bostar	Provide restrictions on insurance coverage of epinephrine injectors and inhalers
LB1095	Dorn	Change provisions relating to tax credits under the Nebraska Biodiesel Tax Credit Act and change provisions of the E-15 Access Standard Act
LB1096	Armendariz	Provide that certain conduct relating to depictions of sexually explicit or obscene material or material harmful to minors is a deceptive trade practice under the Uniform Deceptive Trade Practices Act
LB1097	DeKay	Change provisions relating to commitment of mentally incompetent defendants
LB1098	DeKay	Adopt the Protection Orders Act
LB1099	McDonnell	Change the use of appropriated Federal Funds for nursing scholarships
LB1100	McDonnell	Change provisions relating to capitation payments made in accordance with the Medical Assistance Act as prescribed
LB1101	Hardin	Provide requirements for the Public Health Early Admission Student Track Program and the Rural Health Opportunities Program and provide for tuition waivers
LB1102	Conrad	Declare October 17 as Nebraska Missing Persons Day

# NEW BILLS

## January 10, 2024

Bill	Introducer	One-line description
LB1103	Aguilar	Change provisions relating to innovative tourism grants under the Nebraska Visitors Development Act
LB1104	Aguilar	Change fees for lobbyist registration and change distribution of such fees
LB1105	DeKay	Name the Branded Certificate of Title Act and provide for the issuance of destroyed-vehicle branded certificates of title
LB1106	Day	Provide for coverage of lactation consultations under the Medical Assistance Act
LB1107	Day	Provide for coverage of breast pumps under the Medical Assistance Act
LB1108	Dorn	Change a fee under the Motor Vehicle Registration Act
LB1109	Riepe	Provide an exception under the Preborn Child Protection Act to allow an abortion after twelve weeks in the case of a fatal fetal anomaly and change and eliminate certain penalty provisions relating to abortions
LB1110	Jacobson	Require dental plan carriers to meet a minimum dental loss ratio and provide a report to the Department of Insurance as prescribed
LB1111	Clements	Require city-county health departments to obtain approval for directed health measures
LB1112	Clements	Provide restrictions and requirements relating to permits for communications infrastructure placed on poles or towers
LB1113	Meyer	Change provisions relating to the types of property receiving a property tax exemption under the ImagiNE Nebraska Act
LB1114	Bostar	Adopt the Endow Nebraska Act and provide tax credits
LB1115	Dungan	Provide a right to a trial by jury under the Uniform Residential Landlord and Tenant Act
LB1116	Ibach	Adopt the Grocer Reinvestment Option Act
LB1117	Dungan	Appropriate funds to the Department of Health and Human Services
LB1118	McKinney	Change the process for a mayor in a city of the second class to remove an officer from office
LB1119	Dungan	Change provisions relating to solar energy and wind energy and provide for a civil cause of action
LB1120	Hardin	Require affidavits for certain purchases of real property near military installations
LB1121	Dungan	Authorize additional grants under the Nebraska Teacher Recruitment and Retention Act
LB1122	Ballard	Change enforcement provisions relating to written solicitations for financial products or services
LB1123	Dungan	Provide for postconviction relief for a claim of actual innocence and for exceptions from time limitations and procedural defaults
LB1124	Vargas	State intent to appropriate funds to the Department of Health and Human Services
LB1125	Wishart	State intent to appropriate funds to the Department of Health and Human Services
LB1126	Bosn	Create the National Career Readiness Certificate Pilot Program within the Department of Correctional Services
LB1127	Bosn	Provide a requirement for personal vehicles used for purposes for transportation network companies
LB1128	Vargas	Change provisions of the Opioid Prevention and Treatment Act
LB1129	Raybould	Provide for autism acceptance license plates, and change provisions relating to license plates and the Autism Treatment Program Cash Fund
LB1130	Raybould	Change provisions relating to mental health practitioner licenses
LB1131	Raybould	Appropriate funds to the Department of Environment and Energy for grants for tribal-owned community drinking water and sewer systems
LB1132	Lippincott	Change motor vehicle liability insurance and financial responsibility requirements
LB1133	DeBoer	Provide for enforcement of federal railroad safety standards by the Public Service Commission

## January 11, 2024

LB1134	von Gillern	Change provisions relating to the accrual of interest on taxes dues after an order by the Tax Equalization and Review Commission
LB1135	Dover	Prohibit use of right-to-list home sale agreements and change provisions of the Nebraska Real Estate License Act
LB1136	Dover	Change provisions of the Nebraska Real Estate License Act
LB1137	McKinney	Change the tax rate for public safety purposes in municipalities
LB1138	Riepe	Provide an exemption from requirements for prescribers issuing prescriptions for controlled substances

# NEW BILLS

Bill	Introducer	One-line description
LB1139	M. Cavanaugh	Adopt the Paid Family and Medical Leave Insurance Act
LB1140	Erdman	Prohibit geologic transport or storage of carbon dioxide and eliminate the Nebraska Geologic Storage of Carbon Dioxide Act
LB1141	McKinney	Change provisions of the Student Discipline Act
LB1142	Wayne	Require and restrict certain actions of any animal control facility, animal rescue, animal shelter, or rabies control authority
LB1143	Health & Human Services	Eliminate provisions relating to certain health districts
LB1144	Ballard	Change provisions relating to care management units for long-term care
LB1145	Bosn	Transfer the Division of Parole Supervision to the Department of Correctional Services and change provisions relating to releases of certain prisoners
LB1146	Murman	Provide an additional exception to the prohibition on suspending a student in pre-kindergarten through second grade
LB1147	Bostar	Provide requirements for separate investment accounts holding assets of index-linked variable annuity contracts
LB1148	Hansen	Change requirements relating to insurance coverage of step therapy for certain drugs
LB1149	Day	Provide an exemption from the motor vehicle tax for motor vehicles with Gold Star Family plates
LB1150	Brandt	Change the Tax Equity and Educational Opportunities Support Act
LB1151	Dover	Define occupy for purposes of homestead exemptions
LB1152	Brewer	Change provisions relating to elections, motor vehicle operators' licenses, and state identification cards
LB1153	Arch	Eliminate provisions relating to the Nebraska Sesquicentennial Commission that has terminated
LB1154	McDonnell	Appropriate funds to the Department of Health and Human Services
LB1155	McDonnell	Appropriate federal funds to the Department of Health and Human Services and state intent relating to appropriations
LB1156	Holdcroft	Require registration under the Sex Offender Registration Act for certain solicitation and trafficking offenses
LB1157	McKinney	Require hearings regarding juveniles in detention in certain counties and require payment of certain costs by the Office of Probation Administration
LB1158	Bostar	Adopt the Medical Debt Relief Act and provide certain income tax consequences
LB1159	Ibach	Provide additional offenses for which notification to crime victims is required as prescribed
LB1160	Walz	Change provisions relating to the Attracting Excellence to Teaching Program and the Excellence in Teaching Cash Fund
LB1161	Dungan	Adopt the Consumer and Employment Arbitration Data Reporting Act
LB1162	Lowe	Change provisions relating to reimbursement for mileage for sheriffs and constables
LB1163	Lowe	Authorize the operation of all-terrain vehicles and utility-type vehicles between the hours of sunset and sunrise if used for snow removal as prescribed
LB1164	Lowe	Change provisions relating to the State Racing and Gaming Commission
LB1165	Lowe	Provide requirements for zoning regulations and duplex housing
LB1166	Lowe	Provide requirements for zoning regulations and accessory dwelling units
LB1167	DeBoer	Provide a deadline for arraignment of individuals arrested without a warrant
LB1168	DeBoer	Adopt the Uniform Health-Care Decisions Act
LB1169	Erdman	Provide, change, and eliminate provisions relating to the Nebraska State Historical Society
LB1170	Riepe	Change provisions of Employment Security Law relating to benefit amounts and periods of disqualification for benefits
LB1171	Hardin	Change verification requirements for pharmacy technicians
LB1172	von Gillern	Change provisions relating to access to health data in certain registries and databases for research purposes
LB1173	Riepe	Provide for use of abstracts of death and change a requirement relating to death certificates
LB1174	Hansen	Change provisions relating to section lines and vacation or abandonment of public roads
LR278CA	Murman	Constitutional amendment to change the membership of the State Board of Education

**Any bills introduced on Jan. 12 will be listed in Issue 3 of the Unicameral Update.**

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