

SIXTEENTH DAY - JANUARY 25, 2024

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION**

SIXTEENTH DAY

Legislative Chamber, Lincoln, Nebraska
Thursday, January 25, 2024

PRAYER

The prayer was offered by Chaplain Phani Adidam, Hindu Temple, Omaha.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator Hughes.

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 Senator Armendariz who was excused; and Senators Bostar, M. Cavanaugh, Conrad, Hansen, Ibach, Raybould, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifteenth day was approved.

BILL ON FIRST READING

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

LEGISLATIVE BILL 218A. Introduced by Ibach, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 218, One Hundred Eighth Legislature, Second Session, 2024.

ANNOUNCEMENT(S)

Priority designation(s) received:

Aguilar - LB952

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524 1:30 PM

Thursday, February 1, 2024

LB1248
LB1310
LB1354
LB1311
LB1349
LB1308
LB1319
LB1345
LB1356
LB1317

Room 1524 1:30 PM

Friday, February 2, 2024

LB1394
LB1400
LB1410
LB1414
LB1415

(Signed) Lou Ann Linehan, Chairperson

GENERAL FILE

LEGISLATIVE BILL 184. Title read. Considered.

Committee [AM1834](#), found on page 1839, First Session, 2023, was offered.

Senator Hunt asked unanimous consent to withdraw the following motions:

[MO343](#), found on page 938, First Session, 2023, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

[MO344](#), found on page 938, First Session, 2023, to recommit to committee.

[MO345](#), found on page 939, First Session, 2023, to bracket.

[MO346](#), found on page 938, First Session, 2023, to indefinitely postpone.

[MO347](#), found on page 938, First Session, 2023, to recommit to committee.

[MO348](#), found on page 939, First Session, 2023, to bracket.

[MO349](#), found on page 938, First Session, 2023, to recommit to committee.

No objections. So ordered.

The committee amendment was adopted with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

Senator J. Cavanaugh withdrew [AM1284](#), found on page 1081, First Session, 2023.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 2 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

The Government, Military and Veterans 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.

Craig Strong Adjutant General - Military Department

Aye: 8. Aguilar, Brewer, Conrad, Halloran, Hunt, Lowe, Raybould, Sanders.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Brewer, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Appropriations
Room 1524 1:30 PM

Monday, February 12, 2024
LB1117 (cancel)
LB1264 (cancel)

Room 1003 1:30 PM

Thursday, February 15, 2024
LB1124 (cancel)
LB1125 (cancel)

Room 1524 1:30 PM

Monday, February 12, 2024
LB1124
LB1125

Room 1003 1:30 PM

Thursday, February 15, 2024

LB1117

LB1264

(Signed) Robert Clements, Chairperson

Transportation and Telecommunications

Room 1113 1:30 PM

Monday, February 5, 2024

LB1030

LB1127

LB1163

LB1250

Heath Mello - State Highway Commission

Room 1113 1:30 PM

Tuesday, February 6, 2024

LB965

LB1129

LB1298

Room 1113 1:30 PM

Monday, February 12, 2024

LB1038

LB1336

LB1112

Room 1113 1:30 PM

Tuesday, February 13, 2024

LB966

LB1133

LB1212

Room 1113 1:30 PM

Tuesday, February 20, 2024

LB1255

LB1256

LB1257

Room 1113 1:30 PM

Tuesday, February 27, 2024

LB1340
LB1186
LB1105
LB1180

(Signed) Mike Moser, Chairperson

Business and Labor
Room 2102 1:30 PM

Monday, February 5, 2024

LB961
LB1213
LB1139
LB1170

(Signed) Merv Riepe, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB1403](#):

[AM2163](#)

1 1. On page 4, line 15, strike "or", show as stricken, and insert an
2 underscored comma; and in line 19 after "twelve" insert ", or (iii) a
3 member of a military family transferring into Nebraska from another state
4 or another country and is entering any of grades kindergarten through
5 twelve in a qualified school".

Senator Blood filed the following amendment to [LB977](#):

[AM2176](#)

1 1. On page 44, line 10, strike the second occurrence of "or"; in
2 line 13 after the semicolon insert "or"; and after line 13 insert the
3 following new subdivision:
4 "(c) Is a dependent, as defined in 50 U.S.C. 3911, of a person
5 described in subdivision (13)(a) or (b) of this section";.

MOTION - Escort Chief Justice

Senator Wishart moved that a committee of five be appointed to escort the Chief Justice of the Supreme Court and members of the Supreme Court to the Legislative Chamber for the purpose of delivering the State of the Judiciary Address.

The motion prevailed.

The Chair appointed Senators Blood, Bosn, J. Cavanaugh, DeKay, and Slama to serve on said committee.

STATE OF THE JUDICIARY

Mr. President, Mr. Speaker, and Members of the Legislature.

Thanks to all of you, particularly Speaker Arch, for inviting me to address you this morning. It is always an honor for me to report on the annual accomplishments of our Judicial Branch and discuss our upcoming plans with you.

With me in the Chamber today are my fellow Justices:

Justice Lindsey Miller-Lerman of Omaha
Justice William Cassel of O'Neill
Justice Stephanie Stacy of Lincoln
Justice Jeff Funke of Nebraska City
Justice Jonathan Papik of Omaha, and
Justice John Freudenberg of Rushville

Today, I will speak to you about our excellent judicial branch judges and support staff, problem-solving courts, probation, language interpreter services, the Office of Public Guardian, and our much-needed technology upgrades.

Judicial Branch Workforce

I opened this address last year by discussing staffing shortages we were experiencing across our Judicial Branch. I am happy to report that while we still have more than 100 vacancies statewide out of over 1,600 employees, we now exceed pre-pandemic staffing levels. Our turnover rate has dropped to just over 5%, and our vacancy rate branch-wide is less than 8%. These are significant improvements. I highlight this because these improvements have not occurred by accident.

First and foremost, I sincerely thank this body for supporting our efforts directed at making Nebraska's Judicial Branch a competitive employer in the job market. Those efforts over the past three years included a pair of classification and compensation studies. The purpose of these studies was to find how Judicial Branch employee salaries compared to both the public and private sectors. Your approval of salary increases based on these studies means we are now competitive in most job markets. I remind you, however, that the increases you approved have not yet been included in our base budget.

In addition to salary increases, we have expanded our recruiting efforts by participating in career fairs at colleges, high schools, and even junior high schools across the State. Because of information gathered during community listening sessions, we've also increased recruitment by cooperation with entities like the Urban League of Omaha. And we have targeted expansion of our internship programs as well as job shadowing opportunities. We have also expanded utilization of social media as a recruiting tool to highlight the great work being done in the Branch.

National Awards

I now especially call your attention to some exemplary national achievements in 2023 by judges and probation staff.

This past November, now-retired District Court Judge Jim Doyle of Lexington was given the William Rehnquist Award for Judicial Excellence. There is no greater recognition a trial court judge in America can receive. Chief Justice John Roberts of the United States Supreme Court presented the award to Judge Doyle in front of 200 honored guests and dignitaries in Washington, DC.

At that presentation I was pleased to highlight Judge Doyle's contributions to the citizens of Nebraska, especially those in rural communities. During his more than two decades of judicial service, Judge Doyle went to great lengths to improve interpreter services, establish problem-solving courts, and increase public and media access to court proceedings.

Judge Doyle established Nebraska's first predominantly rural drug court in 2006 and served as chair of the Nebraska Supreme Court's Committee on Problem-Solving Courts until his retirement. Under his guidance, problem-solving courts were established in every judicial district in Nebraska. During the pandemic, Judge Doyle also began Nebraska's only judicial YouTube channel, broadcasting his court proceedings to the public.

We all owe a debt of gratitude to Judge Doyle and his dedication to public service.

I also congratulate Court of Appeals Judge Frankie Moore of North Platte who has been elected by her fellow Appeals Court Judges across America as the current Vice President and President-elect of the Council of Chief Judges of the State Courts of Appeal. Judge Moore has served on the Nebraska Court of Appeals since January 2000, and was the chief judge from 2014 to 2020. She is also a member of the Nebraska Access to Justice Commission and serves as chair of the Self-Represented Litigation Committee. In 2015, Judge Moore received the "Distinguished Judge for Service to Community" award from the Nebraska Supreme Court.

Congratulations also to Kari Rumbaugh, Deputy Administrator of the Juvenile Probation Services Division. Ms. Rumbaugh was selected as the only probation representative nationally to testify as an expert on juvenile probation on a panel of youth justice professionals before the Federal Coordinating Council for Juvenile Justice and Delinquency Prevention in Washington, DC. Deputy Rumbaugh's testimony focused on how the Council can enhance coordination regarding the prevention of youth recidivism.

I'm also happy to report that Nebraska Probation was selected by the Columbia University Emerging Adult Justice Project as one of three innovation sites in the United States. The intent of the 2½ year pilot project is to improve case management strategies and outcomes for young adult offenders, ages 18 to 25.

Probation

I now more generally report on probation. Adult Probation provides community supervision for over 16,000 individuals in all 93 Nebraska counties. Probation officers assist, direct, and motivate individuals to avoid incarceration and live productive lives. Probation includes restitution, community service, drug testing, and mental health treatments.

Probation also administers swift and certain sanctions for violation of court orders. Probation officers are highly trained to assess the needs of individuals to better address their rehabilitation.

Statewide, Nebraska Probation currently works with over 1,500 individual service providers and over 500 service provider agencies. Our behavioral health partners provide an essential component required for the successful rehabilitation of probationers. However, there is still a significant shortage of new providers and reimbursement rates have not kept pace with the cost of these services.

Nebraska Probation recently established a partnership with the Nebraska Department of Labor to provide employment programming in our 17 community reporting centers. This important cooperation will assist probation with obtaining and maintaining employment to be successful citizens.

Likewise, in January 2022, this Legislature funded the expansion of the Young Adult Problem-Solving Court in Douglas County to include the creation of a new employment coordinator position. This innovative approach was designed to better equip young adults with the job skills, resources, and employment connections needed to secure meaningful employment within the Omaha community. This includes the recruitment of over 180 employers who are willing to hire Young Adult Problem-Solving Court participants. Success is demonstrated by a 13% decrease in unemployment for individuals in the Young Adult Problem Solving Court.

In a written testimonial, a Young Adult Court graduate noted, “[I]t’s absolutely amazing that you have a system that gives young people like myself the chance to do something better.”

Nebraska Probation continues to be cost effective for taxpayers. The average cost of incarceration in Nebraska is \$41,000 per person per year, compared to the average cost of probation, which is \$3,500 per person per year. Probation is the taxpayers’ friend.

Problem-Solving Courts

I will now discuss in more detail problem-solving courts. Nebraska problem-solving courts have also proven to be a cost-effective alternative for diverting individuals from our jails and prisons through judicial interaction, intensive community supervision, and rehabilitation. Nearly 1,600 individuals participated in 33 problem-solving courts during the last fiscal year.

Thanks to your support, more individuals in Nebraska have been provided access to problem-solving courts. Through the creation of new courts and added capacity to existing problem-solving courts, there has been a 27% increase in problem-solving court participation since 2020.

At your request, recent problem-solving court expansion efforts include Nebraska’s fourth Veterans Treatment Court serving Sarpy and Cass Counties, and a new Adult Drug Court in the 5th Judicial District serving Platte County. Also, the drug court in Saunders County has been doubled in size.

However, a newly completed needs assessment determined that only 5% of individuals eligible for problem-solving courts in Nebraska are

being served. With the correct infrastructure in place, problem-solving courts are positioned to be an ongoing and viable alternative to prison. The Judicial Branch is committed to working with you to continue further problem-solving court expansion. I remind you that the annual average cost of participants involved in a problem-solving court is approximately \$4,400. Like probation, each problem-solving court is the taxpayers' friend.

Juvenile Probation

Next, I will discuss juvenile probation. Please note the following accomplishments and concerns.

First, the Juvenile Justice System Enhancement Initiative continued this year with the completion of a statewide system assessment and receipt of a final report. The report emphasized that Nebraska's juvenile probation is positioned as a positive leader in juvenile justice system practices. The Nebraska Supreme Court provided an opportunity for Nebraskans to submit public comments regarding the findings.

Second, reflecting a post-pandemic increase in delinquency filings, there has been a 25% increase in youth placed on probation in fiscal year 2023 as compared to the previous year. Over the same period, there was also an increase of more than 300 predisposition investigations completed by probation officers, providing comprehensive reports and recommendations to courts across the state. Even with this increase, juvenile probation has been able to maintain a low 19% recidivism rate over the past two years.

Third, increasing access to essential services for youth continued as a focus, especially in rural areas of the state. Although service availability continues to be a challenge, we successfully supported the opening of a new emergency shelter in Maxwell, the recruitment of new foster homes in Scottsbluff, and the expansion of a judge-led mentoring project in Saline and Jefferson Counties.

Fourth, there remains, however, a major lack of detention facilities for delinquent juveniles in Nebraska. There are currently only four such detention facilities in the state. They are located in Sarpy, Douglas, Lancaster, and Madison Counties. There are no juvenile detention facilities west of this building, and counties have no incentive to fund them. We are forced to pay Iowa, Kansas, and Wyoming in order to handle our juvenile detention needs.

Office of Public Guardian

I now turn to the Office of Public Guardian. This Legislature created the Office of Public Guardian and placed it in the Judicial Branch in 2015 because of the lack of guardians in Nebraska to serve vulnerable, incapacitated adults. These are mostly elderly, mentally ill, and medically fragile individuals who lack cognitive capacity and are susceptible to financial exploitation and neglect. Approximately 86% of the wards of the Office of Public Guardian need mental health services.

The Office of Public Guardian was created to serve as guardian of last resort for individuals when no one else is available. The demand for assistant public guardians, however, far exceeds our

current capacity to respond. The Office of Public Guardian has had a waiting list since 2018.

Fortunately, there has been a core group of assistant guardians who have persevered, serving these citizens with commitment, sacrifice, and compassion through the pandemic and chronic staff shortages. Largely because of the aforementioned salary increases, staff shortages have been reversed, but the demand for expanding the number of assistant public guardians continues.

Language Access (Trial Court Services)

I now turn to our Language Access Program, which recruits, trains, and certifies language interpreters. And which, of course, coordinates the appointment of qualified interpreters to help limited English proficient, deaf, and hard of hearing individuals understand their court proceedings and probation services, regardless of what language they speak. Conversely, interpreters help judges, lawyers, witnesses, juries, and court staff understand non-English speaking participants who appear in Nebraska courtrooms and probation offices on a daily basis.

Fifty years ago, this Legislature commanded by statute that we provide language access to everyone who appears in our courts. Last summer we celebrated the passage of that 1973 legislation in Colfax County, where we frequently utilize language interpreters.

On a statewide basis, we used interpreters in 69 different languages in 2023, including three indigenous languages we had never used before. Those are:

- Tzotzil (zot-zil) -- a Mayan language from Chiapas, Mexico, which is spoken by only 50,000 people;
- Zapotec (za-po-tec) -- a language of which there are approximately 450,000 speakers, most of whom live in the Mexican states of Oaxaca and Veracruz; and
- Chuj (chew) – a language which is spoken by approximately only 43,000 people – 40,000 in Guatemala and 3,000 in Mexico.

There are only a handful of interpreters in the United States that speak these rare indigenous languages. But by using language line and cooperating with other states, we were able to provide the necessary interpreters when needed.

It's not just an increase in rare indigenous languages that we're experiencing, but an overall growth in language diversity. As an example, in February 2023, the Lancaster County Truancy Diversion Court served 12 families with a total of 6 different languages in a single hearing (2 Arabic, 1 Dinka, 1 Farsi, 3 Kurdish, 1 Nuer, and 4 Spanish). We expect the number of limited English proficient, deaf, and hard of hearing court and probation users to steadily increase in the coming years. We are asking for increased funding for our language access initiatives.

Technology

Finally, I will discuss technology. I have regularly reported on the growing importance technology plays for the courts and its programs. Today

more than ever our reliance on technology in providing access to justice is tantamount to our success. We could not have kept our courts functioning during the pandemic without electronic filing, Zoom hearings, and other technological advancements.

First of all, like this legislative branch did years ago, we are establishing a branch-specific information technology system for the courts. We have moved away from the Information Technology services previously provided by the Executive Branch Office of Chief Information Officer into our own, self-maintained domain at NEJudicial.gov. We also continue to relieve more counties of the financial burden of overseeing court IT functions. A self-contained IT infrastructure is more amenable to needed ongoing changes and will allow us to more closely monitor and address security threats.

Secondly, in the coming months we will complete technological upgrades, normally paid for by counties, in every courtroom across the State. We are outfitting each courtroom with state-of-the-art equipment which will increase access and improve user experiences. This includes a system for enhancing the ability for hearing-impaired individuals to understand court proceedings.

Next, we continue to refine our e-filing efforts. We have enhanced the software used to accomplish this, including software for the tracking of continuing legal education and Bar Exam enrollment systems, and we are completing development of a cloud-based exhibits repository.

For our providers serving probation, we have also implemented an improved service provider information management system which streamlined fee-for-service voucher processing. And we are in the process of moving our court and probation case management systems into the cloud and away from very outdated server-based data-storage systems.

Most importantly, however, I call your attention to the need to upgrade our current case management system for both efficiency and the ability to provide you and others with requested data information, and especially for cyber security purposes. Our current system was built in-house. No consultants, no outside vendors, and with only marginal use of tax dollars. It was rolled out in 1993 using COBAL programming code and an AS400 operating system. The system is held together with baling wire and bubble gum. A 30-plus-year-old case management system is not adequate to meet current and future court demands.

The Judicial Branch has experienced significant programmatic growth in the last decade. As noted, the number of problem-solving courts has grown exponentially. Juvenile justice reform, justice reinvestment, post-release supervision, and the additions of the Offices of Dispute Resolution and Public Guardian have all had a dramatic impact on the Judicial Branch. These services operate from separate information management systems or within our outdated systems.

This legislative body, along with many court users, regularly requests data reports we are simply unable to produce. The current system does not collect such information, it does not store such information, and we cannot provide such information.

Again, it is vital to our success that our unified case management system be upgraded to meet our future needs as well as your data requests. We look forward to partnership and collaboration as we move our courts into the 21st Century. While costly, this is a necessary investment for our future, your future, and our state's future.

Kansas Cyber Attack

I especially emphasize, however, our need to upgrade protection for online records. The Court maintains a great deal of personal information within our case management system. Much like banks, retail outlets, and health care providers, we handle a large amount of confidential information online – including bank account numbers, social security numbers, credit card information, and other financial details. Additionally, we store information on paternity and child custody, as well as criminal case data on sexual assaults of both adults and children.

This past October, the Kansas court system suffered a foreign cyberattack that forced officials to completely shut down their electronic system. The attackers had access to all of the confidential information I just summarized. Public access to documents and online filing for lawyers had to be suspended for months after the attack. Lawyers reverted to using the old paper system to file their cases, and anyone seeking public records had to visit their local courthouses or the State Capitol. A ransom was demanded to restart the system. The ransom was not paid, but the attack nevertheless cost Kansans millions of tax dollars and user fee expenses.

Kansas serves as a warning for the rest of us. If the Kansas Supreme Court fell victim to a sophisticated foreign cyberattack, without needed upgrades we must consider ourselves equally vulnerable.

Conclusion

On that cautionary note, I thank you for this opportunity to speak with you today. I look forward to our continuing cooperation with you and our executive branch friends in serving all Nebraska citizens.

The committee escorted the Chief Justice from the Chamber.

GENERAL FILE

LEGISLATIVE BILL 102. Title read. Considered.

Committee [AM183](#), found on page 485, First Session, 2023, was offered.

Senator M. Cavanaugh withdrew [AM527](#), found on page 595, First Session, 2023, to the committee amendment.

The committee amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 102A. Title read. Considered.

Senator Erdman offered [AM2169](#), found on page 512.

The Erdman amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 83. Title read. Considered.

Senator M. Cavanaugh withdrew [AM535](#), found on page 595, First Session, 2023.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 143. Title read. Considered.

Senator Erdman offered the following amendment:

[FA207](#)

Amend LB143 to adopt Mountain and Central Standard as Nebraska's year-round time.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1113 1:30 PM

Thursday, February 1, 2024

LB1288

LB972

LB892

LB999 (reschedule)

LB1167

LB1044

(Signed) Justin Wayne, Chairperson

Nebraska Retirement Systems
Room 1525 12:00 PM

Thursday, February 1, 2024

Gail Werner-Robertson - Nebraska Investment Council

John Murante - Nebraska Public Employees Retirement Systems

Note: Director of NPERS

Charles Neumann - Public Employees Retirement Board

Gerald Clausen - Public Employees Retirement Board
 Luke H. Splattstoesser - Public Employees Retirement Board

(Signed) Mike McDonnell, Chairperson

AMENDMENT(S) - Print in Journal

Senator Ibach filed the following amendment to LB218:

AM2195

1 1. On page 4, line 5, strike "2023-24" and insert "2024-25".

Senator Walz filed the following amendment to LB285:

AM66

1 1. Strike original sections 4, 5, 6, 7, and 8 and insert the
 2 following new sections:

3 Sec. 4. Each qualified school that has an identified student
 4 percentage greater than or equal to fifty percent shall operate under the
 5 community eligibility provision to maximize the federal reimbursement for
 6 eligible breakfasts and eligible lunches.

7 Sec. 5. (1)(a) The department may grant a waiver of the
 8 requirements of section 4 of this act to a qualified school that is able
 9 to demonstrate that participation in the community eligibility provision
 10 is not financially viable for such school. The waiver may be of a
 11 specified length of time as determined by the department.

12 (b) The department shall provide technical assistance to any
 13 qualified school that is granted a waiver under this section to support
 14 such school's adoption of the community eligibility provision in
 15 subsequent years.

16 (2) The State Board of Education shall adopt and promulgate rules
 17 and regulations to establish a process for granting an annual waiver,
 18 including a process and criteria for determining if participation in the
 19 community eligibility provision is viable for a qualified school.

20 Sec. 6. Section 79-10,138, Reissue Revised Statutes of Nebraska, is
 21 amended to read:

22 ~~79-10,138~~ The department ~~State Department of Education~~ shall
 23 reimburse each qualified ~~public~~ school in Nebraska a portion of the cost
 24 of such school's school breakfast program in the amount of five cents per
 25 ~~eligible school~~ breakfast served by such school in the second preceding
 26 school year. Each qualified ~~To qualify,~~ a school district shall ~~operate a~~
 27 ~~school lunch program and shall submit information regarding the number of~~
 1 eligible breakfasts served by such school in a manner prescribed by the
 2 department. The Legislature shall appropriate money from the General Fund
 3 to carry out this section.

4 Sec. 7. Section 79-10,139, Reissue Revised Statutes of Nebraska, is
 5 amended to read:

6 ~~79-10,139~~ Payments pursuant to section 6 of this act ~~79-10,138~~ shall
 7 be made to each qualified school district according to rules and
 8 regulations for disbursements adopted and promulgated by the State Board
 9 of Education ~~State Department of Education~~.

10 Sec. 8. Nothing in the School Community Eligibility Provision
 11 Maximization Act shall prevent a qualified school from collecting
 12 information from the parent or guardian of a student to determine
 13 eligibility for other services of the school.

14 2. On page 2, line 30, strike "public".

15 3. On page 3, line 11, after the semicolon insert "and"; and strike
 16 lines 12 through 17 and insert the following new subdivision:

17 "(7) Qualified school means a public school or a nonprofit private
 18 school which is participating in the school breakfast program or the

19 national school lunch program under the federal Child Nutrition Act of
 20 1966, 42 U.S.C. 1771 et seq., or the federal Richard B. Russell National
 21 School Lunch Act, 42 U.S.C. 1751 et seq., as such acts existed on January
 22 1, 2023."

Senator Albrecht filed the following amendment to [LB442A](#):

[AM2162](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. There is hereby appropriated (1) \$2,000,000 from the
 4 Livestock Growth Act Cash Fund for FY2024-25 and (2) \$-0- from the
 5 General Fund for FY2025-26 to the Department of Agriculture, for Program
 6 78, to aid in carrying out the provisions of Legislative Bill 442, One
 7 Hundred Eighth Legislature, Second Session, 2024.
 8 There is included in the appropriation to this program for FY2024-25
 9 \$1,975,000 cash funds for state aid, which shall only be used for such
 10 purpose. There is included in the appropriation to this program for
 11 FY2025-26 \$-0- for state aid, which shall only be used for such purpose.
 12 No expenditures for permanent and temporary salaries and per diems
 13 for state employees shall be made from funds appropriated in this
 14 section.
 15 Sec. 2. Since an emergency exists, this act takes effect when
 16 passed and approved according to law.

Senator Halloran filed the following amendment to [LB442](#):

[AM2161](#)

(Amendments to Standing Committee amendments, AM372)

1 1. On page 1, line 3, strike "2023" and insert "2024".

Senator von Gillern filed the following amendment to [LB1023](#):

[AM2150](#)

1 1. On page 13, line 25, after the comma insert "a cooperative
 2 corporation."; in lines 27 and 28 after the first comma insert
 3 "patrons."; and in line 30 after the first comma insert "cooperative
 4 corporation.".

WITHDRAW - Motion to LB1093

Senator Wayne withdrew [MO1169](#), found on page 438, to rereference LB1093 from the Revenue Committee to the Judiciary Committee, pursuant to Rule 6, Sec. 2(a).

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Fredrickson name added to LB184.
 Senator M. Cavanaugh name added to LB285.
 Senator McDonnell name added to LB307.
 Senator Conrad name added to LB856.
 Senator Lippincott name added to LB965.
 Senator Lippincott name added to LB973.
 Senator M. Cavanaugh name added to LB984.

Senator Lippincott name added to LB1001.
Senator Linehan name added to LB1035.
Senator Vargas name added to LB1035.
Senator Wishart name added to LB1035.
Senator Lippincott name added to LB1037.

WITHDRAW - Cointroducer(s)

Senator Hunt name withdrawn from LR14CA.

VISITOR(S)

Visitors to the Chamber were Kranthi Adidam, Omaha; Michael McCarthy, Hon. Tricia Freeman, and Liz Neely of the Nebraska State Bar Association; Doris Huffman of the Nebraska State Bar Foundation; Kathy Olson of the Nebraska State Bar Foundation Board; Chris Mehafe, Mid-American Council of Boy Scouts of America; Ellen Hung, State Investment Officer.

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

ADJOURNMENT

At 11:56 a.m., on a motion by Senator Brandt, the Legislature adjourned until 9:00 a.m., Friday, January 26, 2024.

Brandon Metzler
Clerk of the Legislature