

CLASSIFIED

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About Us
 Business Hours
 Monday-Thursday 7:30 am to 4:30 pm
 Friday 7:30 am to 2 pm

Payment
 Payments in advance required for all advertising.
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 Publish days: Tuesday-Thursday-Friday • Classified Day Increments: 3-6-9-12-15 days
 Run your ad six or more times in the Gazette and it will appear in the Big Nickel on Friday and our online website for free. Three line minimum, approximately four words per line.

Lines	3 Days	6 Days	9 Days	12 Days	15 Days
3	16.20	27.00	35.10	43.20	45.00
4	21.60	36.00	46.80	57.60	60.00
5	27.00	45.00	58.50	72.00	75.00
6	32.40	54.00	70.20	86.40	90.00
7	37.80	63.00	81.90	100.80	105.00
8	43.20	72.00	93.60	115.20	120.00
9	48.60	81.00	105.30	129.60	135.00
10	54.00	90.00	117.00	144.00	150.00

CARD OF THANKS

The boys and I want to thank everyone for all the love and support given to us, in honor of Lisa. We are so grateful and appreciative for all the prayers, hugs, kind words, and generous donations. Our most sincere thanks.
 Elton, Max, Jett and Tayt Butterfield.

?NOTICE?

St. James Catholic Fall Dinner, November 3, Trenton. Turkey and Ham Dinner: Buffet Style 11-1:30. Hunters Welcome.

HELP WANTED

Dan's R Us Sanitation located in McCook has two Truck Driver Positions. Requirements would be a Class B CDL and a good driving record. Pick up an application at 1111 East H or call for more information 308-345-4264.

Dental Hygiene part time or fill in with hiring bonus \$45/hr & Assistant position available full time, wages based on experience. Benefits included please call Tobias Dental @ 308-345-1510

BUSINESS SERVICE

Painting Handyman Work McCook & Surrounding Area Jeff 208-597-0472

To GIVE AWAY

McCook Cares Community Free Bread Event
 When: Every Wed. 9-9:15 a.m. It goes fast!
 Where: 402 W 5th, Cornerstone Fellowship
 Need bread for a Community Fundraiser? Contact Rose Weskamp at 530-448-2107.

?FOR SALE?

Labrador puppies for sale. Born Sept. 23, 2024. For more info call Kelly Raichart at 308-340-9948 or Marcia Raichart at 308-882-8897.

FOR RENT

Large 2+1 BEDROOM duplex, appliances furnished, Central air, Garage. Call (308) 345-1888

LEGALS

ADVERTISEMENT FOR BIDS

Keystone Business Center (Historic Keystone Hotel) McCook, Nebraska The McCook Economic Development Corporation (MEDC) will be receiving bids for the Keystone Back Alley Drainage Project which includes demolition of existing concrete/asphalt, grading for water runoff, replacement of broken concrete sections, new concrete pavement, stairs, landings, landscaping boxes, and more. Bids must be submitted to MCCOOK ECONOMIC DEVELOPMENT CORPORATION, 402 NOORIS AVE. SUITE 301, MCCOOK, NEBRASKA 69001 by 5:00 p.m. Central Time on November 3, 2024. The project has been financed in part with federal funds from the National Park Service, a division of the United States Department of the Interior and administered by History Nebraska (P22AP01544). It also complies with Nebraska State Historic Preservation Office plans for a structure on the National Register of Historic Places, adhering to Secretary of the Interior's Standards. Bids will be publicly opened at 3:30 p.m. on November 4, 2024, at MEDC's office in Suite 301 of the

LEGALS

Keystone Business Center. For inquiries or full detailed scope of work/plans, contact Charlie McPherson, MEDC Executive Director, at 308-345-1200 or charlie@mccookne.org. Bids should encompass all contract costs, including insurance and performance bonds, with clear pricing for base and alternate work. A mandatory pre-bid meeting may occur later, requiring bidder attendance for bid acceptance. Paper plans are available from W Design Associates at 214 East 1st Street, McCook, NE 69001 for \$10.00 per set; electronic copies are free via breanna@wdesigna.com. Late proposals after the opening deadline won't be considered for award.

Publish: October 15, 22, 29, 2024
 ZNEZ

MEETING NOTICE

The Red Willow County Fair Board will have its monthly meeting on November 6, 2024 at 7:30 pm in the 4-H meeting room.

Publish: October 29, 2024
 ZNEZ

NOTICE OF ORGANIZATION OF ALLYN McCONVILLE FARM, LLC

Notice is hereby given that Allyn McConville Farm, LLC, a Nebraska limited liability company, was organized October 17, 2024, under the laws of the state of Nebraska, with its designated office at 205 D Street, Indianola, Nebraska 69034. Its initial agent for service of process is, Annette Gruhn, 205 D Street, Indianola, Nebraska 69034.

Allyn McConville Farm, LLC
 John B. Brooks, Organizer

J. Bryant Brooks #16207
 MOUSEL, BROOKS, SCHNEIDER, MUSTION, AND SCHIFF-LET, P.C., L.L.O.
 101 West C Street
 McCook, NE 69001
 (308)345-1600
 Attorney for the LLC

Publish: October 29, November 5, 12, 2024
 ZNEZ

NOTICE OF POSTPONEMENT OF TRUSTEE'S SALE

You are hereby notified that the Trustee's Sale originally scheduled for October 2, 2024, at 10:00 a.m. the south door of the Red Willow County Courthouse, located at 502 Norris Ave, McCook, NE 69001, has been postponed until November 20, 2024, at 10:00 a.m. the south door of the Red Willow County Courthouse, located at 502 Norris Ave, McCook, NE 69001. At such sale the following described property will be sold: A tract of land located in the NE1/4 of Section 36, Township 4 North, Range 26 West of the 6th P.M., in Red Willow County, Nebraska, more particularly described as follows: Referring to the Northeast corner of said Section 36, thence bearing S00°16'43"W (assumed and all bearings relative to) along the East section line a distance of 548.57 feet to a point on the South railroad right-of-way line, thence along said right-of-way line S74°59'49"W a distance of 21.44 feet to the point of beginning; thence continuing S74°59'49"W along said railroad right-of-way a distance of 35.16

Southwest Nebraska Public Health Department
 PREVENT • PROMOTE • PROTECT

Administrative Assistant to work 40 hours per week.

Candidate requirements:
 • Self-starter with the ability to multi-task several projects at one time
 • Detail oriented with good organizational skills
 • Reliable and dependable with a willingness to learn
 • Experience Microsoft Office 365 products: Outlook, Excel and Word helpful
 • High School graduate and/or 2 years of college OR related work experience

The Administrative Assistant will work closely with the Health Director coordinating daily building operations, calendars, e-mails, etc. This position will also work closely with Human Resources in maintaining confidential files and coverage of front office in absences of receptionist. This full-time position will include benefits of paid health and life insurance, vacation, sick, holiday and a retirement contribution. Optional dental, vision, AD&D & supplemental life insurance, Aflac and flexible spending account also available. Wage scale based on education and/or experience.

SWNPHD's nine-county health district office is based in McCook. Send resume and cover letter to Southwest Nebraska Public Health Department PO Box 1235 McCook, NE 69001 or call 308-345-4223 for additional information. A job description will be mailed to all applicants. Resume deadline is 11/01/24.

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NOTICE OF TRUSTEE'S SALE

The following described property will be sold at Public Auction to the highest bidder, inside the front door on the first floor of the Red Willow County Courthouse, 502 Norris Ave., in McCook, Nebraska on November 8, 2024 at 10:30 A.M. local time: Part of Lots 13, 14, and 15, Block 20, Original Town of McCook, Red Willow County, Nebraska, described as follows: Commencing at the southeast corner of said Lot 13, Block 20, extending thence North in the alley line, a distance of 130 feet; thence West a distance of 60 feet three inches; thence South parallel with said alley line, a distance of 130 feet; thence East in the South line of said Lot 13, a distance of 60 feet three inches to the point of beginning, EXCEPT that portion of Lot 13 conveyed to the State of Nebraska for highway purposes, Book 129, Page 487. Subject to any and all (1) real estate taxes, (2) special assessments, if any, (3) unpaid water bills, if any, (4) easements, covenants and restrictions of record which affect this property, if any and, (5) prior mortgages and Deeds of Trust of record, if any. Terms of Sale: For all bidders other than the Beneficiary, the successful bidder at the sale shall forthwith pay the price bid and upon receipt of payment the Trustee shall execute and deliver its deed to such Purchaser. The sale shall remain open for a period of fifteen minutes unless there is active bidding; in that event the sale shall close five minutes after the last bid. This sale is being held pursuant to the power of sale granted in a certain Deed of Trust dated July 10, 2023 and filed for record as Instrument No. 2023-00790 at 8:00 a.m. on July 11, 2023, wherein Caprock Properties, LLC was Trustor and MNB Bank was Trustee and Beneficiary.

Dated this 25th day of September, 2024.

MNB Bank, Trustee and Beneficiary
 By: Colten C. Venteicher, NSBA 26117
 Bacon, Vinton & Venteicher, LLC
 416 10th Street
 Gothenburg, NE 69138
 (308) 537-7161
 Trustee

/s/ Alexis L. Davidson
 By Alexis L. Davidson, No. 23361
 220 Norris Ave.
 McCook, NE 69001
 (308) 345-4240
 Attorney for Trustee and Beneficiary

Publish: October 8, 15, 22, 29, November 5, 2024
 ZNEZ
 Publish: October 1, 8, 15,

McCook Grain Clerk

Frenchman Valley Coop has a current opening in the Grain Department located in McCook, Nebraska for a friendly and detailed Grain Clerk with strong computer skills. The Grain Clerk will perform general office, accounting and inventory functions while working closely with other employees and area producers. This position may require extended hours during peak seasons and requires strong computer, math, and communication skills. This position is full-time and provides great earning potential along with EXCELLENT benefits! Company benefits include Medical PPO or HDHP with HSA, Dental, Vision, Life, Short and Long-Term Disability, Flexible Spending Accounts, Paid Holidays and Vacation plus a Defined Benefit PENSION Plan along with a 401k Plan that includes an employer contribution.

For more information, contact Sloan Phipps at 308-345-4060 or stop by the McCook Grain Office for an employment application. EOE

JUMBLE

Unscramble these Jumbles, one letter to each square, to form four ordinary words.

DEROO
 DTIOT
 BCNRUH
 PNUDIA

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Friday's Jumbles: YOKEL POUCH UNTRUE FIBULA
 Answer: The book club was discussing "Walden," which they enjoyed — "THOREAU-LY"

LEGALS

22, 29, 2024.
 ZNEZ

PUBLIC HEARING NOTICE

The Middle Republican Natural Resources District will hold a public hearing for the purpose of receiving testimony with regard to proposed revisions to the Rules and Regulations for the Ground Water Management Area for the Middle Republican Natural Resources District. The hearing will be at the Middle Republican NRD Office, at 208 Center Avenue, in Curtis Nebraska on November 12, 2024, at 9:00 AM. Written testimony may be sent to the Middle Republican Natural Resources District at PO Box 81, Curtis, Nebraska, 69025, jrussell@mrrnd.org and sowens@mrrnd.org; or, faxed to 308-367-4285. Written testimony will be accepted until the close of the hearing on November 12, 2024. The proposed amendments will be considered at the regular board meeting following the revisions. The authority for these rules and regulations is the authority granted in the Nebraska Ground Water Management and Protection Act. This amendment to the Rules and Regulations for the Ground Water Management Area clarifies language relating pooling and allocation. The geographic area is the entire Middle Republican Natural Resources District. The purpose and geographic area of the Management Area have not changed. The major changes are listed below: Delete Rule 8-3.11 No permanent transfers of certified acres will be allowed in a Compact Call Year. Delete Rule 9-1.14 OVERUSE ADJUSTMENT - Overuse of the adjusted base allocation during a Compact Call Year shall result in an adjustment of 2 inches for every inch over the first 3 inches and 3 inches for every inch over 3 inches of overuse will be applied. This adjustment will result in a correction to the remaining allocation fol-

THAT SCRAMBLED WORD GAME

By David L. Hoyt and Jeff Knurek

Now arrange the circled letters to form the surprise answer, as suggested by the above cartoon.

(Answers Thursday)

FRIDAY'S SOLUTION

7	4	9	8	3	2	1	6	5
6	2	8	5	9	1	3	7	4
1	3	5	6	7	4	2	9	8
9	7	2	1	6	8	5	4	3
5	8	1	3	4	7	6	2	9
3	6	4	2	5	9	8	1	7
8	5	7	9	2	6	4	3	1
4	1	6	7	8	3	9	5	2

LEGALS

lowing the compact call year. This adjustment shall be in addition to the adjustments imposed by Rule 9-1.16 if the compact call year is the last year of an allocation period. Delete Appendix 1.1 With the designation of a Compact Call Year by the Nebraska Department of Natural Resources, the allocation for that calendar year will be restricted to 15 inches. Delete Appendix 1.9.2 Overuse of the adjusted base allocation during a Compact Call Year shall result in a reduction of two (2) inches for every inch over the first three (3) inches and three (3) inches for every inch over three (3) inches of overuse will be applied. This adjustment will result in a correction to the remaining Groundwater Allocation following the Compact Call Year. This adjustment shall be in addition to the adjustments made by Rule 1.9.1 if the Compact Call Year is the last year of a Groundwater Allocation Period. These allocation adjustments will be on top of what the producer has already used. Changing Rule 13-4.2 All approved Chemigation permit holders will have their Chemigation system inspected at a minimum of once every four (4) years. Change to five (5) This notice is only a general description of the contents of the proposed rules and regulations. The full text of these rules and regulations are available on the district website at mrrnd.org or may be obtained by contacting the Middle Republican NRD, PO Box 81, Curtis NE, 69025 or at 308-367-4281.

Publish: October 22, 29, November 5, 2024
 ZNEZ

STATEWIDE BALLOT MEASURES FOR GENERAL ELECTION, NOVEMBER 5, 2024 - PAGE 1

INITIATIVE MEASURE 434

Ballot Title and Text for Initiative Measure 434

Proposed by Initiative Petition

A vote "FOR" will amend the Nebraska Constitution to provide that, except when a woman seeks an abortion necessitated by a medical emergency or when the pregnancy results from sexual assault or incest, unborn children shall be protected from abortion in the second and third trimesters.

A vote "AGAINST" will not amend the Nebraska Constitution in such manner.

Shall the Nebraska Constitution be amended to include a new section which provides: "Except when a woman seeks an abortion necessitated by a medical emergency or when the pregnancy results from sexual assault or incest, unborn children shall be protected from abortion in the second and third trimesters."

For
 Against

Full Text of Proposed Measure 434

OBJECT STATEMENT: The object of this petition is to amend the Nebraska Constitution to provide that except when a woman seeks an abortion necessitated by a medical emergency or when the pregnancy results from sexual assault or incest, unborn children shall be protected from abortion in the second and third trimesters.

Proposed Constitutional Amendment Language

(underscored language indicates added language, strike through indicates language being removed)

TEXT: Article I of the Nebraska Constitution shall be amended by adding a new section 31 that states as follows:

1-31 Except when a woman seeks an abortion necessitated by a medical emergency or when the pregnancy results from sexual assault or incest, unborn children shall be protected from abortion in the second and third trimesters.

REFERENDUM MEASURE 435

Ballot Title and Text for Referendum Measure 435

Referendum Ordered by Petition of the People

A vote to "RETAIN" will keep in effect Section 1 of Legislative Bill 1402 enacted in 2024 by the Nebraska Legislature. Section 1 of Legislative Bill 1402 provides for \$10 million annually to fund education scholarships to pay all or part of the cost to educate eligible students attending non-governmental, privately operated elementary and secondary schools in Nebraska.

A vote to "REPEAL" will eliminate the funding and scholarship provisions in Section 1 of Legislative Bill 1402.

Section 1 of Legislative Bill 1402, enacted by the Nebraska Legislature in 2024, provides for \$10 million annually to fund education scholarships to pay all or part of the cost to educate eligible students attending nongovernmental, privately operated elementary and secondary schools in Nebraska.

Shall Section 1 of Legislative Bill 1402 be repealed?

Retain
 Repeal

Full Text of Proposed Measure 435

OBJECT STATEMENT: The object of this petition is to repeal Section 1 of LB 1402, passed by the 108th Nebraska Legislature in 2024, which directs \$10 million dollars annually for financial grants-in-aid for eligible students to attend a qualifying privately operated elementary or secondary school in Nebraska.

Proposed Referendum to Repeal LB 1402 Section 1 (2024)

(underscored language indicates language added by LB 1402, strike through indicates language being removed by LB 1402)

TEXT: A BILL FOR AN ACT relating to education scholarships; to amend sections 77-2715.07, 77-2717, and 77-2734.03, Revised Statutes Supplement, 2023; to provide for education scholarships; to repeal the Opportunity Scholarships Act; to harmonize provisions; to provide operative dates;

to repeal the original sections; and to outright repeal sections 77-7101, 77-7102, 77-7103, 77-7104, 77-7105, 77-7106, 77-7107, 77-7108, 77-7109, 77-7110, 77-7111, 77-7112, and 77-7113, Revised Statutes Supplement, 2023.

Be it enacted by the people of the State of Nebraska,

Section 1. (1) The Legislature finds that: (a) Funds appropriated for the education of students in kindergarten through twelfth grade are for a fundamental public purpose of state government and constitute an ordinary expense of state government; (b) Enabling the greatest number of parents and legal guardians to choose among quality educational opportunities for children will improve the quality of education available to all children; (c) Privately operated elementary and secondary schools in Nebraska satisfy the state's requirements for legal operation and provide quality educational opportunities for children; (d) Parents and legal guardians of limited means are less able to choose among quality educational opportunities for their children; and (e) Making it possible for more parents and legal guardians to be able to choose privately operated schools benefits Nebraska parents and taxpayers. (2) For purposes of this section: (a) Education scholarship means a financial grant-in-aid to be used to pay all or part of the cost to educate an eligible student attending a qualified school; (b) Eligible student means a resident of Nebraska who: (i) Is receiving an education scholarship for the first time and is (A) entering kindergarten or ninth grade in a qualified school or the first grade level offered by the qualified school; (B) transferring from a public school at which the student was enrolled for at least one semester immediately preceding the first semester for which the student receives an education scholarship to a qualified school and is entering any of grades kindergarten through twelve, or (C) a member of an active duty or reserve military family transferring into Nebraska from another state or another country and is entering any of grades kindergarten through twelve in a qualified school; (ii) Has previously received an education scholarship under this section and is continuing education at a qualified school until such student graduates from high school or reaches twenty-one years of age, whichever comes first; (iii) Has previously received an education scholarship under the Opportunity Scholarships Act, as such act existed prior to its repeal by this legislative bill, and is continuing education at a qualified school until such student graduates from high school or reaches twenty-one years of age, whichever comes first; (iv) Is the sibling of a student who is receiving an education scholarship and resides in the same household as such student; or (v) Is currently enrolled in a qualified school and is a member of a family whose household income is no more than two hundred thirteen percent of the federal poverty level; and (c) Qualified school means any nongovernmental, privately operated elementary or secondary school located in this state that (i) is operated not for profit, (ii) complies with the antidiscrimination provisions of 42 U.S.C. 1981, as such section existed on January 1, 2024, (iii) complies with all health and life safety laws or codes that apply to privately operated schools, and (iv) fulfills the applicable accreditation or approval requirements established by the State Board of Education pursuant to section 79-318. (3) The State Treasurer shall establish a program to provide education scholarships to eligible students to pay the costs associated with attending a qualified school. Under such program, the State Treasurer shall: (a) Establish a priority system for awarding education scholarships under the program. Such priority system shall: (i) Give first priority to: (A) Eligible students who received an education scholarship under this section or under the Opportunity Scholarships Act, as such act existed prior to its repeal by this legislative bill, during the previous school year; and (B) The sibling of a student who is receiving an education scholarship, so long as the sibling resides in the same household as such student; (ii) Give second priority to: (A) Eligible students whose household income levels do not exceed one hundred eighty-five percent of the federal poverty level; (B) Eligible students whose application for the enrollment option program established in section 79-234 has been denied; (C) Eligible students who have an individualized education program; (D) Eligible students who are experiencing bullying, harassment, hazing, assault, battery,

kidnapping, robbery, sexual offenses, threat or intimidation, or fighting at school; (E) Eligible students who are in foster care; and (F) Eligible students who are in a family with a parent or guardian in an active duty role in a branch of the armed forces of the United States or in the National Guard, or whose parent or guardian was killed serving in the line of duty; (iii) Give third priority to eligible students whose household income levels exceed one hundred eighty-five percent of the federal poverty level but do not exceed two hundred thirteen percent of the federal poverty level; and (iv) Give fourth priority to eligible students whose household income levels exceed two hundred thirteen percent of the federal poverty level but do not exceed three hundred percent of the income indicated in the income eligibility guidelines for reduced price meals under the National School Lunch Program in 7 C.F.R. part 210; (b) Limit the maximum scholarship amount awarded to any eligible student to the cost necessary to educate the eligible student at the qualified school such student attends; and (c) Limit scholarship amounts awarded to eligible students in a manner that assures that the average of the scholarship amounts awarded per student does not exceed seventy-five percent of the statewide average general fund operating expenditures per formula student for the most recently available complete data year as such terms are defined in section 79-1003. (4) The annual limit on the total amount of education scholarships awarded under this section for fiscal year 2024-25 and each fiscal year thereafter shall be ten million dollars. (5) On or before December 1, 2025, and on or before December 1 of each year thereafter, the State Treasurer shall electronically submit a report to the Governor and the Legislature that includes the following: (a) A summary description of the State Treasurer's policies and procedures for awarding education scholarships; (b) The number of eligible students receiving education scholarships in the most recent fiscal year; (c) The total amount of education scholarships awarded in the most recent fiscal year; (d) The number of eligible students currently wait-listed or denied from receiving an education scholarship and the reason for the wait-listing or denial; and (e) The demographic information of eligible students receiving education scholarships, including, but not limited to: (i) Income level; (ii) Grade level; and (iii) Geographic location. (6) The State Treasurer may enter into contracts with up to three program managers for the purposes of carrying out the education scholarship program described in this section. (7) It is the intent of the Legislature to appropriate ten million dollars from the General Fund for fiscal year 2024-25 and each fiscal year thereafter to the State Treasurer for the purpose of providing education scholarships as provided in this section. (8) Up to seven and one-half percent of the funds appropriated for purposes of this section may be used by the State Treasurer, or by the program managers with which the State Treasurer contracts, for administrative expenses. (9) This section shall not be construed as granting any expanded or additional authority to the State of Nebraska to control or influence the governance or policies of any qualified school due to the fact that the qualified school admits and enrolls students who receive education scholarships or as requiring any such qualified school to admit or, once admitted, to continue the enrollment of any student receiving an education scholarship.

INITIATIVE MEASURE 436

Ballot Title and Text for Initiative Measure 436

Proposed by Initiative Petition

A vote "FOR" will enact a statute which: (1) provides eligible employees the right to earn paid sick time for personal or family health needs; (2) entitles employees of employers with fewer than 20 employees to accrue and use up to 40 hours of such time annually and those employed by employers with 20 or more employees to accrue and use up to 56 hours of such time annually; (3) specifies conditions regarding paid sick time; (4) prohibits retaliation against employees for exercising such rights; (5) adopts documentation requirements; and (6) establishes enforcement powers and a civil cause of action for violations.

A vote "AGAINST" means such a statute will not be enacted.

Shall a statute be enacted which: (1) provides eligible employees the right to earn paid sick time for personal or family health needs; (2) entitles employees of em-

ployers with fewer than 20 employees to accrue and use up to 40 hours of such time annually and those employed by employers with 20 or more employees to accrue and use up to 56 hours of such time annually; (3) specifies conditions regarding paid sick time; (4) prohibits retaliation against employees for exercising such rights; (5) adopts documentation requirements; and (6) establishes enforcement powers and a civil cause of action for violations?

For
 Against

Full Text of Proposed Measure 436

OBJECT STATEMENT: The object of this petition is enact a statute to provide eligible employees the right to earn paid sick time for personal or family health needs, to entitle those employed by employers with fewer than 20 employees to accrue and use up to 40 hours of earned paid sick time per year, to entitle those employed by employers with 20 or more employees to accrue and use up to 56 hours of earned paid sick time per year, to specify conditions for accruing and using earned paid sick time, to prohibit retaliation against an employee for exercising rights granted under the statute, to adopt certain notice and documentation requirements, and to establish enforcement powers and a civil cause of action for violations of the statute.

Proposed Statutory Language

(underscored language indicates added language, strike through indicates language being removed)

TEXT: FOR AN ACT relating to employment; to adopt the Nebraska Healthy Families and Workplaces Act; and to provide severability.

Be it enacted by the people of the State of Nebraska:

Section 1. Act, how cited; declaration of purpose. (1) Sections 1 to 11 of this act shall be known and may be cited as the Nebraska Healthy Families and Workplaces Act. (2) The purpose of the act is to provide eligible employees in Nebraska the right to earn paid sick time for personal or family health needs and provide certain provisions naturally and necessarily related to that purpose.

Sec. 2. Terms, defined.

For purposes of the Nebraska Healthy Families and Workplaces Act: (1) Department means the Department of Labor; (2) Employ means to permit to work; (3)(a) Employee means any individual employed by an employer, but does not include an individual who works in Nebraska for fewer than eighty hours in a calendar year. (b) Employee does not include an "employee" as defined by 45 U.S.C. 351(d) who is subject to the federal Railroad Unemployment Insurance Act, 45 U.S.C. 351 et seq.; (4) (a) Employer means any individual, partnership, limited liability company, association, corporation, business trust, legal representative, or organized group of persons who employs one or more employees. (b) Employer does not include the United States or the State of Nebraska or its agencies, departments, or political subdivisions; (5) Family member means: (a) Any of the following, regardless of age: A biological, adopted, or foster child, a stepchild, a legal ward, or a child to whom the employee stands in loco parentis; (b) A biological, foster, step, or adoptive parent or a legal guardian of an employee or an employee's spouse; (c) A person who stood in loco parentis to the employee or the employee's spouse when the employee or employee's spouse was a minor child; (d) A person to whom the employee is legally married under the laws of any state; (e) A grandparent, grandchild, or sibling, whether of a biological, foster, adoptive, or step relationship, of the employee or the employee's spouse; or (f) Any other individual related by blood to the employee or whose close association with the employee is the equivalent of a family relationship; (6) Health care professional means any person licensed under any federal or state law to provide medical or emergency services; (7) Paid sick time means time that is compensated at the same hourly rate and with the same benefits, including health care benefits, as the employee typically earns during hours worked and that is provided by an employer to an employee for the purposes described in section 4 of this act, and in no case shall the amount of this hourly rate be less than that provided under section 48-1203; (8) Public health emergency means a declaration or proc-

lamation related to a public health threat, risk, disaster, or emergency that is made or issued by a federal, state, or local official with the authority to make or issue such a declaration or proclamation; (9) Retaliatory personnel action means a denial of any right guaranteed under the Nebraska Healthy Families and Workplaces Act and any threat, discharge, suspension, demotion, reduction of hours or pay, or other adverse action against an employee for exercising or attempting to exercise any right guaranteed in the Nebraska Healthy Families and Workplaces Act; (10)(a) Small business means an employer with fewer than twenty employees during a given week, including full-time, part-time, or temporary employees. (b) Small business does not include an employer that maintained twenty or more employees on its payroll in each of twenty or more calendar weeks in the current or preceding calendar year; and (11) Year means a regular and consecutive twelve-month period as determined by the employer.

Sec. 3. Accrual and carry-over of paid sick time; paid sick time following transfer or return after separation from employment. (1) All employees shall accrue a minimum of one hour of paid sick time for every thirty hours worked. Unless the employer selects a higher limit, this section does not entitle an employee to earn or use more than:

(a) Forty hours of paid sick time in a year for an employee of a small business; or (b) Fifty-six hours of paid sick time in a year for an employee of an employer that is not a small business. (2) Employees who are exempt from overtime requirements under 29 U.S.C. 213(a)(1) of the federal Fair Labor Standards Act, 29 U.S.C. 201 et seq., shall be assumed to work forty hours in each workweek for purposes of paid sick time accrual unless their typical workweek is less than forty hours, in which case paid sick time accrues based upon that typical workweek. (3) Paid sick time as provided in this section shall begin to accrue at the commencement of employment or October 1, 2025, whichever is later. An employee shall be entitled to use paid sick time as it is accrued. An employer may provide all paid sick time that an employee is expected to accrue in a year at the beginning of the year. (4) Accrued paid sick time shall be carried over to the following year. A small business is not required to permit an employee to use more than forty hours of paid sick time per year, and other employers are not required to permit an employee to use more than fifty-six hours of paid sick time per year. Alternatively, in lieu of carryover of unused paid sick time provided pursuant to this section from one year to the next, an employer may pay an employee for unused paid sick time provided pursuant to this section at the end of a year and provide the employee with an amount of paid sick time that meets or exceeds the requirements of subsections (1) and (3) of this section that is available for the employee's immediate use at the beginning of the subsequent year. (5) Any employer with a paid leave policy, such as a paid time off policy, who makes available an amount of paid leave sufficient to meet the requirements of the Nebraska Healthy Families and Workplaces Act that may be used for the same purposes and under the same conditions as paid sick time under the act is not required to provide additional paid sick time under the act. (6) At its discretion, an employer may loan paid sick time to an employee in advance of accrual by such employee. (7) If an employee is transferred to a separate division, entity, or location, but remains employed by the same employer, the employee is entitled to all paid sick time accrued at the prior division, entity, or location and is entitled to use all paid sick time as provided in the Nebraska Healthy Families and Workplaces Act. When there is a separation from employment and the employee is rehired within twelve months of separation by the same employer, previously accrued paid sick time that had not been used shall be reinstated. The employee shall be entitled to use accrued paid sick time and accrue additional paid sick time at the commencement of employment.

Sec. 4. Use of paid sick time; employee notice and documentation; multiemployer paid sick time fund, plan, or program. (1) Paid sick time shall be provided to an employee by an employer for:

(a) An employee's mental or physical illness, injury, or health condition; an employee's need for medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; or an employee's need for preventive medical care; (b) Care of a family member with a mental or physical illness, injury, or health condition; care of a family member who needs medical diagnosis, care, or treatment of a mental or physical illness, injury, or health condition; care of a family member who needs preventive medical care; or in the case of a child, to attend a meeting necessitated by the child's mental or physical illness, injury, or health condition, at a school or place where the child is receiving care; or (c) Closure of the employee's place of business by order of a public official due to a public health emergency, an employee's need to care for a child whose school or place of care has been closed by order of a public official due to a public health emergency, an employee's need to self-isolate or care for the employee or a family member when it has been determined by the health authorities having jurisdiction or by a health care professional that the employee's or family member's presence in the community may jeopardize the health of others because of exposure to a communicable disease, whether or not the employee or family member has actually contracted the communicable disease. (2) Paid sick time under this section shall be provided upon the oral request of an employee. When possible, the request shall include the expected duration of the absence. (3) An employer that requires notice of the need to use paid sick time in accordance with this section shall provide a written policy that contains reasonable procedures for employees to provide notice. An employer that has not provided to the employee a copy of such written policy shall not deny paid sick time to the employee based on noncompliance with such a policy. (4) An employer shall not require, as a condition of an employee's taking paid sick time under this section, that the employee search for or find a replacement worker to cover the hours during which the employee is using paid sick time. (5) Paid sick time under this section may be used in the smaller of hourly increments or the smallest increment that the employer's payroll system uses to account for absences or use of other time. (6) For use of paid sick time for more than three consecutive work days, an employer may require reasonable documentation that the paid sick time has been used for a purpose covered by subsection (1) of this section. Reasonable documentation shall include (a) documentation signed by a health care professional indicating that paid sick time is or was necessary or (b) if the employee or a family member did not receive services from a health care professional, or if documentation cannot be obtained from a health care professional in reasonable time or without added expense, a written statement from the employee indicating that the employee is taking or took paid sick time for a qualifying purpose covered by subsection (1) of this section. (7) An employer signatory to a multiemployer collective-bargaining agreement may fulfill its obligations under the Nebraska Healthy Families and Workplaces Act by making contributions to a multiemployer paid sick time fund, plan, or program based on the hours each employee accrues pursuant to the act while working under the multiemployer collective-bargaining agreement and for the purposes specified under the act. Employees who work under a multiemployer collective-bargaining agreement into which their employers make contributions as provided in this subsection may collect from the paid sick time fund, plan, or program based on hours they have worked under the multiemployer collective-bargaining agreement and for the purposes specified under the act.

Sec. 5. Exercise of rights protected; retaliatory personnel action prohibited. (1) It shall be unlawful for an employer or any other person to interfere with, restrain, or deny the exercise of, or the attempt to exercise, any right protected under the Nebraska Healthy Families and Workplaces Act. (2) An employer shall not take retaliatory personnel action against an employee or former employee because the person has exercised or attempted to exercise rights protected under the act. Such rights include, but are not limited to, the right to request or use paid sick time pursuant to the act; the right to file a suit or complaint or inform any person about any employer's alleged violation of the act; the right to participate in

STATEWIDE BALLOT MEASURES FOR GENERAL ELECTION, NOVEMBER 5, 2024 - PAGE 2

an investigation, hearing, or proceeding or cooperate with or assist the department in its investigations of alleged violations of the act; and the right to inform any person of the person's potential rights under the act. (3) It shall be unlawful for an employer's absence control policy to count paid sick time taken under the act as an absence that may lead to or result in a retaliatory personnel action or any other adverse action.

Sec. 6. Notice and posting.

(1) Employers shall give employees written notice of the following at the commencement of employment or by September 15, 2025, whichever is later: That beginning October 1, 2025, employees are entitled to paid sick time; the amount of paid sick time; the terms of its use guaranteed under the Nebraska Healthy Families and Workplaces Act; that retaliatory personnel action against employees who request or use paid sick time is prohibited; that each employee has the right to file a suit or complaint if paid sick time as required by the act is denied by the employer or the employee is subjected to retaliatory personnel action for requesting or taking paid sick time; and the contact information for the department where questions about rights and responsibilities under the act can be answered. (2) The notices required in subsection (1) of this section shall be provided in: (a) English; and (b) Any language that is the first language spoken by at least five percent of the employer's workforce if the department has provided a model notice in such language. (3) The amount of paid sick time available to the employee, the amount of paid sick time taken by the employee to date in the year, and the amount of pay the employee has received as paid sick time shall be recorded in, or on an attachment to, the employee's regular paycheck. (4) Employers shall display a poster that contains the information required in subsection (1) of this section in a conspicuous and accessible place in each establishment where such employees are employed. If an employer does not maintain a physical workplace or an employee teleworks or performs work through a web-based or app-based platform, the employer shall provide notice of such information via electronic communication or a conspicuous posting in the web-based or app-based platform. The poster displayed shall be in: (a) English; and (b) Any language that is the first language spoken by at least five percent of the employer's workforce if the department has provided posters in such language. (5) The department shall create and make available to employers, in all languages spoken by at least five percent of Nebraska's workforce and any language deemed appropriate by the department, model notices and posters that contain the information required under subsection (1) of this section and for employers' use in complying with subsections (1) and (4) of this section.

Sec. 7. Department of Labor; enforcement and implementation powers; rules and regulations.

(1) The department shall be responsible for implementation and enforcement of the Nebraska Healthy Families and Workplaces Act. The department may adopt and promulgate rules and regulations as necessary to carry out the act. (2) The Commissioner of Labor may subpoena records and witnesses related to the enforcement of the act. The commissioner or his or her agent may inspect all related records and gather testimony on any matter related to the enforcement of the act when the information sought is relevant to a lawful investigative purpose and is reasonable in scope.

Sec. 8. Enforcement.

(1) The Commissioner of Labor shall issue a citation to an employer when an investigation reveals that the employer may have violated the Nebraska Healthy Families and Workplaces Act. (2) When a citation is issued, the commissioner shall notify the employer of the proposed administrative penalty, if any, by certified mail, by any other manner of delivery by which the United States Postal Service can verify delivery, or by any method of service recognized under Chapter 25, article 5. The administrative penalty shall not be more than five hundred dollars in the case of a first violation and not more than five thousand dollars in the case of a second or subsequent violation. (3) The employer has fifteen working days after the date of the citation or penalty to contest such citation or penalty. Notice of contest shall be sent to the commissioner who shall provide a hearing in accordance with the Administrative Procedure Act. (4) Any employer who has an unpaid citation for a violation of the Nebraska Healthy Families and Workplaces Act shall be barred from contracting

with the state or any political subdivision until such citation is paid. If a citation has been contested as described in subsection (3) of this section, it shall not be considered an unpaid citation under this subsection until after such contest has been resolved. (5) Citations issued under this section and the names of employers who have been issued a citation shall be made available to the public upon request, except that this subsection shall not apply to any citations that are being contested as described in subsection (3) of this section. (6) An employee having a claim for a violation of the Nebraska Healthy Families and Workplaces Act may institute suit for legal and equitable relief in the proper court. In any action brought to enforce the Nebraska Healthy Families and Workplaces Act, the court shall have jurisdiction to grant such legal or equitable relief as the court deems appropriate to effectuate the purposes of the act. If an employee establishes a claim and secures judgment on the claim, such employee shall also be entitled to recover the full amount of the judgment and all costs of such suit, including reasonable attorney's fees. (7) If an employee institutes suit against an employer under subsection (6) of this section, any citation that is issued against an employer under subsection (1) of this section and that relates directly to the facts in dispute shall be admitted into evidence unless specifically excluded by the court. If a citation has been contested as described in subsection (3) of this section, it shall not be admitted into evidence under this subsection until such contest has been resolved. (8) A civil action brought under this section shall be commenced no later than four calendar years after the cause of action accrues.

Sec. 9. Confidentiality and nondisclosure.

(1) Unless otherwise required by law, an employer shall not require disclosure of the details of an employee's or an employee's family member's health information as a condition of providing paid sick time under the Nebraska Healthy Families and Workplaces Act. (2) Unless otherwise required by law, any health information possessed by an employer regarding an employee or employee's family member shall: (a) Be maintained on a separate form and in a separate file from other personnel information; (b) Be treated as confidential medical records; and (c) Not be disclosed except to the affected employee or with the express permission of the affected employee.

Sec. 10. No effect on more generous paid sick time policies or laws; nonwaiver of rights and remedies.

(1) The Nebraska Healthy Families and Workplaces Act provides minimum requirements pertaining to paid sick time, and nothing in the act shall be construed to: (a) Prohibit an employer from the adoption or retention of a paid sick time policy more generous than the one required by the act; (b) Diminish the obligation of an employer to comply with any contract, collective-bargaining agreement, employment benefit plan, or other agreement providing more generous paid sick time to an employee than required by the act; (c) Diminish the rights of public employees regarding paid sick time or use of paid sick time as provided in state or local law; or (d) Preempt, limit, or otherwise affect the applicability of any other law, regulation, requirement, policy, or standard that provides for a greater amount, accrual, or use by employees of paid sick time or that extends other protections to employees. (2) The rights and remedies under the Nebraska Healthy Families and Workplaces Act shall not be waived by any agreement, policy, form, or condition of employment. Any such waiver shall be void and unenforceable.

Sec. 11. Severability.

If any section in this act or any part of any section is declared invalid or unconstitutional, the declaration shall not affect the validity or constitutionality of the remaining portions.

INITIATIVE MEASURE 437

Ballot Title and Text for Initiative Measure 437

Proposed by Initiative Petition

A vote "FOR" will enact a statute that makes penalties inapplicable under state and local law for the use, possession, and acquisition of an allowable amount (up to five ounces) of cannabis for medical purposes by a qualified patient with a written recommendation from a health care practitioner, and for a caregiver to assist a qualified patient with these activities.

A vote "AGAINST" means such a statute will not be enacted.

Shall a statute be enacted that makes penalties inapplicable under state and

local law for the use, possession, and acquisition of an allowable amount (up to five ounces) of cannabis for medical purposes by a qualified patient with a written recommendation from a health care practitioner, and for a caregiver to assist a qualified patient with these activities?

- For
Against

Full Text of Proposed Measure 437

OBJECT STATEMENT: The object of this petition is to enact a statute that makes penalties inapplicable under state and local law for the use, possession, and acquisition of limited quantities of cannabis for medical purposes by a qualified patient with a written recommendation from a health care practitioner, and for a caregiver to assist a qualified patient in these activities.

Proposed Statutory Language

(underscored language indicates added language, strike through indicates language being removed)

TEXT: AN ACT relating to cannabis; to adopt the Nebraska Medical Cannabis Patient Protection Act.

Be it enacted by the People of the State of Nebraska:

Section 1. Sections 1 to 3 of this act shall be known and may be cited as the Nebraska Medical Cannabis Patient Protection Act.

Sec. 2. For purposes of the Nebraska Medical Cannabis Patient Protection Act: (1)(a) Allowable amount of cannabis means up to five ounces of cannabis. (b) Allowable amount of cannabis does not include the weight of any other ingredient combined with cannabis as part of topical or oral administrations, food, drink, or other preparations. (2)(a) Cannabis means all parts of the plant of the genus cannabis whether growing or not, the seeds thereof, the resin extracted from any part of the plant, and every compound, manufacture, salt, derivative, mixture, or preparation of the plant, its seeds, or its resin. (b) Cannabis includes marijuana, hashish, and concentrated cannabis. (c) Cannabis does not include hemp, as defined in Section 2-503(13) of the Nebraska Hemp Farming Act, nor does it include the mature stalks of the plant, fiber produced from such stalks, oil or cake made from the seeds of the plant, the sterilized seed of the plant which is incapable of germination, or cannabidiol contained in a drug product approved by the federal Food and Drug Administration; (3) Cannabis accessories means any equipment, products, or materials of any kind that are used, intended for use, or designed for use in storing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body; (4) Caregiver means: (a) In the case of a qualified patient who is eighteen years of age or older and is not under the protection of a legal guardian, a person who: (i) Is at least twenty-one years of age; and (ii) Has been designated by a qualified patient in a signed affidavit; (b) In the case of a qualified patient who is younger than eighteen years of age or a qualified patient under the protection of a legal guardian: (i) The legal guardian or parent with authority to make health care decisions; or (c) A health care facility as defined in section 71-413 or a home health agency as defined in section 71-417, if the facility or agency has been designated by a qualified patient or parent with authority to make health care decisions; or (3) A health care facility as defined in section 71-413 or a home health agency as defined in section 71-417, if the facility or agency has been designated by a qualified patient or parent with authority to make health care decisions; (5) Health care practitioner means a physician, an osteopathic physician, a physician assistant, or a nurse practitioner licensed under the Uniform Credentialing Act or who is licensed in any state and practicing in compliance with the Uniform Credentialing Act; (6) Qualified patient means: (a) An individual eighteen years of age or older with a written recommendation from a health care practitioner; or (b) An individual younger than eighteen years of age with a written recommendation from a health care practitioner and with the written permission of a legal guardian or parent with authority to make health care decisions for the individual; and (7) Written recommen-

dation means a valid signed and dated declaration from a health care practitioner stating that, in the health care practitioner's professional judgment, the potential benefits of cannabis outweigh the potential harms for the alleviation of a patient's medical condition, its symptoms, or side effects of the condition's treatment. A written recommendation is valid for two years after the date of issuance or for a period of time specified by the health care practitioner on the written recommendation.

Sec. 3. (1) Subject to the requirements of the Nebraska Medical Cannabis Patient Protection Act, it shall not be an offense under state or local law for: (a) A qualified patient to use, possess, and acquire an allowable amount of cannabis and cannabis accessories for the alleviation of a medical condition, its symptoms, or side effects of the condition's treatment; or (b) A caregiver to assist a qualified patient with the activities set forth in subdivision (1)(a) of this section by possessing and acquiring an allowable amount of cannabis and cannabis accessories on behalf of the qualified patient and delivering an allowable amount of cannabis and cannabis accessories to the qualified patient. (2) Conduct protected by this section shall not be subject to the Uniform Controlled Substances Act.

INITIATIVE MEASURE 438

Ballot Title and Text for Initiative Measure 438

Proposed by Initiative Petition

A vote "FOR" will enact a statute that makes penalties inapplicable under state law for the possession, manufacture, distribution, delivery, and dispensing of cannabis for medical purposes by registered private entities, and that establishes a Nebraska Medical Cannabis Commission to regulate such activities.

INITIATIVE MEASURE 439

Ballot Title and Text for Initiative Measure 439

Proposed by Initiative Petition

A vote "FOR" will amend the Nebraska Constitution to provide that all persons shall have a fundamental right to abortion until fetal viability, or when needed to protect the life or health of the pregnant patient, without interference from the state or its political subdivisions. Fetal viability is defined as the point in pregnancy when, in the professional judgment of the patient's treating health care practitioner, there is a significant likelihood of the fetus' sustained survival outside the uterus without the application of extraordinary medical measures.

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ing, vaporizing, or containing cannabis, or for ingesting, inhaling, or otherwise introducing cannabis into the human body; (3) Cannabis for medical purposes means cannabis, cannabis products, and cannabis accessories intended for qualified patients pursuant to any law enacted contemporaneously with the adoption of the Nebraska Medical Cannabis Regulation Act or at any time thereafter and which makes penalties inapplicable to the use of cannabis by qualified patients for the alleviation of a medical condition, its symptoms, or side effects of the condition's treatment; (4) Cannabis products means products that are comprised of cannabis, cannabis concentrate, or cannabis extract, and other ingredients, and that are intended for use or consumption, such as, but not limited to, edible products, ointments, and tinctures; (5) Commission means the Nebraska Medical Cannabis Commission; (6) Registered cannabis establishment means a private entity registered pursuant to the Nebraska Medical Cannabis Regulation Act that possesses, manufactures, distributes, delivers, or dispenses cannabis for medical purposes; and (7) Registration means a registration granted by the commission to a private entity that processes, manufactures, distributes, delivers, or dispenses cannabis for medical purposes.

Sec. 3. (1) Subject to the requirements of the Nebraska Medical Cannabis Regulation Act, it shall not be an offense under state law for a registered cannabis establishment, its employees, and its agents to possess, manufacture, distribute, deliver, and dispense cannabis for medical purposes, provided such conduct complies with applicable rules and regulations adopted and promulgated by the Commission pursuant to the Nebraska Medical Cannabis Regulation Act. (2) Conduct protected by this section shall not be subject to the Uniform Controlled Substances Act.

Sec. 4. (1) For purposes of providing the necessary registration and regulation of persons that possess, manufacture, distribute, deliver, and dispense cannabis for medical purposes pursuant to the Nebraska Medical Cannabis Regulation Act, the Nebraska Medical Cannabis Commission is created. (2) The commission shall consist of no fewer than three and no more than five members. (3) The three members of the Nebraska Liquor Control Commission shall be ex officio members of the commission, serving terms and receiving appointment in the same manner as provided in section 53-105. (4) The Governor may appoint two additional members, subject to confirmation by a majority of the members elected to the Legislature, to serve with the members of the Nebraska Liquor Control Commission as members of the Nebraska Medical Cannabis Commission. The members appointed pursuant to this subsection shall serve six-year terms. (5) The Governor may reappoint members of the commission, subject to approval by a majority of the members elected to the Legislature.

Sec. 5. The power to regulate all phases of the control of the possession, manufacture, distribution, delivery, and dispensing of cannabis for medical purposes by registered cannabis establishments in the state pursuant to the Nebraska Medical Cannabis Regulation Act is vested exclusively in the commission.

Sec. 6. The commission shall: (1) No later than July 1, 2025, establish criteria to accept or deny applications for registrations, including adopting, promulgating, and enforcing reasonable rules, regulations, and eligibility standards for such registrations; (2) No later than October 1, 2025, begin granting registrations to applicants that meet eligibility standards and other requirements established by the commission; (3) Grant, deny, revoke, and suspend registrations based upon reasonable criteria and procedures established by the commission; (4) Have the authority to adopt, promulgate, and enforce distinct sets of rules and regulations for different categories of registered cannabis establishments; (5) Administer oaths or affirmations as necessary to carry out the Nebraska Medical Cannabis Regulation Act; (6) Issue subpoenas for the attendance of witnesses or the production of any records, books, memoranda, documents, or other papers or things at or prior to any hearing as is necessary to enable the commission to effectively discharge its duties; (7) Inspect the operation of any registered cannabis establishment for the purpose of verifying compliance with rules and regulations adopted and promulgated by the commission; (8) Have the

authority to impose, subject to judicial review under the Administrative Procedure Act, administrative fines for each violation of any rules and regulations adopted and promulgated pursuant to the Nebraska Medical Cannabis Regulation Act; (9) Collect administrative fines imposed under this section and remit the fines to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska; (10) Establish procedures for the governance of the commission; (11) Acquire necessary offices, facilities, counsel, and staff; and (12) Do all things necessary and proper to carry out its powers and duties under the Nebraska Medical Cannabis Regulation Act, including the adoption and promulgation of rules and regulations and such other actions as permitted by the Administrative Procedure Act.

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A vote "FOR" will amend the Nebraska Constitution to provide that all persons shall have a fundamental right to abortion until fetal viability, or when needed to protect the life or health of the pregnant patient, without interference from the state or its political subdivisions. Fetal viability is defined as the point in pregnancy when, in the professional judgment of the patient's treating health care practitioner, there is a significant likelihood of the fetus' sustained survival outside the uterus without the application of extraordinary medical measures.

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authority to impose, subject to judicial review under the Administrative Procedure Act, administrative fines for each violation of any rules and regulations adopted and promulgated pursuant to the Nebraska Medical Cannabis Regulation Act; (9) Collect administrative fines imposed under this section and remit the fines to the State Treasurer for distribution in accordance with Article VII, section 5, of the Constitution of Nebraska; (10) Establish procedures for the governance of the commission; (11) Acquire necessary offices, facilities, counsel, and staff; and (12) Do all things necessary and proper to carry out its powers and duties under the Nebraska Medical Cannabis Regulation Act, including the adoption and promulgation of rules and regulations and such other actions as permitted by the Administrative Procedure Act.

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