

**SIXTIETH DAY - APRIL 5, 2017**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FIFTH LEGISLATURE**  
**FIRST SESSION**

**SIXTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 5, 2017

**PRAYER**

The prayer was offered by Senator Riepe.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Bolz, Kolowski, Smith, Watermeier, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-ninth day was approved.

**GENERAL FILE**

**LEGISLATIVE BILL 647.** Senator Murante offered the following motion:  
MO72  
Indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Murante withdrew his motion to indefinitely postpone.

Title read. Considered.

Committee AM290, found on page 513, was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Senator Chambers offered the following motion:  
MO73  
Indefinitely postpone.

**SPEAKER SCHEER PRESIDING**

Senator Chambers withdrew his motion to indefinitely postpone.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 647A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

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

Senator Morfeld filed the following amendment to LB512:  
AM862

(Amendments to Standing Committee amendments, AM724)

1 1. On page 2, line 17, after "purposes" insert ". This term does not  
2 include Internet web sites, online services, online applications, or  
3 mobile applications operated by a postsecondary institution with a  
4 physical presence in Nebraska".

**COMMITTEE REPORT(S)**

Executive Board

**LEGISLATIVE BILL 445.** Indefinitely postponed.

**LEGISLATIVE BILL 530.** Indefinitely postponed.

(Signed) Dan Watermeier, Chairperson

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 172.** Placed on Select File.

**LEGISLATIVE BILL 276.** Placed on Select File with amendment.  
ER44

1 1. On page 1, strike line 4 and insert "provide and change".

**LEGISLATIVE BILL 217.** Placed on Select File with amendment.  
ER48 is available in the Bill Room.

**LEGISLATIVE BILL 487.** Placed on Select File with amendment.  
ER47

1 1. On page 1, strike beginning with "the" in line 1 through  
2 "Nebraska" in line 3 and insert "drugs; to amend sections 25-21,280,  
3 28-101, 28-401, 28-401.01, 28-405, 28-416, 28-441, and 28-470, Reissue  
4 Revised Statutes of Nebraska; to provide and change immunity provisions  
5 with respect to asthma and allergic reactions; to redefine marijuana; to  
6 include U-47700 as a Schedule I controlled substance and cannabidiol as a  
7 Schedule V controlled substance as prescribed under the Uniform  
8 Controlled Substances Act".

**LEGISLATIVE BILL 417.** Placed on Select File with amendment.  
ER45 is available in the Bill Room.

**LEGISLATIVE BILL 376.** Placed on Select File.  
**LEGISLATIVE BILL 75.** Placed on Select File.

(Signed) Anna Wishart, Chairperson

### **CONFLICT OF INTEREST STATEMENT**

Pursuant to Rule 1, Sec. 19, Senator Wayne has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

### **GENERAL FILE**

**LEGISLATIVE BILL 152.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 12 present and not voting, and 7 excused and not voting.

**LEGISLATIVE BILL 300.** Title read. Considered.

Senator Krist offered his amendment, AM860, found on page 908.

### **PRESIDENT FOLEY PRESIDING**

Senator Krist offered the following amendment to his amendment:  
AM939

(Amendments to AM860)

- 1 1. Insert the following new section:
- 2 Sec. 2. If any section in this act or any part of any section is
- 3 declared invalid or unconstitutional, the declaration shall not affect
- 4 the validity or constitutionality of the remaining portions.
- 5 2. Renumber the remaining section accordingly.

Senator Krist moved for a call of the house. The motion prevailed with 17 ayes, 2 nays, and 30 not voting.

The Krist amendment was adopted with 25 ayes, 2 nays, 17 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator Krist requested a roll call vote on his amendment, AM860, as amended.

The Krist amendment, as amended, was adopted with 25 ayes, 15 nays, 3 present and not voting, 1 absent and not voting, and 5 excused and not voting.

Senator Krist moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

Senator Krist requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 29:

Blood	Ebke	Kolowski	Morfeld	Walz
Bolz	Hansen	Krist	Pansing Brooks	Watermeier
Briese	Harr	Kuehn	Quick	Wayne
Chambers	Hilkemann	Lindstrom	Scheer	Williams
Craighead	Howard	McCollister	Schumacher	Wishart
Crawford	Hughes	McDonnell	Vargas	

Voting in the negative, 3:

Clements Erdman Lowe

Present and not voting, 13:

Albrecht	Brewer	Groene	Kolterman	Riepe
Bostelman	Friesen	Halloran	Linehan	
Brasch	Geist	Hilgers	Murante	

Excused and not voting, 4:

Baker Larson Smith Stinner

Advanced to Enrollment and Review Initial with 29 ayes, 3 nays, 13 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 512.** Placed on Select File with amendment.  
ER49

- 1 1. On page 1, strike beginning with "amend" in line 1 through
- 2 "emergency" in line 19 and insert "amend sections 79-319, 79-746,
- 3 79-1065, 79-10,141, 79-1108.02, 79-1144, 85-173, 85-174, 85-308, 85-917,
- 4 85-933, 85-949, 85-2401, 85-2403, and 85-2405, Reissue Revised Statutes
- 5 of Nebraska, and sections 9-812, 77-3442, 79-237, 79-2,144, 79-1003,
- 6 79-1007.11, 79-1017.01, 79-1028.01, 79-1054, and 85-502.01, Revised
- 7 Statutes Cumulative Supplement, 2016; to adopt the Student Online
- 8 Personal Protection Act; to provide requirements for public school
- 9 districts relating to swimming activities; to eliminate the Education
- 10 Innovation Fund; to change provisions related to the Nebraska Education
- 11 Improvement Fund; to change exceptions to levy limitations and budget

12 limitations for new voluntary termination agreements; to change  
 13 provisions relating to option enrollment; to change a deadline for the  
 14 state school security director; to transfer duties and eliminate the  
 15 State Board of Vocational Education; to define and redefine terms; to  
 16 eliminate the best practices allowance and best practices aid; to provide  
 17 for adjustments of federal funding for school districts; to change  
 18 provisions relating to grants under the Summer Food Service Program; to  
 19 provide for repayment of federal funds; to change and eliminate  
 20 provisions relating to educational institutions ceasing to function; to  
 21 change residency provisions for veterans and their spouses and dependents  
 22 and other eligible persons; to provide duties for the Coordinating  
 23 Commission for Postsecondary Education; to create a fund; to assess for-  
 24 profit postsecondary institutions; to require bonds or other security  
 25 agreements; to authorize claims resulting from the termination of  
 26 operations; to allow for advertising as prescribed; to require a report;  
 27 to eliminate the Council on Student Attendance; to harmonize provisions;  
 1 to provide operative dates; to repeal the original sections; to outright  
 2 repeal sections 79-321, 79-527.01, 79-738, 79-739, 79-740, 79-741,  
 3 79-742, 79-743, 79-744, and 85-175, Reissue Revised Statutes of Nebraska,  
 4 and section 79-1004, Revised Statutes Cumulative Supplement, 2016; and to  
 5 declare an emergency".  
 6 2. On page 23, lines 29, strike "conduct", show as stricken, and  
 7 insert "conducts".  
 8 3. On page 50, line 20, strike "(1)", show as stricken, and insert  
 9 "(a)"; in line 25 strike "(2)", show as stricken, and insert "(b)"; and  
 10 in line 26 strike "(3)", show as stricken, and insert "(c)".  
 11 4. On page 56, line 7, after "501(c)(3)" insert "of the Internal  
 12 Revenue Code".  
 13 5. On page 59, line 14, strike "32" and insert "31".  
 14 6. On page 63, line 28, strike "85-2041" and insert "85-2401".

**LEGISLATIVE BILL 317.** Placed on Select File.

**LEGISLATIVE BILL 641A.** Placed on Select File.

(Signed) Anna Wishart, Chairperson

### VISITOR(S)

Visitors to the Chamber were 20 Norris Middle School students and teachers from Omaha; 60 fourth-grade students and sponsors from Bel Air School, Norfolk; 10 high school FFA students, teacher, and sponsor from Wood River; Shelli and Tim Messer from Ralston, Clara and Annie Lind from Seattle, WA, and John Northwall from Omaha; 32 fourth-grade students from St. Cecilia's School, Omaha; and 47 tenth-grade students and teachers on a Sophomore Pilgrimage.

**RECESS**

At 11:53 a.m., on a motion by Senator Hughes, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Foley presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Bolz, Ebke, Erdman, Groene, Hilkemann, Kolowski, Kuehn, Larson, Linehan, Pansing Brooks, Smith, Stinner, and Walz who were excused until they arrive.

**MESSAGE(S) FROM THE GOVERNOR**

April 5, 2017

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 46 and 46A were received in my office on April 3, 2017.

These bills were signed and delivered to the Secretary of State on April 5, 2017.

Sincerely,  
(Signed) Pete Ricketts  
Governor

April 5, 2017

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

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

Contingent upon your approval, the following individuals are being appointed to the Boiler Safety Code Advisory Board:

Aaron Jazyuka, 5219 William Street, Omaha, NE 68106

William Hetzler, 7005 S. 74 Street, Unit 303, La Vista, NE 68128

Contingent upon your approval, the following individuals are being reappointed to the Boiler Safety Code Advisory Board:

Martin Kasl, 6700 Ridge Point Road, Lincoln, NE 68512  
Kurt Eberspacher, 4332 W. McKelvie Road, Lincoln, NE 68524

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

April 5, 2017

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

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

Contingent upon your approval, the following individual is being reappointed to the Nebraska Liquor Control Commission:

Bruce D. Bailey, 1710 Surfside Drive, Lincoln, NE 68528

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

April 5, 2017

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

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

Contingent upon your approval, the following individual is being appointed to the Commission for the Deaf and Hard of Hearing:

Candice Arteaga, 629 Oak Street, Greenwood, NE 68366

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

April 5, 2017

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

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

Contingent upon your approval, the following individual is being appointed to the Foster Care Advisory Committee:

Timothy Robinson, 10620 Fowler Avenue, Omaha, NE 68134

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

#### **GENERAL FILE**

**LEGISLATIVE BILL 346.** Title read. Considered.

Senator Wayne offered his amendment, FA57, found on page 926.

Senator Wayne withdrew his amendment.

Senator Lowe moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 23 not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.



The Chair declared the call raised.

**LEGISLATIVE BILL 323.** Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 257.** Title read. Considered.

Senator Hilgers offered his amendment, AM502, found on page 767.

The Hilgers amendment was adopted with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 15 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 478.** Title read. Considered.

Senator Schumacher offered the following amendment:

FA59

Page 4, line 22 insert the words "state issued" immediately before the second occurrence of the word license in line 22.

The Schumacher amendment was adopted with 28 ayes, 0 nays, 19 present and not voting, and 2 excused and not voting.

Senator Groene moved for a call of the house. The motion prevailed with 20 ayes, 0 nays, and 29 not voting.

Advanced to Enrollment and Review Initial with 25 ayes, 0 nays, 22 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 509.** Title read. Considered.

Committee AM357, found on page 691, was adopted with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 29 ayes, 0 nays, 17 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 509A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 0 nays, 18 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 97.** Title read. Considered.

Senator Crawford offered her amendment, AM659, found on page 784.

Senator Crawford moved for a call of the house. The motion prevailed with 22 ayes, 2 nays, and 25 not voting.

**SPEAKER SCHEER PRESIDING**

The Crawford amendment was adopted with 25 ayes, 0 nays, 20 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 291.** Title read. Considered.

Committee AM530, found on page 709, was offered.

Senator Larson offered the following amendment to the committee amendment:

AM941

(Amendments to Standing Committee amendments, AM530)

1 1. Strike amendment 1 and insert the following new amendments:

2 1. Strike original section 11 and insert the following new sections:

3 Sec. 11. (1) Each time applications are scored for purposes of

4 allocating federal low-income housing tax credits, the authority shall

5 give a bonus under its scoring system to the highest-scoring application

6 that involves a development located in a special economic impact zone as

7 defined in section 3 of this act. The bonus shall be equal to two percent

8 of the total number of points available under such scoring system.

9 (2) No more than one application per calendar year may be awarded an

10 allocation of federal low-income housing tax credits as a result of the

11 bonus provided in subsection (1) of this section.

12 Sec. 14. Section 77-2705.01, Revised Statutes Cumulative Supplement,

13 2016, is amended to read:

14 77-2705.01 (1) The Tax Commissioner may issue direct payment permits

15 to (a) any person who annually purchases at least three million dollars

16 of taxable property excluding purchases for which a resale certificate

17 could be used or (b) any qualified business as defined in section 3 of

18 this act.

19 (2)(a) An (2) The applicant described in subdivision (1)(a) of this

20 section for a direct payment permit shall apply for a direct payment

21 permit on a form prescribed by the Tax Commissioner. The applicant shall

22 pay a nonrefundable fee of ten dollars for processing the application.

23 The application shall include the agreement of the applicant to accrue

24 and pay to the Tax Commissioner on or before the twentieth day of the

25 month following the date of purchase, lease, or rental all sales and use  
 26 taxes on the taxable property purchased, leased, or rented by the  
 1 applicant unless the items are exempt from taxation and the tax paid will  
 2 be treated as a sales tax.

3 (b) An applicant described in subdivision (1)(b) of this section  
 4 shall apply for a direct payment permit on a form prescribed by the Tax  
 5 Commissioner. The application shall include the agreement of the  
 6 applicant to accrue and pay to the Tax Commissioner on or before the  
 7 twentieth day of the month following the date of purchase, lease, or  
 8 rental all sales and use taxes that are due after the applicant's total  
 9 purchases for the calendar year exceed the exempt amount provided in  
 10 section 6 of this act. The tax paid will be treated as a sales tax.

11 (c) The Tax Commissioner may require a description of the accounting  
 12 methods by which an applicant will differentiate between taxable and  
 13 exempt transactions.

14 (3) The Tax Commissioner may issue a direct payment permit to any  
 15 applicant who meets the requirements of subsections (1) and (2) of this  
 16 section. The direct payment permit shall become effective on the first  
 17 day of the month following approval of an application. The decision of  
 18 the Tax Commissioner under this section is not appealable. An applicant  
 19 who is denied a direct payment permit may submit an amended application  
 20 or reapply.

21 (4) A direct payment permit is not transferable.

22 (5) The holder of a direct payment permit is not entitled to any  
 23 collection fee otherwise payable to those who collect and remit sales and  
 24 use taxes.

25 2. On page 2, line 5, after "reservations" insert "and trust land";  
 26 after line 7 insert the following new subdivision:

27 "(2) Federally designated or established service area means a  
 28 geographic area designated by the United States where federal services  
 29 and benefits furnished to Indians and Indian tribes are provided or which  
 30 is otherwise designated to constitute an area on or near a reservation;"  
 31 in line 8 strike "(2)" and insert "(3)"; in line 9 strike "(3)" and  
 1 insert "(4)"; strike line 20 and insert the following new subdivision:

2 "(5) Reservation means Indian country as defined in 18 U.S.C. 1151  
 3 and any lands, not covered under such section, title to which is either  
 4 held by the United States in trust for the benefit of any Indian tribe or  
 5 individual or held by any Indian tribe or individual subject to a  
 6 restriction by the United States against alienation. Reservation does not  
 7 include a federally designated or established service area;"; in line 21  
 8 strike "(5)" and insert "(6)"; in line 23 strike "(6)" and insert "(7)";  
 9 and strike beginning with "each" in line 26 through line 28 and insert  
 10 "the following areas of this state are hereby established as special  
 11 economic impact zones:

12 (a) Each reservation in this state; and

13 (b) For any Indian tribe without a reservation in this state, the  
 14 trust land of such Indian tribe that lies within a federally designated  
 15 or established service area."

16 3. On page 3, strike beginning with "income" in line 6 through line

17 9 and insert "taxable income under the Nebraska Revenue Act of 1967,  
 18 exclude the portion of the Nebraska taxable income equal to the portion  
 19 of the sales of the qualified business that are sold or delivered from  
 20 within a special economic impact zone."; in line 12 strike "ten million"  
 21 and insert "two hundred fifty thousand"; and in line 13 after the period  
 22 insert "The qualified business shall make the eligible purchases exempt  
 23 from sales and use taxes using a direct payment permit issued under  
 24 section 77-2705.01.".  
 25 4. Renumber the remaining sections, correct internal references, and  
 26 correct the repealer accordingly.

The Larson amendment was adopted with 25 ayes, 0 nays, 21 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 26 ayes, 0 nays, 20 present and not voting, and 3 excused and not voting.

### **PRESIDENT FOLEY PRESIDING**

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 19 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 248.** Title read. Considered.

Committee AM301, found on page 566, was offered.

Senator Harr offered the following amendment to the committee amendment:

AM936

(Amendments to Standing Committee amendments, AM301)

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Sections 1 to 10 of this act shall be known and may be  
 4 cited as the Youth Opportunities in Learning and Occupations Act.  
 5 Sec. 2. (1) The Legislature finds and declares that a skills gap  
 6 exists between employers and young people between the ages of sixteen  
 7 years and twenty-four years. An opportunity exists to invest in such  
 8 young people by identifying individual abilities, analyzing existing job  
 9 opportunities within this state, and training such young people to meet  
 10 the needs of Nebraska employers.  
 11 (2) It is the intent of the Legislature and purpose of the Youth  
 12 Opportunities in Learning and Occupations Act to practice early  
 13 investment in the young people of this state by offering training  
 14 services that encourage young people to identify individual abilities and  
 15 interests by exposing them to potential employment opportunities within  
 16 this state, teaching young people the soft skills necessary to succeed in  
 17 employment, identifying demand occupations, and assessing the required  
 18 skills.  
 19 Sec. 3. For purposes of the Youth Opportunities in Learning and

20 Occupations Act:

21 (1) Commissioner means the Commissioner of Labor;

22 (2) Demand occupation means an occupation requiring specific skills  
23 and for which, as a result of business development, there are positive  
24 growth-to-replacement ratios, or such ratios are expected within the next  
25 twelve to twenty-four months, according to the best available sources of  
26 state and local labor-market information;

1 (3) Department means the Department of Labor;

2 (4) Employer means an individual or entity engaged in a business, an  
3 industry, a profession, a trade, or other enterprise in this state that  
4 is in compliance with the reporting and payment requirements of the  
5 Employment Security Law as determined by the department;

6 (5) Nonprofit corporation means any corporation that is exempt for  
7 federal tax purposes under section 501(c)(3) of the Internal Revenue  
8 Code;

9 (6) Qualified youth means an individual between the ages of sixteen  
10 years and twenty-four years who (a) qualifies for free or reduced-price  
11 lunches under the United States Department of Agriculture child nutrition  
12 programs or (b) is receiving a Federal Pell Grant award for at least a  
13 portion of the time period of the training; and

14 (7) Soft skills means personal attributes and interpersonal skills  
15 that complement occupational skills in the workplace.

16 Sec. 4. The following entities may apply to the commissioner for a  
17 grant pursuant to the Youth Opportunities in Learning and Occupations  
18 Act:

19 (1) One or more employers seeking to secure training for qualified  
20 youth for demand occupations in a particular industry; or

21 (2) One or more nonprofit corporations that do business in this  
22 state and provide qualified youth with soft-skills training for career  
23 readiness, career counseling to assess occupational skills, interests,  
24 and abilities and analyze potential career opportunities, or other  
25 programming related to career readiness.

26 Sec. 5. (1) Beginning in fiscal year 2017-18 and each fiscal year  
27 thereafter, the commissioner shall award grants pursuant to the Youth  
28 Opportunities in Learning and Occupations Act such that the grant funds  
29 awarded are approximately equal for each congressional district, except  
30 that if there are not sufficient qualified applicants in any  
31 congressional district, the commissioner may award the unused grant funds  
1 to applicants in another congressional district. No more than one-half of  
2 the funds allocated to each congressional district shall be awarded to  
3 employers. The commissioner, in awarding grants, shall give priority to  
4 programs, services, or training that results in employment.

5 (2) No payment shall be made from the Youth Opportunities in  
6 Learning and Occupations Fund for a grant awarded pursuant to this  
7 section until the commissioner has received evidence that the entity  
8 receiving such grant award has either received matching funds from  
9 another source or irrevocably committed funds of the entity to be used  
10 for the purposes of the grant in an amount equal to or greater than the  
11 amount of the grant award. Such matching funds may be from any source.

12 including private foundations, federal or local government sources, or  
13 quasi-governmental entities, that is not using money appropriated by the  
14 Legislature to provide the matching funds. Money used to meet the  
15 matching funds requirement and money received pursuant to the grant award  
16 may not be used for capital construction.

17 (3) Appeals of any decision of the commissioner pursuant to this  
18 section shall be in accordance with the Administrative Procedure Act.  
19 Sec. 6. Grant funds received pursuant to the Youth Opportunities in  
20 Learning and Occupations Act shall be used to:

21 (1) Prepare qualified youth to enter the workforce;

22 (2) Develop marketable skills and competencies, increase earning  
23 power, and secure jobs for qualified youth who successfully complete  
24 training;

25 (3) Provide career counseling to assist qualified youth in analyzing  
26 marketable skills and connecting those skills with current jobs that are  
27 in demand occupations;

28 (4) Reduce unemployment for qualified youth within this state;

29 (5) Provide a basis for qualified youth who are employed to  
30 successfully increase skills to access higher positions;

31 (6) Engage employers in preparing qualified youth for gainful  
1 employment;

2 (7) Prepare qualified youth to fulfill the employment needs of  
3 businesses in this state; and

4 (8) Assist in identifying and developing qualified youth to fulfill  
5 the demand for skilled workers in this state.

6 Sec. 7. On or before November 1, 2018, and on or before November 1  
7 of each year thereafter, the commissioner shall report to the Governor  
8 and the Clerk of the Legislature on the distribution and use of the  
9 grants distributed under the Youth Opportunities in Learning and  
10 Occupations Act, including how many entities applied to receive grants,  
11 how many entities received grants, the types of programming receiving  
12 grants, how many qualified youth the entities plan to train, how many  
13 qualified youth successfully completed their training, and information on  
14 any funds that have not been used. The report to the Clerk of the  
15 Legislature shall be submitted electronically.

16 Sec. 8. The department shall adopt and promulgate rules and  
17 regulations to carry out the Youth Opportunities in Learning and  
18 Occupations Act. The rules and regulations shall include, but not be  
19 limited to, application timelines and requirements, guidelines for  
20 evaluating applications, requirements for evidence regarding matching  
21 funds, a plan for evaluating the effectiveness of programs, services, and  
22 training that receive funding, and a reporting process for grant  
23 recipients.

24 Sec. 9. (1) The Youth Opportunities in Learning and Occupations  
25 Fund is created. The fund shall be used for (a) administrative costs of  
26 establishing, assessing, and maintaining the grant program pursuant to  
27 the Youth Opportunities in Learning and Occupations Act and (b) providing  
28 grants pursuant to the act. The fund shall consist of any money  
29 appropriated to the Youth Opportunities in Learning and Occupations Fund

30 by the Legislature, any money made available by any department or agency  
 31 of the United States if so directed by such department or agency, and any  
 1 donations, gifts, bequests, or other contributions to the fund from  
 2 public or private entities.  
 3 (2) Any money in the fund not distributed shall be retained by the  
 4 department to be distributed as grants in the next fiscal year and shall  
 5 not be expended by the department for any other purpose.  
 6 (3) Any money in the fund available for investment shall be invested  
 7 by the state investment officer pursuant to the Nebraska Capital  
 8 Expansion Act and the Nebraska State Funds Investment Act. Investment  
 9 earnings from money in the fund shall be credited to the fund.  
 10 Sec. 10. It is the intent of the Legislature to appropriate two  
 11 million five hundred thousand dollars from the General Fund for fiscal  
 12 year 2017-18 to carry out the Youth Opportunities in Learning and  
 13 Occupations Act.

Pending.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 382.** Placed on General File.

(Signed) John Murante, Chairperson

Education

**LEGISLATIVE BILL 634.** Placed on General File.

(Signed) Mike Groene, Chairperson

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 148.** Placed on Final Reading.  
**LEGISLATIVE BILL 182.** Placed on Final Reading.  
**LEGISLATIVE BILL 207.** Placed on Final Reading.  
**LEGISLATIVE BILL 210.** Placed on Final Reading.  
**LEGISLATIVE BILL 407.** Placed on Final Reading.  
**LEGISLATIVE BILL 518.** Placed on Final Reading.  
**LEGISLATIVE BILL 518A.** Placed on Final Reading.  
**LEGISLATIVE BILL 566.** Placed on Final Reading.  
**LEGISLATIVE BILL 590.** Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 91.** Introduced by Kolterman, 24.

**PURPOSE:** The purpose of this study is to examine the public employees' retirement systems administered by the Public Employees Retirement Board, including the State Employees Retirement System of the State of Nebraska, the Retirement System for Nebraska Counties, the School Employees Retirement System of the State of Nebraska, the Nebraska State Patrol Retirement System, and the Nebraska Judges Retirement System. The study may also examine any retirement system administered under the Class V School Employees Retirement Act.

The study shall examine issues as they relate to the funding needs, benefits, contributions, and administration of each retirement system.

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

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

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 92.** Introduced by Kolterman, 24.

**PURPOSE:** The purpose of this study is to carry out section 13-2402 of the Nebraska Revised Statutes, which requires the Nebraska Retirement Systems Committee of the Legislature to monitor underfunded defined benefit plans administered by political subdivisions. The study committee shall conduct a public hearing for the presentation of reports by all political subdivisions with underfunded defined benefit plans.

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

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

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

Referred to the Executive Board.



**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Arteaga, Candice - Commission for the Deaf and Hard of Hearing - Health and Human Services

Bailey, Bruce D. - Nebraska Liquor Control Commission - General Affairs

Eberspacher, Kurt - Boiler Safety Code Advisory Board - Business and Labor

Hetzler, William - Boiler Safety Code Advisory Board - Business and Labor

Jazyuka, Aaron - Boiler Safety Code Advisory Board - Business and Labor

Kasl, Martin - Boiler Safety Code Advisory Board - Business and Labor

Robinson, Timothy - Foster Care Review Board - Health and Human Services

(Signed) Dan Watermeier, Chairperson  
Executive Board

**VISITOR(S)**

Visitors to the Chamber were 6 fourth-grade students and sponsors from Chase County Schools, Imperial; 9 tenth- and eleventh-grade FFA students from Lexington; and Quin Woods and Turner Linafelter from Lincoln.

**ADJOURNMENT**

At 4:54 p.m., on a motion by Senator Bostelman, the Legislature adjourned until 9:00 a.m., Thursday, April 6, 2017.

Patrick J. O'Donnell  
Clerk of the Legislature

