

SEVENTEENTH DAY - JANUARY 30, 2018**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, January 30, 2018

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senators Bolz, Geist, Hansen, Kolterman, McCollister, Morfeld, and Watermeier who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the sixteenth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 17. Placed on Final Reading.
ST39

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 14, line 8, "or" has been inserted after the second comma.
2. On page 25, line 2, "(1)" has been struck, shown as stricken, and "(4)" inserted.

LEGISLATIVE BILL 100. Placed on Final Reading.
LEGISLATIVE BILL 130. Placed on Final Reading.
LEGISLATIVE BILL 135. Placed on Final Reading.
LEGISLATIVE BILL 146. Placed on Final Reading.
LEGISLATIVE BILL 160. Placed on Final Reading.
LEGISLATIVE BILL 177. Placed on Final Reading.
LEGISLATIVE BILL 304. Placed on Final Reading.
LEGISLATIVE BILL 347. Placed on Final Reading.
LEGISLATIVE BILL 350. Placed on Final Reading.

LEGISLATIVE BILL 399. Placed on Final Reading.

LEGISLATIVE BILL 669. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

ANNOUNCEMENT(S)

The Banking, Commerce and Insurance Committee designates LB743 as its priority bill.

Senator Morfeld designates LB757 as his priority bill.

Senator Briese designates LB1084 as his priority bill.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB735	Urban Affairs (rereferred)
LB1093	Health and Human Services (rereferred)

(Signed) Dan Watermeier, Chairperson
Executive Board

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services

Room 1510

Wednesday, February 7, 2018 1:30 p.m.

LB1004
LB1041
LB770

Thursday, February 8, 2018 1:30 p.m.

LB1046
LB1073
LB1079

Wednesday, February 14, 2018 1:30 p.m.

LB866
LB867
LB956

Thursday, February 15, 2018 1:30 p.m.

LB1060
LB1040
LB922

Wednesday, February 21, 2018 1:30 p.m.

LB1127
LR281CA

Thursday, February 22, 2018 1:30 p.m.

LB862
LB686
LB891

Friday, February 23, 2018 1:30 p.m.

LB835
LB1057
LB968

(Signed) Merv Riepe, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 304. Introduced by Lowe, 37.

WHEREAS, Roger Mathiesen has served as head coach for the Kearney High School's boys track team since 1980; and

WHEREAS, throughout his distinguished career, Coach Mathiesen led the Kearney Bearcats to numerous victories; and

WHEREAS, Coach Mathiesen's athletes won sixteen state championships, including eleven consecutive victories from 1994 to 2004; and

WHEREAS, under Coach Mathiesen, the Bearcats set a national record with 123 consecutive regular-season invitational championships from 1993 to 2014; and

WHEREAS, Coach Mathiesen was honored as the national Coach of the Year in 2001, has been named the Nebraska Coach of the Year on multiple occasions, and in 2014 was inducted into the Nebraska High School Sports Hall of Fame; and

WHEREAS, Coach Mathiesen leaves the Bearcats with two state-record streaks: 29 consecutive district championships and 28 consecutive conference championships.

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

1. That the Legislature congratulates Roger Mathiesen on his many accomplishments over his outstanding career.
2. That the Legislatures thanks Roger Mathiesen for his years of dedication and contributions to his students, his community, and the State of Nebraska.
3. That a copy of this resolution be sent to Roger Mathiesen.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 758. Senator Chambers renewed his motion, MO186, found on page 438, to bracket until April 18, 2018.

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 2 nays, and 29 not voting.

Senator Chambers requested a roll call vote on the motion to bracket.

Voting in the affirmative, 0.

Voting in the negative, 43:

Albrecht	Crawford	Hilkemann	McDonnell	Thibodeau
Baker	Ebke	Hughes	Morfeld	Vargas
Blood	Erdman	Kolowski	Murante	Walz
Bolz	Friesen	Kolterman	Quick	Watermeier
Bostelman	Geist	Kuehn	Riepe	Wayne
Brasch	Groene	Lindstrom	Scheer	Williams
Brewer	Halloran	Linehan	Schumacher	Wishart
Briese	Harr	Lowe	Smith	
Clements	Hilgers	McCollister	Stinner	

Present and not voting, 4:

Chambers	Howard	Krist	Pansing Brooks
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Excused and not voting, 2:

Hansen	Larson
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The Chambers motion to bracket failed with 0 ayes, 43 nays, 4 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:
MO192
Reconsider the vote taken to bracket.

SENATOR HOWARD PRESIDING**SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 16 ayes, 1 nay, and 32 not voting.

Senator Chambers requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 40:

Albrecht	Clements	Hansen	Lowe	Smith
Baker	Crawford	Hilgers	McCollister	Stinner
Blood	Ebke	Hilkemann	McDonnell	Thibodeau
Bolz	Erdman	Hughes	Morfeld	Vargas
Bostelman	Friesen	Kolterman	Quick	Walz
Brasch	Geist	Kuehn	Riepe	Watermeier
Brewer	Groene	Lindstrom	Scheer	Williams
Briese	Halloran	Linehan	Schumacher	Wishart

Present and not voting, 4:

Harr	Howard	Kolowski	Pansing Brooks
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Excused and not voting, 4:

Krist	Larson	Murante	Wayne
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The Chambers motion to reconsider failed with 1 aye, 40 nays, 4 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers renewed his amendment, FA92, found on page 421 and considered on page 436, to the committee amendment.

SENATOR HOWARD PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 15 ayes, 2 nays, and 32 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 38:

Albrecht	Crawford	Hilgers	Lowe	Stinner
Baker	Ebke	Hilkemann	McCollister	Thibodeau
Blood	Erdman	Hughes	McDonnell	Vargas
Bostelman	Friesen	Kolterman	Murante	Walz
Brasch	Geist	Kuehn	Quick	Williams
Brewer	Groene	Larson	Riepe	Wishart
Briese	Halloran	Lindstrom	Scheer	
Clements	Hansen	Linehan	Smith	

Present and not voting, 8:

Bolz	Harr	Kolowski	Schumacher
Chambers	Howard	Pansing Brooks	Wayne

Excused and not voting, 3:

Krist	Morfeld	Watermeier
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The Chambers amendment lost with 0 ayes, 38 nays, 8 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Room 1113

Wednesday, February 14, 2018 1:30 p.m.

Layne Gissler - Nebraska Board of Parole
 LB836
 LB964
 LB982
 LB1082
 LB1118

Thursday, February 15, 2018 1:30 p.m.

LB978
 LB992
 LB1029
 LB1039
 LB1131

Wednesday, February 21, 2018 1:30 p.m.

LB763
LB797
LB811
LB872
LB1010

Thursday, February 22, 2018 1:30 p.m.

LB927
LB981
LB1051
LB1086
LB1112

Friday, February 23, 2018 1:30 p.m.

LB693
LB892
LB897
LB977

Tuesday, February 27, 2018 1:30 p.m.

LB680
LB690
LB1126

(Signed) Laura Ebke, Chairperson

Appropriations

Room 1003

Thursday, February 15, 2018 1:30 p.m.

Agency 27 - Transportation, Department of

(Signed) John Stinner, Chairperson

Urban Affairs

Room 1510

Tuesday, February 6, 2018 1:30 p.m.

LB1020
LB986

LB1067
LB735
LB942
LB1028

Tuesday, February 13, 2018 1:30 p.m.

LB709
LB767
LB1025
LB720
LB889
LB890

(Signed) Justin Wayne, Chairperson

Agriculture

Room 1510

Tuesday, February 20, 2018 1:30 p.m.

LB893

(Signed) Lydia Brasch, Chairperson

COMMITTEE REPORT(S)

Judiciary

The Judiciary Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

G. Randall Hansen - Crime Victim's Reparations Committee
Thomas Parker - Crime Victim's Reparations Committee

Aye: 7 Baker, Ebke, Halloran, Hansen, Krist, Morfeld, Pansing Brooks.
Nay: 0. Absent: 1 Chambers. Present and not voting: 0.

(Signed) Laura Ebke, Chairperson

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 697. Placed on General File.
LEGISLATIVE BILL 774. Placed on General File.
LEGISLATIVE BILL 878. Placed on General File.

LEGISLATIVE BILL 710. Placed on General File with amendment.

AM1683

- 1 1. On page 3, line 1, strike "judgment"; in line 27 after the first
- 2 comma insert "or"; and strike beginning with the second "the date" in
- 3 line 27 through the second comma in line 28.
- 4 2. On page 4, after line 1 insert the following new subsection:
- 5 "(6) This section does not apply to a cause of action alleging
- 6 personal injury, regardless of the legal theory asserted.".

LEGISLATIVE BILL 757. Placed on General File with amendment.

AM1648

- 1 1. Strike original section 6 and insert the following new section:
- 2 Sec. 6. (1) To protect personal information from unauthorized
- 3 access, acquisition, destruction, use, modification, or disclosure, an
- 4 individual or a commercial entity that conducts business in Nebraska and
- 5 owns, licenses, or maintains data that includes personal information
- 6 about a resident of Nebraska shall implement and maintain reasonable
- 7 security procedures and practices that are appropriate to the nature and
- 8 sensitivity of the personal information owned, licensed, or maintained
- 9 and the nature and size of the business and its operations, including
- 10 safeguards that protect the personal information when the individual or
- 11 commercial entity disposes of the personal information.
- 12 (2) An individual or commercial entity that discloses personal
- 13 information about a Nebraska resident to a nonaffiliated, third-party
- 14 service provider shall require by contract that the service provider
- 15 implement and maintain reasonable security procedures and practices that:
- 16 (a) Are appropriate to the nature of the personal information
- 17 disclosed to the service provider; and
- 18 (b) Are reasonably designed to help protect the personal information
- 19 from unauthorized access, acquisition, destruction, use, modification, or
- 20 disclosure.
- 21 (3) An individual or a commercial entity complies with subsections
- 22 (1) and (2) of this section if the individual or commercial entity:
- 23 (a) Complies with a state or federal law that provides greater
- 24 protection to personal information than the protections that this section
- 25 provides; or
- 26 (b) Complies with the regulations promulgated under Title V of the
- 27 Gramm-Leach-Bliley Act, 15 U.S.C. 6801 et seq., or the Health Insurance
- 1 Portability and Accountability Act of 1996, 42 U.S.C. 1320d to 1320d-9,
- 2 as such act and sections existed on January 1, 2018, if the individual or
- 3 commercial entity is subject to either or both of such act or sections.

(Signed) Laura Ebke, Chairperson

ANNOUNCEMENT(S)

The Urban Affairs Committee designates LB874 as its priority bill.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 847. Placed on General File.**LEGISLATIVE BILL 848.** Placed on General File.**LEGISLATIVE BILL 104.** Placed on General File with amendment.
AM1464 is available in the Bill Room.**LEGISLATIVE BILL 776.** Placed on General File with amendment.
AM16871 1. On page 3, line 30, strike "their" and insert "an attorney or".2 2. On page 6, line 13, strike "their" and insert "an attorney or".

(Signed) Laura Ebke, Chairperson

GENERAL FILE**LEGISLATIVE BILL 758.** Senator Chambers offered the following motion:

MO193

Reconsider the vote taken on FA92.

SPEAKER SCHEER PRESIDING

Senator Hughes offered the following motion:

MO194

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Hughes moved for a call of the house. The motion prevailed with 27 ayes, 0 nays, and 22 not voting.

Senator Hughes requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 45:

Albrecht	Crawford	Hilgers	Lowe	Smith
Baker	Ebke	Hilkemann	McCollister	Stinner
Blood	Erdman	Hughes	McDonnell	Thibodeau
Bolz	Friesen	Kolowski	Morfeld	Vargas
Bostelman	Geist	Kolterman	Murante	Walz
Brasch	Groene	Krist	Quick	Watermeier
Brewer	Halloran	Kuehn	Riepe	Wayne
Briese	Hansen	Lindstrom	Scheer	Williams
Clements	Harr	Linehan	Schumacher	Wishart

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Howard Pansing Brooks

Absent and not voting, 1:

Larson

The Hughes motion to invoke cloture prevailed with 45 ayes, 1 nay, 2 present and not voting, and 1 absent and not voting.

Senator Chambers requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 43:

Albrecht	Crawford	Hilkemann	McDonnell	Thibodeau
Baker	Ebke	Hughes	Morfeld	Vargas
Blood	Erdman	Kolowski	Murante	Walz
Bolz	Friesen	Kolterman	Quick	Watermeier
Bostelman	Geist	Kuehn	Riepe	Wayne
Brasch	Groene	Lindstrom	Scheer	Williams
Brewer	Halloran	Linehan	Schumacher	Wishart
Briese	Hansen	Lowe	Smith	
Clements	Hilgers	McCollister	Stinner	

Present and not voting, 4:

Harr Howard Krist Pansing Brooks

Absent and not voting, 1:

Larson

The Chambers motion to reconsider failed with 1 aye, 43 nays, 4 present and not voting, and 1 absent and not voting.

Senator Chambers requested a record vote on the committee amendment, AM1573.

Voting in the affirmative, 46:

Albrecht	Ebke	Hughes	Morfeld	Vargas
Baker	Erdman	Kolowski	Murante	Walz
Blood	Friesen	Kolterman	Pansing Brooks	Watermeier
Bolz	Geist	Kuehn	Quick	Wayne
Bostelman	Groene	Larson	Riepe	Williams
Brasch	Halloran	Lindstrom	Scheer	Wishart
Brewer	Hansen	Linehan	Schumacher	
Briese	Harr	Lowe	Smith	
Clements	Hilgers	McCollister	Stinner	
Crawford	Hilkemann	McDonnell	Thibodeau	

Voting in the negative, 1:

Chambers

Present and not voting, 2:

Howard Krist

The committee amendment was adopted with 46 ayes, 1 nay, and 2 present and not voting.

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

Voting in the affirmative, 47:

Albrecht	Ebke	Hughes	McDonnell	Thibodeau
Baker	Erdman	Kolowski	Morfeld	Vargas
Blood	Friesen	Kolterman	Murante	Walz
Bolz	Geist	Krist	Pansing Brooks	Watermeier
Bostelman	Groene	Kuehn	Quick	Wayne
Brasch	Halloran	Larson	Riepe	Williams
Brewer	Hansen	Lindstrom	Scheer	Wishart
Briese	Harr	Linehan	Schumacher	
Clements	Hilgers	Lowe	Smith	
Crawford	Hilkemann	McCollister	Stinner	

Voting in the negative, 0.

Present and not voting, 2:

Chambers Howard

Advanced to Enrollment and Review Initial with 47 ayes, 0 nays, and 2 present and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Executive Board

LEGISLATIVE BILL 744. Placed on General File.

(Signed) Dan Watermeier, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 299. Placed on General File with amendment.
AM1665 is available in the Bill Room.

(Signed) John Murante, Chairperson

Health and Human Services

LEGISLATIVE BILL 360. Placed on General File with amendment.
AM1627

1 1. Insert the following new sections:

2 Sec. 12. (1) The department may deny registration or refuse renewal
 3 of or remove a registration from the Surgical Technologist Registry for
 4 failure to meet the standards or for violation of the Surgical
 5 Technologist Registry Act or the rules and regulations.

6 (2) If the department proposes to deny, refuse renewal of, or remove
 7 a registration, it shall send the applicant or registrant a notice
 8 setting forth the action to be taken and the reasons for the

9 determination. The denial, refusal to renew, or removal shall become
 10 final thirty days after mailing the notice unless the applicant or
 11 registrant gives written notice to the department of his or her desire
 12 for an informal conference or for a formal hearing.

13 (3) Notice may be served by any method specified in section
 14 25-505.01, or the department may permit substitute or constructive
 15 service as provided in section 25-517.02 when service cannot be made with
 16 reasonable diligence by any of the methods specified in section
 17 25-505.01.

18 Sec. 13. A person whose registration has been denied, refused
 19 renewal, or removed from the Surgical Technologist Registry may reapply
 20 for registration or for lifting of the disciplinary sanction at any time
 21 after one year has elapsed since the date such registration was denied,
 22 refused renewal, or removed from the registry, in accordance with the
 23 rules and regulations.

24 2. On page 2, line 1, strike "12" and insert "14"; and in line 31
 25 after the semicolon insert "or".

26 3. On page 3, line 4, after "Schools" insert ", if the applicant is
 27 a graduate of such program".

1 4. On page 4, line 8, strike "2018" and insert "2019".

2 5. Renumber the remaining sections and correct internal references
 3 accordingly.

LEGISLATIVE BILL 732. Placed on General File with amendment.

AM1526

1 1. Insert the following new sections:

2 Section 1. Section 43-4203, Reissue Revised Statutes of Nebraska, is
3 amended to read:4 43-4203 (1) The Nebraska Children's Commission shall work with
5 administrators from each of the service areas designated pursuant to
6 section 81-3116, the teams created pursuant to section 28-728, local
7 foster care review boards, child advocacy centers, the teams created
8 pursuant to the Supreme Court's Through the Eyes of the Child Initiative,
9 community stakeholders, and advocates for child welfare programs and
10 services to establish networks in each of such service areas. Such
11 networks shall permit collaboration to strengthen the continuum of
12 services available to child welfare agencies and to provide resources for
13 children and juveniles outside the child protection system. Each service
14 area shall develop its own unique strategies to be included in the
15 statewide strategic plan. The Department of Health and Human Services
16 shall assist in identifying the needs of each service area.17 (2)(a) The commission shall create a committee to examine state
18 policy regarding the prescription of psychotropic drugs for children who
19 are wards of the state and the administration of such drugs to such
20 children. Such committee shall review the policy and procedures for
21 prescribing and administering such drugs and make recommendations to the
22 commission for changes in such policy and procedures.23 (b) The commission shall create a committee to examine the Office of
24 Juvenile Services and the Juvenile Services Division of the Office of
25 Probation Administration. Such committee shall review the role and
26 effectiveness of out-of-home placements utilized in the juvenile justice
27 system, including the youth rehabilitation and treatment centers, and
1 make recommendations to the commission on the juvenile justice continuum
2 of care, including what populations should be served in out-of-home
3 placements and what treatment services should be provided at the centers
4 in order to appropriately serve those populations. Such committee shall
5 also review how mental and behavioral health services are provided to
6 juveniles in residential placements and the need for such services
7 throughout Nebraska and make recommendations to the commission relating
8 to those systems of care in the juvenile justice system. The committee
9 shall collaborate with the University of Nebraska at Omaha, Juvenile
10 Justice Institute, the University of Nebraska Medical Center, Center for
11 Health Policy, the behavioral health regions as established in section
12 71-807, and state and national juvenile justice experts to develop
13 recommendations. The recommendations shall include a plan to implement a
14 continuum of care in the juvenile justice system to meet the needs of
15 Nebraska families, including specific recommendations for the
16 rehabilitation and treatment model. The recommendations shall be
17 delivered to the commission and electronically to the Judiciary Committee
18 of the Legislature annually by ~~September~~ December 1.

19 (c) The commission may organize committees as it deems necessary.

20 Members of the committees may be members of the commission or may be

21 appointed, with the approval of the majority of the commission, from
22 individuals with knowledge of the committee's subject matter,
23 professional expertise to assist the committee in completing its assigned
24 responsibilities, and the ability to collaborate within the committee and
25 with the commission to carry out the powers and duties of the commission.
26 No member of any committee created pursuant to this section shall have
27 any private financial interest, profit, or benefit from any work of such
28 committee.

29 (d) The Title IV-E Demonstration Project Committee created pursuant
30 to section 43-4208 and the Foster Care Reimbursement Rate Committee
31 created pursuant to section 43-4212 are under the jurisdiction of the
1 commission.

2 (3) The commission shall work with the office of the State Court
3 Administrator, as appropriate, and entities which coordinate facilitated
4 conferencing as described in section 43-247.03. Facilitated conferencing
5 shall be included in statewide strategic plan discussions by the
6 commission. Facilitated conferencing shall continue to be utilized and
7 maximized, as determined by the court of jurisdiction, during the
8 development of the statewide strategic plan. Funding and contracting with
9 mediation centers approved by the Office of Dispute Resolution to provide
10 facilitated conferencing shall continue to be provided by the office of
11 the State Court Administrator at an amount of no less than the General
12 Fund transfer under subsection (1) of section 43-247.04.

13 (4) The commission shall gather information and communicate with
14 juvenile justice specialists of the Office of Probation Administration
15 and county officials with respect to any county-operated practice model
16 participating in the Crossover Youth Program of the Center for Juvenile
17 Justice Reform at Georgetown University.

18 (5) The commission shall coordinate and gather information about the
19 progress and outcomes of the Nebraska Juvenile Service Delivery Project
20 established pursuant to section 43-4101.

21 (6) The commission shall develop a system-of-care plan beginning
22 with prevention services through treatment services for the child welfare
23 system based on relevant data and evidence-based practices to meet the
24 specific needs of each area of the state. Such system-of-care plan shall
25 include services that are goal-driven and outcome-based and shall
26 evaluate the feasibility of utilizing performance-based contracting for
27 specific child welfare services, including the feasibility of additional
28 contractual requirements for service providers requiring services to all
29 children without an option to deny service.

30 (7) The commission shall analyze case management workforce issues
31 and make recommendations to the Health and Human Services Committee of
1 the Legislature regarding:

2 (a) Salary comparisons with other states and the current pay
3 structure based on job descriptions;

4 (b) Utilization of incentives for persons who work in the area of
5 child welfare;

6 (c) Evidence-based training requirements for persons who work in the
7 area of child welfare and their supervisors; and

8 (d) Collaboration with the University of Nebraska to increase and
9 sustain such workforce.

10 Sec. 3. Section 43-4218, Revised Statutes Supplement, 2017, is
11 amended to read:

12 43-4218 (1)(a) The Normalcy Task Force is created. On July 1, 2017,
13 the Normalcy Task Force shall become the Nebraska Strengthening Families
14 Act Committee.

15 (b)(i) Beginning July 1, 2016, until July 1, 2017, the Normalcy Task
16 Force shall monitor and make recommendations regarding the implementation
17 in Nebraska of the federal Preventing Sex Trafficking and Strengthening
18 Families Act, Public Law 113-183, as such act existed on January 1, 2016.

19 (ii) On and after July 1, 2017, the Nebraska Strengthening Families
20 Act Committee shall monitor and make recommendations regarding the
21 implementation in Nebraska of the federal Preventing Sex Trafficking and
22 Strengthening Families Act, Public Law 113-183, as such act existed on
23 January 1, 2017, and the Nebraska Strengthening Families Act.

24 (2) Until July 1, 2017, the members of the task force, and on and
25 after July 1, 2017, the members of the committee shall include, but not
26 be limited to, (a) representatives from the legislative, executive, and
27 judicial branches of government. The representatives from the legislative
28 and judicial branches shall be nonvoting, ex officio members, (b) no
29 fewer than three young adults currently or previously in foster care
30 which may be filled on a rotating basis by members of Project Everlast or
31 a similar youth support or advocacy group, (c) a representative from the
1 juvenile probation system, (d) the executive director of the Foster Care
2 Review Office, (e) one or more representatives from a child welfare
3 advocacy organization, (f) one or more representatives from a child
4 welfare service agency, (g) one or more representatives from an agency
5 providing independent living services, (h) one or more representatives of
6 a child-care institution as defined in section 43-4703, (i) one or more
7 current or former foster parents, (j) one or more parents who have
8 experience in the foster care system, (k) one or more professionals who
9 have relevant practical experience such as a caseworker, and (l) one or
10 more guardians ad litem who practice in juvenile court.

11 (3) On or before July 1, 2016, the Nebraska Children's Commission
12 shall appoint the members of the task force. On July 1, 2017, the members
13 of the task force shall become members of the committee, shall serve the
14 amount of time remaining on their initial terms of office, and are
15 eligible for reappointment by the Nebraska Children's Commission. Members
16 shall be appointed for terms of two years. The commission shall appoint a
17 chairperson or chairpersons of the committee and may fill vacancies on
18 the committee as such vacancies occur.

19 (4) The committee shall provide a written report with
20 recommendations regarding the initial and ongoing implementation of the
21 federal Preventing Sex Trafficking and Strengthening Families Act, as
22 such act existed on January 1, 2017, and the Nebraska Strengthening
23 Families Act and related efforts to improve normalcy for children in
24 foster care and related populations to the Nebraska Children's
25 Commission, the Health and Human Services Committee of the Legislature,

26 the Department of Health and Human Services, and the Governor by
27 ~~September 1~~ ~~December 15~~ of each year. The report to the Health and Human
28 Services Committee of the Legislature shall be submitted electronically.
29 Sec. 4. Section 43-4513, Reissue Revised Statutes of Nebraska, is
30 amended to read:
31 43-4513 (1) On or before July 1, 2013, the Nebraska Children's
1 Commission shall appoint a Bridge to Independence Advisory Committee to
2 make recommendations to the department and the Nebraska Children's
3 Commission regarding the bridge to independence program, extended
4 guardianship assistance described in section 43-4511, and extended
5 adoption assistance described in section 43-4512. The Bridge to
6 Independence Advisory Committee shall meet on a biannual basis to advise
7 the department and the Nebraska Children's Commission regarding ongoing
8 implementation of the bridge to independence program, extended
9 guardianship assistance described in section 43-4511, and extended
10 adoption assistance described in section 43-4512 and shall provide a
11 written report regarding ongoing implementation, including participation
12 in the bridge to independence program, extended guardianship assistance
13 described in section 43-4511, and extended adoption assistance described
14 in section 43-4512 and early discharge rates and reasons obtained from
15 the department, to the Nebraska Children's Commission, the Health and
16 Human Services Committee of the Legislature, the department, and the
17 Governor by ~~September 1~~ ~~December 15th~~ of each year. By December 15, 2015,
18 the committee shall develop specific recommendations for expanding to or
19 improving outcomes for similar groups of at-risk young adults. The report
20 to the Health and Human Services Committee of the Legislature shall be
21 submitted electronically.
22 (2) The members of the Bridge to Independence Advisory Committee
23 shall include, but not be limited to, (a) representatives from all three
24 branches of government, and the representatives from the legislative and
25 judicial branches of government shall be nonvoting, ex officio members,
26 (b) no less than three young adults currently or previously in foster
27 care, which may be filled on a rotating basis by members of Project
28 Everlast or a similar youth support or advocacy group, (c) one or more
29 representatives from a child welfare advocacy organization, (d) one or
30 more representatives from a child welfare service agency, and (e) one or
31 more representatives from an agency providing independent living
1 services.
2 (3) Members of the committee shall be appointed for terms of two
3 years. The Nebraska Children's Commission shall appoint the chairperson
4 of the committee and may fill vacancies on the committee as they occur.
5 2. Renumber the remaining sections and amend the repealer
6 accordingly.

LEGISLATIVE BILL 840. Placed on General File with amendment.
AM1596

1 1. On page 4, line 13, after "welfare" insert "and juvenile
2 justice".

(Signed) Merv Riepe, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 305. Introduced by Bostelman, 23.

WHEREAS, the Nebraskans for the Arts annually recognizes select schools and school districts that make a notable and worthwhile contribution to the arts and arts education in the State of Nebraska; and

WHEREAS, Schuyler Community Schools is home to a diverse student population supported by an outstanding staff focused on providing quality academic and extracurricular programs in the arts; and

WHEREAS, Schuyler Community Schools arts programs have developed business and community partnerships that provide students the ability to enhance their creative skills and career opportunities; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates Schuyler Community Schools for receiving the 2017 NebraskARTS Award on October 18, 2017, which was awarded in the State Capitol Rotunda.

2. That a copy of this resolution be sent to the Schuyler Community Schools superintendent, Dr. Dan Hoelsing, on behalf of the students, teachers, staff, and parents of Schuyler Community Schools.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB589:
AM1682

1 1. Strike original section 1 and insert the following new section:

2 Section 1. Section 29-1917, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 29-1917 (1) Except as provided in section 29-1926 and subsection (5)

5 of this section, at any time after the filing of an indictment or

6 information in a felony prosecution or a petition in a juvenile

7 proceeding under subdivision (2) or (3)(a) of section 43-247, the

8 prosecuting attorney or the defendant may request the court to allow the

9 taking of a deposition of any person other than the defendant who may be

10 a witness in the trial of the offense. The court may order the taking of

11 the deposition when it finds the testimony of the witness:

12 (a) May be material or relevant to the issue to be determined at the
13 trial of the offense; or

14 (b) May be of assistance to the parties in the preparation of their
15 respective cases.

16 (2) An order granting the taking of a deposition shall include the

17 time and place for taking such deposition and such other conditions as
18 the court determines to be just.

19 (3) The proceedings in taking the deposition of a witness pursuant
20 to this section and returning it to the court shall be governed in all
21 respects as the taking of depositions in civil cases.

22 (4) A deposition taken pursuant to this section may be used at the
23 trial by any party solely for the purpose of contradicting or impeaching
24 the testimony of the deponent as a witness.

25 (5)(a) When a child eighteen years of age or younger at the time of
26 the motion has, pursuant to section 28-728, undergone a video-recorded
27 forensic interview at a child advocacy center accredited to conduct such
1 interviews, the court may grant a deposition of such child upon a motion
2 by a party to the case. In determining whether to approve the taking of a
3 deposition, the court shall consider the availability of the recorded
4 statements of the child.

5 (b) Upon granting a motion to depose a child eighteen years of age
6 or younger, the court, on its own motion or by motion of a party, shall
7 issue any protective order that justice requires to protect the child
8 from emotional harm or distress, harassment, undue influence, or
9 intimidation. Such protective order may provide: (i) That the deposition
10 may be taken only on specified terms and conditions, including a
11 designation of the time, place, such as at a child advocacy center, and
12 manner of taking the deposition; (ii) that the scope of the deposition
13 may be limited to certain matters as designated by the court; (iii) that
14 a victim advocate, guardian ad litem, or other support person not a
15 witness to the proceedings shall be present; (iv) that the defendant
16 shall be physically excluded from the deposition but may attend via
17 electronic means as determined by the court; or (v) for any other
18 provision the court determines is justified and appropriate.

19 (c) When issuing a protective order, the court shall consider the
20 age, health, level of intellectual functioning, developmental level, and
21 emotional condition of the child; whether the child has knowledge
22 material to the proof of or defense to any essential element of the
23 crime; whether the child has, pursuant to section 28-728, undergone a
24 video-recorded forensic interview at a child advocacy center accredited
25 to conduct such interviews; and whether the child has provided a full
26 written, taped, or transcribed account of his or her proposed testimony
27 for trial.

Senator Friesen filed the following amendment to LB157:

AM1693

1 1. On page 4, line 7, after "The" insert "rate of the".

Senator Linehan filed the following amendment to LB850:

AM1564

1 1. On page 1, line 3, after the period insert "The disclosure shall
2 include as a separate amount distinct from the bond amount an estimate of
3 interest to be paid by the political subdivision. The disclosure shall be
4 made in all advertising concerning any bond which requires the approval

5 of the registered voters voting at an election to issue the bond. Each
6 disclosure made pursuant to this section, if made in writing, shall be
7 made in not less than twelve-point font and, if made verbally, shall be
8 made at the same speed as the remainder of the advertisement."

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

John Andrew Bolduc, Superintendent - Nebraska State Patrol

Aye: 8 Blood, Brewer, Briese, Hilgers, Lowe, Murante, Thibodeau, Wayne.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) John Murante, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Halloran name added to LB295.
Senator Kolterman name added to LB299.

WITHDRAW - Cointroducer(s)

Senator Wayne name withdrawn from LB389.

VISITORS

Visitors to the Chamber were 15 twelfth-grade students, teacher, and sponsor from Lincoln Christian; Kevin Fornoff from Hays Center; former Senator and Congressman, Brad Ashford; and Captain Jennifer Bromm and daughter, Bailey Jeanne, from Camp Zama, Japan.

The Doctor of the Day was Dr. Jason Bepalec from Geneva.

ADJOURNMENT

At 11:53 a.m., on a motion by Senator McCollister, the Legislature adjourned until 9:00 a.m., Wednesday, January 31, 2018.

Patrick J. O'Donnell
Clerk of the Legislature