

**THIRTY-THIRD DAY - FEBRUARY 26, 2018****LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION****THIRTY-THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, February 26, 2018

**PRAYER**

The prayer was offered by Pastor Coral Parmenter, Wisner United Methodist Church of Christ, Wisner.

**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 Groene, Hansen, Vargas, and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-second day was approved.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on February 23, 2018, at 12:13 p.m. were the following: LBs 78, 285, 345, 472, 480, 486, 618, 710, 744, 757, 310, 275, and 758e.

(Signed) Jamie Leishman  
Clerk of the Legislature's Office

**COMMITTEE REPORT(S)**

Agriculture

**LEGISLATIVE BILL 808.** Placed on General File with amendment.  
AM1907

- 1 1. Strike original sections 5 and 6.
- 2 2. Insert the following new sections:
- 3 Sec. 5. Section 2-1506, Revised Statutes Cumulative Supplement,
- 4 2016, is amended to read:
- 5 2-1506 (1) The goals of the Water Sustainability Fund are to: (a)
- 6 Provide financial assistance to programs, projects, or activities that

7 increase aquifer recharge, reduce aquifer depletion, and increase  
8 streamflow; (b) remediate or mitigate threats to drinking water; (c)  
9 promote the goals and objectives of approved integrated management plans  
10 or ground water management plans; (d) contribute to multiple water supply  
11 management goals including flood control, reducing threats to property  
12 damage, agricultural uses, community garden purposes pursuant to the  
13 Community Food Production Act, municipal and industrial uses,  
14 recreational benefits, wildlife habitat, conservation, and preservation  
15 of water resources; (e) assist municipalities with the cost of  
16 constructing, upgrading, developing, and replacing sewer infrastructure  
17 facilities as part of a combined sewer overflow project; (f) provide  
18 increased water productivity and enhance water quality; (g) use the most  
19 cost-effective solutions available; and (h) comply with interstate  
20 compacts, decrees, other state contracts and agreements and federal law.  
21 (2) The Legislature finds that the goals of the Water Sustainability  
22 Fund can be met by equally considering programs, projects, or activities  
23 in the following categories: (a) Research, data, and modeling; (b)  
24 rehabilitation or restoration of water supply infrastructure, new water  
25 supply infrastructure, or water supply infrastructure maintenance or  
26 flood prevention for protection of critical infrastructure; (c)  
27 conjunctive management, storage, and integrated management of ground  
1 water and surface water; and (d) compliance with interstate compacts or  
2 agreements or other formal state contracts or agreements or federal law.  
3 Sec. 6. Section 2-1508, Revised Statutes Cumulative Supplement,  
4 2016, is amended to read:  
5 2-1508 The commission shall rank and score applications for funding  
6 based on criteria that demonstrate the extent to which a program,  
7 project, or activity:  
8 (1) Remediate or mitigates threats to drinking water;  
9 (2) Meets the goals and objectives of an approved integrated  
10 management plan or ground water management plan;  
11 (3) Contributes to water sustainability goals by increasing aquifer  
12 recharge, reducing aquifer depletion, or increasing streamflow;  
13 (4) Contributes to multiple water supply management goals,  
14 including, but not limited to, flood control, agricultural use, community  
15 garden purposes pursuant to the Community Food Production Act, municipal  
16 and industrial uses, recreational benefits, wildlife habitat,  
17 conservation of water resources, and preservation of water resources;  
18 (5) Maximizes the beneficial use of Nebraska's water resources for  
19 the benefit of the state's residents;  
20 (6) Is cost-effective;  
21 (7) Helps the state meet its obligations under interstate compacts,  
22 decrees, or other state contracts or agreements or federal law;  
23 (8) Reduces threats to property damage or protects critical  
24 infrastructure that consists of the physical assets, systems, and  
25 networks vital to the state or the United States such that their  
26 incapacitation would have a debilitating effect on public security or  
27 public health and safety;  
28 (9) Improves water quality;

29 (10) Has utilized all available funding resources of the local  
30 jurisdiction to support the program, project, or activity;  
31 (11) Has a local jurisdiction with plans in place that support  
1 sustainable water use;  
2 (12) Addresses a statewide problem or issue;  
3 (13) Contributes to the state's ability to leverage state dollars  
4 with local or federal government partners or other partners to maximize  
5 the use of its resources;  
6 (14) Contributes to watershed health and function; and  
7 (15) Uses objectives described in the annual report and plan of work  
8 for the state water planning and review process issued by the department.  
9 3. On page 2, line 3, strike the new matter.  
10 4. On page 3, strike lines 11 and 12; in line 13 strike "(4)" and  
11 insert "(2)"; in lines 17 and 19 strike the new matter and reinstate the  
12 stricken matter; in line 21 strike "(7)" and insert "(5)"; in line 24  
13 strike "(8)" and insert "(6)"; and in line 27 strike "(9)" and insert  
14 "(7)".  
15 5. Renumber the remaining sections accordingly.

(Signed) Lydia Brasch, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
Health and Human Services

Room 1510

Thursday, March 8, 2018 12:00 p.m.

Matthew A. Van Patton - Division of Medicaid and Long Term Care-  
Department of Health and Human Services

(Signed) Merv Riepe, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR317 was adopted.

**SPEAKER SIGNED**

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR317.

**GENERAL FILE**

**LEGISLATIVE BILL 931.** Title read. Considered.

Committee AM1849, found on page 607, was offered.

Senator Chambers offered the following motion:

MO231

Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

The committee amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

Senator Larson offered the following amendment:

AM2115

(Amendments to Standing Committee amendments, AM1849)

1 1. On page 3, after line 19 insert the following new subsection:

2 "(2) In order to have access to the fundamental right to health

3 care, an individual who does not have a valid driver's or operator's

4 license or state identification card needs access to a state

5 identification card for purposes of this section. In order to have such

6 identification available at the appropriate time, any individual who does

7 not have a valid driver's or operator's license or state identification

8 card may apply to the Department of Motor Vehicles for a state

9 identification card at any time and for any purpose which shall be issued

10 at no cost."; and in line 20 strike "(2)" and insert "(3)".

Senator Larson withdrew his amendment.

Senator Howard moved for a call of the house. The motion prevailed with 28 ayes, 1 nay, and 20 not voting.

Senator Howard 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	Geist	Kolterman	Murante	Walz
Bolz	Groene	Krist	Pansing Brooks	Watermeier
Bostelman	Halloran	Kuehn	Quick	Wayne
Brasch	Hansen	Larson	Riepe	Williams
Brewer	Harr	Lindstrom	Scheer	Wishart
Chambers	Hilgers	Linehan	Schumacher	
Clements	Hilkemann	Lowe	Smith	
Crawford	Howard	McCollister	Stinner	

Voting in the negative, 0.

Excused and not voting, 2:

Briese            Friesen

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

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Judiciary

**LEGISLATIVE BILL 695.** Placed on General File.

**LEGISLATIVE BILL 1132.** Placed on General File with amendment.  
AM1971

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

3 Section 1. (1) For purposes of this section:

4 (a) Prostitution-related offense includes:

5 (i) Prostitution under section 28-801, solicitation of prostitution  
6 under section 28-801.01, keeping a place of prostitution under section  
7 28-804, public indecency under section 28-806, or loitering for the  
8 purpose of engaging in prostitution or related or similar offenses under  
9 local ordinances; and

10 (ii) Attempt, conspiracy, solicitation, being an accessory to,  
11 aiding and abetting, aiding the consummation of, or compounding a felony  
12 with any of the offenses in subdivision (1)(a) of this section as the  
13 underlying offense;

14 (b) Trafficker means a person who engages in sex trafficking or sex  
15 trafficking of a minor as defined in section 28-830; and

16 (c) Victim of sex trafficking means a person subjected to sex  
17 trafficking or sex trafficking of a minor, as those terms are defined in  
18 section 28-830.

19 (2) At any time following the date of the conviction or  
20 adjudication, a victim of sex trafficking convicted in county or district  
21 court of, or adjudicated in a juvenile court for (a) a prostitution-  
22 related offense or (b) any other offense committed as a direct result of,  
23 or incident to, being a victim of sex trafficking may file a petition to  
24 set aside such conviction or adjudication. The petition shall be filed in  
25 the county or district court of the county in which charges were filed or  
26 the petitioner was convicted or adjudicated. The prosecuting attorney  
27 shall be named as respondent and shall be served with a copy of the  
1 petition.

2 (3)(a) The court shall grant a petition to set aside a conviction or  
3 adjudication for a prostitution-related offense if the court finds that  
4 the petitioner was a victim of sex trafficking at the time of the offense  
5 or if the court finds that the petitioner's participation in the offense  
6 was otherwise incidental to being a victim of sex trafficking.

7 (b) The court shall grant a petition to set aside a conviction or  
8 adjudication for an offense other than a prostitution-related offense if  
9 the court finds that the petitioner's participation in the offense was a  
10 direct result of or incidental to being a victim of sex trafficking.

11 (4) The court shall find that the petitioner is a victim of sex  
12 trafficking if the petitioner submits to the court:  
13 (a) A copy of an official record, certification, or eligibility  
14 letter from a federal, state, tribal, or local proceeding, including an  
15 approval notice or an enforcement certification generated from a federal  
16 immigration proceeding, that shows that the petitioner is a victim of sex  
17 trafficking; or  
18 (b) An affidavit or sworn testimony from an attorney, a member of  
19 the clergy, a medical professional, a trained professional staff member  
20 of a victim services organization, or other professional from whom the  
21 petitioner has sought legal counsel or other assistance in addressing the  
22 trauma associated with being a victim of sex trafficking.  
23 (5) In considering whether the petitioner is a victim of sex  
24 trafficking, the court may consider any other evidence the court  
25 determines is of sufficient credibility and probative value, including an  
26 affidavit or sworn testimony. Examples of such evidence include, but are  
27 not limited to:  
28 (a) Branding or other tattoos on the petitioner that identified him  
29 or her as having a trafficker;  
30 (b) Testimony or affidavits from those with firsthand knowledge of  
31 the petitioner's involvement in the commercial sex trade such as  
1 solicitors of commercial sex, family members, hotel workers, and other  
2 individuals trafficked by the same individual or group of individuals who  
3 trafficked the petitioner;  
4 (c) Financial records showing profits from the commercial sex trade,  
5 such as records of hotel stays, employment at indoor venues such as  
6 massage parlors or strip clubs, or employment at an escort service;  
7 (d) Internet listings, print advertisements, or business cards used  
8 to promote the petitioner for commercial sex; or  
9 (e) Email, text, or voicemail records between the petitioner, the  
10 trafficker, or solicitors of sex that reveal aspects of the sex trade  
11 such as behavior patterns, meeting times, or payments or examples of the  
12 trafficker exerting force, fraud, or coercion over the petitioner.  
13 (6) Upon request of a petitioner, any hearing relating to the  
14 petition shall be conducted in camera. The rules of evidence shall not  
15 apply at any hearing relating to the petition.  
16 (7) An order setting aside a conviction or adjudication under this  
17 section shall:  
18 (a) Nullify the conviction or adjudication; and  
19 (b) Remove all civil disabilities and disqualifications imposed as a  
20 result of the conviction or adjudication.  
21 (8) The setting aside of a conviction in accordance with this  
22 section shall not:  
23 (a) Require the reinstatement of any office, employment, or position  
24 which was previously held and lost or forfeited as a result of the  
25 conviction or adjudication; or  
26 (b) Preclude proof of a plea of guilty in a criminal proceeding or  
27 an admission of responsibility in a juvenile proceeding whenever such  
28 plea or admission is relevant to the determination of an issue involving

29 the rights or liabilities of someone other than the petitioner.

30 Sec. 2. Section 29-3523, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1 29-3523 (1) After the expiration of the periods described in  
2 subsection (3) of this section or after the granting of a motion under  
3 subsection (4) of this section, a criminal justice agency shall respond  
4 to a public inquiry in the same manner as if there were no criminal  
5 history record information and criminal history record information shall  
6 not be disseminated to any person other than a criminal justice agency,  
7 except as provided in subsection (2) of this section or when the subject  
8 of the record:

9 (a) Is currently the subject of prosecution or correctional control  
10 as the result of a separate arrest;

11 (b) Is currently an announced candidate for or holder of public  
12 office;

13 (c) Has made a notarized request for the release of such record to a  
14 specific person; or

15 (d) Is kept unidentified, and the record is used for purposes of  
16 surveying or summarizing individual or collective law enforcement agency  
17 activity or practices, or the dissemination is requested consisting only  
18 of release of criminal history record information showing (i) dates of  
19 arrests, (ii) reasons for arrests, and (iii) the nature of the  
20 dispositions including, but not limited to, reasons for not prosecuting  
21 the case or cases.

22 (2) That part of criminal history record information described in  
23 subsection ~~(5)~~ (4) of this section may be disseminated to individuals and  
24 agencies for the express purpose of research, evaluative, or statistical  
25 activities pursuant to an agreement with a criminal justice agency that  
26 specifically authorizes access to the information, limits the use of the  
27 information to research, evaluative, or statistical activities, and  
28 ensures the confidentiality and security of the information.

29 (3) Except as provided in subsections (1) and (2) of this section,  
30 in the case of an arrest, citation in lieu of arrest, or referral for  
31 prosecution without citation, all criminal history record information  
1 relating to the case shall be removed from the public record as follows:

2 (a) When no charges are filed as a result of the determination of  
3 the prosecuting attorney, the criminal history record information shall  
4 not be part of the public record after one year from the date of arrest,  
5 citation in lieu of arrest, or referral for prosecution without citation;

6 (b) When charges are not filed as a result of a completed diversion,  
7 the criminal history record information shall not be part of the public  
8 record after two years from the date of arrest, citation in lieu of  
9 arrest, or referral for prosecution without citation; and

10 (c) When charges are filed, but the case is dismissed by the court  
11 (i) on motion of the prosecuting attorney, (ii) as a result of a hearing  
12 not the subject of a pending appeal, (iii) after acquittal, or (iv) after  
13 completion of a program prescribed by a drug court or any other problem  
14 solving court approved by the Supreme Court, the criminal history record  
15 information shall not be part of the public record immediately upon

16 notification of a criminal justice agency after acquittal pursuant to  
17 subdivision (3)(c)(iii) of this section or after the entry of an order  
18 dismissing the case.  
19 (4) Upon the granting of a petition to set aside a conviction or  
20 adjudication pursuant to section 1 of this act, a person who is a victim  
21 of sex trafficking, as defined in section 1 of this act, may file a  
22 motion with the sentencing court for an order to seal the criminal  
23 history record information related to such conviction or adjudication.  
24 Upon a finding that a court issued an order setting aside such conviction  
25 or adjudication pursuant to section 1 of this act, the sentencing court  
26 shall grant the motion and issue an order as provided in subsection (5)  
27 of this section.  
28 ~~(5)~~ ~~(4)~~ Upon acquittal, ~~or~~ entry of an order dismissing a case  
29 described in subdivision (3)(c) of this section, or after granting a  
30 motion under subsection (4) of this section, the court shall:  
31 (a) Order that all records, including any information or other data  
1 concerning any proceedings relating to the case, including the arrest,  
2 taking into custody, petition, complaint, indictment, information, trial,  
3 hearing, adjudication, correctional supervision, dismissal, or other  
4 disposition or sentence, are not part of the public record and shall not  
5 be disseminated to persons other than criminal justice agencies, except  
6 as provided in subsection (1) or (2) of this section;  
7 (b) Send notice of the order (i) to the Nebraska Commission on Law  
8 Enforcement and Criminal Justice, (ii) to the Nebraska State Patrol, and  
9 (iii) to law enforcement agencies, county attorneys, and city attorneys  
10 referenced in the court record;  
11 (c) Order all parties notified under subdivision ~~(5)(b)~~ ~~(4)(b)~~ of  
12 this section to seal all records pertaining to the case; and  
13 (d) If the case was transferred from one court to another, send  
14 notice of the order to seal the record to the transferring court.  
15 (5) In any application for employment, bonding, license, education,  
16 or other right or privilege, any appearance as a witness, or any other  
17 public inquiry, a person cannot be questioned with respect to any offense  
18 for which the record is sealed. If an inquiry is made in violation of  
19 this subsection, the person may respond as if the offense never occurred.  
20 (6) Any person arrested due to the error of a law enforcement agency  
21 may file a petition with the district court for an order to expunge the  
22 criminal history record information related to such error. The petition  
23 shall be filed in the district court of the county in which the  
24 petitioner was arrested. The county attorney shall be named as the  
25 respondent and shall be served with a copy of the petition. The court may  
26 grant the petition and issue an order to expunge such information if the  
27 petitioner shows by clear and convincing evidence that the arrest was due  
28 to error by the arresting law enforcement agency.  
29 Sec. 3. Original section 29-3523, Reissue Revised Statutes of  
30 Nebraska, is repealed.

(Signed) Laura Ebke, Chairperson



## Urban Affairs

**LEGISLATIVE BILL 986.** Placed on General File with amendment.

AM1958

- 1 1. On page 2, line 8, strike the second "and"; in line 11 after  
 2 "improvements" insert ", and to supplement, but not reduce, the level of  
 3 government services provided"; and in line 27 strike "city of the  
 4 metropolitan class".
- 5 2. On page 4, line 6, strike "and" and insert the following new  
 6 subdivision:  
 7 "(7) Establishing or assisting with neighborhood cleanup, litter  
 8 cleanup, recycling, or other trash abatement programs; and"; and in line  
 9 7 strike "(7)" and insert "(8)".
- 10 3. On page 5, line 7, after the period insert "A majority of the  
 11 members of the board shall be residents of the neighborhood"; and in  
 12 line 16 after "section" insert "9 or".
- 13 4. On page 7, line 3, strike "ten" and insert "thirty"; in line 4  
 14 strike "sections" and insert "section 9"; in line 6 strike "One  
 15 publication" and insert "Two publications"; in line 7 after  
 16 "municipality" insert "with the second notice published no later than ten  
 17 days prior to the hearing"; and in line 29 after "section" insert "9 or".
- 18 5. On page 8, lines 25, 27, and 29, after "boundaries" insert "or  
 19 change the functions or provisions".
- 20 6. On page 9, line 2, strike "district" and insert "the" and after  
 21 "boundaries" insert "or change the functions or provisions of an existing  
 22 neighborhood improvement district"; in lines 7 and 8 strike "neighborhood  
 23 improvement district" and insert "the"; in line 8 after "boundaries"  
 24 insert "or change the functions or provisions of an existing neighborhood  
 25 improvement district"; in line 21 after "boundaries" insert "or change  
 26 the functions or provisions"; in line 23 after "boundaries" insert "or  
 27 change the functions or provisions of any district or districts"; in line  
 1 26 after "expanded" insert "or otherwise changed"; and in line 31 after  
 2 "boundaries" insert "or changed functions or provisions".
- 3 7. On page 10, line 1, after "expansion" insert "or changed  
 4 functions or provisions"; in line 4 after "boundaries" insert "or changed  
 5 functions or provisions"; and in line 29 after "by" insert "(1)".
- 6 8. On page 11, line 2, after "municipality" insert ", and (2)  
 7 mailing a copy of the notice of hearing to each owner of taxable property  
 8 subject to the proposed special assessment as shown on the current tax  
 9 rolls of the county treasurer for such county".

(Signed) Justin Wayne, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 326.** Introduced by Stinner, 48.

WHEREAS, Paul Garcia and Garrett Nelson, students on the Scottsbluff High School wrestling team, each captured a first place finish at the 2018

Class B State Wrestling Championship. Paul, a freshman, won the title in the 106-pound division. Garrett, a junior, won the title in the 285-pound division; and

WHEREAS, Austin Garcia, a student on the Morrill High School wrestling team, captured a first place finish at the 2018 Class D State Wrestling Championship. Austin, a junior, won the title in the 152-pound division; and

WHEREAS, with these first place finishes, Paul, Garrett, and Austin helped their teams finish in the top ten at state; 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 Paul Garcia, Garrett Nelson, and Austin Garcia on their state wrestling championships.

2. That copies of this resolution be sent to Paul Garcia, Garrett Nelson, and Austin Garcia.

Laid over.

### **COMMITTEE REPORT(S)**

#### Health and Human Services

The Health and Human Services 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.

Roderick Todd Barte - Nebraska Child Abuse Prevention Fund Board

Paul J. Nelson - Nebraska Child Abuse Prevention Fund Board

Aye: 7 Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Robert L. Newman - Commission for the Blind and Visually Impaired

Becky D. Rieken - Commission for the Blind and Visually Impaired

Aye: 7 Crawford, Erdman, Howard, Kolterman, Linehan, Riepe, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Merv Riepe, Chairperson

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

Senator McDonnell filed the following amendment to LB1084:  
AM2082

(Amendments to Standing Committee amendments, AM2037)

- 1 1. On page 2, strike beginning with "the" in line 7 through
- 2 "district's" in line 8 and insert "its".

Senator McDonnell filed the following amendment to LB1084:  
AM2083

(Amendments to Standing Committee amendments, AM2037)

- 1 1. On page 3, line 20, after "and" insert "the".

Senator McDonnell filed the following amendment to LB1084:  
AM2084

(Amendments to Standing Committee amendments, AM2037)

- 1 1. On page 4, line 20, strike "the school district's" and insert
- 2 "its".

Senator McDonnell filed the following amendment to LB1084:  
AM2085

- 1 1. On page 4, line 5, strike the second occurrence of "the" and
- 2 insert "such"; and in lines 8 and 10 strike "the" and insert "such".

Senator Wayne filed the following amendment to LB874:  
AM2057

(Amendments to Standing Committee amendments, AM1823)

- 1 1. On page 27, line 19, after "conduct" insert "or cause to be
- 2 conducted".

**GENERAL FILE**

**LEGISLATIVE BILL 1078.** Title read. Considered.

Senator Chambers offered the following motion:  
MO232

Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, and 12 present and not voting.

**COMMITTEE REPORT(S)**

Health and Human Services

**LEGISLATIVE BILL 1040.** Placed on General File with amendment.  
AM1995

- 1 1. On page 2, line 13, after "event" insert ".Certificate does not
- 2 include a commemorative certificate"; after line 18 insert the following
- 3 new subdivision:

4 "(4) Commemorative certificate means a document commemorating a  
 5 nonviable birth"; in line 19 strike "(4)", show as stricken, and insert  
 6 "(5)"; in line 21 strike "(5)" and insert "(6)"; in line 24 after "(1)"  
 7 insert "(a)"; in line 28 after the second "a" insert "commemorative"; in  
 8 line 30 strike "certifying" and insert "verifying"; and in line 31 after  
 9 the period insert "The health care practitioner may delegate this duty to  
 10 his or her designee. In lieu of a letter, the health care practitioner or  
 11 his or her designee may provide the patient with a form provided by the  
 12 department pursuant to subdivision (b) of this subsection and executed by  
 13 the health care practitioner or his or her designee.  
 14 (b) The department shall provide on its web site a form to be  
 15 executed by a health care practitioner or his or her designee affirming  
 16 that a patient experienced a nonviable birth that the health care  
 17 practitioner attended or diagnosed."  
 18 2. On page 2, line 29; and page 3, lines 2, 5, and 10, strike "of  
 19 nonviable birth".  
 20 3. On page 3, line 1, after "letter" insert "or executed form"; in  
 21 lines 2, 4, 5, 7, 9, 14, 15, and 17, before "certificate" insert  
 22 "commemorative"; and in line 12 before both occurrences of "certificate"  
 23 insert "commemorative".

(Signed) Merv Riepe, Chairperson

### BILL ON FIRST READING

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

**LEGISLATIVE BILL 439A.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 439, One Hundred Fifth Legislature, Second Session, 2018.

### GENERAL FILE

**LEGISLATIVE BILL 158.** Committee AM145, found on page 426 and considered on page 1016, First Session, 2017, was renewed.

Senator Hughes withdrew his motion, MO87, found on page 1027, First Session, 2017, to bracket until June 2, 2017.

Senator Chambers offered the following motion:  
 MO233  
 Bracket until April 18, 2018.

Senator Chambers withdrew his motion to bracket.

Senator Pansing Brooks withdrew her amendment, AM996, found on page 1016 and reconsidered on pages 1018 and 1027, First Session, 2017.

Senator Pansing Brooks withdrew her amendment, AM1772, found on page 516.

Senator Groene offered the following motion:

MO234

Bracket until April 18, 2018.

Pending.

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

Senator Harr filed the following amendment to LB295:

AM2125

(Amendments to Standing Committee amendments, AM1418)

- 1 1. On page 2, line 25, strike "or"; and in line 26 after the comma
- 2 insert "or a student's special or additional educational needs, no matter
- 3 the cost.".

Senator Harr filed the following amendment to LB295:

AM2119

(Amendments to Standing Committee amendments, AM1418)

- 1 1. On page 2, line 25, strike "or"; and in line 26 after the comma
- 2 insert "or religion.".

Senator Harr filed the following amendment to LB295:

AM2120

(Amendments to Standing Committee amendments, AM1418)

- 1 1. On page 2, line 25, strike "or"; and in line 26 after the comma
- 2 insert "sexual orientation, or gender identity.".

Senator Harr filed the following amendment to LB295:

AM2121

(Amendments to Standing Committee amendments, AM1418)

- 1 1. On page 2, line 25, strike "or"; and in line 26 after the comma
- 2 insert "or native language.".

**UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Bostelman name added to LB1069.

Senator Hilkemann name added to LB1069.

**WITHDRAW - Cointroducer(s)**

Senator Groene name withdrawn from LB477.

**ANNOUNCEMENT**

Senator Hughes announced the Natural Resources Committee will hold an executive session Tuesday, February 27, 2018, at 10:00 a.m., under the north balcony.

**VISITORS**

Visitors to the Chamber were Doane College Leadership students from Crete; and Senator Scheer's wife, Kris, and granddaughter, Stella, from Omaha.

**MOTION - Adjournment**

Senator Morfeld moved to adjourn until 9:00 a.m., Tuesday, February 27, 2018.

Senator Pansing Brooks requested a machine vote on the motion to adjourn.

The Morfeld motion to adjourn prevailed with 31 ayes, 3 nays, 13 present and not voting, and 2 excused and not voting, and at 11:56 a.m., the Legislature adjourned until 9:00 a.m., Tuesday, February 27, 2018.

Patrick J. O'Donnell  
Clerk of the Legislature