

NINETEENTH DAY - FEBRUARY 5, 2019**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION****NINETEENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 5, 2019

PRAYER

The prayer was offered by Pastor Bill Reeves, North Platte Baptist Church.

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 Briese, M. Hansen, Morfeld, Slama, and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the eighteenth day was approved.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 214. Placed on General File.

LEGISLATIVE BILL 52. Placed on General File with amendment.
AM120

- 1 1. Insert the following new sections:
- 2 Sec. 2. Section 85-1807, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 85-1807 (1) The State Treasurer shall deposit money received by the
- 5 Nebraska educational savings plan trust into three funds: The College
- 6 Savings Plan Program Fund, the College Savings Plan Expense Fund, and the
- 7 College Savings Plan Administrative Fund. The State Treasurer shall
- 8 deposit money received by the trust into the appropriate fund. The State
- 9 Treasurer and Accounting Administrator of the Department of
- 10 Administrative Services shall determine the state fund types necessary to
- 11 comply with section 529 of the Internal Revenue Code and state policy.
- 12 The money in the funds shall be invested by the state investment officer
- 13 pursuant to policies established by the Nebraska Investment Council. The
- 14 program fund, the expense fund, and the administrative fund shall be

15 separately administered. The Nebraska educational savings plan trust
16 shall be operated with no General Fund appropriations.

17 (2) The College Savings Plan Program Fund is created. All money paid
18 by participants in connection with participation agreements and all
19 investment income earned on such money shall be deposited as received
20 into separate accounts within the program fund. Contributions to the
21 trust made by participants may only be made in the form of cash. All
22 funds generated in connection with participation agreements shall be
23 deposited into the appropriate accounts within the program fund. A
24 participant or beneficiary shall not provide investment direction
25 regarding program contributions or earnings held by the trust. Money
26 accrued by participants in the program fund may be used for payments to
27 any eligible educational institution. Any money in the program fund
1 available for investment shall be invested by the state investment
2 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
3 State Funds Investment Act.

4 (3) The College Savings Plan Administrative Fund is created. Money
5 from the trust transferred from the expense fund to the administrative
6 fund in an amount authorized by an appropriation from the Legislature
7 shall be utilized to pay for the costs of administering, operating, and
8 maintaining the trust, to the extent permitted by section 529 of the
9 Internal Revenue Code. The administrative fund shall not be credited with
10 any money other than money transferred from the expense fund in an amount
11 authorized by an appropriation by the Legislature or any interest income
12 earned on the balances held in the administrative fund. Any money in the
13 administrative fund available for investment shall be invested by the
14 state investment officer pursuant to the Nebraska Capital Expansion Act
15 and the Nebraska State Funds Investment Act.

16 (4) The College Savings Plan Expense Fund is created. The expense
17 fund shall be used to pay costs associated with the Nebraska educational
18 savings plan trust and shall be funded with fees assessed to the program
19 fund. The State Treasurer shall transfer from the expense fund to the
20 State Investment Officer's Cash Fund an amount equal to the pro rata
21 share of the budget appropriated to the Nebraska Investment Council as
22 permitted in section 72-1249.02, to cover reasonable expenses incurred
23 for investment management of the Nebraska educational savings plan trust.
24 Annually and prior to such transfer to the State Investment Officer's
25 Cash Fund, the State Treasurer shall report to the budget division of the
26 Department of Administrative Services and to the Legislative Fiscal
27 Analyst the amounts transferred during the previous fiscal year. The
28 report submitted to the Legislative Fiscal Analyst shall be submitted
29 electronically. ~~Transfers may be made from the expense fund to the~~
30 ~~General Fund at the direction of the Legislature.~~ Any money in the
31 expense fund available for investment shall be invested by the state
1 investment officer pursuant to the Nebraska Capital Expansion Act and the
2 Nebraska State Funds Investment Act.

3 Sec. 3. Section 85-1813, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 85-1813 The assets of the Nebraska educational savings plan trust,
6 including the program fund and excluding the administrative fund and the

7 expense fund, shall at all times be preserved, invested, and expended
 8 solely and only for the purposes of the trust and shall be held in trust
 9 for the participants and beneficiaries. No property rights in the trust
 10 shall exist in favor of the state. ~~Assets~~ ~~Such assets~~ of the trust,
 11 including the program fund, the administrative fund, and the expense
 12 fund, shall not be transferred or used by the state for any purposes
 13 other than the purposes of the trust.
 14 Sec. 4. Original sections 85-1807 and 85-1813, Reissue Revised
 15 Statutes of Nebraska, are repealed.
 16 2. On page 2, line 4, strike the second "and"; in line 7 strike
 17 "appropriated" and insert "used"; and in line 8 after "funds" insert ";
 18 and
 19 (c) Trust funds means all trust funds identified by Nebraska
 20 statutes, all funds pledged for the payment of bonds, all accounts held
 21 by a trustee related to a bond issue, and all funds held related to a
 22 lease financing or other similar financing".

LEGISLATIVE BILL 152. Placed on General File with amendment.
 AM96

1 1. On page 2, line 13, after "84-712.05" insert ", if the member is
 2 acting as a law enforcement officer pursuant to subdivision (3) of this
 3 section".

LEGISLATIVE BILL 186. Placed on General File with amendment.
 AM111

1 1. Insert the following new section:
 2 Sec. 24. Section 86-611, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 86-611 (1) It is the intent of the Legislature to promote economic
 5 growth and the efficient operation of business and government in Nebraska
 6 through the electronic exchange of information and legally binding
 7 electronic transactions. In order to facilitate the electronic exchange
 8 of information, Nebraska must establish means to ensure that electronic
 9 transactions are legally binding and enforceable, while ensuring that
 10 security measures are in place to prevent opportunities for fraud and
 11 misuse.
 12 (2) In any written communication in which a signature is required or
 13 used, any party to the communication may affix a signature by use of a
 14 digital signature that complies with the requirements of this section.
 15 The use of a digital signature shall have the same force and effect as
 16 the use of a manual signature if and only if it embodies all of the
 17 following attributes:
 18 (a) It is unique to the person using it;
 19 (b) It is capable of verification;
 20 (c) It is under the sole control of the person using it;
 21 (d) It is linked to data in such a manner that if the data is
 22 changed, the digital signature is invalidated; and
 23 (e) It conforms to rules and regulations adopted and promulgated by
 24 the Secretary of State.
 25 (3) In any communication in which a signature is required or used, a

26 state agency or political subdivision may accept a digital signature or
 27 an electronic signature and may accept the communication in electronic
 1 format. Any use of a digital signature, an electronic signature, or an
 2 electronic communication by a court is subject to the rules of the
 3 Supreme Court.

4 (4) The Secretary of State shall adopt and promulgate rules and
 5 regulations to carry out this section which:

6 (a) Identify and define the type of signature which may be used in
 7 the electronic communications governed by the rules and regulations;

8 (b) Identify and define the type of electronic communications for
 9 which a digital signature or an electronic signature may be used; and

10 (c) Provide a degree of security reasonably related to the risks and
 11 consequences of fraud or misuse for the type of electronic communication
 12 which, at a minimum, shall require the maintenance of an audit trail of
 13 the assignment or approval and the use of the unique access code or
 14 unique electronic identifier.

15 (5) This section shall not be construed to invalidate digital
 16 signatures, electronic signatures, or electronic communications which are
 17 valid under any other applicable law.

18 (6) Unless otherwise provided by law, the use or acceptance of a
 19 digital signature or an electronic signature shall be at the option of
 20 the parties to the communication. This section shall not be construed to
 21 require a person to use or permit the use of a digital signature or
 22 electronic signature.

23 (7) In developing the rules and regulations, the Secretary of State
 24 shall seek the advice of public and private entities, including the
 25 Department of Administrative Services.

26 (8) The register of deeds or county clerk of each county shall
 27 provide one or more electronic recording services for the purpose of
 28 accepting electronically submitted real estate documents for recording.

29 (9) (8) For purposes of this section:

30 (a) Electronic signature means a unique access code or other unique
 31 electronic identifier assigned or approved by the state agency for use in
 1 communications with the state agency;

2 (b) Digital signature means an electronic identifier, created by
 3 computer, intended by the person using it to have the same force and
 4 effect as a manual signature; and

5 (c) State agency means any agency, board, court, or constitutional
 6 officer of the executive, judicial, and legislative branches of state
 7 government, except individual members of the Legislature.

8 2. On page 4, line 15, strike "January" and insert "July".

9 3. On page 7, line 9, strike "seven" and insert "ten".

10 4. On page 12, strike beginning with "be" in line 7 through
 11 "measuring" in line 8, show as stricken, and insert "measure"; and in
 12 line 10 after "on" insert "a white background if submitted electronically
 13 or on".

14 5. On page 13, lines 1 through 3, strike the new matter and
 15 reinstate the stricken matter.

16 6. On page 17, line 9, strike "January" and insert "July".

17 7. Renumber the remaining sections and correct the repealer

18 accordingly.

LEGISLATIVE BILL 223. Placed on General File with amendment.

AM61

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

2 Section 1. (1) For purposes of this section, state-sponsored life
3 insurance program means the life insurance program exclusively offered to
4 all members of the Nebraska National Guard through the National Guard
5 Association of Nebraska pursuant to the federal Veterans' Insurance Act
6 of 1974, Public Law 93-289.

7 (2) Pursuant to this section, the Adjutant General shall:

8 (a) Allow efforts to make the state-sponsored life insurance program
9 available to all members of the Nebraska National Guard;

10 (b) Provide an opportunity for members of the Nebraska National
11 Guard to purchase state-sponsored life insurance program products; and

12 (c) Allow state-sponsored life insurance program representatives to
13 provide Nebraska National Guard members with state-sponsored life
14 insurance program briefings during annual training and inactive duty
15 training periods to educate members on the state-sponsored life insurance
16 program.

(Signed) Tom Brewer, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Warner Chamber

Wednesday, February 13, 2019 1:30 p.m.

LB282

LB335

LB457

LB500

LB579

LB646

Thursday, February 14, 2019 1:30 p.m.

LB132

LB230

LB390

LB391

LB589

LB651

Wednesday, February 20, 2019 1:30 p.m.

LB240
LB510
LB548
LB553
LB649
LB659

Thursday, February 21, 2019 1:30 p.m.

LB421
LB474
LB514
LB533
LB593
LB621

Friday, February 22, 2019 1:30 p.m.

LB43
LB249
LB516
LB532
LB539
LB680

(Signed) Steve Lathrop, Chairperson

Health and Human Services

Room 1510

Wednesday, February 13, 2019 1:00 p.m.

Division of Behavioral Health Briefing

Wednesday, February 13, 2019 1:30 p.m.

LB556
LB557
LB567

Thursday, February 14, 2019 1:30 p.m.

LB422
LB449
LB607
LB312

(Signed) Sara Howard, Chairperson

MESSAGE(S) FROM THE GOVERNOR

January 28, 2019

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 Nebraska State Fair Board:

Dawn Caldwell, 30660 Road T, Edgar, NE 68935

Contingent upon your approval, the following individual is being reappointed to the Nebraska State Fair Board:

Chris Kircher, 15715 California Street, Omaha, NE 68118

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

SELECT FILE

LEGISLATIVE BILL 33A. Advanced to Enrollment and Review for Engrossment.

ANNOUNCEMENT

The Chair announced the birthday of Senator Williams.

GENERAL FILE

LEGISLATIVE BILL 63. Senator Chambers offered his amendment, FA1, found on page 413.

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 1 nay, and 30 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 39:

| | | | | |
|-----------|----------|------------|-------------|----------|
| Albrecht | Clements | Halloran | Lathrop | Quick |
| Arch | Crawford | Hansen, B. | Lindstrom | Scheer |
| Blood | DeBoer | Hilgers | Linehan | Slama |
| Bolz | Dorn | Hilkemann | Lowe | Stinner |
| Bostelman | Erdman | Hughes | McCollister | Walz |
| Brandt | Geist | Hunt | McDonnell | Williams |
| Brewer | Gragert | Kolterman | Moser | Wishart |
| Cavanaugh | Groene | La Grone | Murman | |

Present and not voting, 5:

| | | | | |
|----------|--------|----------|----------------|-------|
| Chambers | Howard | Kolowski | Pansing Brooks | Wayne |
|----------|--------|----------|----------------|-------|

Excused and not voting, 5:

| | | | | |
|--------|---------|------------|---------|--------|
| Briese | Friesen | Hansen, M. | Morfeld | Vargas |
|--------|---------|------------|---------|--------|

The Chambers amendment lost with 0 ayes, 39 nays, 5 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Banking, Commerce and Insurance

LEGISLATIVE BILL 172. Placed on General File.

LEGISLATIVE BILL 442. Placed on General File.

LEGISLATIVE BILL 536. Placed on General File.

LEGISLATIVE BILL 622. Placed on General File.

(Signed) Matt Williams, Chairperson

Revenue

LEGISLATIVE BILL 4. Placed on General File.

LEGISLATIVE BILL 185. Placed on General File.

LEGISLATIVE BILL 372. Placed on General File.

LEGISLATIVE BILL 103. Placed on General File with amendment.

AM116

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

3 Section 1. Section 77-1601.02, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 77-1601.02 (1) If the annual assessment of property would result in
6 an increase in the total property taxes levied by a county, municipality,
7 school district, learning community, sanitary and improvement district,
8 natural resources district, educational service unit, or community
9 college, as determined using the previous year's rate of levy, such
10 political subdivision's property tax request for the current year shall
11 be no more than its property tax request in the prior year, and the
12 political subdivision's rate of levy for the current year shall be
13 decreased accordingly when such rate is set by the county board of
14 equalization pursuant to section 77-1601. The governing body of the
15 political subdivision shall pass a resolution or ordinance to set the
16 amount of its property tax request after holding the public hearing
17 required in subsection (3) of this section. If the governing body of a
18 political subdivision seeks to set its property tax request at an amount
19 that exceeds its property tax request in the prior year, it may do so
20 after holding the public hearing required in subsection (3) of this
21 section and by passing a resolution or ordinance that complies with
22 subsection (4) of this section.

23 (2) If the annual assessment of property would result in no change
24 or a decrease in the total property taxes levied by a county,
25 municipality, school district, learning community, sanitary and
26 improvement district, natural resources district, educational service
27 unit, or community college, as determined using the previous year's rate
1 of levy, such political subdivision's property tax request for the
2 current year shall be no more than its property tax request in the prior
3 year, and the political subdivision's rate of levy for the current year
4 shall be adjusted accordingly when such rate is set by the county board
5 of equalization pursuant to section 77-1601. The governing body of the
6 political subdivision shall pass a resolution or ordinance to set the
7 amount of its property tax request after holding the public hearing
8 required in subsection (3) of this section. If the governing body of a
9 political subdivision seeks to set its property tax request at an amount
10 that exceeds its property tax request in the prior year, it may do so
11 after holding the public hearing required in subsection (3) of this
12 section and by passing a resolution or ordinance that complies with
13 subsection (4) of this section.

14 (3) The resolution or ordinance required under this section (1) The
15 property tax request for the prior year shall be the property tax request
16 for the current year for purposes of the levy set by the county board of
17 equalization in section 77-1601 unless the governing body of the county,
18 municipality, school district, learning community, sanitary and
19 improvement district, natural resources district, educational service
20 unit, or community college passes by a majority vote a resolution or
21 ordinance setting the tax request at a different amount. Such resolution
22 or ordinance shall only be passed after a special public hearing called
23 for such purpose is held and after notice is published in a newspaper of
24 general circulation in the area of the political subdivision at least

25 five days prior to the hearing. If the political subdivision's total
 26 operating budget, not including reserves, does not exceed ten thousand
 27 dollars per year or twenty thousand dollars per biennial period, the
 28 notice may be posted at the governing body's principal headquarters. The
 29 hearing notice shall contain the following information: The certified
 30 taxable valuation under section 13-509 for the prior year, the certified
 31 taxable valuation under section 13-509 for the current year, and the
 1 percentage increase or decrease in such valuations from the prior year to
 2 the current year; the dollar amount of the prior year's tax request and
 3 the property tax rate that was necessary to fund that tax request; the
 4 property tax rate that would be necessary to fund last year's tax request
 5 if applied to the current year's valuation; and the proposed dollar
 6 amount of the tax request for the current year and the property tax rate
 7 that will be necessary to fund that tax request; the percentage increase
 8 or decrease in the property tax rate from the prior year to the current
 9 year; and the percentage increase or decrease in the total operating
 10 budget from the prior year to the current year.

11 (4) Any resolution or ordinance setting a political subdivision's
 12 property tax request at an amount that exceeds the political
 13 subdivision's property tax request in the prior year shall include, but
 14 not be limited to, the following information:

15 (a) The name of the political subdivision;

16 (b) The amount of the property tax request;

17 (c) The following statements:

18 (i) The total assessed value of property differs from last year's

19 total assessed value by percent;

20 (ii) The tax rate which would levy the same amount of property taxes

21 as last year, when multiplied by the new total assessed value of

22 property, would be \$..... per \$100 of assessed value;

23 (iii) The (name of political subdivision) proposes to adopt a

24 property tax request that will cause its tax rate to be \$..... per \$100

25 of assessed value; and

26 (iv) Based on the proposed property tax request and changes in other

27 revenue, the total operating budget of (name of political subdivision)

28 will exceed last year's by percent; and

29 (d) The record vote of the governing body in passing such resolution

30 or ordinance.

31 (5) Any resolution or ordinance setting a property tax request under

1 this section shall be certified and forwarded to the county clerk on or

2 before October 13 of the year for which the tax request is to apply.

3 (6) ~~(2)~~ Any levy which is not in compliance with this section and

4 section 77-1601 shall be construed as an unauthorized levy under section

5 77-1606.

6 Sec. 2. Original section 77-1601.02, Reissue Revised Statutes of

7 Nebraska, is repealed.

LEGISLATIVE BILL 183. Placed on General File with amendment.

AM158

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

2 sections:

3 Section 1. Section 77-201, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 77-201 (1) Except as provided in subsections (2) through (4) of this
6 section, all real property in this state, not expressly exempt therefrom,
7 shall be subject to taxation and shall be valued at its actual value.

8 (2) Agricultural land and horticultural land as defined in section
9 77-1359 shall constitute a separate and distinct class of property for
10 purposes of property taxation, shall be subject to taxation, unless
11 expressly exempt from taxation, and shall be valued at seventy-five
12 percent of its actual value, except that for school district taxes levied
13 to pay the principal and interest on bonds that are issued on or after
14 the operative date of this act, such land shall be valued at thirty
15 percent of its actual value.

16 (3) Agricultural land and horticultural land actively devoted to
17 agricultural or horticultural purposes which has value for purposes other
18 than agricultural or horticultural uses and which meets the
19 qualifications for special valuation under section 77-1344 shall
20 constitute a separate and distinct class of property for purposes of
21 property taxation, shall be subject to taxation, and shall be valued for
22 taxation at seventy-five percent of its special ~~valuation~~ value as
23 defined in section 77-1343, except that for school district taxes levied
24 to pay the principal and interest on bonds that are issued on or after
25 the operative date of this act, such land shall be valued at thirty
26 percent of its special valuation as defined in section 77-1343.

27 (4) Historically significant real property which meets the
1 qualifications for historic rehabilitation valuation under sections
2 77-1385 to 77-1394 shall be valued for taxation as provided in such
3 sections.

4 (5) Tangible personal property, not including motor vehicles,
5 trailers, and semitrailers registered for operation on the highways of
6 this state, shall constitute a separate and distinct class of property
7 for purposes of property taxation, shall be subject to taxation, unless
8 expressly exempt from taxation, and shall be valued at its net book
9 value. Tangible personal property transferred as a gift or devise or as
10 part of a transaction which is not a purchase shall be subject to
11 taxation based upon the date the property was acquired by the previous
12 owner and at the previous owner's Nebraska adjusted basis. Tangible
13 personal property acquired as replacement property for converted property
14 shall be subject to taxation based upon the date the converted property
15 was acquired and at the Nebraska adjusted basis of the converted property
16 unless insurance proceeds are payable by reason of the conversion. For
17 purposes of this subsection, (a) converted property means tangible
18 personal property which is compulsorily or involuntarily converted as a
19 result of its destruction in whole or in part, theft, seizure,
20 requisition, or condemnation, or the threat or imminence thereof, and no
21 gain or loss is recognized for federal or state income tax purposes by
22 the holder of the property as a result of the conversion and (b)
23 replacement property means tangible personal property acquired within two

24 years after the close of the calendar year in which tangible personal
 25 property was converted and which is, except for date of construction or
 26 manufacture, substantially the same as the converted property.

27 Sec. 2. Section 77-5023, Reissue Revised Statutes of Nebraska, is
 28 amended to read:

29 77-5023 (1) Pursuant to section 77-5022, the commission shall have
 30 the power to increase or decrease the value of a class or subclass of
 31 real property in any county or taxing authority or of real property
 1 valued by the state so that all classes or subclasses of real property in
 2 all counties fall within an acceptable range.

3 (2) An acceptable range is the percentage of variation from a
 4 standard for valuation as measured by an established indicator of central
 5 tendency of assessment. Acceptable ranges are: (a) For agricultural land
 6 and horticultural land as defined in section 77-1359, sixty-nine to
 7 seventy-five percent of actual value, except that for school district
 8 taxes levied to pay the principal and interest on bonds that are issued
 9 on or after the operative date of this act, the acceptable range is
 10 twenty-four to thirty percent of actual value; (b) for lands receiving
 11 special valuation, sixty-nine to seventy-five percent of special
 12 valuation as defined in section 77-1343, except that for school district
 13 taxes levied to pay the principal and interest on bonds that are issued
 14 on or after the operative date of this act, the acceptable range is
 15 twenty-four to thirty percent of special valuation as defined in section
 16 77-1343; and (c) for all other real property, ninety-two to one hundred
 17 percent of actual value.

18 (3) Any increase or decrease shall cause the level of value
 19 determined by the commission to be at the midpoint of the applicable
 20 acceptable range.

21 (4) Any decrease or increase to a subclass of property shall also
 22 cause the level of value determined by the commission for the class from
 23 which the subclass is drawn to be within the applicable acceptable range.

24 (5) Whether or not the level of value determined by the commission
 25 falls within an acceptable range or at the midpoint of an acceptable
 26 range may be determined to a reasonable degree of certainty relying upon
 27 generally accepted mass appraisal techniques.

28 Sec. 3. This act becomes operative on January 1, 2020.

29 Sec. 4. Original sections 77-201 and 77-5023, Reissue Revised
 30 Statutes of Nebraska, are repealed.

(Signed) Lou Ann Linehan, Chairperson

Government, Military and Veterans Affairs

LEGISLATIVE BILL 450. Placed on General File.

LEGISLATIVE BILL 406. Placed on General File with amendment.
 AM159

1 1. Strike original section 3.

2 2. On page 6, strike beginning with "auditing" in line 2 through

- 3 "property" in line 3, show as stricken, and insert "expenses related to
- 4 unclaimed property".
- 5 3. On page 8, line 8, strike "(1)" and show as stricken and after
- 6 "costs" insert "related to unclaimed property"; and strike beginning with
- 7 "in" in line 8 through "charges" in line 11 and show as stricken.
- 8 4. On page 9, line 6, strike "69-1310,".
- 9 5. Renumber the remaining sections accordingly.

(Signed) Tom Brewer, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 70. Placed on Select File with amendment.
ER13

- 1 1. On page 8, line 29, after "9" insert "of this act".
- 2 2. On page 10, line 2, after "or" insert "subsection".

LEGISLATIVE BILL 78. Placed on Select File with amendment.
ER10

- 1 1. On page 1, line 9, strike "an operative date" and insert
- 2 "operative dates".

LEGISLATIVE BILL 221. Placed on Select File.

LEGISLATIVE BILL 42. Placed on Select File with amendment.
ER11

- 1 1. On page 1, lines 6 and 7, strike "to provide for filing fees;".

LEGISLATIVE BILL 115. Placed on Select File with amendment.
ER9

- 1 1. On page 6, line 18, strike "shall" and show as stricken.
- 2 2. On page 7, line 12, strike "under the provisions of" and insert
- 3 "pursuant to".

LEGISLATIVE BILL 188. Placed on Select File.

LEGISLATIVE BILL 258. Placed on Select File with amendment.
ER12

- 1 1. On page 1, line 11, strike "and" and after the second comma
- 2 insert "and".
- 3 2. On page 2, line 26, strike "the", show as stricken, and insert
- 4 "such".
- 5 3. On page 5, line 26, strike "the" and insert "such".

(Signed) Julie Slama, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, February 12, 2019 1:30 p.m.

LB695
 LB662
 LR5CA
 LB430

(Signed) Mike Groene, Chairperson

GENERAL FILE

LEGISLATIVE BILL 63. Senator Chambers offered the following motion:

MO6

Reconsider the vote taken on FA1.

Senator Chambers moved for a call of the house. The motion prevailed with 15 ayes, 6 nays, and 28 not voting.

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

Voting in the affirmative, 2:

Chambers Wayne

Voting in the negative, 42:

| | | | | |
|-----------|----------|------------|----------------|----------|
| Albrecht | Clements | Halloran | Linehan | Scheer |
| Arch | Crawford | Hansen, B. | Lowe | Slama |
| Blood | DeBoer | Hilgers | McCollister | Vargas |
| Bolz | Dorn | Hilkemann | McDonnell | Walz |
| Bostelman | Erdman | Hughes | Morfeld | Williams |
| Brandt | Friesen | Kolterman | Moser | Wishart |
| Brewer | Geist | La Grone | Murman | |
| Briese | Gragert | Lathrop | Pansing Brooks | |
| Cavanaugh | Groene | Lindstrom | Quick | |

Present and not voting, 3:

Howard Hunt Kolowski

Excused and not voting, 2:

Hansen, M. Stinner

The Chambers motion to reconsider failed with 2 ayes, 42 nays, 3 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment:

FA2

Page 5, line 21, strike "three" and insert "five".

Senator Chambers withdrew his amendment.

Senator Chambers requested a record vote on the advancement of the bill.

Voting in the affirmative, 41:

| | | | | |
|-----------|------------|-----------|----------------|----------|
| Albrecht | Crawford | Hilgers | Lowe | Stinner |
| Arch | DeBoer | Hilkemann | McCollister | Vargas |
| Blood | Dorn | Howard | McDonnell | Walz |
| Bostelman | Erdman | Hughes | Moser | Wayne |
| Brandt | Friesen | Hunt | Murman | Williams |
| Brewer | Geist | Kolterman | Pansing Brooks | |
| Briese | Gragert | La Grone | Quick | |
| Cavanaugh | Halloran | Lathrop | Scheer | |
| Clements | Hansen, B. | Linehan | Slama | |

Voting in the negative, 0.

Present and not voting, 6:

| | | |
|----------|----------|-----------|
| Bolz | Groene | Lindstrom |
| Chambers | Kolowski | Wishart |

Excused and not voting, 2:

Hansen, M. Morfeld

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

LEGISLATIVE BILL 32. Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 5 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 65. Title read. Considered.

Senator Chambers offered the following amendment:

FA3

Page 3, line 6, strike "A" and insert "Any".

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 3 nays, and 28 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 0.

Voting in the negative, 43:

| | | | | |
|-----------|----------|------------|----------------|----------|
| Albrecht | Clements | Halloran | Linehan | Slama |
| Arch | Crawford | Hansen, B. | Lowe | Stinner |
| Blood | DeBoer | Hilgers | McCollister | Vargas |
| Bolz | Dorn | Hilkemann | McDonnell | Walz |
| Bostelman | Erdman | Hughes | Moser | Wayne |
| Brandt | Friesen | Kolterman | Murman | Williams |
| Brewer | Geist | La Grone | Pansing Brooks | Wishart |
| Briese | Gragert | Lathrop | Quick | |
| Cavanaugh | Groene | Lindstrom | Scheer | |

Present and not voting, 5:

| | | | | |
|----------|------------|--------|------|----------|
| Chambers | Hansen, M. | Howard | Hunt | Kolowski |
|----------|------------|--------|------|----------|

Excused and not voting, 1:

Morfeld

The Chambers amendment lost with 0 ayes, 43 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO7

Reconsider the vote taken on FA3.

Senator Chambers moved for a call of the house. The motion prevailed with 20 ayes, 4 nays, and 25 not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 39:

| | | | | |
|-----------|----------|------------|----------------|---------|
| Albrecht | Clements | Halloran | Linehan | Scheer |
| Arch | Crawford | Hansen, M. | Lowe | Slama |
| Blood | DeBoer | Hilgers | McCollister | Stinner |
| Bolz | Dorn | Hilkemann | McDonnell | Vargas |
| Bostelman | Erdman | Hughes | Moser | Walz |
| Brandt | Friesen | La Grone | Murman | Wayne |
| Brewer | Geist | Lathrop | Pansing Brooks | Wishart |
| Briese | Gragert | Lindstrom | Quick | |

Present and not voting, 3:

Cavanaugh Howard Hunt

Excused and not voting, 6:

Groene Kolowski Morfeld
 Hansen, B. Kolterman Williams

The Chambers motion to reconsider failed with 1 aye, 39 nays, 3 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Pending.

NOTICE OF COMMITTEE HEARING(S)

Revenue

Room 1524

Wednesday, February 13, 2019 1:30 p.m.

LB276
 LB182
 LB310
 LB477
 LB357

Thursday, February 14, 2019 1:30 p.m.

LB314
 LB497
 LB677

(Signed) Lou Ann Linehan, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 259. Placed on Select File.
LEGISLATIVE BILL 355. Placed on Select File.
LEGISLATIVE BILL 56. Placed on Select File.
LEGISLATIVE BILL 75. Placed on Select File.
LEGISLATIVE BILL 11. Placed on Select File.
LEGISLATIVE BILL 57. Placed on Select File.
LEGISLATIVE BILL 121. Placed on Select File.

(Signed) Julie Slama, Chairperson

AMENDMENT(S) - Print in JournalSenator Pansing Brooks filed the following amendment to LB154:

AM36

1 1. Strike the original section and insert the following new section:
 2 Section 1. The Nebraska State Patrol shall conduct a study to
 3 determine how to increase state criminal justice protective and
 4 investigative resources for reporting and identifying missing Native
 5 American women and children in Nebraska. The Nebraska State Patrol shall
 6 work with the Commission on Indian Affairs to convene meetings with
 7 tribal and local law enforcement partners, federally recognized tribes,
 8 and urban Indian organizations to determine the scope of the problem,
 9 identify barriers, and find ways to create partnerships to increase
 10 reporting and investigation of missing Native American women and
 11 children. Consultation and collaboration with federally recognized tribes
 12 shall be conducted with respect for government-to-government relations.
 13 The Nebraska State Patrol shall work with the United States Department of
 14 Justice to increase information sharing and resource coordination to
 15 focus on reporting and investigating missing Native American women and
 16 children in Nebraska. The Nebraska State Patrol shall submit a report
 17 electronically to the Executive Board of the Legislative Council by June
 18 1, 2020, on the results of such study. Such report shall include data and
 19 analysis of the number of missing Native American women and children in
 20 Nebraska, identification of barriers in providing state resources to
 21 address the issue, and recommendations, including any proposed
 22 legislation, to improve the reporting and identification of missing
 23 Native American women and children in Nebraska.

Senator Crawford filed the following amendment to LB122:

AM164

(Amendments to Standing Committee amendments, AM 8)

1 1. Strike amendment 1 and insert the following new amendment:
 2 1. Strike the original sections and insert the following new
 3 sections:
 4 Section 1. Section 85-502.01, Revised Statutes Cumulative
 5 Supplement, 2018, is amended to read:

6 85-502.01 (1) A person who enrolls in a public college or university
7 in this state and who is (a) a veteran as defined in Title 38 of the
8 United States Code and was discharged or released from a period of not
9 fewer than ninety days of service in the active military, naval, or air
10 service less than three years before the date of initial enrollment, (b)
11 a spouse or dependent of such a veteran, (c) ~~or~~ an eligible recipient
12 entitled to educational assistance as provided in 38 U.S.C. 3319 while
13 the transferor is on active duty in the uniformed services or as provided
14 in 38 U.S.C. 3311(b)(9), as such sections existed on March 1, 2019
15 ~~January 1, 2017~~, or (d) entitled to rehabilitation pursuant to 38 U.S.C.
16 3102(a), as such section existed on March 1, 2019, shall be considered a
17 resident student notwithstanding the provisions of section 85-502 if the
18 person is ~~(a)~~ registered to vote in Nebraska and ~~(b)~~ demonstrates
19 objective evidence of intent to be a resident of Nebraska, except that
20 ~~a~~ (2) A person who is otherwise described in subsection (1) of this
21 ~~section and is under eighteen years of age is not required to register to~~
22 ~~vote in Nebraska comply with subdivision (1)(a) of this section.~~
23 (3) For purposes of this section, objective evidence of intent to be
24 a resident of Nebraska includes ~~either~~ a Nebraska driver's license, a
25 Nebraska ~~or~~ state identification card, ~~or~~ a Nebraska motor vehicle
26 registration, or documentation that the individual is registered to vote
1 in Nebraska.
2 Sec. 2. Original section 85-502.01, Revised Statutes Cumulative
3 Supplement, 2018, is repealed.
4 Sec. 3. Since an emergency exists, this act takes effect when
5 passed and approved according to law.

Senator Bolz filed the following amendment to LB108:
AM154

1 1. On page 2, after line 12 insert the following new subsection:
2 "(3) The director shall prioritize for placement in county jails any
3 persons committed to the department who meet all of the following
4 criteria:
5 (a) The person's sentence includes a term of post-release
6 supervision;
7 (b) The person is three months or less from his or her mandatory
8 release date; and
9 (c) The person can be housed in a county jail that is located:
10 (i) Within the county where such person was originally sentenced; or
11 (ii) Within one hundred miles of the county described in subdivision
12 (3)(c)(i) of this section."

Senator Chambers filed the following amendment to LB65:

FA4
Page 3, line 3 strike "boring" and insert "interesting".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hunt name added to LB41.
Senator Hunt name added to LB235.
Senator Pansing Brooks name added to LB486.
Senator Lowe name added to LB605.
Senator Stinner name added to LB605.
Senator Pansing Brooks name added to LB614.
Senator Pansing Brooks name added to LR18.
Senator Linehan name added to LR18.

VISITOR(S)

Visitors to the Chamber were Girl Scouts Troop 20854 from Lincoln; and physical therapy students from UNMC and Creighton and members of the Nebraska Association of Physical Therapists.

ADJOURNMENT

At 11:54 a.m., on a motion by Senator Arch, the Legislature adjourned until 9:00 a.m., Wednesday, February 6, 2019.

Patrick J. O'Donnell
Clerk of the Legislature