

**FIFTY-SECOND DAY - APRIL 3, 2019**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED SIXTH LEGISLATURE**  
**FIRST SESSION**

**FIFTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, April 3, 2019

**PRAYER**

The prayer was offered by Reverend Rebecca Sheridan, Bethel Lutheran Church, Omaha.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Lindstrom presiding.

The roll was called and all members were present except Senator Hilgers who was excused; and Senators DeBoer, Groene, Morfeld, Scheer, Vargas, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fifty-first day was approved.

**SELECT FILE**

**LEGISLATIVE BILL 243.** Considered.

Senator Chambers offered the following motion:  
MO47  
Recommit to the Agriculture Committee.

**PRESIDENT FOLEY PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 19 ayes, 5 nays, and 25 not voting.

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

Voting in the affirmative, 0.

Voting in the negative, 46:

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

Present and not voting, 1:

Chambers

Excused and not voting, 2:

Hilgers            Morfeld

The Chambers motion to recommit to committee failed with 0 ayes, 46 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO48

Reconsider the vote taken to recommit to committee.

Senator Gragert offered the following motion:

MO49

Invoke cloture pursuant to Rule 7, Sec. 10.

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

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

Voting in the affirmative, 46:

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

Voting in the negative, 1:

Chambers

Excused and not voting, 2:

Hilgers          Morfeld

The Gragert motion to invoke cloture prevailed with 46 ayes, 1 nay, and 2 excused and not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 46:

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

Excused and not voting, 2:

Hilgers          Morfeld

The Chambers motion to reconsider failed with 1 aye, 46 nays, and 2 excused and not voting.

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

Voting in the affirmative, 46:

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

Voting in the negative, 1:

Chambers

Excused and not voting, 2:

Hilgers            Morfeld

Advanced to Enrollment and Review for Engrossment with 46 ayes, 1 nay, and 2 excused and not voting.

The Chair declared the call raised.

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

Enrollment and Review

**LEGISLATIVE BILL 34.** Placed on Final Reading.

**LEGISLATIVE BILL 619.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

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

Education

**LEGISLATIVE BILL 547.** Placed on General File with amendment. AM749 is available in the Bill Room.

(Signed) Mike Groene, Chairperson

#### **SELECT FILE**

**LEGISLATIVE BILL 449.** ER47, found on page 788, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 590.** ER48, found on page 830, was adopted.

Senator Chambers offered his amendment, AM1146, found on page 1041.

Senator Briese requested a ruling of the Chair on whether the Chambers amendment is germane to the bill.

The Chair ruled the Chambers amendment is not germane to the bill.

Senator Chambers challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Chambers moved for a call of the house. The motion prevailed with 14 ayes, 2 nays, and 33 not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 40:

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

Present and not voting, 5:

Bolz	Cavanaugh	Crawford	Hunt	Kolowski
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Excused and not voting, 3:

Hilgers	Linehan	Morfeld
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The Chambers motion to overrule the Chair failed with 1 aye, 40 nays, 5 present and not voting, and 3 excused and not voting.

The Chair was sustained.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO50

Recommit to the Health and Human Services Committee.

**SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 13 ayes, 4 nays, and 32 not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 44:

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

Excused and not voting, 4:

Groene Hilgers Morfeld Williams

The Chambers motion to recommit to committee failed with 1 aye, 44 nays, and 4 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO51

Indefinitely postpone.

Pending.

**VISITOR(S)**

Visitors to the Chamber were Senator McCollister's son, Dan McCollister, from Los Angeles, CA; members from Adult Leadership Dawson County; students, teachers, and sponsors from Bel Air Elementary School, Norfolk; students from Fort Calhoun Community Schools; members from the Nebraska Federated Women's Clubs from across the state; students and teachers from St. Robert Bellarmine Catholic School, Omaha; and advocates for Planned Parenthood of the Heartland.

**RECESS**

At 11:54 a.m., on a motion by Senator Quick, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

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

**ROLL CALL**

The roll was called and all members were present except Senator Hilgers who was excused; and Senators Bolz, Cavanaugh, Dorn, Groene, Hunt, Morfeld, and Pansing Brooks who were excused until they arrive.

**COMMITTEE REPORT(S)**

Nebraska Retirement Systems

**LEGISLATIVE BILL 31.** Placed on General File with amendment. AM1169 is available in the Bill Room.

(Signed) Mark Kolterman, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 590.** Senator Chambers renewed his motion, MO51, found in this day's Journal, to indefinitely postpone.

Senator Chambers moved for a call of the house. The motion prevailed with 11 ayes, 7 nays, and 31 not voting.

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

Voting in the affirmative, 0.

Voting in the negative, 40:

Albrecht	Cavanaugh	Halloran	La Grone	Pansing Brooks
Arch	Clements	Hansen, B.	Lathrop	Quick
Blood	Crawford	Hansen, M.	Lindstrom	Slama
Bolz	Dorn	Hilkemann	Lowe	Vargas
Bostelman	Erdman	Howard	McCollister	Walz
Brandt	Friesen	Hughes	McDonnell	Wayne
Brewer	Geist	Hunt	Moser	Williams
Briese	Gragert	Kolterman	Murman	Wishart

Present and not voting, 2:

Chambers      Kolowski

Excused and not voting, 7:

DeBoer	Hilgers	Morfeld	Stinner
Groene	Linehan	Scheer	

The Chambers motion to indefinitely postpone failed with 0 ayes, 40 nays, 2 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO52

Reconsider the vote taken to indefinitely postpone.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 5 nays, 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, 37:

Albrecht	Crawford	Hansen, M.	Lindstrom	Slama
Blood	DeBoer	Hilkemann	Linehan	Vargas
Bolz	Dorn	Hughes	Lowe	Wayne
Bostelman	Erdman	Hunt	McCollister	Williams
Brandt	Friesen	Kolowski	McDonnell	Wishart
Brewer	Geist	Kolterman	Moser	
Briese	Gragert	La Grone	Pansing Brooks	
Clements	Halloran	Lathrop	Quick	

Excused and not voting, 11:



Arch	Hansen, B.	Morfeld	Stinner
Cavanaugh	Hilgers	Murman	Walz
Groene	Howard	Scheer	

The Chambers motion to reconsider failed with 1 aye, 37 nays, and 11 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO53

Bracket until April 15, 2019.

### **SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 7 ayes, 4 nays, and 38 not voting.

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

Voting in the affirmative, 0.

Voting in the negative, 37:

Albrecht	Crawford	Halloran	Lindstrom	Scheer
Blood	DeBoer	Hansen, M.	Linehan	Slama
Bolz	Dorn	Hughes	Lowe	Vargas
Bostelman	Erdman	Hunt	McCollister	Wayne
Brandt	Friesen	Kolowski	McDonnell	Wishart
Brewer	Geist	Kolterman	Moser	
Briese	Gragert	La Grone	Pansing Brooks	
Clements	Groene	Lathrop	Quick	

Present and not voting, 1:

Chambers

Excused and not voting, 11:

Arch	Hilgers	Morfeld	Walz
Cavanaugh	Hilkemann	Murman	Williams
Hansen, B.	Howard	Stinner	

The Chambers motion to bracket failed with 0 ayes, 37 nays, 1 present and not voting, and 11 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO55

Reconsider the vote taken to bracket.

Senator Briese offered the following motion:

MO54

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Briese moved for a call of the house. The motion prevailed with 21 ayes, 1 nay, and 27 not voting.

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

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Chambers

Excused and not voting, 4:

Hilgers      Hilkemann      McCollister      Stinner

The Briese motion to invoke cloture prevailed with 44 ayes, 1 nay, and 4 excused and not voting.

Senator Chambers requested a roll call vote, in reverse order, on the motion to reconsider.

Voting in the affirmative, 1:

Chambers

Voting in the negative, 44:

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

Excused and not voting, 4:

Hilgers          Hilkemann      McCollister      Stinner

The Chambers motion to reconsider failed with 1 aye, 44 nays, and 4 excused and not voting.

Senator Chambers requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 44:

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

Voting in the negative, 1:

Chambers

Excused and not voting, 4:

Hilgers          Hilkemann      McCollister      Stinner

Advanced to Enrollment and Review for Engrossment with 44 ayes, 1 nay, and 4 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 217.** ER49, found on page 918, was adopted.

Senator M. Hansen withdrew his amendments, AM946 and AM1168, found on pages 1016 and 1040.

Senator M. Hansen offered the following amendment:  
AM1184

(Amendments to Standing Committee amendments, AM387)

1 1. On page 1, line 5, after "48-1114" insert "(1)"; in line 9,  
2 strike "(1)", show as stricken, and insert "(a)"; in line 11, strike  
3 "(2)", show as stricken, and insert "(b)"; in line 13, strike "(3)", show  
4 as stricken, and insert "(c)"; in lines 14 and 16 strike "(4)" and insert  
5 "(d)"; in lines 16 and 18 strike "compensation" and insert "wages,  
6 benefits, or other compensation"; and after line 23 insert the following  
7 new subsections:  
8 "(2) Nothing in this subsection or subdivision (1)(d) of this  
9 section shall be contrary to applicable state or federal law or:  
10 (a) Create an obligation for any employer or employee to disclose  
11 information regarding employee wages, benefits, or other compensation;  
12 (b) Permit an employee, without the written consent of the employer,  
13 to disclose proprietary information, trade secret information, or  
14 information that is otherwise subject to a legal privilege or protected  
15 by law. For purposes of this subdivision, proprietary information does  
16 not include information regarding employee wages, benefits, or other  
17 compensation;  
18 (c) Permit an employee to disclose information regarding wages,  
19 benefits, or other compensation of other employees to a competitor of the  
20 employer;  
21 (d) Apply to employers which are exempt from the Nebraska Fair  
22 Employment Practice Act under section 48-1102;  
23 (e) Permit an employee to discuss information regarding employee  
24 wages, benefits, or other compensation during working hours, as defined  
25 in existing workplace policies, or in violation of specific contractual  
26 obligations; or  
1 (f) Permit an employee to disseminate information regarding employee  
2 wages, benefits, or other compensation to the general public. For  
3 purposes of this subdivision, general public does not include public  
4 officials, judicial officers, legislators, trade associations, or other  
5 reasonable third parties for the employee's mutual aid or protection.  
6 (3) The changes made to this section by this legislative bill shall  
7 not be construed so as to impair or affect the obligation of any lawful  
8 contract in existence prior to the effective date of this act."

The M. Hansen amendment was adopted with 28 ayes, 0 nays, 10 present and not voting, and 11 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 269.** ER50, found on page 918, was adopted.

Senator Wayne withdrew his amendments, AM1100, AM1101, AM1102, AM1103, and AM1104, found on pages 1015 and 1016.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 270.** ER53, found on page 918, was adopted.

Senator Wayne offered his amendment, FA36, found on page 1015.

Senator Wayne withdrew his amendment.

Senator Wayne withdrew his amendments, FA37 and FA40, found on pages 1015 and 1016.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 348.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 409.** Advanced to Enrollment and Review for Engrossment.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 243.** Placed on Final Reading.

**LEGISLATIVE BILL 449.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 98.** Placed on General File with amendment.  
AM1189

1 1. Insert the following new section:

2 Section 1. Section 18-2515, Reissue Revised Statutes of Nebraska, is  
3 amended to read:

4 18-2515 (1) Each petition presented for signature must be identical  
5 to the petition authorized for circulation by the city clerk pursuant to  
6 section 18-2512.

7 (2) Every petition shall contain the name and place of residence of  
8 not more than three persons as chief petitioners or sponsors of the  
9 measure. ~~The chief petitioners or sponsors shall be qualified electors of~~  
10 ~~the municipal subdivision potentially affected by the initiative or~~  
11 ~~referendum proposal.~~

12 (3) Every petition shall contain the caption and the statement  
13 specified in subdivisions (1)(a) and (1)(c) of section 18-2513.

14 (4) When a special election is being requested, such fact shall be  
15 stated on every petition.

16 2. Renumber the remaining sections and correct the repealer  
17 accordingly.

(Signed) Tom Brewer, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 77.** Introduced by Slama, 1.

WHEREAS, Sheriff Jim Gress, County Clerk Janene Bennett, Register of Deeds Janet Reed, and Judge John F. Steinheider recently retired from public service in Otoe County; and

WHEREAS, Otoe County Sheriff Jim Gress dedicated his life to keeping the residents of Otoe County safe and protected as the longest serving sheriff in Otoe County history; and

WHEREAS, Otoe County Clerk Janene Bennett served for numerous years to protect the integrity of elections; and

WHEREAS, Otoe County Register of Deeds Janet Reed was an exceptional public servant with nearly two decades of institutional knowledge; and

WHEREAS, Judge Steinheider served Nebraska courts for over 21 years, putting in countless hours of public service leading the Through the Eyes of the Child Initiative for the judicial district, facilitating cases, and training judges.

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

1. That the Legislature expresses its appreciation to Jim Gress, Janene Bennett, Janet Reed, and Judge Steinheider for their service and dedication to southeast Nebraska.

2. That the Legislature congratulates Jim Gress, Janene Bennett, Janet Reed, and Judge Steinheider on their retirement.

3. That a copy of this resolution be sent to Jim Gress, Janene Bennett, Janet Reed, and Judge Steinheider.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 212.** Title read. Considered.

Committee AM380, found on page 578, was offered.

Senator Chambers offered the following amendment to the committee amendment:

AM1139

(Amendments to Standing Committee amendments, AM380)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 68-1017.02, Reissue Revised Statutes of Nebraska,  
4 is amended to read:

5 68-1017.02 (1)(a) The Department of Health and Human Services shall  
6 apply for and utilize to the maximum extent possible, within limits  
7 established by the Legislature, any and all appropriate options available  
8 to the state under the federal Supplemental Nutrition Assistance Program  
9 and regulations adopted under such program to maximize the number of  
10 Nebraska residents being served under such program within such limits.  
11 The department shall seek to maximize federal funding for such program  
12 and minimize the utilization of General Funds for such program and shall  
13 employ the personnel necessary to determine the options available to the  
14 state and issue the report to the Legislature required by subdivision (b)  
15 of this subsection.

16 (b) The department shall submit electronically an annual report to  
17 the Health and Human Services Committee of the Legislature by December 1  
18 on efforts by the department to carry out the provisions of this  
19 subsection. Such report shall provide the committee with all necessary  
20 and appropriate information to enable the committee to conduct a  
21 meaningful evaluation of such efforts. Such information shall include,  
22 but not be limited to, a clear description of various options available  
23 to the state under the federal Supplemental Nutrition Assistance Program,  
24 the department's evaluation of and any action taken by the department  
25 with respect to such options, the number of persons being served under  
26 such program, and any and all costs and expenditures associated with such  
1 program.

2 (c) The Health and Human Services Committee of the Legislature,  
3 after receipt and evaluation of the report required in subdivision (b) of  
4 this subsection, shall issue recommendations to the department on any  
5 further action necessary by the department to meet the requirements of  
6 this section.

7 (2)(a) The department shall develop a state outreach plan to promote  
8 access by eligible persons to benefits of the Supplemental Nutrition  
9 Assistance Program. The plan shall meet the criteria established by the  
10 Food and Nutrition Service of the United States Department of Agriculture  
11 for approval of state outreach plans. The Department of Health and Human  
12 Services may apply for and accept gifts, grants, and donations to develop  
13 and implement the state outreach plan.

14 (b) For purposes of developing and implementing the state outreach  
15 plan, the department shall partner with one or more counties or nonprofit  
16 organizations. If the department enters into a contract with a nonprofit  
17 organization relating to the state outreach plan, the contract may  
18 specify that the nonprofit organization is responsible for seeking  
19 sufficient gifts, grants, or donations necessary for the development and  
20 implementation of the state outreach plan and may additionally specify  
21 that any costs to the department associated with the award and management  
22 of the contract or the implementation or administration of the state  
23 outreach plan shall be paid out of private or federal funds received for  
24 development and implementation of the state outreach plan.

25 (c) The department shall submit the state outreach plan to the Food

26 and Nutrition Service of the United States Department of Agriculture for  
27 approval on or before August 1, 2011, and shall request any federal  
28 matching funds that may be available upon approval of the state outreach  
29 plan. It is the intent of the Legislature that the State of Nebraska and  
30 the Department of Health and Human Services use any additional public or  
31 private funds to offset costs associated with increased caseload  
1 resulting from the implementation of the state outreach plan.

2 (d) The department shall be exempt from implementing or  
3 administering a state outreach plan under this subsection, but not from  
4 developing such a plan, if it does not receive private or federal funds  
5 sufficient to cover the department's costs associated with the  
6 implementation and administration of the plan, including any costs  
7 associated with increased caseload resulting from the implementation of  
8 the plan.

9 (3)(a)(i) On or before October 1, 2011, the department shall create  
10 a TANF-funded program or policy that, in compliance with federal law,  
11 establishes categorical eligibility for federal food assistance benefits  
12 pursuant to the Supplemental Nutrition Assistance Program to maximize the  
13 number of Nebraska residents being served under such program in a manner  
14 that does not increase the current gross income eligibility limit.

15 (ii) Such TANF-funded program or policy shall eliminate all asset  
16 limits for eligibility for federal food assistance benefits, except that  
17 the total of liquid assets which includes cash on hand and funds in  
18 personal checking and savings accounts, money market accounts, and share  
19 accounts shall not exceed twenty-five thousand dollars pursuant to the  
20 Supplemental Nutrition Assistance Program, as allowed under federal law  
21 and under 7 C.F.R. 273.2(j)(2).

22 (iii) This subsection becomes effective only if the department  
23 receives funds pursuant to federal participation that may be used to  
24 implement this subsection.

25 (b) For purposes of this subsection:

26 (i) Federal law means the federal Food and Nutrition Act of 2008, 7  
27 U.S.C. 2011 et seq., and regulations adopted under the act; and

28 (ii) TANF means the federal Temporary Assistance for Needy Families  
29 program established in 42 U.S.C. 601 et seq.

30 (4)(a) Within the limits specified in this subsection, the State of  
31 Nebraska opts out of the provision of the federal Personal Responsibility  
1 and Work Opportunity Reconciliation Act of 1996, as such act existed on  
2 January 1, 2009, that eliminates eligibility for the Supplemental  
3 Nutrition Assistance Program for any person convicted of a felony  
4 involving the possession, use, or distribution of a controlled substance.

5 (b) ~~A person shall be ineligible for Supplemental Nutrition~~  
6 ~~Assistance Program benefits under this subsection if he or she (i) has~~  
7 ~~had three or more felony convictions for the possession or use of a~~  
8 ~~controlled substance or (ii) has been convicted of a felony involving the~~  
9 ~~sale or distribution of a controlled substance or the intent to sell or~~  
10 ~~distribute a controlled substance. A person with three or more ~~one or two~~~~  
11 ~~felony convictions for the possession or use of a controlled substance~~  
12 shall only be eligible to receive Supplemental Nutrition Assistance



13 Program benefits under this subsection if he or she is participating in  
 14 or has completed a state-licensed or nationally accredited substance  
 15 abuse treatment program since the date of conviction. The determination  
 16 of such participation or completion shall be made by the treatment  
 17 provider administering the program.

18 Sec. 2. Original section 68-1017.02, Reissue Revised Statutes of  
 19 Nebraska, is repealed.

20 2. Insert the following new amendment:

21 2. On page 1, strike beginning with "the" in line 1 through line 3  
 22 and insert "public assistance; to amend section 68-1017.02, Reissue  
 23 Revised Statutes of Nebraska; to change provisions relating to  
 24 eligibility for Supplemental Nutrition Assistance Program benefits as  
 25 prescribed;".

The Chambers amendment lost with 1 aye, 27 nays, 14 present and not  
 voting, and 7 excused and not voting.

The committee amendment was adopted with 34 ayes, 0 nays, 7 present and  
 not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 7 present  
 and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 15.** Title read. Considered.

Committee AM410, found on page 808, was adopted with 39 ayes, 0 nays, 3  
 present and not voting, and 7 excused and not voting.

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

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

Senator Kolterman filed the following amendment to LB316:  
 AM1187

1 1. Insert the following new section:

2 Sec. 2. Since an emergency exists, this act takes effect when  
 3 passed and approved according to law.

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

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

Senator Brewer name added to LB641.

#### **VISITOR(S)**

The Doctor of the Day was Dr. Kip Anderson from Columbus.

**ADJOURNMENT**

At 4:43 p.m., on a motion by Senator Kolterman, the Legislature adjourned until 9:00 a.m., Thursday, April 4, 2019.

Patrick J. O'Donnell  
Clerk of the Legislature