

SEVENTY-SIXTH DAY - MAY 14, 2019

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION**

SEVENTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 14, 2019

PRAYER

The prayer was offered by Reverend Leah Lawson, St. John Lutheran Church, Beatrice.

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 Groene, M. Hansen, Lathrop, Morfeld, Pansing Brooks, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventy-fifth day was approved.

AMENDMENT(S) - Print in Journal

Senator Bolz filed the following amendment to LB720:
AM1765

(Amendments to Standing Committee amendments, AM1614)

- 1 1. Strike sections 7, 17, 21, 28, and 73 and insert the following
- 2 new sections:
- 3 Sec. 7. Board means the Nebraska Economic Opportunity Peer-Review
- 4 Board created under section 30 of this act.
- 5 Sec. 8. Carryover period means the period of one year immediately
- 6 following the end of the performance period.
- 7 Sec. 18. Performance period means the year during which the required
- 8 increases in employment and investment were met or exceeded and each year
- 9 thereafter until the end of the second year after the year the required
- 10 increases were met or exceeded.
- 11 Sec. 22. Ramp-up period means the period of time from the date of
- 12 the complete application through the end of the year after the year in
- 13 which the complete application was filed with the board.
- 14 Sec. 29. (1) In order to utilize the incentives allowed in the

15 ImagiNE Nebraska Act, the taxpayer shall file an application with the
16 board, on a form developed by the director, requesting an agreement.
17 (2) The application shall:
18 (a) Identify the taxpayer applying for incentives;
19 (b) Identify all locations sought to be within the agreement and the
20 reason each such location constitutes or is expected to constitute a
21 qualified location;
22 (c) State the estimated, projected amount of new investment and the
23 estimated, projected number of new employees;
24 (d) Identify the required levels of employment and investment for
25 the various incentives listed within section 35 of this act that will
26 govern the agreement. The taxpayer may identify different levels of
1 employment and investment until the first December 31 following the end
2 of the ramp-up period on a form approved by the director. The identified
3 levels of employment and investment will govern all years covered under
4 the agreement;
5 (e) Identify whether the agreement is for a single qualified
6 location, all qualified locations within a county, all qualified
7 locations in more than one county, or all qualified locations within the
8 state;
9 (f) Acknowledge that the taxpayer understands the requirements for
10 offering health coverage, and for reporting the value of such coverage,
11 as specified in the ImagiNE Nebraska Act;
12 (g) Acknowledge that the taxpayer does not violate any state or
13 federal law against discrimination; and
14 (h) Contain a nonrefundable application fee of five thousand
15 dollars. The fee shall be remitted to the State Treasurer for credit to
16 the Nebraska Incentives Fund.
17 (3) An application must be complete to establish the date of the
18 application. An application shall be considered complete once it contains
19 the items listed in subsection (2) of this section.
20 (4) Once satisfied that the application is consistent with the
21 purposes stated in the ImagiNE Nebraska Act for one or more qualified
22 locations within this state, the board shall approve the application as
23 provided in section 30 of this act.
24 (5) There shall be no new applications for incentives filed under
25 this section after December 31, 2029. All complete applications filed on
26 or before December 31, 2029, shall be considered by the board and
27 approved if the location or locations and taxpayer qualify for benefits.
28 Agreements may be executed with regard to complete applications filed on
29 or before December 31, 2029. All agreements pending, approved, or entered
30 into before such date shall continue in full force and effect.
31 Sec. 30. (1) The Nebraska Economic Opportunity Peer-Review Board is
1 hereby created. The board shall have the following purposes:
2 (a) Promoting economic development in line with the state's economic
3 development strategy;
4 (b) Promoting the retention and growth of high-wage, high-impact
5 businesses;
6 (c) Attracting high-wage, high-impact businesses to the state of

7 Nebraska;

8 (d) Promoting investment in distressed and rural areas; and

9 (e) Approving incentives for businesses which would not remain,

10 grow, or move to Nebraska but for such incentives.

11 (2) The board shall consist of:

12 (a) Two economists appointed by the Governor and approved by the

13 Legislature;

14 (b) One economic development professional appointed by the Governor

15 and approved by the Legislature;

16 (c) The Commissioner of Labor;

17 (d) The Director of Economic Development;

18 (e) The chairperson of the Appropriations Committee of the

19 Legislature, who shall serve as a nonvoting, ex officio member.

20 (f) The chairperson of the Legislative Performance Audit Committee,

21 who shall serve as a nonvoting, ex officio member;

22 (g) The chairperson of the Revenue Committee of the Legislature, who

23 shall serve as a nonvoting, ex officio member;

24 (h) The President of the University of Nebraska or his or her

25 designee; and

26 (i) The Commissioner of Education or his or her designee.

27 (3) The board shall have the following duties and powers:

28 (a) To approve or deny applications under the ImagiNE Nebraska Act;

29 (b) To request any additional information or materials from

30 taxpayers submitting applications under the act that can demonstrate the

31 expected effect of incentives under the act on the taxpayer's investment

1 and employment decisions;

2 (c) To approve incentives under the act beyond the annual limit as

3 prescribed in section 31 of this act; and

4 (d) To set limits on the amounts of credits or incentives a taxpayer

5 may receive as part of the application approval process.

6 (4) The board shall elect a chairperson by majority vote of the

7 voting members.

8 (5) The board shall meet once each calendar quarter at a time and

9 place determined by a majority vote of the voting members of the board.

10 (6) No applications shall be approved under the ImagiNE Nebraska Act

11 unless approved by a majority vote of the voting members of the board.

12 (7) At each meeting the board shall consider any complete

13 applications submitted before the end of the previous calendar quarter.

14 The board shall publish the results of its decision no later than ten

15 days after the meeting at which the application was considered, except as

16 provided in subsection (8) of this section. If the board fails to make

17 its determination within the period prescribed by this subsection or

18 subsection (8) of this section, the application is deemed approved.

19 (8) The board may request, by mail or by electronic means,

20 additional information or clarification from the taxpayer in order to

21 make its determination. If such a request is made, the time limit in

22 subsection (7) of this section shall be tolled from the time the board

23 makes the request to the time it receives the requested information or

24 clarification from the taxpayer. The taxpayer and the board may also

25 agree to a longer extension.

26 (9) The board may set a limit to the amount of credits or incentives
27 approved for any individual taxpayer as part of the approval process.

28 (10) The board shall deny the application of any taxpayer with an
29 active agreement under the Nebraska Advantage Act. A taxpayer with an
30 active agreement under the Nebraska Advantage Act shall not be eligible
31 for credits or incentives under the ImagiNE Nebraska Act.

1 Sec. 31. (1) Except as provided in subsections (2) and (3) of this
2 section, no more than eighty million dollars of credits or incentives
3 shall be approved in any year under the ImagiNE Nebraska Act.

4 (2) The board may, by a majority vote of the voting members, approve
5 up to an additional forty million dollars in credits or incentives in any
6 year. If such approval is granted, the annual limit for the following
7 year shall be reduced by an equal amount.

8 (3) If less than eighty million dollars of credits or incentives are
9 approved in a year, the difference between the amount approved and eighty
10 million dollars shall be carried forward for use in subsequent years.

11 (4) Upon reaching the annual limit for a year, any pending
12 applications shall be assessed at the beginning of the next year.

13 Sec. 48. It is the intent of the Legislature to appropriate five
14 million dollars from the General Fund to the ImagiNE Nebraska Revolving
15 Loan Fund for each of fiscal years 2019-20 and 2020-21.

16 2. On page 1, line 3, strike "44" and insert "48".

17 3. On page 11, line 8, after "Act" insert "subject to the annual
18 limit under section 31 of this act and any taxpayer-specific limit set by
19 the board under section 30 of this act."

20 4. On page 12, strike beginning with "director" in line 16 through
21 "director" in line 17 and insert "board, the director, or the Tax
22 Commissioner shall be kept confidential by the board, the director,".

23 5. On page 13, line 2, strike "fifteen" and insert "six"; and in
24 line 28 strike "(1)" and insert "(1)(a)" and strike "director" and insert
25 "board".

26 6. On page 14, lines 2 and 29, strike "director" and insert "board";
27 and strike beginning with the period in line 3 through the period in line
28 12 and insert "At each of its quarterly meetings, the board shall
29 consider requests for review submitted before the end of the previous
30 calendar quarter. The board must complete the review no later than ten
31 days after the meeting at which the request for review was considered,
1 except as provided in subdivision (1)(b) of this section. If the board
2 fails to make its determination within the period prescribed by this
3 subsection, the certification is deemed approved for the disclosed
4 activities."; and after line 12 insert the following new subdivision:

5 "(b) The board may request, by mail or by electronic means,
6 additional information or clarification from the taxpayer in order to
7 make its determination. If such a request is made, the time limit in
8 subdivision (1)(a) of this section shall be tolled from the time the
9 board makes the request to the time it receives the requested information
10 or clarification from the taxpayer. The taxpayer and the board may also
11 agree to a longer extension."

- 12 7. On page 15, line 5, strike "director" and insert "board".
 13 8. On page 16, line 23, strike "and"; in line 25 strike the period
 14 and insert "; and"; and after line 25 insert the following new
 15 subdivision:
 16 "(8) Any activity that results in benefits under the Nebraska
 17 Advantage Act."
 18 9. On page 24, lines 5 and 18, strike "ninth" and insert "fourth".
 19 10. On page 25, insert the following new subsection after line 15:
 20 "(9) A taxpayer shall not claim a total amount of credits against
 21 the taxpayer's income tax liability and payroll withholding that is
 22 greater than the total amount of the taxpayer's Nebraska state income tax
 23 liability in any given year."; and in line 16 strike "(9)" and insert
 24 "(10)".
 25 11. On page 30, line 24; page 32, lines 13 and 20; and page 39, line
 26 9, strike "director" and insert "board".
 27 12. On page 36, lines 27 and 29, after "director's" insert "or
 28 board's".
 29 13. On page 37, line 3, after "director" insert ", the board".
 30 14. Renumber the remaining sections, correct internal references,
 31 and correct the repealer accordingly.

Senator Bolz filed the following amendment to LB720:
 AM1795

(Amendments to Standing Committee amendments, AM1614)

- 1 1. Insert the following new sections:
 2 Sec. 56. Sections 56 to 61 of this act shall be known and may be
 3 cited as the Customized Job Training Act.
 4 Sec. 57. The Customized Job Training Act shall be administered by
 5 the Department of Economic Development to provide funds in the form of
 6 grants to employers for reimbursement of job training expenses as set
 7 forth in the act.
 8 Sec. 58. The Customized Job Training Cash Fund is created. Funds in
 9 the Customized Job Training Cash Fund shall be used for (1) general
 10 administrative costs of awarding job training reimbursement grants under
 11 the Customized Job Training Act and (2) job training reimbursement
 12 grants. Any money in the fund available for investment shall be invested
 13 by the state investment officer pursuant to the Nebraska Capital
 14 Expansion Act and the Nebraska State Funds Investment Act.
 15 Sec. 59. (1) Employers applying for job training reimbursement
 16 grants under the Customized Job Training Act shall apply to the
 17 Department of Economic Development. The department shall provide job
 18 training reimbursement grants for job training programs for jobs that are
 19 net new jobs or that result in a net increase in wages per employee. The
 20 job training reimbursement grants shall be in proportion to the committed
 21 number of net new jobs created or committed net increase in wages per
 22 employee. The amount of each grant and number of grants awarded shall be
 23 determined by the department based upon available funding.
 24 (2) The department shall create a job training reimbursement grant
 25 application, have authority to approve applications, and authorize the

26 total amount of job training reimbursement grants expected to be awarded
1 as a result of the training if the Director of Economic Development is
2 satisfied that the plan in the application defines training that meets
3 the eligibility requirements.

4 (3) The department shall submit an annual report electronically to
5 the Appropriations Committee of the Legislature that includes the total
6 number of job training reimbursement grants awarded, the total dollar
7 amount of job training reimbursement grants awarded and to whom, the
8 total expenditures made in administering the Customized Job Training Act,
9 the number of individuals trained, the average wage of net new jobs, and
10 a summary of the training provided.

11 Sec. 60. (1) In order for an employer to apply for a job training
12 reimbursement grant under the Customized Job Training Act:

13 (a) The jobs being trained for must be net new jobs or result in a
14 net increase in wages per employee; and

15 (b) The jobs being trained for must meet or exceed the Nebraska
16 average annual wage.

17 (2) Training may be provided by:

18 (a) The community college system or any accredited postsecondary
19 educational institution; or

20 (b) Any qualified training provider if the training results in:

21 (i) A national, state, or locally recognized certificate;

22 (ii) Preparation for a professional examination or licensure;

23 (iii) Endorsement for an existing credential or license; or

24 (iv) Development of recognized skill standards as defined by an
25 industrial sector.

26 Sec. 61. An employer receiving a grant shall provide to the
27 Department of Economic Development documentation:

28 (1) Showing the completion of the eligible job training. The
29 department may require reimbursement of any funds for training not
30 meeting eligibility requirements; and

31 (2) Showing that the employer has maintained or exceeded its current
1 level of training expenditures in the fiscal year in which the grant was
2 awarded.

3 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR107 was adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LR107.

MOTION(S) - Confirmation Report(s)

Senator Howard moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1379:

Commission for the Deaf and Hard of Hearing

Frances Beurivage

Sandra Shaw

Voting in the affirmative, 40:

Albrecht	Chambers	Hansen, B.	La Grone	Quick
Arch	Clements	Hilgers	Lindstrom	Scheer
Blood	Crawford	Hilkemann	Linehan	Slama
Bolz	DeBoer	Howard	Lowe	Stinner
Bostelman	Dorn	Hughes	McCollister	Vargas
Brandt	Geist	Hunt	McDonnell	Walz
Briese	Gragert	Kolowski	Moser	Williams
Cavanaugh	Halloran	Kolterman	Murman	Wishart

Voting in the negative, 0.

Present and not voting, 3:

Brewer	Erdman	Friesen
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Excused and not voting, 6:

Groene	Lathrop	Pansing Brooks
Hansen, M.	Morfeld	Wayne

The appointments were confirmed with 40 ayes, 0 nays, 3 present and not voting, and 6 excused and not voting.

Senator Howard moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 1379:

Nebraska Rural Health Advisory Commission

Roger A. Wells

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 3:

Erdman Hughes La Grone

Excused and not voting, 3:

Hansen, M. Lathrop Morfeld

The appointment was confirmed with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 610A. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 600A. Senator Walz offered her amendment, AM1775, found on page 1525.

The Walz amendment was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 295. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 296. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 297. Senator Stinner offered the Bolz amendment, AM1747, found on page 1513.

The Bolz amendment was adopted 40 ayes, 0 nays, and 9 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 293. ER106, found on page 1438, was offered.

ER106 was adopted.

Senator Chambers offered the following motion:

MO84

Indefinitely postpone.

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

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

Voting in the affirmative, 0.

Voting in the negative, 47:

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

Present and not voting, 2:

Chambers Erdman

The Chambers motion to indefinitely postpone failed with 0 ayes, 47 nays, and 2 present and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO85

Reconsider the vote taken to indefinitely postpone.

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

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 46:

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

Present and not voting, 1:

Erdman

Excused and not voting, 1:

Hansen, B.

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

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO86

Bracket until June 6, 2019.

SPEAKER SCHEER 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 bracket.

Voting in the affirmative, 0.

Voting in the negative, 45:

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

Present and not voting, 2:

Chambers Erdman

Excused and not voting, 2:

Hansen, B. Morfeld

The Chambers motion to bracket failed with 0 ayes, 45 nays, 2 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO88

Reconsider the vote taken to bracket.

Senator Stinner offered the following motion:

MO89

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 24 ayes, 2 nays, and 23 not voting.

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

Voting in the affirmative, 45:

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

Voting in the negative, 2:

Chambers Lowe

Excused and not voting, 2:

Hansen, B. Morfeld

The Stinner motion to invoke cloture prevailed with 45 ayes, 2 nays, and 2 excused and not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 45:

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

Present and not voting, 1:

Erdman

Excused and not voting, 2:

Hansen, B. Morfeld

The Chambers motion to reconsider failed with 1 aye, 45 nays, 1 present and not voting, and 2 excused and not voting.

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

Voting in the affirmative, 45:

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

Voting in the negative, 1:

Chambers

Present and not voting, 1:

Hunt

Excused and not voting, 2:

Hansen, B. Morfeld

Advanced to Enrollment and Review for Engrossment with 45 ayes, 1 nay, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs

Room 1507

Tuesday, May 21, 2019 12:00 p.m.

Debra Nelson-Loseke - Nebraska Tourism Commission
Starr Lehl - Nebraska Tourism Commission
Roger L. Jasnoch - Nebraska Tourism Commission
Christopher Waddle - State Personnel Board
Sharon Rues - State Personnel Board

(Signed) Tom Brewer, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 134. Introduced by Slama, 1; Howard, 9.

PURPOSE: The purpose of this interim study is to examine the drug testing protocol recently changed by the Division of Children and Family Services

of the Department of Health and Human Services for families involved in the child welfare system.

The issues addressed by this interim study shall include, but not be limited to:

- (1) The reasons the drug testing protocol was changed;
- (2) Other states' experience with drug testing protocols related to child welfare systems;
- (3) The lack of drug testing for initial assessments and structured decision making safety and risk assessments;
- (4) The use of a new drug testing protocol in high-risk cases and the decision not to drug test members of families subject to a safety plan even if substance use is present;
- (5) The lack of substance use disorder evaluations when the structured decision making assessment outcome is safe or conditionally safe;
- (6) The decision not to drug test infants and children who may have been exposed to drugs;
- (7) The number of families subject to a safety plan who have been moved to a court-involved case or who have had children removed from the home due to substance abuse in the home;
- (8) The current laws related to drug testing policies in the child welfare system;
- (9) The number of children placed out-of-home before the drug testing protocol change compared to the number of children placed out-of-home after the change;
- (10) The number of children who tested positive for drugs prior to the drug testing protocol change;
- (11) The impacts of possible drug use on children after the drug testing protocol change;
- (12) The number of drug tests performed on children and on adults prior to the drug testing protocol change compared to the number of such tests after such change;
- (13) The process for holding parents and guardians accountable under a safety plan or case plan; and
- (14) The efforts by the department to find a compromise solution with stakeholders regarding drug testing protocols.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 135. Introduced by Hunt, 8.

PURPOSE: The purpose of this interim study is to examine issues related to food insecurity in Nebraska communities. The issues addressed by this interim study shall include, but not be limited to:

- (1) Tools to reduce food insecurity, including, but not limited to, the Supplemental Nutrition Assistance Program, the Commodity Supplemental Food Program, and the school lunch program;
- (2) Inefficiencies and gaps in the implementation of such programs; and
- (3) Potential statutory changes needed to eliminate such inefficiencies and gaps in implementation.

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

1. That the Health and Human Services Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 295. Placed on Final Reading.

LEGISLATIVE BILL 296. Placed on Final Reading.

LEGISLATIVE BILL 600. Placed on Final Reading.

ST23

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

1. On page 1, the matter beginning with "the" in line 1 through line 4 and all amendments thereto have been struck and "government; to amend sections 43-1311.03, 43-4201, 43-4202, 43-4204, 43-4206, 43-4216, 43-4217, 43-4504, 43-4508, 43-4511.01, 43-4514, 68-1212, and 71-7611, Reissue Revised Statutes of Nebraska, and sections 43-285, 43-4203, 43-4207, 43-4218, 43-4513, 43-4701, and 81-8,244, Revised Statutes Cumulative Supplement, 2018; to change eligibility and hearing requirements for the bridge to independence program; to change and eliminate legislative findings, declarations, and intent relating to the Nebraska Children's Commission; to provide, change, and eliminate provisions relating to the administration, membership, and duties of the commission; to eliminate a termination date; to state intent regarding funding; to provide, change, and eliminate duties of the Department of Health and Human Services and the Office of Probation Administration related to the commission; to change and eliminate reporting requirements; to eliminate certain duties of the Bridge to Independence Advisory

Committee; to eliminate obsolete provisions; to change transfers of funds affecting the Nebraska Health Care Cash Fund; to change provisions relating to the authority of the deputy public counsel for institutions; to eliminate provisions relating to legislative findings and intent regarding foster care; to harmonize provisions; to provide an operative date; to repeal the original sections; to outright repeal sections 43-4205, 43-4208, 43-4209, 43-4210, 43-4211, 43-4213, and 43-4214, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.

LEGISLATIVE BILL 600A. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 610A. Placed on Select File.

(Signed) Julie Slama, Chairperson

VISITOR(S)

Visitors to the Chamber were students from Lincoln Elementary School, Grand Island; students from Springville Elementary School, Omaha; and students from J. Sterling Morton Elementary School, Millard.

RECESS

At 11:56 a.m., on a motion by Senator Howard, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Speaker Scheer presiding.

ROLL CALL

The roll was called and all members were present except Senator Wayne who was excused until he arrives.

MESSAGE(S) FROM THE GOVERNOR

May 14, 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 Public Employees Retirement Board:

Allen Simpson, 2401 Ryons Street, Lincoln, NE 68502

Contingent upon your approval, the following individual is being reappointed to the Public Employees Retirement Board:

Janis Elliott, 1306 Lydia Circle, Papillion, NE 68133

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 298. ER107, found on page 1439, was adopted.

Senator Hilkemann offered his amendment, AM1748, found on page 1510.

Senator Hilkemann moved for a call of the house. The motion prevailed with 17 ayes, 6 nays, and 26 not voting.

Senator Hilkemann requested a roll call vote on his amendment.

Voting in the affirmative, 25:

Bolz	Hansen, M.	Lathrop	Morfeld	Vargas
Briese	Hilkemann	Lindstrom	Pansing Brooks	Walz
Cavanaugh	Howard	Linehan	Quick	Wayne
DeBoer	Kolowski	McCollister	Scheer	Williams
Groene	Kolterman	McDonnell	Stinner	Wishart

Voting in the negative, 17:

Albrecht	Chambers	Geist	La Grone	Slama
Bostelman	Clements	Gragert	Lowe	
Brandt	Dorn	Halloran	Moser	
Brewer	Erdman	Hilgers	Murman	

Present and not voting, 7:

Arch Crawford Hansen, B. Hunt
Blood Friesen Hughes

The Hilkemann amendment was adopted with 25 ayes, 17 nays, and 7 present and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO90

Indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Senator Moser offered the following amendment:

FA77

Strike AM1748.

Senator Moser moved for a call of the house. The motion prevailed with 16 ayes, 3 nays, and 30 not voting.

The Moser amendment was adopted with 25 ayes, 14 nays, 9 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 538. Placed on Final Reading.

ST24

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

1. In the Lathrop amendment, AM1768:
 - a. In lieu of the Lathrop amendment, FA72, on page 4, the matter beginning with "An" in line 29 through "devices" in line 31 has been struck and "An owner or operator of a retail establishment shall operate no more than four cash devices, except that an establishment with over four thousand square feet may have one cash device for each one thousand square feet, up to a maximum of fifteen cash devices" inserted; and
 - b. On page 6, line 2, a comma has been inserted after "2019".
2. On page 1, the matter beginning with "gambling" in line 1 through line 7 and all amendments thereto have been struck and "gambling; to amend sections 28-1107, 77-3001, 77-3006, 77-3007, 77-3008, 77-3010, and 77-3011, Reissue Revised Statutes of Nebraska, and section 77-5601, Reissue Revised Statutes of Nebraska, as amended by section 2, Legislative Bill 237, One Hundred Sixth Legislature, First Session, 2019; to change

provisions relating to possession of a gambling device; to define and redefine terms under the Mechanical Amusement Device Tax Act; to provide for approval of certain mechanical amusement devices by, and provide duties and powers for, the Department of Revenue as prescribed; to restrict operation of a cash device as prescribed; to provide for the use of certain fees for enforcement; to authorize the manufacture, sale, transport, placement, possession, or entry into transactions involving certain cash devices as prescribed; to provide fees; to harmonize provisions; to provide an operative date; and to repeal the original sections." inserted.

LEGISLATIVE BILL 538A. Placed on Final Reading.

LEGISLATIVE BILL 293. Placed on Final Reading.

LEGISLATIVE BILL 297. Placed on Final Reading.

ST25

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

1. In the Standing Committee amendments, AM1482, sections 44, 45, and 46 have been renumbered as sections 45, 46, and 44, respectively.

(Signed) Julie Slama, Chairperson

NOTICE OF COMMITTEE HEARING(S)

General Affairs

Room 1510

Wednesday, May 22, 2019 12:30 p.m.

James Patterson - Nebraska Commission on Problem Gambling

(Signed) Tom Briese, Chairperson

COMMUNICATION

Received communication from Kyle Schneweis, P.E., Director, Nebraska Department of Transportation, regarding the following appointment to the position of Director of the Division of Aeronautics:

Ann B. Richart, AAE

SELECT FILE

LEGISLATIVE BILL 294. ER109, found on page 1451, was adopted.

Senator Stinner offered the Bolz amendment, AM1746, found on page 1513.

SENATOR WILLIAMS PRESIDING

Senator Halloran moved the previous question. The question is, "Shall the debate now close?"

The Chair ruled there had not been a full and fair debate, pursuant to Rule 7, Sec. 4, on the Bolz amendment.

Senator Stinner offered the following motion:

MO91

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 25 ayes, 13 nays, and 11 not voting.

Senator Stinner requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 31:

Blood	Geist	Kolowski	Morfeld	Wayne
Bolz	Groene	Kolterman	Pansing Brooks	Williams
Cavanaugh	Hansen, M.	Lathrop	Quick	Wishart
Chambers	Hilgers	Lindstrom	Scheer	
Crawford	Hilkemann	Linehan	Stinner	
DeBoer	Howard	McCollister	Vargas	
Dorn	Hunt	McDonnell	Walz	

Voting in the negative, 14:

Albrecht	Brewer	Gragert	La Grone	Murman
Arch	Clements	Halloran	Lowe	Slama
Bostelman	Erdman	Hansen, B.	Moser	

Present and not voting, 4:

Brandt	Briese	Friesen	Hughes
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The Stinner motion to invoke cloture failed with 31 ayes, 14 nays, and 4 present and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 299. Advanced to Enrollment and Review for Engrossment.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 298. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Elliot, Janis - Public Employees Retirement Board - Nebraska Retirement Systems
 Richart, Ann - Director, Division of Aeronautics, Department of Transportation - Transportation and Telecommunications
 Simpson, Allen - Public Employees Retirement Board - Nebraska Retirement Systems

(Signed) Mike Hilgers, Chairperson
 Executive Board

AMENDMENT(S) - Print in Journal

Senator Clements filed the following amendment to LB294:
 FA73
 Amend AM1746
 Strike Section 6.

Senator La Grone filed the following amendment to LB294:
 AM1638

(Amendments to Standing Committee amendments, AM1329)

1 1. On page 27, strike line 13 and insert "GENERAL FUND 29,998,753
 2 37,474,452"; and strike line 15 and insert "PROGRAM TOTAL 32,015,428
 3 39,526,833".

Senator Cavanaugh filed the following amendment to LB720:
 AM1798

(Amendments to Standing Committee amendments, AM1614)

1 1. Insert the following new section:
 2 Sec. 45. (1) For any taxpayer that is a domestic corporation with a
 3 board of directors, such taxpayer shall not qualify for any incentives
 4 under the ImagiNE Nebraska Act unless at least one-half of the members of
 5 the taxpayer's board of directors are female. Such requirement shall
 6 continue to apply to the taxpayer throughout the performance period. If a
 7 taxpayer fails to meet such requirement at any time during the
 8 performance period, such failure shall be treated in the same manner as a
 9 failure to maintain the required level of employment for purposes of any
 10 recapture and disallowance of incentives under section 34 of this act.
 11 (2) For purposes of this section, female means an individual who
 12 self-identifies as a woman, without regard to the individual's designated
 13 sex at birth.
 14 2. On page 1, line 3, strike "44" and insert "45".
 15 3. On page 10, line 2, strike "and"; in line 5 strike the period and
 16 insert "; and"; and after line 5 insert the following new subdivision:
 17 "(i) If the taxpayer is a domestic corporation with a board of

18 directors, contain information regarding the gender of the members of the
19 board of directors at the time of application and, if necessary, a
20 timetable showing the year the taxpayer expects to meet the requirements
21 in section 45 of this act with respect to its board of directors."
22 4. On page 38, line 7, strike the second "and"; and in line 10 after
23 "wages" insert ", and (v) the percentage of female members on the boards
24 of directors of such taxpayers".
25 5. Renumber the remaining sections and correct internal references
26 accordingly.

Senator Cavanaugh filed the following amendment to LB720:
AM1797

(Amendments to Standing Committee amendments, AM1614)

1 1. On page 10, line 2, after "discrimination" insert "and shall not
2 discriminate against any employee or applicant for employment because of
3 such employee's or applicant's race, color, religion, sex, disability,
4 marital status, national origin, sexual orientation, or gender identity".
5 2. On page 12, line 14, after "discrimination" insert "and not
6 discriminate against any employee or applicant for employment because of
7 such employee's or applicant's race, color, religion, sex, disability,
8 marital status, national origin, sexual orientation, or gender identity".

VISITOR(S)

Visitors to the Chamber were students from Springfield Elementary School;
and students from North Park Elementary School, Broken Bow.

ADJOURNMENT

At 6:47 p.m., on a motion by Senator Slama, the Legislature adjourned until
9:00 a.m., Wednesday, May 15, 2019.

Patrick J. O'Donnell
Clerk of the Legislature