

TWENTY-FIFTH DAY - FEBRUARY 18, 2020

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION**

TWENTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, February 18, 2020

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

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

The roll was called and all members were present except Senators Arch, Chambers, Linehan, Morfeld, Slama, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-fourth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 607. Placed on Select File with amendment.

[ER169](#)

1 1. Strike original section 1 and insert the following new section:
2 Section 1. Section 38-1001, Revised Statutes Supplement, 2019, is
3 amended to read:
4 38-1001 Sections 38-1001 to 38-10,172 and sections 4, 7, 8, 12, 17,
5 25, 27, 28, and 30 to 36 of this act shall be known and may be cited as
6 the Cosmetology, Electrology, Esthetics, Nail Technology, and Body Art
7 Practice Act.
8 2. On page 1, line 5, strike "and"; in line 6, strike "38-1001,";
9 and in line 8 after "2018" insert ", and section 38-1001, Revised
10 Statutes Supplement, 2019".
11 3. On page 4, line 4, after "or" insert "a".
12 4. On page 20, line 12, strike the second "and"; in line 13, strike
13 "38-1001,"; and in line 15 after the second comma insert "and section
14 38-1001, Revised Statutes Supplement, 2019,".

LEGISLATIVE BILL 607A. Placed on Select File.

LEGISLATIVE BILL 924. Placed on Select File.

LEGISLATIVE BILL 770. Placed on Select File with amendment.

[ER170](#)

1 1. On page 1, line 4, after the semicolon insert "to provide powers
2 for the Game and Parks Commission;".

LEGISLATIVE BILL 106. Placed on Select File.

LEGISLATIVE BILL 219. Placed on Select File with amendment.

[ER166](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 43-1311.03, Revised Statutes Supplement, 2019, is
4 amended to read:
5 43-1311.03 (1) When a child placed in foster care turns fourteen
6 years of age or enters foster care and is at least fourteen years of age,
7 a written independent living transition proposal shall be developed by
8 the Department of Health and Human Services at the direction and
9 involvement of the child to prepare for the transition from foster care
10 to successful adulthood. Any revision or addition to such proposal shall
11 also be made in consultation with the child. The transition proposal
12 shall be personalized based on the child's needs and shall describe the
13 services needed for the child to transition to a successful adulthood as
14 provided in the Nebraska Strengthening Families Act. The transition
15 proposal shall include, but not be limited to, the following needs and
16 the services needed for the child to transition to a successful adulthood
17 as provided in the Nebraska Strengthening Families Act:
18 (a) Education;
19 (b) Employment services and other workforce support;
20 (c) Health and health care coverage, including the child's potential
21 eligibility for medicaid coverage under the federal Patient Protection
22 and Affordable Care Act, 42 U.S.C. 1396a(a)(10)(A)(i)(IX), as such act
23 and section existed on January 1, 2013;
24 (d) Behavioral health treatment and support needs and access to such
25 treatment and support;
26 (e) Financial assistance, including education on credit card
27 financing, banking, and other services;
1 (f) Housing;
2 (g) Relationship development and permanent connections; ~~and~~
3 (h) Adult services, if the needs assessment indicates that the child
4 is reasonably likely to need or be eligible for services or other support
5 from the adult services system; ~~and~~ -
6 (i) Information, planning, and assistance to obtain a driver's
7 license as allowed under state law and consistent with subdivision (9)(b)
8 (iv) of this section, including, but not limited to, providing the child
9 with a copy of a driver's manual, identifying driver safety courses and
10 resources to access a driver safety course, and identifying potential
11 means by which to access a motor vehicle for such purposes.
12 (2) The transition proposal shall be developed and frequently
13 reviewed by the department in collaboration with the child's transition
14 team. The transition team shall be comprised of the child, the child's
15 caseworker, the child's guardian ad litem, individuals selected by the
16 child, and individuals who have knowledge of services available to the
17 child. As provided in the Nebraska Strengthening Families Act, one of the
18 individuals selected by the child may be designated as the child's
19 advisor and, as necessary, advocate for the child with respect to the
20 application of the reasonable and prudent parent standard and for the

21 child on normalcy activities. The department may reject an individual
22 selected by the child to be a member of the team if the department has
23 good cause to believe the individual would not act in the best interests
24 of the child.

25 (3) The transition proposal shall be considered a working document
26 and shall be, at the least, updated for and reviewed at every permanency
27 or review hearing by the court. The court shall determine whether the
28 transition proposal includes the services needed to assist the child to
29 make the transition from foster care to a successful adulthood.

30 (4) The transition proposal shall document what efforts were made to
31 involve and engage the child in the development of the transition
1 proposal and any revisions or additions to the transition proposal. As
2 provided in the Nebraska Strengthening Families Act, the court shall ask
3 the child, in an age or developmentally appropriate manner, about his or
4 her involvement in the development of the transition proposal and any
5 revisions or additions to such proposal. As provided in the Nebraska
6 Strengthening Families Act, the court shall make a finding as to the
7 child's involvement in the development of the transition proposal and any
8 revisions or additions to such proposal.

9 (5) The final transition proposal prior to the child's leaving
10 foster care shall specifically identify how the need for housing will be
11 addressed.

12 (6) If the child is interested in pursuing higher education, the
13 transition proposal shall provide for the process in applying for any
14 applicable state, federal, or private aid.

15 (7) The department shall provide without cost a copy of any consumer
16 report as defined in 15 U.S.C. 1681a(d), as such section existed on
17 January 1, 2016, pertaining to the child each year until the child is
18 discharged from care and assistance, including when feasible, from the
19 child's guardian ad litem, in interpreting and resolving any inaccuracies
20 in the report as provided in the Nebraska Strengthening Families Act.

21 (8)(a) Any child who is adjudicated to be a juvenile described in
22 (i) subdivision (3)(a) of section 43-247 and who is in an out-of-home
23 placement or (ii) subdivision (8) of section 43-247 and whose
24 guardianship or state-funded adoption assistance agreement was disrupted
25 or terminated after the child had attained the age of sixteen years,
26 shall receive information regarding the Young Adult Bridge to
27 Independence Act and the bridge to independence program available under
28 the act.

29 (b) The department shall create a clear and developmentally
30 appropriate written notice discussing the rights of eligible young adults
31 to participate in the program. The notice shall include information about
1 eligibility and requirements to participate in the program, the extended
2 services and support that young adults are eligible to receive under the
3 program, and how young adults can be a part of the program. The notice
4 shall also include information about the young adult's right to request a
5 client-directed attorney to represent the young adult pursuant to section
6 43-4510 and the benefits and role of an attorney.

7 (c) The department shall disseminate this information to any child
8 who was adjudicated to be a juvenile described in subdivision (3)(a) of
9 section 43-247 and who is in an out-of-home placement at sixteen years of
10 age and any child who was adjudicated to be a juvenile under subdivision
11 (8) of section 43-247 and whose guardianship or state-funded adoption
12 assistance agreement was disrupted or terminated after the child had
13 attained the age of sixteen years. The department shall disseminate this
14 information to any such child yearly thereafter until such child attains
15 the age of nineteen years and not later than ninety days prior to the
16 child's last court review before attaining nineteen years of age or being
17 discharged from foster care to independent living. In addition to
18 providing the written notice, not later than ninety days prior to the

19 child's last court review before attaining nineteen years of age or being
 20 discharged from foster care to independent living, a representative of
 21 the department shall explain the information contained in the notice to
 22 the child in person and the timeline necessary to avoid a lapse in
 23 services and support.

24 (9)(a) The department shall provide the child with the documents,
 25 information, records, and other materials described in subdivision (9)(b)
 26 of this section, (i) if the child is leaving foster care, on (9) ~~On~~ or
 27 before the date the child reaches eighteen or nineteen years of age or
 28 twenty-one years of age if the child participates in the bridge to
 29 independence program, and (ii) at the age or as otherwise prescribed in
 30 subdivision (9)(b) of this section, if the child is leaving foster care,
 31 the

1 (b) The department shall provide the child with:

2 (i) ~~(a)~~ A certified copy of the child's birth certificate and
 3 facilitate securing a federal social security card when the child is
 4 eligible for such card;
 5 (ii) ~~(b)~~ Health insurance information and all documentation required
 6 for enrollment in medicaid coverage for former foster care children as
 7 available under the federal Patient Protection and Affordable Care Act,
 8 42 U.S.C. 1396a(a)(10)(A)(i)(IX), as such act and section existed on
 9 January 1, 2013;
 10 (iii) ~~(c)~~ A copy of the child's medical records;
 11 (iv) ~~(d)~~ A driver's license or identification card issued by a state
 12 in accordance with the requirements of section 202 of the REAL ID Act of
 13 2005, as such section existed on January 1, 2016, and when requested by a
 14 child fourteen years of age or older, all documents necessary to obtain
 15 such license or card;

16 (v) ~~(e)~~ A copy of the child's educational records;

17 (vi) ~~(f)~~ A credit report check;

18 (vii) ~~(g)~~ Contact information, with permission, for family members,
 19 including siblings, with whom the child can maintain a safe and
 20 appropriate relationship, and other supportive adults;

21 (viii) ~~(h)~~ A list of local community resources, including, but not
 22 limited to, support groups, health clinics, mental and behavioral health
 23 and substance abuse treatment services and support, pregnancy and
 24 parenting resources, and employment and housing agencies;

25 (ix) ~~(i)~~ Written information, including, but not limited to, contact
 26 information, for disability resources or benefits that may assist the
 27 child as an adult, specifically including information regarding state
 28 programs established pursuant to 42 U.S.C. 677, as such section existed
 29 on January 1, 2016, and disability benefits, including supplemental
 30 security income pursuant to 42 U.S.C. 1382 et seq., as such sections
 31 existed on January 1, 2016, or social security disability insurance
 1 pursuant to 42 U.S.C. 423, as such section existed on January 1, 2016, if
 2 the child may be eligible as an adult;

3 (x) ~~(j)~~ An application for public assistance and information on how
 4 to access the system to determine public assistance eligibility;

5 (xi) ~~(k)~~ A letter prepared by the department that verifies the
 6 child's name and date of birth, dates the child was in foster care, and
 7 whether the child was in foster care on his or her eighteenth,
 8 nineteenth, or twenty-first birthday and enrolled in medicaid while in
 9 foster care;

10 (xii) ~~(l)~~ Written information about the child's Indian heritage or
 11 tribal connection, if any; and

12 (xiii) ~~(m)~~ Written information on how to access personal documents
 13 in the future.

14 (c) All fees associated with securing the certified copy of the
 15 child's birth certificate or obtaining a driver's ~~an operator's~~ license
 16 or a state identification card shall be waived by the state.

17 (d) The transition proposal shall document that the child was
 18 provided all of the documents listed in this subsection. The court shall
 19 make a finding as to whether the child has received the documents as part
 20 of the independence hearing as provided in subdivision (2)(d) of section
 21 43-285.

22 Sec. 2. Section 43-4704, Revised Statutes Cumulative Supplement,
 23 2018, is amended to read:

24 43-4704 (1) Every child placed by the department in a foster family
 25 home or child-care institution shall be entitled to access to reasonable
 26 opportunities to participate in age or developmentally appropriate
 27 extracurricular, enrichment, cultural, and social activities.

28 (2) A child in foster care shall not be required, by virtue of his
 29 or her status as a child in foster care, to meet any more requirements
 30 for a driver's license under the Motor Vehicle Operator's License Act
 31 than any other child applying for the same license.

1 Sec. 3. Original section 43-4704, Revised Statutes Cumulative
 2 Supplement, 2018, and section 43-1311.03, Revised Statutes Supplement,
 3 2019, are repealed.

4 2. On page 1, strike beginning with "sections" in line 1 through
 5 line 8 and insert "section 43-4704, Revised Statutes Cumulative
 6 Supplement, 2018, and section 43-1311.03, Revised Statutes Supplement,
 7 2019; to provide requirements for foster care transition proposals and
 8 provision of materials relating to acquiring a driver's license; to
 9 provide for a child in foster care to obtain a driver's license; and to
 10 repeal the original sections."

LEGISLATIVE BILL 448. Placed on Select File with amendment.

ER167

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

3 Section 1. Section 48-122, Revised Statutes Supplement, 2019, is
 4 amended to read:

5 48-122 (1) If death results from injuries and the deceased employee
 6 leaves one or more dependents dependent upon his or her earnings for
 7 support at the time of injury, the compensation, subject to section
 8 48-123, shall be not more than the maximum weekly income benefit
 9 specified in section 48-121.01 nor less than the minimum weekly income
 10 benefit specified in section 48-121.01, except that if at the time of
 11 injury the employee receives wages of less than the minimum weekly income
 12 benefit specified in section 48-121.01, then the compensation shall be
 13 the full amount of such wages per week, payable in the amount and to the
 14 persons enumerated in section 48-122.01 subject to the maximum limits
 15 specified in this section and section 48-122.03.

16 (2) When death results from injuries suffered in employment, if
 17 immediately prior to the accident the rate of wages was fixed by the day
 18 or hour, or by the output of the employee, the weekly wages shall be
 19 taken to be computed upon the basis of a workweek of a minimum of five
 20 days, if the wages are paid by the day, or upon the basis of a workweek
 21 of a minimum of forty hours, if the wages are paid by the hour, or upon
 22 the basis of a workweek of a minimum of five days or forty hours,
 23 whichever results in the higher weekly wage, if the wages are based on
 24 the output of the employee.

25 (3) Upon the death of an employee, resulting through personal
 26 injuries as defined in section 48-151, whether or not there are
 27 dependents entitled to compensation, the reasonable expenses of burial,
 1 not exceeding an amount equal to twelve times the state average weekly
 2 wage determined pursuant to section 48-121.02 for the calendar year in
 3 which the death occurred ~~ten thousand dollars~~, without deduction of any
 4 amount previously paid or to be paid for compensation or for medical
 5 expenses, shall be paid to his or her dependents, or if there are no

6 dependents, then to his or her personal representative.

7 (4) Compensation under the Nebraska Workers' Compensation Act to
8 alien dependents who are not residents of the United States shall be the
9 same in amount as is provided in each case for residents, except that at
10 any time within one year after the death of the injured employee the
11 employer may at his or her option commute all future installments of
12 compensation to be paid to such alien dependents. The amount of the
13 commuted payment shall be determined as provided in section 48-138.

14 (5)(a)(i) Except as provided in subdivision (5)(a)(ii) of this
15 section, the consular officer of the nation of which the employee, whose
16 injury results in death, is a citizen shall be regarded as the sole legal
17 representative of any alien dependents of the employee residing outside
18 of the United States and representing the nationality of the employee.

19 (ii) At any time prior to the final settlement, a nonresident alien
20 dependent may file with the Nebraska Workers' Compensation Court a power
21 of attorney designating any suitable person residing in this state to act
22 as attorney in fact in proceedings under the Nebraska Workers'
23 Compensation Act. If the compensation court determines that the interests
24 of the nonresident alien dependent will be better served by such person
25 than by the consular officer, the compensation court shall appoint such
26 person to act as attorney in fact in such proceedings. In making such
27 determination the court shall consider, among other things, whether a
28 consular officer's jurisdiction includes Nebraska and the responsiveness
29 of the consular officer to attempts made by an attorney representing the
30 employee to engage such consular officer in the proceedings.

31 (b) Such consular officer or appointed person shall have in behalf
1 of such nonresident alien dependents the exclusive right to institute
2 proceedings for, adjust, and settle all claims for compensation provided
3 by the Nebraska Workers' Compensation Act and to receive the distribution
4 to such nonresident alien dependents of all compensation arising
5 thereunder.

6 (c) A person appointed under subdivision (5)(a)(ii) of this section
7 shall furnish a bond satisfactory to the compensation court conditioned
8 upon the proper application of any money received as compensation under
9 the Nebraska Workers' Compensation Act. Before the bond is discharged,
10 such appointed person shall file with the compensation court a verified
11 account of receipts and disbursements of such money.

12 (d) For purposes of this section, consular officer means a consul
13 general, vice consul general, or vice consul or the representative of any
14 such official residing within the State of Nebraska.

15 (6) The changes made to this section by Laws 2019, LB418, apply to
16 cases under the Nebraska Workers' Compensation Act that are pending on
17 September 1, 2019, and to cases filed on or after such date.

18 Sec. 2. Original section 48-122, Revised Statutes Supplement, 2019,
19 is repealed.

20 2. On page 1, line 2, strike "Revised Statutes Cumulative
21 Supplement, 2018" and insert "Revised Statutes Supplement, 2019".

LEGISLATIVE BILL 515. Placed on Select File with amendment.

[ER171](#)

1 1. On page 1, line 2, after "sections" insert "79-254," and strike
2 "79-271,".

LEGISLATIVE BILL 518A. Placed on Select File.

(Signed) Julie Slama, Chairperson

ANNOUNCEMENT(S)

Priority designation(s) received:

Natural Resources - LB858
Blood - LB755

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 309, 310, and 311 were adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LRs 309, 310, and 311.

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 618:

Nebraska Child Abuse Prevention Fund Board
Jillian Chance
David J. Hansen
Shelly K. McQuillan

Voting in the affirmative, 38:

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

Voting in the negative, 0.

Present and not voting, 4:

Friesen	Groene	Kolowski	Lathrop
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Excused and not voting, 7:

Arch	Linehan	Slama	Wishart
Chambers	Morfeld	Wayne	

The appointments were confirmed with 38 ayes, 0 nays, 4 present and not

voting, and 7 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 618:

- Beginning Farmer Board
- Britt D. Anderson
- Bradley D. Lubben
- Dave W. Nielsen
- Wade E. Thornburg

Voting in the affirmative, 37:

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

Voting in the negative, 0.

Present and not voting, 6:

Bolz	Hansen, M.	McCollister
Dorn	Kolowski	Morfeld

Excused and not voting, 6:

Arch	Linehan	Wayne
Chambers	Slama	Wishart

The appointments were confirmed with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

ANNOUNCEMENT(S)

Priority designation(s) received:

Hunt - LB962

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 126. Placed on Final Reading.

[ST44](#)

The following changes, required to be reported for publication in the Journal, have been made:
1. In the E and R amendments, ER160, on page 5, line 21, "special" has been struck and "additional limited" inserted.

LEGISLATIVE BILL 312. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Education

LEGISLATIVE BILL 1080. Placed on General File.

(Signed) Mike Groene, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Education
Room 1525

Tuesday, February 25, 2020 1:30 p.m.

LB1156

LB967

(Signed) Mike Groene, Chairperson

GENERAL FILE

LEGISLATIVE BILL 909. Title read. Considered.

Committee [AM2312](#), found on page 573, was offered.

SENATOR LINDSTROM PRESIDING

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

DeBoer - LB1073

Murman - LB147

Dorn - LB1014

AMENDMENT(S) - Print in Journal

Senator Bostelman filed the following amendment to [LB944](#):

[AM2414](#)

(Amendments to Standing Committee amendments, AM2307)

1 1. Insert the following new sections:

2 Sec. 59. Sections 1, 2, 3, 4, 5, 8, 9, 10, 11, 12, 13, 14, 15, 16,

3 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34,

4 35, 36, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 52,

5 53, 54, 55, 56, 57, 58, and 60 of this act become operative three

6 calendar months after adjournment of this legislative session. The other
7 sections of this act become operative on their effective date.

8 Sec. 61. Original section 60-142.01, Reissue Revised Statutes of
9 Nebraska, and section 60-144, Revised Statutes Supplement, 2019, are
10 repealed.

11 Sec. 62. Since an emergency exists, this act takes effect when
12 passed and approved according to law.

13 2. On page 100, line 17, strike "60-142.01,"; and in line 22 strike
14 "60-144,".

15 3. Renumber the remaining section accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 320. Introduced by Scheer, 19.

WHEREAS, on February 29, 2020, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Jim and Susanne Blue at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, in 1991, Jim was hired to serve as president of Youth Services System. It merged with Cedars Home for Children in 1996, at which time he became president and chief executive officer of Cedars Home for Children and proceeded to take it to new levels of service and outreach. Cedars Home for Children provides out-of-home services to children and youth who have nowhere else to stay, along with other out-of-home services, prevention planning, and juvenile justice work; and

WHEREAS, in 1999, the Matt Talbot and Outreach board of directors took a leap of faith and hired Susanne Blue as its first executive director, the position she still holds. She accepted the immense challenge of expanding services beyond meeting the basic nutritional needs of families in need. Expanding from just hunger relief, Matt Talbot Kitchen services now include housing, case management, substance abuse counseling, and nutrition programming; and

WHEREAS, Jim received the Lifetime Achievement Award from the National Association of Social Workers in 2015; and

WHEREAS, Susanne was honored in New York City by the Institute for Children, Poverty, and Homelessness (ICPH) where she received the 2020 Beyond Housing Award for her tireless leadership in reducing the impact of homelessness on children and families; and

WHEREAS, Jim directs over 200 employees at Cedars Home for Children providing services to thousands of children and youth. Governor Pete Ricketts has twice appointed Jim to the Nebraska Children's Commission, and he now serves on its executive committee; and

WHEREAS, Susanne has led Matt Talbot Kitchen for 21 years developing many programs designed to comprehensively address the needs of those in need. Matt Talbot Kitchen has served over 2.3 million meals to homeless and near homeless since its founding in 1992; and

WHEREAS, Jim and Susanne have dedicated their lives and talents to serving others in the Lincoln community. They are wonderful examples of

servant leaders who have made tremendous differences in the lives of many youth and adults in Southeast Nebraska; and

WHEREAS, Jim and Susanne have been married 34 years and have two adult children and a feisty Papillon pug.

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

1. That the Legislature congratulates Jim and Susanne Blue as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be sent to Jim Blue and Susanne Blue.

Laid over.

LEGISLATIVE RESOLUTION 321. Introduced by Scheer, 19.

WHEREAS, on February 29, 2020, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Keith and Doris Olsen at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Keith and Doris Olsen have farmed since they were married in 1969 and assumed management of the family's Perkins County farm purchased in 1917. Their love of Nebraska and agriculture has led them to become leaders in no-till, dryland farming and supporting the growth of agriculture in Nebraska; and

WHEREAS, Keith Olsen was born in Imperial in 1944 and raised on the family farm near Venango in the southwest corner of Perkins County. Keith's grandfather bought the original land in 1917, and the farm was recognized by Aksarben as a Centennial Farm in 2017; and

WHEREAS, Keith and Doris met on a blind date when Keith was attending the University of Nebraska-Lincoln and Doris was a student at Immanuel School of Nursing in Omaha. After their marriage in 1969, Doris joined Keith on the Olsen farm where Keith had begun farming in 1967 with his father. Keith and Doris assumed management and operation of the Olsen farm after his father passed away in 1969; and

WHEREAS, Keith, Doris, and their son Jeff, operate a no-till, dryland farm raising wheat, dry peas, and corn. In 2013, the Nebraska Crop Improvement Association recognized them for producing certified seed for 30 years. Using the latest no-till technology has helped them increase the productivity of the farm; and

WHEREAS, Keith served as the president of the Nebraska Farm Bureau Federation from August 2002 to December 2011. He traveled extensively on international trade missions with Nebraska Governors and the American Farm Bureau Federation meeting with foreign officials and farmers to promote opening new markets for Nebraska agricultural products. He also sustains close relationships with city and civic leaders in Lincoln, Omaha, and other communities in Nebraska, to help them understand issues facing rural Nebraska and agriculture; and

WHEREAS, Keith and Doris use their shared passion for agriculture by being involved with Future Farmers of America, 4-H, and the Nebraska Agriculture in the Classroom program. A favorite activity is serving as "Ag in the Classroom" pen pals to kindergarten classes in Lincoln. Each year they visit their class to interact with the young students; and

WHEREAS, Keith and Doris support the Nebraska State Fair and the University of Nebraska, especially the Institute of Agricultural and Natural Resources and the Nebraska College of Technical Agriculture, and have served on department advisory boards and various search committees; and

WHEREAS, Keith and Doris have three sons and eight grandchildren.

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

1. That the Legislature congratulates Keith and Doris Olsen as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be sent to Keith and Doris Olsen.

Laid over.

LEGISLATIVE RESOLUTION 322. Introduced by Scheer, 19.

WHEREAS, on February 29, 2020, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to David G. Brown at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, David G. Brown is president and chief executive officer of the Greater Omaha Chamber since 2003, one of the largest, most highly accredited chambers in the nation and the Association of Chamber of Commerce Executives' (ACCE) 2015 Chamber of the Year; and

WHEREAS, under David's steady leadership, the Greater Omaha Economic Development Partnership has successfully landed more than 850 projects, representing in excess of 40,000 jobs and more than \$11 billion in capital investment since 2004; and

WHEREAS, David serves the chamber mission of the Greater Omaha Chamber - to champion a thriving business community and a prosperous region - with bold vision, comprehensive understanding, and contagious enthusiasm; and

WHEREAS, David, along with staff and volunteers of the Greater Omaha Chamber, works in earnest on behalf of more than 3,000 member businesses, encouraging their success by advocating for a strong business climate, creating opportunities for member visibility and business connections, pursuing investment and jobs for the region, strengthening leaders and the community, and enhancing the region's brand and image; and

WHEREAS, David graduated from Dartmouth College, majoring in geography with a minor in environmental studies, played on the 1978 Ivy League championship team, and received the Earl P. Hamilton Award. He

also completed courses at the National Development Council, the American Management Association, Bell Leadership Academy, and Gallup University; and

WHEREAS, David previously served as president of the Monroe County Industrial Development Corporation in Michigan and director of the Port of Monroe. He served the Greater Fort Wayne Chamber of Commerce in Indiana as vice president of economic development and later president. He also served as the president and chief executive officer of the Greater Greenville Chamber of Commerce in South Carolina before coming to Omaha; and

WHEREAS, David contributes considerable time and expertise to numerous community service organizations including the Aksarben Future Trust, Scouts BSA, College World Series of Omaha, Greater Omaha Alliance for Business Ethics, Opera Omaha, the University of Nebraska at Omaha Entrepreneurship Advisory Board, United Way of the Midlands, and the United States Strategic Command Consultation Committee; and

WHEREAS, David serves on the Association of Chamber of Commerce Executives' Executive Board and is currently chairman. He is also a member of the United States Chamber of Commerce Committee of 100; and

WHEREAS, David and his wife Maggie have been married for 37 years and have two sons, Gregory and Elijah.

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

1. That the Legislature congratulates David G. Brown as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for his service to the State of Nebraska.

2. That a copy of this resolution be sent to David G. Brown.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 909. Committee [AM2312](#), found on page 573 and considered in this day's Journal, was renewed.

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

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

Senator Morfeld requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 45:

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

Voting in the negative, 2:

Clements Lowe

Excused and not voting, 2:

Groene Scheer

The motion to cease debate prevailed with 45 ayes, 2 nays, and 2 excused and not voting.

The committee amendment was adopted with 47 ayes, 0 nays, and 2 excused and not voting.

The Chair declared the call raised.

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

LEGISLATIVE BILL 996. Title read. Considered.

SENATOR HILGERS PRESIDING

Pending.

ANNOUNCEMENT(S)

Priority designation(s) received:

Moser - LB899

Stinner - LB424

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 238. Placed on Select File.

(Signed) Julie Slama, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Government, Military and Veterans Affairs
Room 1507

Wednesday, February 26, 2020 1:30 p.m.

LB1121
LB1122
LB1005
LR286CA

Thursday, February 27, 2020 1:30 p.m.

LR292CA
LB1022
LB744
LB752

(Signed) Tom Brewer, Chairperson

COMMITTEE REPORT(S)
Urban Affairs

LEGISLATIVE BILL 984. Placed on General File.

LEGISLATIVE BILL 95. Placed on General File with amendment.

[AM2399](#)

1 1. On page 2, line 25, strike "2020" and insert "2022"; and in line
2 29 after the period insert "For purposes of this subsection, a building
3 or structure owned by the state or any state agency for which the
4 construction or repair is completed in phases shall be deemed constructed
5 or repaired on the date the first phase of construction or repair
6 begins.".

LEGISLATIVE BILL 800. Placed on General File with amendment.

[AM2393](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 18-132, Revised Statutes Cumulative Supplement,
4 2018, is amended to read:
5 18-132 (1) The city council of any city or village board of any
6 village may adopt by ordinance the conditions, provisions, limitations,
7 and terms of a plumbing code, an electrical code, a fire prevention code,
8 a building or construction code, and any other standard code which
9 contains rules and regulations printed as a code in book or pamphlet
10 form, by reference to such code, or portions thereof, alone, without
11 setting forth in the ordinance the conditions, provisions, limitations,
12 and terms of such code. When any such code, or portion thereof, has been
13 incorporated by reference into such ordinance, as provided in this
14 section, it shall have the same force and effect as though it had been
15 written in its entirety in such ordinance without further or additional
16 publication thereof.
17 (2) Not less than one copy of such standard code, or portion
18 thereof, shall be kept for use and examination by the public in the
19 office of the city or village clerk prior to the adoption thereof and as

20 long as such standard code is in effect in such city or village.

21 (3) Any building or construction code implemented under this section
22 shall be adopted and enforced as provided in section 71-6406.

23 (4) If there is no ordinance adopting a plumbing code in effect in a
24 city or village, the ~~2018 2009~~ Uniform Plumbing Code designated
25 accredited by the American National Standards Institute as an American
26 National Standard shall serve as the plumbing code for all the area
27 within the jurisdiction of the city or village. Nothing in this section
1 shall be interpreted as creating an obligation for the city or village to
2 inspect plumbing work done within its jurisdiction to determine
3 compliance with the plumbing code.

4 Sec. 2. Section 18-1915, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1915 The State of Nebraska shall permit cities and villages to
7 collect permit fees and inspect all sanitary plumbing installed or
8 repaired, except for a single-family dwelling or a farm or ranch
9 structure, within the State of Nebraska outside of the zoning
10 jurisdiction of cities and villages. The city or village nearest the
11 construction site shall have jurisdiction to collect such permit fees and
12 conduct the inspection of the sanitary plumbing. If the city or village
13 has a plumbing ordinance in force and effect, such ordinance will govern
14 the installation of the sanitary plumbing. If there is no city ordinance
15 in effect for such city or village, the ~~2018 2009~~ Uniform Plumbing Code
16 designated accredited by the American National Standards Institute as an
17 American National Standard shall apply to all buildings except single-
18 family dwellings and farm and ranch structures. Any code or ordinance
19 enacted by a city or village which is at least equal to the ~~2018 2009~~
20 Uniform Plumbing Code designated accredited by the American National
21 Standards Institute as an American National Standard shall take
22 preference over the provisions of the immediately preceding sentence.

23 Sec. 3. Section 23-172, Revised Statutes Cumulative Supplement,
24 2018, is amended to read:

25 23-172 (1) The county board may adopt by resolution, which shall
26 have the force and effect of law, the conditions, provisions,
27 limitations, and terms of a building or construction code, a plumbing
28 code, an electrical code, a fire prevention code, or any other code
29 relating to building or relating to the erection, construction,
30 reconstruction, alteration, repair, conversion, maintenance, placing, or
31 using of any building, structure, automobile trailer, house trailer, or
1 cabin trailer. For this purpose, the county board may adopt any standard
2 code which contains rules or regulations printed as a code in book or
3 pamphlet form by reference to such code or portions thereof without
4 setting forth in the resolution the conditions, provisions, limitations,
5 or terms of such code. When such code or any such standard code or
6 portion thereof is incorporated by reference into such resolution, it
7 shall have the same force and effect as though it had been written in its
8 entirety in such resolution without further or additional publication.

9 (2) Not less than one copy of such code or such standard code or
10 portion thereof shall be kept for use and examination by the public in
11 the office of the clerk of such county prior to the adoption thereof and
12 as long as such standard code is in effect in such county.

13 (3) Any building or construction code implemented under this section
14 shall be adopted and enforced as provided in section 71-6406.

15 (4) If there is no county resolution adopting a plumbing code in
16 effect for such county, the ~~2018 2009~~ Uniform Plumbing Code designated
17 accredited by the American National Standards Institute as an American
18 National Standard shall apply to all buildings.

19 (5) Any code adopted and approved by the county board, as provided
20 in this section, or if there is no county resolution adopting a plumbing
21 code in effect for such county, the ~~2018 2009~~ Uniform Plumbing Code

22 ~~designated~~ ~~accredited~~ by the American National Standards Institute as an
 23 American National Standard, and the building permit requirements or
 24 occupancy permit requirements imposed by such code or by sections
 25 23-114.04 and 23-114.05, shall apply to all of the county except within
 26 the limits of any incorporated city or village and except within an
 27 unincorporated area where a city or village has been granted zoning
 28 jurisdiction and is exercising such jurisdiction.

29 (6) Nothing in this section shall be interpreted as creating an
 30 obligation for the county to inspect plumbing work done within its
 31 jurisdiction to determine compliance with the plumbing code.

1 Sec. 4. Section 71-6403, Revised Statutes Supplement, 2019, is
 2 amended to read:

3 71-6403 (1) There is hereby created the state building code. The
 4 Legislature hereby adopts by reference:

5 (a) ~~The International Building Code (IBC), chapter 13 of the 2018~~
 6 ~~edition, and all but such chapter of the 2018 edition~~, published by the
 7 International Code Council, except that (i) section 305.2.3 applies to a
 8 facility having twelve or fewer children and (ii) section 310.4.1 applies
 9 to a care facility for twelve or fewer persons;

10 (b) ~~The International Residential Code (IRC), chapter 11 of the 2018~~
 11 ~~edition, and all but such chapter of the 2018 edition~~, except section
 12 R313, published by the International Code Council; and

13 (c) ~~The International Existing Building Code, 2018 edition,~~
 14 ~~published by the International Code Council.~~

15 (2) The codes adopted by reference in subsection (1) of this section
 16 and the minimum standards for radon resistant new construction adopted
 17 under section 76-3504 shall constitute the state building code except as
 18 amended pursuant to the Building Construction Act or as otherwise
 19 authorized by state law.

20 Sec. 5. Section 71-6405, Reissue Revised Statutes of Nebraska, is
 21 amended to read:

22 71-6405 (1) All state agencies, including all state constitutional
 23 offices, state administrative departments, and state boards and
 24 commissions, the University of Nebraska, and the Nebraska state colleges,
 25 shall comply with the state building code. The state building code shall
 26 be the legally applicable code in all buildings and structures owned by
 27 the state or any state agency regardless of whether the state, state
 28 agency, or applicable county, city, or village has provided for the
 29 administration or enforcement of the state building code.

30 (2) No state agency may adopt, promulgate, or enforce any rule or
 31 regulation in conflict with the state building code unless otherwise
 1 specifically authorized by statute to (a) adopt, promulgate, or enforce
 2 any rule or regulation in conflict with the state building code or (b)
 3 adopt or enforce a building or construction code other than the state
 4 building code.

5 (3) Nothing in the Building Construction Act shall authorize any
 6 state agency to apply such act to manufactured homes or recreational
 7 vehicles regulated by the Uniform Standard Code for Manufactured Homes
 8 and Recreational Vehicles or to modular housing units regulated by the
 9 Nebraska Uniform Standards for Modular Housing Units Act.

10 Sec. 6. Section 71-6406, Revised Statutes Supplement, 2019, is
 11 amended to read:

12 71-6406 (1)(a) Any county, city, or village may enact, administer,
 13 or enforce a local building or construction code if or as long as such
 14 county, city, or village:

15 (i) Adopts the state building code; or
 16 (ii) Adopts a building or construction code that conforms generally
 17 with the state building code.

18 (b) If a county, city, or village does not adopt a code as
 19 authorized under subdivision (a) of this subsection within two years

20 after an update to the state building code, the state building code shall
 21 apply in the county, city, or village, except that such code shall not
 22 apply to construction on a farm or for farm purposes.

23 (2) A local building or construction code shall be deemed to conform
 24 generally with the state building code if it:

25 (a) Adopts a special or differing building standard by amending,
 26 modifying, or deleting any portion of the state building code in order to
 27 reduce unnecessary costs of construction, increase safety, durability, or
 28 efficiency, establish best building or construction practices within the
 29 county, city, or village, or address special local conditions within the
 30 county, city, or village;

31 (b) Adopts any supplement, new edition, appendix, or component or
 1 combination of components of the state building code;

2 (c) Adopts section 305 or 310 of the 2018 edition of the
 3 International Building Code without the exceptions described in
 4 subdivision (1)(a) of section 71-6403 or section R313 of the 2018 edition
 5 of the International Residential Code;

6 (d) Adopts a plumbing code, an electrical code, a fire prevention
 7 code, or any other standard code as authorized under section 14-419,
 8 15-905, 18-132, or 23-172;

9 (e) Adopts a local energy code as authorized under section 81-1618;
 10 or

11 (f) Adopts minimum standards for radon resistant new construction
 12 which meet the minimum standards adopted under section 76-3504.

13 (3) A local building or construction code shall not be deemed to
 14 conform generally with the state building code if it:

15 (a) Includes a prior edition of any component or combination of
 16 components of the state building code; or

17 (b) Does not include minimum standards for radon resistant new
 18 construction that meet the minimum standards adopted under section
 19 76-3504.

20 (4) A county, city, or village shall notify the Department of
 21 Environment and Energy State Energy Office if it amends or modifies its
 22 local building or construction code in such a way as to delete any
 23 portion of (a) chapter 13 of the 2018 edition of the International
 24 Building Code or (b) chapter 11 of the 2018 edition of the International
 25 Residential Code. The notification shall be made within thirty days after
 26 the adoption of such amendment or modification.

27 (5) A county, city, or village shall not adopt or enforce a local
 28 building or construction code other than as provided by this section.

29 (6) A county, city, or village which adopts or enforces a local
 30 building or construction code under this section shall regularly update
 31 its code. For purposes of this section, a code shall be deemed to be
 1 regularly updated if the most recently enacted state building code or a
 2 code that conforms generally with the state building code is adopted by
 3 the county, city, or village within two years after an update to the
 4 state building code.

5 (7) A county, city, or village may adopt amendments for the proper
 6 administration and enforcement of its local building or construction code
 7 including organization of enforcement, qualifications of staff members,
 8 examination of plans, inspections, appeals, permits, and fees. Any
 9 amendment adopted pursuant to this section shall be published separately
 10 from the local building or construction code. Any local building or
 11 construction code adopted under subdivision (1)(a) of this section or the
 12 state building code if applicable under subdivision (1)(b) of this
 13 section shall be the legally applicable code regardless of whether the
 14 county, city, or village has provided for the administration or
 15 enforcement of its local building or construction code under this
 16 subsection.

17 (8) A county, city, or village which adopts one or more standard

18 codes as part of its local building or construction code under this
 19 section shall keep at least one copy of each adopted code, or portion
 20 thereof, for use and examination by the public in the office of the clerk
 21 of the county, city, or village prior to the adoption of the code and as
 22 long as such code is in effect.
 23 (9) Notwithstanding the provisions of the Building Construction Act,
 24 a public building of any political subdivision shall be built in
 25 accordance with the applicable local building or construction code. Fees,
 26 if any, for services which monitor a builder's application of codes shall
 27 be negotiable between the political subdivisions involved, but such fees
 28 shall not exceed the actual expenses incurred by the county, city, or
 29 village doing the monitoring.
 30 Sec. 7. This act becomes operative on July 1, 2020.
 31 Sec. 8. Original sections 18-1915 and 71-6405, Reissue Revised
 1 Statutes of Nebraska, sections 18-132 and 23-172, Revised Statutes
 2 Cumulative Supplement, 2018, and sections 71-6403 and 71-6406, Revised
 3 Statutes Supplement, 2019, are repealed.
 4 Sec. 9. Since an emergency exists, this act takes effect when
 5 passed and approved according to law.

LEGISLATIVE BILL 870. Placed on General File with amendment.

[AM2182](#)

1 1. On page 3, lines 18 through 24, strike the new matter and
 2 reinstate the stricken matter.

(Signed) Justin Wayne, Chairperson

Health and Human Services

LEGISLATIVE BILL 849. Placed on General File with amendment.

[AM2149](#)

1 1. On page 2, lines 4 and 10, after "state" insert "or tribal"; and
 2 strike beginning with "become" in line 16 through "age" in line 18 and
 3 insert "attained the age of majority under tribal law".

LEGISLATIVE BILL 1061. Placed on General File with amendment.

[AM2417](#)

1 1. Insert the following new section:
 2 Sec. 8. Section 43-4203, Revised Statutes Supplement, 2019, is
 3 amended to read:
 4 43-4203 (1) ~~The Nebraska Children's Commission shall create a~~
 5 ~~committee to examine state policy regarding the prescription of~~
 6 ~~psychotropic drugs for children who are wards of the state and the~~
 7 ~~administration of such drugs to such children. Such committee shall~~
 8 ~~review the policy and procedures for prescribing and administering such~~
 9 ~~drugs and make recommendations to the commission for changes in such~~
 10 ~~policy and procedures.~~
 11 (1) ~~(2)~~ The Nebraska Children's Commission ~~commission~~ shall create a
 12 committee to examine the Office of Juvenile Services and the Juvenile
 13 Services Division of the Office of Probation Administration. Such
 14 committee shall review the role and effectiveness of out-of-home
 15 placements utilized in the juvenile justice system, including the youth
 16 rehabilitation and treatment centers, and make recommendations to the
 17 commission on the juvenile justice continuum of care, including what
 18 populations should be served in out-of-home placements and what treatment
 19 services should be provided at the centers in order to appropriately
 20 serve those populations. Such committee shall also review how mental and

21 behavioral health services are provided to juveniles in residential
22 placements and the need for such services throughout Nebraska and make
23 recommendations to the commission relating to those systems of care in
24 the juvenile justice system. The committee shall collaborate with the
25 Juvenile Justice Institute at the University of Nebraska at Omaha, the
26 Center for Health Policy at the University of Nebraska Medical Center,
27 the behavioral health regions as established in section 71-807, and state
1 and national juvenile justice experts to develop recommendations. The
2 recommendations shall include a plan to implement a continuum of care in
3 the juvenile justice system to meet the needs of Nebraska families,
4 including specific recommendations for the rehabilitation and treatment
5 model. The recommendations shall be delivered to the commission and
6 electronically to the Judiciary Committee of the Legislature annually by
7 September 1.

8 ~~(2)~~ ~~(3)~~ The commission shall collaborate with juvenile justice
9 specialists of the Office of Probation Administration and county
10 officials with respect to any county-operated practice model
11 participating in the Crossover Youth Program of the Center for Juvenile
12 Justice Reform at Georgetown University.

13 ~~(3)~~ ~~(4)~~ The commission shall analyze case management workforce
14 issues and make recommendations to the Health and Human Services
15 Committee of the Legislature regarding:

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

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

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

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

24 ~~(4)~~ ~~(5)~~ The Foster Care Reimbursement Rate Committee created
25 pursuant to section 43-4216, the Nebraska Strengthening Families Act
26 Committee created pursuant to section 43-4716, and the Bridge to
27 Independence Advisory Committee created pursuant to section 43-4513 shall
28 be under the jurisdiction of the commission.

29 ~~(5)~~ ~~(6)~~ The commission shall work with the office of the State Court
30 Administrator, as appropriate, and entities which coordinate facilitated
31 conferencing as described in section 43-247.03.

1 ~~(6)~~ ~~(7)~~ The commission shall work with administrators from each of
2 the service areas designated pursuant to section 81-3116, the teams
3 created pursuant to section 28-728, local foster care review boards,
4 child advocacy centers, the teams created pursuant to the Supreme Court's
5 Through the Eyes of the Child Initiative, community stakeholders, and
6 advocates for child welfare programs and services to establish networks
7 in each of such service areas. Such networks shall permit collaboration
8 to strengthen the continuum of services available to child welfare
9 agencies and to provide resources for children and juveniles outside the
10 child protection system.

11 ~~(7)~~ ~~(8)~~ The commission may organize subcommittees as it deems
12 necessary. Members of the subcommittees may be members of the commission
13 or may be individuals who have knowledge of the subcommittee's subject
14 matter, professional expertise to assist the subcommittee in completing
15 its assigned responsibilities, or the ability to collaborate within the
16 subcommittee and with the commission to carry out the powers and duties
17 of the commission. A subcommittee shall meet as necessary to complete the
18 work delegated by the commission and shall report its findings to the
19 relevant committee within the commission.

20 ~~(8)~~ ~~(9)~~ No member of any committee or subcommittee created pursuant
21 to this section shall have any private financial interest, profit, or
22 benefit from any work of such committee or subcommittee.

- 23 2. On page 9, line 12, strike "or"; in line 14 strike the period and
 24 insert "; or"; and after line 14 insert the following:
 25 "(xi) A history of termination of parental rights."
 26 3. On page 19, line 5, strike the second "and" and insert a comma
 27 and after the last comma insert "and 43-4203,"
 28 4. Renumber the remaining sections accordingly.

(Signed) Sara Howard, Chairperson

Banking, Commerce and Insurance

LEGISLATIVE BILL 997. Placed on General File with amendment.

[AM2431](#)

- 1 1. Strike original sections 3, 16, and 17 and insert the following
 2 new sections:
 3 Sec. 10. Insurer means an entity that contracts to provide,
 4 deliver, arrange for, pay for, or reimburse any of the costs of health
 5 care services under a health benefits plan, including (1) any individual
 6 or group sickness and accident insurance policy or subscriber contract
 7 delivered, issued for delivery, or renewed in this state and any
 8 hospital, medical, or surgical expense-incurred policy, except for a
 9 policy that provides coverage for a specified disease or other limited-
 10 benefit coverage, and (2) any self-funded employee benefit plan to the
 11 extent not preempted by federal law.
 12 Sec. 16. (1) If a covered person receives emergency services at an
 13 in-network or out-of-network health care facility, the insurer shall
 14 ensure that the covered person incurs no greater out-of-pocket costs than
 15 the covered person would have incurred with an in-network health care
 16 provider for covered services.
 17 (2) With respect to emergency services at an in-network or out-of-
 18 network health care facility, if the out-of-network health care provider
 19 bills an insurer directly, any reimbursement paid by the insurer shall be
 20 paid directly to the out-of-network health care provider. The insurer
 21 shall provide the out-of-network health care provider with a written
 22 remittance of payment that specifies the proposed reimbursement and the
 23 applicable deductible, copayment, or coinsurance amounts owed by the
 24 covered person.
 25 (3) If emergency services provided at an in-network or out-of-
 26 network health care facility are performed, the out-of-network health
 27 care provider may bill the insurer for the services rendered. The insurer
 1 may pay the billed amount. A claim or a payment shall be presumed
 2 reasonable if it is based on the higher of (a) the contracted rate under
 3 any then-existing in-network contractual relationship between the insurer
 4 and the out-of-network health care provider for the same or similar
 5 services or (b) one hundred seventy-five percent of the payment rate for
 6 medicare services received from the federal Centers for Medicare and
 7 Medicaid Services for the same or similar services in the same geographic
 8 area. If the out-of-network health care provider deems the payment made
 9 by the insurer unreasonable, the out-of-network health care provider
 10 shall return payment to the insurer and utilize the dispute resolution
 11 procedure under section 17 of this act.
 12 Sec. 17. (1) If an insurer or an out-of-network health care
 13 provider provides notification that it considers a claim or payment to be
 14 not reasonable, the insurer and the health care provider shall have
 15 thirty days after the date of such notification to negotiate a
 16 settlement. If a settlement has not been reached after such thirty-day
 17 period, the insurer and the health care provider shall engage in
 18 mediation in accordance with the Uniform Mediation Act. The insurer may
 19 attempt to negotiate a final reimbursement amount with the out-of-network

20 health care provider which differs from the amount paid by the insurer
 21 pursuant to this section.
 22 (2) Following completion of the mediation process, the cost of
 23 mediation shall be split evenly and paid by the insurer and the health
 24 care provider.
 25 (3) Mediation shall not be used when the insurer and the health care
 26 provider agree to a separate payment arrangement.
 27 2. On page 2, lines 8 and 27 and 28, strike "a carrier" and insert
 28 "an insurer".
 29 3. Renumber the remaining sections accordingly.

(Signed) Matt Williams, Chairperson

AMENDMENT(S) - Print in Journal

Senator Slama filed the following amendment to LB790:
AM2436

1 1. Strike original section 4 and insert the following new sections:
 2 Section 1. Section 13-2904, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 13-2904 (1) Notwithstanding the procedures for public lettings in
 5 sections 73-101 to 73-106 or any other statute relating to the letting of
 6 bids by a political subdivision, a political subdivision which follows
 7 the Political Subdivisions Construction Alternatives Act may solicit and
 8 execute a design-build contract or a construction management at risk
 9 contract.
 10 (2) The governing body of the political subdivision shall adopt a
 11 resolution selecting the design-build contract or construction management
 12 at risk contract delivery system provided under the act prior to
 13 proceeding with the provisions of sections 13-2905 to 13-2914. The
 14 resolution shall require the affirmative vote of at least two-thirds of
 15 the governing body of the political subdivision. The resolution shall
 16 include a statement that the political subdivision has made a
 17 determination that the design-build contract or construction management
 18 at risk contract delivery system is in the public interest based, at a
 19 minimum, on one of the following criteria: (a) Savings in cost or time;
 20 or (b) requirement of specialized or complex construction methods
 21 suitable for the design-build contract or construction management at risk
 22 contract delivery system.
 23 Sec. 2. Section 13-2914, Revised Statutes Supplement, 2019, is
 24 amended to read:
 25 13-2914 (1) A political subdivision shall not use a design-build
 26 contract or construction management at risk contract under the Political
 27 Subdivisions Construction Alternatives Act for a project, in whole or in
 1 part, for road, street, or highway, ~~water, wastewater, utility, or sewer~~
 2 construction. ¶
 3 (2) ~~A~~ except that a city of the metropolitan class may use a design-
 4 build contract or construction management at risk contract under the
 5 Political Subdivisions Construction Alternatives Act for the purpose of
 6 complying with state or federal requirements to control or minimize
 7 overflows from combined sewers.
 8 (3) A political subdivision may use a design-build contract or
 9 construction management at risk contract under the Political Subdivisions
 10 Construction Alternatives Act for a project, in whole or in part, for
 11 water, wastewater, utility, or sewer construction.
 12 Sec. 3. Original sections 13-2904, 73-507, 81-153, and 81-1118.06,
 13 Reissue Revised Statutes of Nebraska, and section 13-2914, Revised
 14 Statutes Supplement, 2019, are repealed.
 15 2. Renumber the remaining sections accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 323. Introduced by Lindstrom, 18.

WHEREAS, Sage Kehr of Omaha, Nebraska, and a student at Omaha North High Magnet School, has achieved national recognition for exemplary volunteer service by receiving a 2020 Prudential Spirit of Community Award; and

WHEREAS, this prestigious award, presented by Prudential Financial in partnership with the National Association of Secondary School Principals, honors young volunteers across America who have demonstrated an extraordinary commitment to serving their communities; and

WHEREAS, Mr. Kehr earned this award by giving generously of his time and energy by regularly volunteering his time on his high school's student council. As co-fundraising officer and vice president, he helped raise more than \$12,000 for the Make-A-Wish Foundation and delivered more than 150 Thanksgiving dinners to families in need; and

WHEREAS, Mr. Kehr is also a member of the youth advisory board for Memories For Kids, a nonprofit organization for children who have a parent with terminal cancer; and

WHEREAS, the success of the State of Nebraska, the strength of Nebraska communities, and the overall vitality of American society depend, in great measure, upon the dedication of young people like Mr. Kehr who use their considerable talents and resources to serve others.

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

1. That the Legislature congratulates and honors Sage Kehr as a recipient of the Prudential Spirit of Community Award.
2. That the Legislature recognizes Mr. Kehr's outstanding record of volunteer service, peer leadership, and community spirit.
3. That a copy of this resolution be sent to Sage Kehr.

Laid over.

ANNOUNCEMENT(S)

Priority designation(s) received:

Government, Military and Veterans Affairs - LB790 and LB1055

GENERAL FILE

LEGISLATIVE BILL 996. Senator Hunt offered the following motion:

[MO151](#)

Recommit to Transportation and Telecommunications Committee.

Senator Hunt withdrew her motion to recommit to committee.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

NOTICE OF COMMITTEE HEARING(S)

Revenue
Room 1524

Wednesday, February 26, 2020 1:30 p.m.

LB1162
LB1175
LB1214
LB1220
LB946

Thursday, February 27, 2020 1:30 p.m.

LB1012
LB1125
LB1192
LB1212
LB1213

(Signed) Lou Ann Linehan, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Albrecht name added to LB879.
Senator Blood name added to LB909.
Senator McDonnell name added to LB962.
Senator Hunt name added to LB996.
Senator Blood name added to LB996.
Senator Albrecht name added to LB998.

VISITOR(S)

Visitors to the Chamber were students from Wahoo Elementary; and a group from Leadership Lincoln County from North Platte.

The Doctor of the Day was Dr. David Hoelting from Pender.

ADJOURNMENT

At 11:49 a.m., on a motion by Senator B. Hansen, the Legislature adjourned until 9:00 a.m., Wednesday, February 19, 2020.

Patrick J. O'Donnell
Clerk of the Legislature

