

**THIRD DAY - JANUARY 10, 2020****LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION****THIRD DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, January 10, 2020

**PRAYER**

The prayer was offered by Pastor Wayne Nestor, Trinity Lutheran Church, Columbus.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators B. Hansen, Linehan, Morfeld, and Pansing Brooks who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the second day was approved.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

<b>LB/LR</b>	<b>Committee</b>
LB740	General File
LB741	General File
LB742	Judiciary
LB743	Urban Affairs
LB744	Government, Military and Veterans Affairs
LB745	Judiciary
LB747	Revenue
LB748	Judiciary
LB749	Judiciary
LB750	Judiciary
LB751	Judiciary
LB752	Government, Military and Veterans Affairs

LB753	Health and Human Services
LB754	Health and Human Services
LB755	Health and Human Services
LB756	Judiciary
LB757	Banking, Commerce and Insurance
LB758	Government, Military and Veterans Affairs
LB759	Health and Human Services
LB760	Banking, Commerce and Insurance
LB761	Transportation and Telecommunications
LB762	Appropriations
LB763	Government, Military and Veterans Affairs
LB764	Banking, Commerce and Insurance
LB765	Business and Labor
LB766	Judiciary
LB767	Banking, Commerce and Insurance
LB768	Transportation and Telecommunications
LB769	Natural Resources
LB770	Natural Resources
LB771	Transportation and Telecommunications
LB772	Health and Human Services
LB773	Appropriations
LB774	Banking, Commerce and Insurance
LB775	Banking, Commerce and Insurance
LB776	Judiciary
LB777	Judiciary
LB778	Appropriations
LB779	Appropriations
LB780	Appropriations
LB781	Government, Military and Veterans Affairs
LB782	Banking, Commerce and Insurance
LB783	Health and Human Services
LB784	Transportation and Telecommunications
LB785	Transportation and Telecommunications
LB786	Judiciary
LB787	Transportation and Telecommunications
LB788	Business and Labor
LB789	Transportation and Telecommunications
LB790	Government, Military and Veterans Affairs
LB791	Agriculture
LB792	Judiciary
LB793	Judiciary
LB794	Urban Affairs
LB795	Urban Affairs
LB796	Urban Affairs
LB797	Urban Affairs
LB798	General Affairs
LB799	Urban Affairs
LB800	Urban Affairs
LB801	Urban Affairs

LB802 Natural Resources  
LB803 Agriculture  
LB804 Banking, Commerce and Insurance  
LB805 Revenue  
LB806 Revenue  
LB807 Government, Military and Veterans Affairs  
LB808 Banking, Commerce and Insurance  
LB809 Urban Affairs  
LB810 Revenue  
LB811 Health and Human Services  
LB812 Revenue  
LB814 Judiciary  
LB815 Health and Human Services  
LB816 Judiciary  
LB817 Health and Human Services  
LB818 Revenue  
LB819 Revenue  
LB820 Government, Military and Veterans Affairs  
LB821 Urban Affairs  
LB822 Government, Military and Veterans Affairs  
LB823 Judiciary  
LB824 Urban Affairs  
LB825 Health and Human Services  
LB826 Appropriations  
LB827 Appropriations  
LB828 Health and Human Services  
LB829 Revenue  
LB830 Transportation and Telecommunications  
LB831 Transportation and Telecommunications  
LB832 Judiciary  
LB833 Health and Human Services  
LB834 Health and Human Services  
LB835 Agriculture  
LB836 Health and Human Services  
LB837 Health and Human Services  
LB838 Health and Human Services  
LB839 Education  
LB840 Health and Human Services  
LB841 Revenue  
LB842 Transportation and Telecommunications  
LB843 Transportation and Telecommunications  
LB844 Judiciary  
LB845 Natural Resources  
LB846 Business and Labor  
LB847 Health and Human Services  
LB848 Government, Military and Veterans Affairs  
LB849 Health and Human Services  
LB850 Government, Military and Veterans Affairs  
LB851 Health and Human Services

LR279CA Executive Board  
LR280CA Executive Board  
LR281CA Judiciary  
LR283CA Government, Military and Veterans Affairs  
LR284CA Revenue  
LR286CA Government, Military and Veterans Affairs  
LR288 Natural Resources

Ackerman, Kelli M. - Public Employees Retirement Board - Nebraska Retirement Systems  
Anderson, Dorothy C. - Nebraska Educational Telecommunications Commission - Education  
Anderson, Douglas - Environmental Quality Council - Natural Resources  
Anthone, Gary J. - Chief Medical Officer and Director - Division of Public Health - Department of Health and Human Services - Health and Human Services  
Arch, Cameron J. - Nebraska Commission on Problem Gambling - General Affairs  
Arteaga, Candice - Commission for the Deaf and Hard of Hearing - Health and Human Services  
Barfuss, Karl - Environmental Quality Council - Natural Resources  
Barthold, Claudia Louise - Nebraska Commission on Problem Gambling - General Affairs  
Beveridge, Janelle - State Racing Commission - General Affairs  
Boatright, Anne C. - Crime Victim's Reparations Committee - Judiciary  
Brummer, James S. - State Electrical Board - General Affairs  
Buckendahl, Chad W. - Technical Advisory Committee for Statewide Assessment - Education  
Budke, Stephan - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Buehe, Rod - State Emergency Response Commission - Government, Military and Veterans Affairs  
Bulger, Mark M. - Commission for the Blind and Visually Impaired - Health and Human Services  
Canada, Mark R. - Nebraska Commission on Problem Gambling - General Affairs  
Carter, Jacque - Nebraska Educational Telecommunications Commission - Education  
Chance, Jillian - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
Cloninger, Dennis - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Daniels, Timothy - Coordinating Commission for Postsecondary Education - Education  
Dinkel, John M. - Nebraska Investment Council - Nebraska Retirement Systems  
Else, Timothy L. - Nebraska Ethanol Board - Natural Resources  
Fagerland, Jerome A. - State Highway Commission - Transportation and Telecommunications

Feit, Robert J. - Commission for the Deaf and Hard of Hearing - Health and Human Services  
Garman, Charles - Coordinating Commission for Postsecondary Education - Education  
Goins, Anthony - Director - Department of Economic Development - Banking, Commerce and Insurance  
Grams, Dennis D. - Environmental Quality Council - Natural Resources  
Gray, Cindy - Technical Advisory Committee for Statewide Assessment - Education  
Greene, Michael Allen Christopher - Nebraska Rural Health Advisory Commission - Health and Human Services  
Hansen, David J. - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
Harder, Seth B. - Environmental Quality Council - Natural Resources  
Hawks, James W. - Environmental Quality Council - Natural Resources  
Hawks, James W. - State Highway Commission - Transportation and Telecommunications  
Heyen, Brent - Commission for the Blind and Visually Impaired - Health and Human Services  
Hilyard, Elizabeth A. - Nebraska Power Review Board - Natural Resources  
Hunter, David - State Electrical Board - General Affairs  
Jacobs, Brad - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Jahnke, Michael D. - Public Employees Retirement Board - Nebraska Retirement Systems  
Jones, Clint - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Jordening, Polly Ann - State Emergency Response Commission - Government, Military and Veterans Affairs  
Kanger, Jeff T. - Nebraska Environmental Trust Board - Natural Resources  
Keeling, Kyle - State Emergency Response Commission - Government, Military and Veterans Affairs  
Kosiski, Joseph - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
Kuhn, James D. - Tax Equalization and Review Commission - Revenue  
Lambert, Kelly J. - Nebraska Commission on Problem Gambling - General Affairs  
Langan, Mark T. - Board of Parole - Judiciary  
Leafgreen, Douglas - State Highway Commission - Transportation and Telecommunications  
Lubben, Bradley D. - Beginning Farmer Board - Agriculture  
Marshall, Norris - Environmental Quality Council - Natural Resources  
McCaslin, Thomas R. - Nebraska Motor Vehicle Industry Licensing Board - Transportation and Telecommunications  
McQuillan, Shelly K. - Nebraska Child Abuse Prevention Fund Board - Health and Human Services  
Ngotel, Tonya - State Emergency Response Commission - Government, Military and Veterans Affairs  
Nielsen, Dave W. - Beginning Farmer Board - Agriculture

O'Daniel, Matthew - Nebraska Motor Vehicle Industry Licensing Board -  
Transportation and Telecommunications  
Plouzek, Kimberly K. - State Emergency Response Commission -  
Government, Military and Veterans Affairs  
Prohaska, Curt - Nebraska Motor Vehicle Industry Licensing Board -  
Transportation and Telecommunications  
Rundel, John Arley - Nebraska Oil and Gas Conservation Commission -  
Natural Resources  
Sabin, Robert Phillip - Nebraska Tourism Commission - Government,  
Military and Veterans Affairs  
Scherbarth, Kimberly - Commission for the Blind and Visually Impaired -  
Health and Human Services  
Scherling, Jonathan - Commission for the Deaf and Hard of Hearing -  
Health and Human Services  
Schworer, Dennis R. - Nebraska Motor Vehicle Industry Licensing Board -  
Transportation and Telecommunications  
Simpson, Allen - Public Employees Retirement Board - Nebraska  
Retirement Systems  
Smith, Beth - Nebraska State Fair Board - Agriculture  
tenBensel, Jan K. - Nebraska Ethanol Board - Natural Resources  
Thornburg, Wade E. - Beginning Farmer Board - Agriculture  
Torres, Sandra - Nebraska Rural Health Advisory Commission - Health and  
Human Services  
Vinton, Sherry - Nebraska Environmental Trust Board - Natural Resources  
Wilson, Glenn R. - Board of Educational Lands and Funds - Education

(Signed) Mike Hilgers, Chairperson  
Executive Board

#### **MESSAGE(S) FROM THE GOVERNOR**

January 10, 2020

Mr. President, Speaker Scheer  
and Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed  
to the Nebraska Arts Council:

Mark Laughlin, 5106 California Street, Omaha, NE 68132

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

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

### **BILLS ON FIRST READING**

The following bills were read for the first time by title:

**LEGISLATIVE BILL 904.** Introduced by Bolz, 29; Brewer, 43.

A BILL FOR AN ACT relating to the Water Sustainability Fund; to amend sections 61-222 and 61-223, Reissue Revised Statutes of Nebraska, sections 2-1506, 2-1508, 2-1512, and 2-1513, Revised Statutes Cumulative Supplement, 2018, and section 2-1507, Revised Statutes Supplement, 2019; to provide an additional use of the fund; to restate intent; to provide and change transfers from the General Fund; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 905.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701, Revised Statutes Supplement, 2019; to provide for a fee on single-use checkout bags and for a program to distribute reusable checkout bags; to define terms; to create a fund; to provide a duty for the Department of Environment and Energy; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 906.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-728 and 28-730, Reissue Revised Statutes of Nebraska; to provide for maintenance of and restrictions on the release and use of video recordings of forensic interviews; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 907.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to adoptions; to amend sections 25-309, 43-101, 43-104, 43-104.01, 43-104.02, 43-104.03, 43-104.05, 43-104.08, 43-104.09, 43-104.12, 43-104.13, 43-104.14, 43-104.15, 43-104.16, 43-104.17, 43-104.18, 43-104.22, 43-104.23, 43-105, 43-106, 43-107, 43-108, 43-109, 43-111, 43-111.01, 43-112, 43-115, 43-146.01, 43-906, and 43-1411, Reissue Revised Statutes of Nebraska, and sections 25-307 and 43-102, Revised Statutes Cumulative Supplement, 2018; to provide for adoption by two persons jointly; to define terms; to change provisions relating to consents, biological, putative, adjudicated, and acknowledged fathers, required notices, objections to adoptions, procedures, home studies, and terminology; to authorize minor parents to participate in adoption

proceedings as prescribed; to eliminate provisions relating to guardians ad litem and adjudicated biological fathers; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to outright repeal sections 43-104.19, 43-104.20, 43-104.21, and 43-104.25, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 908.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to the Delayed Deposit Services Licensing Act; to amend sections 45-905, 45-906, 45-912, and 45-915, Reissue Revised Statutes of Nebraska, and sections 45-901, 45-902, 45-910, and 45-911, Revised Statutes Cumulative Supplement, 2018; to update a definition, define a term, add a processing fee, and change licensing provisions; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 909.** Introduced by Williams, 36.

A BILL FOR AN ACT relating to finance; to amend sections 45-191.02, 45-191.09, 45-1017, 45-1033, and 59-1725.01, Reissue Revised Statutes of Nebraska, sections 8-103, 8-141, 8-167, and 59-1722, Revised Statutes Cumulative Supplement, 2018, sections 8-135, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1103, 8-1111, 8-1704, 8-1707, 21-17,115, 69-2103, 69-2104, and 69-2112, Revised Statutes Supplement, 2019, and section 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2019; to change provisions relating to certain prohibited acts by Department of Banking and Finance employees; to redefine a term relating to loan limits; to update and change references to certain federal provisions; to eliminate a reporting notice requirement and exemption; to revise powers of state-chartered banks, building and loan associations, and credit unions; to change obsolete civil penalty provisions; to change the fund for remittance of loan broker filing fees; to change provisions relating to examinations under the Nebraska Installment Loan Act; to repeal the original sections; to outright repeal section 8-167.01, Revised Statutes Supplement, 2019; and to declare an emergency.

**LEGISLATIVE BILL 910.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to the Secretary of State; to amend sections 21-186, 21-2216, 21-2924, 25-3308, 33-102, 45-603, 45-606, 45-620, 45-806, 48-2609, 52-1313, 52-1316, 64-306, 64-313, 67-293, 67-462, 69-1204, 69-1206, 71-3204, 77-3903, 81-1921, 81-1922, 84-511, 84-1205, 87-130, 87-133, 87-134, 87-210, 87-211, and 87-212, Reissue Revised Statutes of Nebraska, sections 13-2525, 21-205, 21-414, 21-1905, 33-101, 52-1004, 52-1312, 52-1602, and 84-906.03, Revised Statutes Cumulative Supplement, 2018, sections 21-192, 64-405, 64-415, and 84-1227, Revised Statutes Supplement, 2019, section 9-528, Uniform Commercial Code, Reissue Revised Statutes of Nebraska, and section 9-525, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2018; to provide for, change, and eliminate fees and the collection and distribution of

fees; to create, eliminate, and transfer funds; to eliminate provisions regarding failure to report interests in certain real estate and powers and duties regarding centralized computer system equipment; to eliminate obsolete provisions; to provide an operative date; to repeal the original sections; and to outright repeal sections 76-1522 and 84-510, Reissue Revised Statutes of Nebraska, section 84-907.03, Revised Statutes Cumulative Supplement, 2018, section 45-621, Revised Statutes Supplement, 2019, and section 9-531, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2018.

**LEGISLATIVE BILL 911.** Introduced by Quick, 35; Brewer, 43.

A BILL FOR AN ACT relating to the state veteran cemetery system; to amend section 16-201, Reissue Revised Statutes of Nebraska, and sections 12-1301 and 16-202, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to the state veteran cemetery system; to state intent; to eliminate obsolete provisions; to provide for conveyance of real estate as prescribed; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 912.** Introduced by Brandt, 32; Brieser, 41; Lathrop, 12; Wayne, 13; Williams, 36.

A BILL FOR AN ACT relating to courts; to amend section 24-734, Reissue Revised Statutes of Nebraska; to change provisions relating to examination or witnesses by telephonic, videoconferencing, and similar methods; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 913.** Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska Criminal Code; to amend sections 28-501, 28-502, 28-503, 28-504, 28-505, 28-520, 28-522, and 28-524, Reissue Revised Statutes of Nebraska; to change provisions and penalties relating to arson; to define terms; to redefine a term relating to trespass and graffiti; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 914.** Introduced by Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to the Mobile Home Landlord and Tenant Act; to amend sections 76-1485, 76-1486, and 76-14,101, Reissue Revised Statutes of Nebraska; to change provisions relating to the return of rental deposits, damages, and the period of time relating to a written notice of termination of a rental agreement; and to repeal the original sections.

**LEGISLATIVE BILL 915.** Introduced by Hunt, 8; Hansen, M., 26.

A BILL FOR AN ACT relating to the Wage and Hour Act; to amend section 48-1205, Reissue Revised Statutes of Nebraska, and section 48-1203,

Revised Statutes Cumulative Supplement, 2018; to change the minimum wage for persons compensated by way of gratuities; to change provisions relating to the posting of information; and to repeal the original sections.

**LEGISLATIVE BILL 916.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Department of Correctional Services for the construction or expansion of a community corrections facility.

**LEGISLATIVE BILL 917.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-901, Revised Statutes Supplement, 2019; to provide for a diabetes pilot study; and to repeal the original section.

**LEGISLATIVE BILL 918.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to government; to create the Commission on African American Affairs; and to require a study.

**LEGISLATIVE BILL 919.** Introduced by Wayne, 13.

A BILL FOR AN ACT relating to the Nebraska Hemp Farming Act; to amend sections 2-507 and 2-5701, Revised Statutes Supplement, 2019; to change provisions relating to approval and denial of license applications and licensing agreements; and to repeal the original sections.

**LEGISLATIVE BILL 920.** Introduced by Groene, 42.

A BILL FOR AN ACT relating to education; to amend sections 79-8,124, 79-8,125, 79-8,126, 79-8,128, 79-8,131, 79-8,132, 79-8,133, 79-8,135, 79-8,138, 79-8,139, 79-8,140, 79-1064, and 79-1201.01, Reissue Revised Statutes of Nebraska, sections 9-812, 9-836.01, 79-759, 79-8,134, 79-8,137, 79-8,137.01, 79-8,137.02, 79-8,137.03, 79-8,137.04, 79-8,137.05, 79-1054, 79-1104.02, 79-1337, 79-2503, 79-2505, 79-2506, 85-1412, 85-1920, and 85-2009, Revised Statutes Cumulative Supplement, 2018, and sections 79-1003 and 84-304, Revised Statutes Supplement, 2019; to change provisions relating to the State Lottery Operation Trust Fund, the Nebraska Education Improvement Fund, the Nebraska Opportunity Grant Fund, the Excellence in Teaching Cash Fund, the Excellence in Teaching Act, the Department of Education Innovative Grant Fund, the Community College Gap Assistance Program Fund, the Expanded Learning Opportunity Grant Fund, the State Department of Education Cash Fund, the State Department of Education, and the Coordinating Commission for Postsecondary Education; to change the name and provisions of the Master Teacher Program Act; to create funds; to eliminate funds; to transfer powers and duties as prescribed; to define and redefine terms; to provide for funding for schools implementing and offering distance education, and expanded

learning opportunities, as prescribed; to provide funding for education pathway software, a consortium, and grants as prescribed; to provide duties; to eliminate obsolete provisions; to harmonize provisions; to provide a duty for the Revisor of Statutes; to provide operative dates; to repeal the original sections; and to outright repeal sections 79-8,127, 79-8,129, 79-8,130, and 79-1336, Reissue Revised Statutes of Nebraska, and sections 50-425, 50-426, 50-427, 50-428, and 79-10,145, Revised Statutes Cumulative Supplement, 2018.

**LEGISLATIVE BILL 921.** Introduced by Hilkemann, 4.

A BILL FOR AN ACT relating to motor vehicles; to amend section 37-327.03, Reissue Revised Statutes of Nebraska, and sections 60-301, 60-393, 60-395, 60-396, 60-3,104, and 60-3,130.04, Revised Statutes Supplement, 2019; to change provisions relating to the Game and Parks State Park Improvement and Maintenance Fund; to provide for The Good Life Is Outside Plates; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 922.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to prescriptions; to amend sections 28-414, 28-414.01, 38-2870, and 38-2891, Revised Statutes Cumulative Supplement, 2018, and section 38-101, Revised Statutes Supplement, 2019; to define a term; to require electronic issuance of prescriptions for controlled substances; to provide exceptions; to harmonize provisions; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 923.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-2701.16, Revised Statutes Supplement, 2019; to change provisions relating to gross receipts; to provide an operative date; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 924.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to law enforcement; to amend sections 23-1701.01 and 81-1414.07, Reissue Revised Statutes of Nebraska, and section 20-504, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to racial profiling prevention policies; to prohibit law enforcement agencies failing to comply with racial profiling monitoring and reporting requirements from receiving funding from the Nebraska Commission on Law Enforcement and Criminal Justice as prescribed; to require anti-bias and implicit bias training for law enforcement officers; and to repeal the original sections.

**LEGISLATIVE BILL 925.** Introduced by Chambers, 11.

A BILL FOR AN ACT relating to the Administrative Procedure Act; to amend section 84-911, Reissue Revised Statutes of Nebraska; to change provisions relating to actions for declaratory judgments; and to repeal the original section.

**LEGISLATIVE BILL 926.** Introduced by Business and Labor Committee: Hansen, M., 26, Chairperson; Chambers, 11; Crawford, 45; Halloran, 33; Lathrop, 12.

A BILL FOR AN ACT relating to the Employee Classification Act; to amend section 48-2907, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to violations of the act; to provide for a hearing; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 927.** Introduced by Business and Labor Committee: Hansen, M., 26, Chairperson; Chambers, 11; Crawford, 45; Halloran, 33; Lathrop, 12; Slama, 1.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

**LEGISLATIVE BILL 928.** Introduced by Business and Labor Committee: Hansen, M., 26, Chairperson; Chambers, 11; Crawford, 45; Halloran, 33; Lathrop, 12; Slama, 1.

A BILL FOR AN ACT relating to claims against the state; to disapprove certain claims.

**LEGISLATIVE BILL 929.** Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to the Nebraska Real Estate License Act; to amend section 81-885.04, Reissue Revised Statutes of Nebraska; to provide an exemption to the act as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 930.** Introduced by Briese, 41.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-4212, Reissue Revised Statutes of Nebraska; to require a minimum amount of tax relief under the Property Tax Credit Act; and to repeal the original section.

**LEGISLATIVE BILL 931.** Introduced by Halloran, 33; Clements, 2; Dorn, 30; Erdman, 47; Gragert, 40; Hughes, 44; Moser, 22; Murman, 38; Slama, 1.

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend sections 60-6,298 and 60-6,301, Revised Statutes Cumulative Supplement, 2018; to change a harvested products maximum weight

overload exception; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 932.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to medical assistance; to amend section 68-992, Revised Statutes Supplement, 2019; to provide duties for the Department of Health and Human Services; and to repeal the original section.

**LEGISLATIVE BILL 933.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to utility service; to amend sections 70-1605 and 70-1606, Reissue Revised Statutes of Nebraska; to change provisions relating to discontinuance of utility service; and to repeal the original sections.

**LEGISLATIVE BILL 934.** Introduced by Morfeld, 46; Briese, 41; Cavanaugh, 6; Hansen, M., 26; Hunt, 8; La Grone, 49; Pansing Brooks, 28; Wayne, 13; Williams, 36; Wishart, 27.

A BILL FOR AN ACT relating to attorneys at law; to amend sections 7-101.01 and 7-102, Reissue Revised Statutes of Nebraska; to change provisions relating to the authorized practice of law by certain law students; to eliminate a bar examination requirement for graduates of an accredited law school in Nebraska; and to repeal the original sections.

**LEGISLATIVE BILL 935.** Introduced by Hunt, 8; Bolz, 29; Brewer, 43; Cavanaugh, 6; Chambers, 11; DeBoer, 10; Dorn, 30; Hansen, M., 26; Howard, 9; Kolowski, 31; Lindstrom, 18; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1446.03, Reissue Revised Statutes of Nebraska; to authorize expenditures by a committee for expenses incurred for child care services by an officeholder as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 936.** Introduced by Hunt, 8; Bolz, 29; Brewer, 43; Cavanaugh, 6; Chambers, 11; DeBoer, 10; Dorn, 30; Hansen, M., 26; Howard, 9; Kolowski, 31; McCollister, 20; Morfeld, 46; Pansing Brooks, 28; Vargas, 7; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Political Accountability and Disclosure Act; to amend section 49-1446.03, Reissue Revised Statutes of Nebraska; to authorize expenditures by a committee for conference fees, meals, lodging, and travel for certain members of an officeholder's immediate family as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 937.** Introduced by Brewer, 43; Gragert, 40; Hunt, 8; Pansing Brooks, 28.

A BILL FOR AN ACT relating to the Nebraska State Capitol Preservation and Restoration Act; to amend section 72-2201, Reissue Revised Statutes of Nebraska; to require the display of tribal flags in the State Capitol as prescribed; to harmonize provisions; and to repeal the original section.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 292CA.** Introduced by La Grone, 49; Albrecht, 17; Bostelman, 23; Brewer, 43; Clements, 2; Erdman, 47; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Lowe, 37; Moser, 22; Murman, 38; Slama, 1.

THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION, RESOLVE THAT:

Section 1. At the general election in November 2020, the following proposed amendment to the Constitution of Nebraska shall be submitted to the electors of the State of Nebraska for approval or rejection:

To amend Article I, section 22:

I-22 (1) All elections shall be free; and there shall be no hindrance or impediment to the right of a qualified voter to exercise the elective franchise.

(2) In order to combat voter fraud, preserve the relative power of each eligible citizen's right to vote, modernize the election infrastructure of the state, and ensure the integrity of the elections of the state so as to preserve the public confidence in the legitimacy of the elected government, a poll worker shall review a photograph or digital image of each voter to verify the identity of the voter in a manner determined by the Legislature prior to allowing the voter to vote. The Legislature shall provide specifications for the manner of reviewing such photograph or digital image and for exemptions for specific situations in which such requirement would violate an individual's rights under the Constitution of the United States.

Sec. 2. The proposed amendment shall be submitted to the electors in the manner prescribed by the Constitution of Nebraska, Article XVI, section 1, with the following ballot language:

A constitutional amendment to require verification of identity in a manner provided by the Legislature prior to voting.

For

Against.

### AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to [LB153](#):  
[AM2064](#)

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

2 sections:

3 Section 1. Section 77-2716, Revised Statutes Supplement, 2019, is

4 amended to read:

5 77-2716 (1) The following adjustments to federal adjusted gross  
6 income or, for corporations and fiduciaries, federal taxable income shall  
7 be made for interest or dividends received:

8 (a)(i) There shall be subtracted interest or dividends received by  
9 the owner of obligations of the United States and its territories and  
10 possessions or of any authority, commission, or instrumentality of the  
11 United States to the extent includable in gross income for federal income  
12 tax purposes but exempt from state income taxes under the laws of the  
13 United States; and

14 (ii) There shall be subtracted interest received by the owner of  
15 obligations of the State of Nebraska or its political subdivisions or  
16 authorities which are Build America Bonds to the extent includable in  
17 gross income for federal income tax purposes;

18 (b) There shall be subtracted that portion of the total dividends  
19 and other income received from a regulated investment company which is  
20 attributable to obligations described in subdivision (a) of this  
21 subsection as reported to the recipient by the regulated investment  
22 company;

23 (c) There shall be added interest or dividends received by the owner  
24 of obligations of the District of Columbia, other states of the United  
25 States, or their political subdivisions, authorities, commissions, or  
26 instrumentalities to the extent excluded in the computation of gross  
27 income for federal income tax purposes except that such interest or  
1 dividends shall not be added if received by a corporation which is a  
2 regulated investment company;

3 (d) There shall be added that portion of the total dividends and  
4 other income received from a regulated investment company which is  
5 attributable to obligations described in subdivision (c) of this  
6 subsection and excluded for federal income tax purposes as reported to  
7 the recipient by the regulated investment company; and

8 (e)(i) Any amount subtracted under this subsection shall be reduced  
9 by any interest on indebtedness incurred to carry the obligations or  
10 securities described in this subsection or the investment in the  
11 regulated investment company and by any expenses incurred in the  
12 production of interest or dividend income described in this subsection to  
13 the extent that such expenses, including amortizable bond premiums, are  
14 deductible in determining federal taxable income.

15 (ii) Any amount added under this subsection shall be reduced by any  
16 expenses incurred in the production of such income to the extent  
17 disallowed in the computation of federal taxable income.

18 (2) There shall be allowed a net operating loss derived from or  
19 connected with Nebraska sources computed under rules and regulations  
20 adopted and promulgated by the Tax Commissioner consistent, to the extent  
21 possible under the Nebraska Revenue Act of 1967, with the laws of the  
22 United States. For a resident individual, estate, or trust, the net  
23 operating loss computed on the federal income tax return shall be  
24 adjusted by the modifications contained in this section. For a  
25 nonresident individual, estate, or trust or for a partial-year resident  
26 individual, the net operating loss computed on the federal return shall  
27 be adjusted by the modifications contained in this section and any  
28 carryovers or carrybacks shall be limited to the portion of the loss  
29 derived from or connected with Nebraska sources.

30 (3) There shall be subtracted from federal adjusted gross income for  
31 all taxable years beginning on or after January 1, 1987, the amount of  
1 any state income tax refund to the extent such refund was deducted under  
2 the Internal Revenue Code, was not allowed in the computation of the tax  
3 due under the Nebraska Revenue Act of 1967, and is included in federal  
4 adjusted gross income.

5 (4) Federal adjusted gross income, or, for a fiduciary, federal

6 taxable income shall be modified to exclude the portion of the income or  
7 loss received from a small business corporation with an election in  
8 effect under subchapter S of the Internal Revenue Code or from a limited  
9 liability company organized pursuant to the Nebraska Uniform Limited  
10 Liability Company Act that is not derived from or connected with Nebraska  
11 sources as determined in section 77-2734.01.

12 (5) There shall be subtracted from federal adjusted gross income or,  
13 for corporations and fiduciaries, federal taxable income dividends  
14 received or deemed to be received from corporations which are not subject  
15 to the Internal Revenue Code.

16 (6) There shall be subtracted from federal taxable income a portion  
17 of the income earned by a corporation subject to the Internal Revenue  
18 Code of 1986 that is actually taxed by a foreign country or one of its  
19 political subdivisions at a rate in excess of the maximum federal tax  
20 rate for corporations. The taxpayer may make the computation for each  
21 foreign country or for groups of foreign countries. The portion of the  
22 taxes that may be deducted shall be computed in the following manner:

23 (a) The amount of federal taxable income from operations within a  
24 foreign taxing jurisdiction shall be reduced by the amount of taxes  
25 actually paid to the foreign jurisdiction that are not deductible solely  
26 because the foreign tax credit was elected on the federal income tax  
27 return;

28 (b) The amount of after-tax income shall be divided by one minus the  
29 maximum tax rate for corporations in the Internal Revenue Code; and

30 (c) The result of the calculation in subdivision (b) of this  
31 subsection shall be subtracted from the amount of federal taxable income  
1 used in subdivision (a) of this subsection. The result of such  
2 calculation, if greater than zero, shall be subtracted from federal  
3 taxable income.

4 (7) Federal adjusted gross income shall be modified to exclude any  
5 amount repaid by the taxpayer for which a reduction in federal tax is  
6 allowed under section 1341(a)(5) of the Internal Revenue Code.

7 (8)(a) Federal adjusted gross income or, for corporations and  
8 fiduciaries, federal taxable income shall be reduced, to the extent  
9 included, by income from interest, earnings, and state contributions  
10 received from the Nebraska educational savings plan trust created in  
11 sections 85-1801 to 85-1817 and any account established under the  
12 achieving a better life experience program as provided in sections  
13 77-1401 to 77-1409.

14 (b) Federal adjusted gross income or, for corporations and  
15 fiduciaries, federal taxable income shall be reduced by any contributions  
16 as a participant in the Nebraska educational savings plan trust or  
17 contributions to an account established under the achieving a better life  
18 experience program made for the benefit of a beneficiary as provided in  
19 sections 77-1401 to 77-1409, to the extent not deducted for federal  
20 income tax purposes, but not to exceed five thousand dollars per married  
21 filing separate return or ten thousand dollars for any other return. With  
22 respect to a qualified rollover within the meaning of section 529 of the  
23 Internal Revenue Code from another state's plan, any interest, earnings,  
24 and state contributions received from the other state's educational  
25 savings plan which is qualified under section 529 of the code shall  
26 qualify for the reduction provided in this subdivision. For contributions  
27 by a custodian of a custodial account including rollovers from another  
28 custodial account, the reduction shall only apply to funds added to the  
29 custodial account after January 1, 2014.

30 (c) Federal adjusted gross income or, for corporations and  
31 fiduciaries, federal taxable income shall be increased by:

1 (i) The amount resulting from the cancellation of a participation  
2 agreement refunded to the taxpayer as a participant in the Nebraska  
3 educational savings plan trust to the extent previously deducted under

4 subdivision (8)(b) of this section; and

5 (ii) The amount of any withdrawals by the owner of an account  
6 established under the achieving a better life experience program as  
7 provided in sections 77-1401 to 77-1409 for nonqualified expenses to the  
8 extent previously deducted under subdivision (8)(b) of this section.

9 (9)(a) For income tax returns filed after September 10, 2001, for  
10 taxable years beginning or deemed to begin before January 1, 2006, under  
11 the Internal Revenue Code of 1986, as amended, federal adjusted gross  
12 income or, for corporations and fiduciaries, federal taxable income shall  
13 be increased by eighty-five percent of any amount of any federal bonus  
14 depreciation received under the federal Job Creation and Worker  
15 Assistance Act of 2002 or the federal Jobs and Growth Tax Act of 2003,  
16 under section 168(k) or section 1400L of the Internal Revenue Code of  
17 1986, as amended, for assets placed in service after September 10, 2001,  
18 and before December 31, 2005.

19 (b) For a partnership, limited liability company, cooperative,  
20 including any cooperative exempt from income taxes under section 521 of  
21 the Internal Revenue Code of 1986, as amended, limited cooperative  
22 association, subchapter S corporation, or joint venture, the increase  
23 shall be distributed to the partners, members, shareholders, patrons, or  
24 beneficiaries in the same manner as income is distributed for use against  
25 their income tax liabilities.

26 (c) For a corporation with a unitary business having activity both  
27 inside and outside the state, the increase shall be apportioned to  
28 Nebraska in the same manner as income is apportioned to the state by  
29 section 77-2734.05.

30 (d) The amount of bonus depreciation added to federal adjusted gross  
31 income or, for corporations and fiduciaries, federal taxable income by  
1 this subsection shall be subtracted in a later taxable year. Twenty  
2 percent of the total amount of bonus depreciation added back by this  
3 subsection for tax years beginning or deemed to begin before January 1,  
4 2003, under the Internal Revenue Code of 1986, as amended, may be  
5 subtracted in the first taxable year beginning or deemed to begin on or  
6 after January 1, 2005, under the Internal Revenue Code of 1986, as  
7 amended, and twenty percent in each of the next four following taxable  
8 years. Twenty percent of the total amount of bonus depreciation added  
9 back by this subsection for tax years beginning or deemed to begin on or  
10 after January 1, 2003, may be subtracted in the first taxable year  
11 beginning or deemed to begin on or after January 1, 2006, under the  
12 Internal Revenue Code of 1986, as amended, and twenty percent in each of  
13 the next four following taxable years.

14 (10) For taxable years beginning or deemed to begin on or after  
15 January 1, 2003, and before January 1, 2006, under the Internal Revenue  
16 Code of 1986, as amended, federal adjusted gross income or, for  
17 corporations and fiduciaries, federal taxable income shall be increased  
18 by the amount of any capital investment that is expensed under section  
19 179 of the Internal Revenue Code of 1986, as amended, that is in excess  
20 of twenty-five thousand dollars that is allowed under the federal Jobs  
21 and Growth Tax Act of 2003. Twenty percent of the total amount of  
22 expensing added back by this subsection for tax years beginning or deemed  
23 to begin on or after January 1, 2003, may be subtracted in the first  
24 taxable year beginning or deemed to begin on or after January 1, 2006,  
25 under the Internal Revenue Code of 1986, as amended, and twenty percent  
26 in each of the next four following tax years.

27 (11)(a) For taxable years beginning or deemed to begin before  
28 January 1, 2018, under the Internal Revenue Code of 1986, as amended,  
29 federal adjusted gross income shall be reduced by contributions, up to  
30 two thousand dollars per married filing jointly return or one thousand  
31 dollars for any other return, and any investment earnings made as a  
1 participant in the Nebraska long-term care savings plan under the Long-

2 Term Care Savings Plan Act, to the extent not deducted for federal income  
3 tax purposes.

4 (b) For taxable years beginning or deemed to begin before January 1,  
5 2018, under the Internal Revenue Code of 1986, as amended, federal  
6 adjusted gross income shall be increased by the withdrawals made as a  
7 participant in the Nebraska long-term care savings plan under the act by  
8 a person who is not a qualified individual or for any reason other than  
9 transfer of funds to a spouse, long-term care expenses, long-term care  
10 insurance premiums, or death of the participant, including withdrawals  
11 made by reason of cancellation of the participation agreement, to the  
12 extent previously deducted as a contribution or as investment earnings.

13 (12) There shall be added to federal adjusted gross income for  
14 individuals, estates, and trusts any amount taken as a credit for  
15 franchise tax paid by a financial institution under sections 77-3801 to  
16 77-3807 as allowed by subsection (5) of section 77-2715.07.

17 (13)(a) For taxable years beginning or deemed to begin on or after  
18 January 1, 2015, under the Internal Revenue Code of 1986, as amended,  
19 federal adjusted gross income shall be reduced by the amount received as  
20 benefits under the federal Social Security Act which are included in the  
21 federal adjusted gross income if:

22 (i) For taxpayers filing a married filing joint return, federal  
23 adjusted gross income is fifty-eight thousand dollars or less; or

24 (ii) For taxpayers filing any other return, federal adjusted gross  
25 income is forty-three thousand dollars or less.

26 (b) For taxable years beginning or deemed to begin on or after  
27 January 1, 2020, under the Internal Revenue Code of 1986, as amended, the  
28 Tax Commissioner shall adjust the dollar amounts provided in subdivisions  
29 (13)(a)(i) and (ii) of this section by the same percentage used to adjust  
30 individual income tax brackets under subsection (3) of section  
31 77-2715.03.

1 (14)(a) (14) For taxable years beginning or deemed to begin on or  
2 after January 1, 2015, and before January 1, 2021, under the Internal  
3 Revenue Code of 1986, as amended, an individual may make a one-time  
4 election within two calendar years after the date of his or her  
5 retirement from the military to exclude income received as a military  
6 retirement benefit by the individual to the extent included in federal  
7 adjusted gross income and as provided in this ~~subdivision~~ subsection. The  
8 individual may elect to exclude forty percent of his or her military  
9 retirement benefit income for seven consecutive taxable years beginning  
10 with the year in which the election is made or may elect to exclude  
11 fifteen percent of his or her military retirement benefit income for all  
12 taxable years beginning with the year in which he or she turns sixty-  
13 seven years of age.

14 (b) For taxable years beginning or deemed to begin on or after  
15 January 1, 2021, under the Internal Revenue Code of 1986, as amended, an  
16 individual may exclude fifty percent of the military retirement benefit  
17 income received by such individual to the extent included in federal  
18 adjusted gross income.

19 (c) For purposes of this subsection, military retirement benefit  
20 means retirement benefits that are periodic payments attributable to  
21 service in the uniformed services of the United States for personal  
22 services performed by an individual prior to his or her retirement.  
23 Sec. 2. Original section 77-2716, Revised Statutes Supplement,  
24 2019, is repealed.

Senator Cavanaugh filed the following amendment to LB534:  
AM2053

(Amendments to Standing Committee amendments, AM686)

1 1. Strike amendment 1 and insert the following new amendment:

2 1. Strike the original section and all amendments thereto and insert

3 the following new section:

4 Section 1. (1) On or before September 15, 2020, and September 15 of  
 5 each even-numbered year thereafter, each public postsecondary institution  
 6 shall electronically submit a report regarding sexual violence, dating  
 7 violence, domestic violence, and stalking to the Clerk of the Legislature  
 8 and the Education Committee of the Legislature. The report shall include:

9 (a) Results of any campus climate survey related to sexual violence,  
 10 dating violence, domestic violence, and stalking;

11 (b) Information related to the training provided to Title IX  
 12 coordinators, investigators, and decisionmakers regarding sexual  
 13 violence, dating violence, domestic violence, and stalking;

14 (c) Any policies, initiatives, or grievance procedures the  
 15 postsecondary institution has adopted to address sexual violence, dating  
 16 violence, domestic violence, and stalking;

17 (d) Information on where students and employees may receive  
 18 immediate emergency assistance to address instances of sexual violence,  
 19 dating violence, domestic violence, and stalking;

20 (e) Information on how students and employees may report concerns of  
 21 sexual violence, dating violence, domestic violence, and stalking to the  
 22 postsecondary institution;

23 (f) Information on resources, programs, and support available to  
 24 students and employees to address concerns of sexual violence, dating  
 25 violence, domestic violence, and stalking;

26 (g) Information on any student or employee-led organizations engaged  
 1 in supporting victims of sexual violence, dating violence, domestic  
 2 violence, and stalking; and

3 (h) Any agreement between the postsecondary institution and a local  
 4 law enforcement agency or county attorney's office related to addressing  
 5 instances of sexual violence, dating violence, domestic violence, and  
 6 stalking.

7 (2) The report shall not include any personally identifiable  
 8 information, information that is subject to a privilege arising under  
 9 state or federal law, or records that may be withheld from disclosure  
 10 under section 84-712.05.

11 (3) On or before December 15, 2020, and on or before December 15 of  
 12 each even-numbered year thereafter, the Education Committee of the  
 13 Legislature shall hold a public hearing to review all reports submitted  
 14 under this section.

15 (4) For purposes of this section:

16 (a) Postsecondary institution has the same meaning as in section  
 17 85-2403;

18 (b) Sexual violence means sexual acts perpetrated against a person's  
 19 will or when a person is incapable of giving consent by reason of, but  
 20 not limited to, the following:

21 (i) Such person's age;

22 (ii) Such person's use of drugs or alcohol; or

23 (iii) An intellectual or other disability that prevents such person  
 24 from having the capacity to give consent;

25 (c) Title IX means Title IX of the Education Amendments of 1972,  
 26 Public Law 92-318, 20 U.S.C. 1681 to 1688, and its accompanying  
 27 regulations and guidance documents, as such law, regulations, and  
 28 documents existed on January 1, 2020; and

29 (d) The terms dating violence, domestic violence, and stalking have  
 30 the same meaning as defined in a postsecondary institution's policies.

Senator Morfeld filed the following amendment to LB206:  
AM2066

(Amendments to Standing Committee amendments, AM430)

1 1. On page 2, line 6, strike "ethical".

2 2. On page 3, line 29, after "standards" insert "as set forth in the

<sup>3</sup> Society of Professional Journalists' Code of Ethics as such code existed

<sup>4</sup> on January 1, 2020".

### REPORTS

Agency reports electronically filed with the Legislature can be found on the [Nebraska Legislature's website](#).

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

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

Senator Wayne name added to LB153.  
Senator Brandt name added to LB267.  
Senator Gragert name added to LB477.  
Senator Crawford name added to LB744.  
Senator Arch name added to LB744.  
Senator Hunt name added to LB748.  
Senator Walz name added to LB748.  
Senator Crawford name added to LB752.  
Senator Bolz name added to LB752.  
Senator Erdman name added to LB770.  
Senator Williams name added to LB778.  
Senator Bolz name added to LB778.  
Senator Lindstrom name added to LB806.

#### VISITOR(S)

The Doctor of the Day was Dr. Robert Wergin from Seward.

#### ADJOURNMENT

At 11:01 a.m., on a motion by Senator Clements, the Legislature adjourned until 9:00 a.m., Monday, January 13, 2020.

Patrick J. O'Donnell  
Clerk of the Legislature