

**THIRTY-FIRST DAY - FEBRUARY 26, 2020****LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION****THIRTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 26, 2020

**PRAYER**

The prayer was offered by Pastor Andrew Anderson, Country Bible Church, Blair.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senator M. Hansen who was excused; and Senators Briese, DeBoer, Groene, Linehan, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, Walz, Wayne, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirtieth day was approved.

**COMMITTEE REPORT(S)**  
Education

**LEGISLATIVE BILL 1001.** Placed on General File.

**LEGISLATIVE BILL 1186.** Placed on General File with amendment.

[AM2554](#)

1 1. On page 2, strike lines 23 through 26.

**LEGISLATIVE BILL 563.** Placed on General File with amendment.

[AM2526](#)

1 1. Strike the original sections and insert the following new  
2 sections:  
3 Section 1. Sections 1 to 8 of this act shall be known and may be  
4 cited as the Access College Early Tech Promise Program Act.  
5 Sec. 2. For purposes of the Access College Early Tech Promise  
6 Program Act:  
7 (1) Academic year means a twelve-month period of instruction as

8 determined by the eligible institution;

9 (2) Access college early scholarship means a scholarship granted

10 pursuant to the Access College Early Scholarship Program Act;

11 (3) Award means a grant of money by the commission to an eligible

12 student to be used for educational expenses;

13 (4) Career program of study has the same meaning as in section

14 85-2102;

15 (5) Commission means the Coordinating Commission for Postsecondary

16 Education;

17 (6) Committee means the Nebraska Community College Student

18 Performance and Occupational Education Grant Committee;

19 (7) Educational expenses means tuition, fees, room, board, books,

20 supplies, and other educational expenses as determined by the eligible

21 institution;

22 (8) Eligible institution means any Nebraska community college, any

23 not-for-profit, two-year college in Nebraska which is a member

24 institution of an accrediting body recognized by the United States

25 Department of Education, or the Nebraska College of Technical Agriculture

26 at Curtis;

27 (9) Eligible occupation means an in-demand occupation designated as

1 an eligible occupation pursuant to section 4 of this act;

2 (10) Eligible program means a program of study that:

3 (a) Is offered by an eligible institution;

4 (b) Is designed to be completed in two academic years or less;

5 (c) Offers a certificate, diploma, or associate degree that directly

6 qualifies the recipient for employment in an eligible occupation; and

7 (d) Is approved to be an eligible program pursuant to section 4 of

8 this act;

9 (11) Eligible student means a full-time student who:

10 (a) Is enrolled in an eligible program at an eligible institution;

11 (b) Received postsecondary education credit while in high school for

12 at least two courses in a single career program of study related to an

13 in-demand occupation;

14 (c)(i) Received an access college early scholarship while in high

15 school; or

16 (ii) Qualified to receive an access college early scholarship while

17 in high school, but the scholarship was not granted due to insufficient

18 funds;

19 (d) Has applied for federal financial aid through the Free

20 Application for Federal Student Aid for the applicable academic year;

21 (e) Has not previously earned an associate degree; and

22 (f) For a student who is applying for an award for a second academic

23 year, has successfully completed the first academic year at an eligible

24 institution and maintained the minimum standards of performance as

25 required by such eligible institution;

26 (12) Full-time student means a student who is enrolled in a minimum

27 of twelve credit hours per semester or nine credit hours per quarter; and

28 (13) In-demand occupation has the same meaning as in section

29 85-2002.

30 Sec. 3. The Access College Early Tech Promise Program is

31 established. Except for duties assigned to the committee as provided in

1 section 4 of this act, the program shall be administered by the

2 commission.

3 Sec. 4. (1) For each biennium, the committee shall establish

4 criteria to determine what constitutes an in-demand occupation that is a

5 high priority for the state for purposes of the Access College Early Tech

6 Promise Program. After establishing such criteria, the committee shall

7 designate each in-demand occupation that meets the criteria as an

8 eligible occupation for such biennium.

9 (2) Each program applicant shall complete an application form

10 developed and provided by the commission and shall submit the form for  
11 the biennium for which eligibility is sought to the commission. The  
12 application shall include, but not be limited to, the name of the  
13 eligible institution, the program description and requirements, the  
14 certificate, diploma, or associate degree a student may earn from such  
15 program, the eligible occupation for which a graduate of the program  
16 would be qualified, and any other information necessary to determine  
17 eligibility. The commission shall transmit the applications to the  
18 committee, and the committee shall review each application and either  
19 approve or deny the application. If an application is approved, the  
20 program of study shall be designated as an eligible program for the  
21 biennium.

22 (3) An eligible student who is granted an award for his or her first  
23 academic year in an eligible program shall be eligible for an award to  
24 complete his or her second academic year of such program notwithstanding  
25 a decision of the committee to remove the eligible program designation  
26 for entering eligible students.

27 Sec. 5. (1) Each student applicant for the Access College Early  
28 Tech Promise Program shall complete an application form developed and  
29 provided by the commission and shall submit the form for the academic  
30 year for which an award is sought to the financial aid office or other  
31 official designated by the eligible institution. Such application shall  
1 include, but not be limited to, the applicant's name, social security  
2 number, and date of birth and any other information necessary to  
3 determine eligibility. The financial aid office or other official  
4 designated by an eligible institution shall make recommendations  
5 regarding the eligibility of each applicant making application to such  
6 eligible institution and shall forward each application and  
7 recommendation to the commission for review.

8 (2) The commission shall review each application and verify or deny  
9 the eligibility of each applicant under the Access College Early Tech  
10 Promise Program Act. The commission shall notify the applicant and the  
11 financial aid office or other official designated by an eligible  
12 institution of the verification or denial of eligibility and the award  
13 amount, if any, for such academic year in writing within thirty days  
14 following receipt of the application and recommendation from a financial  
15 aid office or other designated official of an eligible institution.

16 (3) An award for an academic year shall not exceed the sum of  
17 tuition and fees plus one thousand five hundred dollars for educational  
18 expenses minus any Federal Pell Grant granted to the eligible student for  
19 such academic year. No award for an academic year shall be less than one  
20 thousand five hundred dollars. No eligible student shall be granted  
21 awards for more than two academic years pursuant to this section. The  
22 commission shall forward such amount directly to the eligible institution  
23 as payment of the tuition and mandatory fees remaining after any Federal  
24 Pell Grant for such eligible student and for distribution to such  
25 eligible student for educational expenses. Except as otherwise provided  
26 in this subsection, the commission may distribute awards pro rata on a  
27 term-by-term basis.

28 Sec. 6. Within twenty days following notice of an adverse decision,  
29 an affected student may submit a request in writing to the executive  
30 director of the commission for a review of such adverse decision. The  
31 commission shall conduct any such review pursuant to the Administrative  
1 Procedure Act.

2 Sec. 7. The commission shall prepare an annual report on awards  
3 granted pursuant to the Access College Early Tech Promise Program Act and  
4 shall submit the report electronically to the Clerk of the Legislature.  
5 The report shall include, but not be limited to, the number and amount of  
6 awards, successful completion by award recipients, and workforce outcomes  
7 aggregated by eligible institution and by eligible program. Each eligible

8 institution shall cooperate with the commission and the Department of  
9 Labor to report workforce outcomes one year, three years, and five years  
10 after award recipients complete their eligible programs.

11 Sec. 8. The commission may adopt and promulgate rules and  
12 regulations to carry out the Access College Early Tech Promise Program  
13 Act.

14 Sec. 9. Section 85-1412, Revised Statutes Cumulative Supplement,  
15 2018, is amended to read:

16 85-1412 The commission shall have the following additional powers  
17 and duties:

18 (1) Conduct surveys and studies as may be necessary to undertake the  
19 coordination function of the commission pursuant to section 85-1403 and  
20 request information from governing boards and appropriate administrators  
21 of public institutions and other governmental agencies for research  
22 projects. All public institutions and governmental agencies receiving  
23 state funds shall comply with reasonable requests for information under  
24 this subdivision. Public institutions may comply with such requests  
25 pursuant to section 85-1417;

26 (2) Recommend to the Legislature and the Governor legislation it  
27 deems necessary or appropriate to improve postsecondary education in  
28 Nebraska and any other legislation it deems appropriate to change the  
29 role and mission provisions in sections 85-917 to 85-966.01. The  
30 recommendations submitted to the Legislature shall be submitted  
31 electronically;

1 (3) Establish any advisory committees as may be necessary to  
2 undertake the coordination function of the commission pursuant to section  
3 85-1403 or to solicit input from affected parties such as students,  
4 faculty, governing boards, administrators of the public institutions,  
5 administrators of the private nonprofit institutions of postsecondary  
6 education and proprietary institutions in the state, and community and  
7 business leaders regarding the coordination function of the commission;

8 (4) Participate in or designate an employee or employees to  
9 participate in any committee which may be created to prepare a  
10 coordinated plan for the delivery of educational programs and services in  
11 Nebraska through the telecommunications system;

12 (5) Seek a close liaison with the State Board of Education and the  
13 State Department of Education in recognition of the need for close  
14 coordination of activities between elementary and secondary education and  
15 postsecondary education;

16 (6) Administer the Integrated Postsecondary Education Data System or  
17 other information system or systems to provide the commission with  
18 timely, comprehensive, and meaningful information pertinent to the  
19 exercise of its duties. The information system shall be designed to  
20 provide comparable data on each public institution. The commission shall  
21 also administer the uniform information system prescribed in sections  
22 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public  
23 institutions shall supply the appropriate data for the information system  
24 or systems required by the commission;

25 (7) Administer (a) the Access College Early Scholarship Program Act,  
26 (b) the Community College Aid Act, (c) the Nebraska Community College  
27 Student Performance and Occupational Education Grant Fund under the  
28 direction of the Nebraska Community College Student Performance and  
29 Occupational Education Grant Committee, (d) the Nebraska Opportunity  
30 Grant Act, (e) the Postsecondary Institution Act, and (f) the community  
31 college gap assistance program and the Community College Gap Assistance  
1 Program Fund, and (g) the Access College Early Tech Promise Program Act;

2 (8) Accept and administer loans, grants, and programs from the  
3 federal or state government and from other sources, public and private,  
4 for carrying out any of its functions, including the administration of  
5 privately endowed scholarship programs. Such loans and grants shall not

6 be expended for any other purposes than those for which the loans and  
7 grants were provided. The commission shall determine eligibility for such  
8 loans, grants, and programs, and such loans and grants shall not be  
9 expended unless approved by the Governor;

10 (9) On or before December 1 of each even-numbered year, submit to  
11 the Legislature and the Governor a report of its objectives and  
12 activities and any new private colleges in Nebraska and the  
13 implementation of any recommendations of the commission for the preceding  
14 two calendar years. The report submitted to the Legislature shall be  
15 submitted electronically;

16 (10) Provide staff support for interstate compacts on postsecondary  
17 education; and

18 (11) Request inclusion of the commission in any existing grant  
19 review process and information system.

20 Sec. 10. Section 85-1539, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 85-1539 (1) There is hereby created the Nebraska Community College  
23 Student Performance and Occupational Education Grant Committee. The  
24 committee shall consist of (a) a representative of the Coordinating  
25 Commission for Postsecondary Education who shall serve as chairperson of  
26 the committee, (b) a representative of the Department of Economic  
27 Development, (c) a representative of the Department of Labor, (d) a  
28 representative of the State Department of Education, (e) a representative  
29 affiliated with one of the two community college areas with the two  
30 smallest full-time equivalent student enrollment totals for the most  
31 recent fiscal year, (f) a representative affiliated with one of the two  
1 community college areas with the two largest full-time equivalent student  
2 enrollment totals for the most recent fiscal year, and (g) a  
3 representative affiliated with one of the two community college areas not  
4 included in the categories provided in subdivisions (1)(e) and (f) of  
5 this section. Each member shall be appointed by the agency or community  
6 college areas being represented. The representatives appointed pursuant  
7 to subdivisions (1)(e) through (g) of this section shall serve terms of  
8 two years and shall be succeeded by a representative affiliated with the  
9 community college areas not represented for the preceding term.

10 (2) The committee shall develop guidelines for and annually  
11 determine the allocation of aid or grants to the community colleges for  
12 (a) applied technology and occupational faculty training, instructional  
13 equipment upgrades, employee assessment, preemployment training,  
14 employment training, and dislocated worker programs benefiting the State  
15 of Nebraska or (b) programs or activities to enhance (i) student  
16 performance in the areas of degree, certificate, or diploma completion,  
17 retention, or foundations education as defined in section 85-932.01 or  
18 (ii) the collection, reporting, analysis, and utilization of student  
19 data. The total amount allocated for a fiscal year shall not exceed the  
20 amounts appropriated from the Nebraska Community College Student  
21 Performance and Occupational Education Grant Fund and such other funds as  
22 may be appropriated by the Legislature for purposes of this section for  
23 such fiscal year. The commission shall certify the allocation determined  
24 by the committee on or before September 10 of the fiscal year for which  
25 such allocation is being certified and shall report such allocation to  
26 the Department of Administrative Services. The commission shall  
27 distribute the allocated funds to the selected community college board or  
28 boards in a single payment between the fifth and twentieth day of October  
29 of each year.

30 (3) Applications for aid or grants pursuant to subsection (2) of  
31 this section may be submitted by a community college area independently  
1 or in collaboration with other community college areas.

2 (4) The committee shall review programs submitted pursuant to the  
3 Access College Early Tech Promise Program Act and approve or deny each

4 program for eligibility on a biennial basis.

5 Sec. 11. Section 85-2104, Revised Statutes Cumulative Supplement,  
6 2018, is amended to read:

7 85-2104 Applications for the Access College Early Scholarship

8 Program shall be prioritized for students qualifying pursuant to

9 subdivision (1) or (2) of this section, and applications for students

10 qualifying only pursuant to subdivision (3) of this section shall only be

11 considered if funds are available after fulfilling the applications for

12 students qualifying pursuant to subdivision (1) or (2) of this section.

13 Priority dates shall be determined by the commission on a term basis. A

14 student who is applying to take one or more courses for credit from a

15 qualified postsecondary educational institution is eligible for the

16 Access College Early Scholarship Program if:

17 (1) Such student or the student's parent or legal guardian is

18 eligible to receive:

19 (a) Supplemental Security Income;

20 (b) Supplemental Nutrition Assistance Program benefits;

21 (c) Free or reduced-price lunches under United States Department of

22 Agriculture child nutrition programs;

23 (d) Aid to families with dependent children; or

24 (e) Assistance under the Special Supplemental Nutrition Program for

25 Women, Infants, and Children;

26 (2) The student or the student's parent or legal guardian has

27 experienced an extreme hardship; or

28 (3) Such student is requesting assistance pursuant to the program to

29 cover the cost of tuition and fees for a course that is part of a career

30 program plan of study, up to two hundred fifty dollars per term, and the

31 student's family has an annual household income at or below two hundred

1 percent of the federal poverty level.

2 Sec. 12. Original section 85-1539, Reissue Revised Statutes of

3 Nebraska, and sections 85-1412 and 85-2104, Revised Statutes Cumulative

4 Supplement, 2018, are repealed.

**LEGISLATIVE RESOLUTION 306.** Reported to the Legislature for further consideration.

(Signed) Mike Groene, Chairperson

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 889.** Placed on General File.

**LEGISLATIVE BILL 918.** Placed on General File.

**LEGISLATIVE BILL 1086.** Placed on General File.

**LEGISLATIVE BILL 1119.** Placed on General File.

**LEGISLATIVE BILL 1120.** Placed on General File.

**LEGISLATIVE BILL 1136.** Placed on General File.

**LEGISLATIVE BILL 1055.** Placed on General File with amendment.

[AM2573](#) is available in the Bill Room.

(Signed) Tom Brewer, Chairperson

**COMMITTEE REPORT(S)**

## Education

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Chad W. Buckendahl - Technical Advisory Committee for Statewide Assessment

Aye: 7. Brewer, Groene, Kolowski, Linehan, Murman, Pansing Brooks, Walz. Nay: 0. Absent: 1. Morfeld. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Cindy Gray - Technical Advisory Committee for Statewide Assessment

Aye: 7. Brewer, Groene, Kolowski, Linehan, Murman, Pansing Brooks, Walz. Nay: 0. Absent: 1. Morfeld. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Timothy Daniels - Coordinating Commission for Postsecondary Education

Aye: 7. Brewer, Groene, Kolowski, Linehan, Murman, Pansing Brooks, Walz. Nay: 0. Absent: 1. Morfeld. Present and not voting: 0.

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Charles Garman - Coordinating Commission for Postsecondary Education

Aye: 7. Brewer, Groene, Kolowski, Linehan, Murman, Pansing Brooks, Walz. Nay: 0. Absent: 1. Morfeld. Present and not voting: 0.

(Signed) Mike Groene, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR324 was adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR324.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 790.** Placed on Select File with amendment.

[ER178](#)

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

2 insert the following new sections:

3 Section 1. Section 13-2904, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 13-2904 (1) Notwithstanding the procedures for public lettings in  
6 sections 73-101 to 73-106 or any other statute relating to the letting of  
7 bids by a political subdivision, a political subdivision which follows  
8 the Political Subdivisions Construction Alternatives Act may solicit and  
9 execute a design-build contract or a construction management at risk  
10 contract.

11 (2) The governing body of the political subdivision shall adopt a  
12 resolution selecting the design-build contract or construction management  
13 at risk contract delivery system provided under the act prior to  
14 proceeding with the provisions of sections 13-2905 to 13-2914. The  
15 resolution shall require the affirmative vote of at least two-thirds of  
16 the governing body of the political subdivision. The resolution shall  
17 include a statement that the political subdivision has made a  
18 determination that the design-build contract or construction management  
19 at risk contract delivery system is in the public interest based, at a  
20 minimum, on one of the following criteria: (a) Savings in cost or time;  
21 or (b) requirement of specialized or complex construction methods  
22 suitable for the design-build contract or construction management at risk  
23 contract delivery system.

24 Sec. 2. Section 13-2914, Revised Statutes Supplement, 2019, is

25 amended to read:

26 13-2914 (1) A political subdivision shall not use a design-build  
27 contract or construction management at risk contract under the Political  
1 Subdivisions Construction Alternatives Act for a project, in whole or in  
2 part, for road, street, ~~or highway, water, wastewater, utility, or sewer~~  
3 construction. ;

4 (2) ~~A~~ except that a city of the metropolitan class may use a design-  
5 build contract or construction management at risk contract under the  
6 Political Subdivisions Construction Alternatives Act for the purpose of  
7 complying with state or federal requirements to control or minimize  
8 overflows from combined sewers.

9 (3) A political subdivision may use a design-build contract or  
10 construction management at risk contract under the Political Subdivisions  
11 Construction Alternatives Act for a project, in whole or in part, for  
12 water, wastewater, utility, or sewer construction.

13 Sec. 3. Section 73-507, Reissue Revised Statutes of Nebraska, is

14 amended to read:

15 73-507 (1) Subject to review by the Director of Administrative  
16 Services, the division shall provide procedures to grant limited  
17 exceptions from sections 73-504, 73-508, and 73-509 for:

18 (a) Sole source contracts, emergency contracts, and contracts for  
19 services when the price has been established by the federal General  
20 Services Administration or competitively bid by another state or group of  
21 states, a group of states and any political subdivision of any other



22 state, a political subdivision of another state, or a cooperative  
23 purchasing organization on behalf of a group of states or political  
24 subdivisions; and  
25 (b) Other circumstances or specific contracts when any of the  
26 requirements of sections 73-504, 73-508, and 73-509 are not appropriate  
27 for or are not compatible with the circumstances or contract. The  
28 division shall provide a written rationale which shall be kept on file  
29 when granting an exception under this subdivision.  
30 (2) The following types of contracts for services are not subject to  
31 sections 73-504, 73-508, 73-509, and 73-510:  
1 (a) Contracts for services subject to the Nebraska Consultants'  
2 Competitive Negotiation Act;  
3 (b) Contracts for services subject to federal law, regulation, or  
4 policy or state statute, under which a state agency is required to use a  
5 different selection process or to contract with an identified contractor  
6 or type of contractor;  
7 (c) Contracts for professional legal services and services of expert  
8 witnesses, hearing officers, or administrative law judges retained by  
9 state agencies for administrative or court proceedings;  
10 (d) Contracts involving state or federal financial assistance passed  
11 through by a state agency to a political subdivision;  
12 (e) Contracts with a value of fifteen million dollars or less with  
13 direct providers of medical, behavioral, or developmental health  
14 services, child care, or child welfare services to an individual;  
15 (f) Agreements for services to be performed for a state agency by  
16 another state or local government agency or contracts made by a state  
17 agency with a local government agency for the direct provision of  
18 services to the public;  
19 (g) Agreements for services between a state agency and the  
20 University of Nebraska, the Nebraska state colleges, the courts, the  
21 Legislature, or other officers or state agencies established by the  
22 Constitution of Nebraska;  
23 (h) Department of Insurance contracts for financial or actuarial  
24 examination, for rehabilitation, conservation, reorganization, or  
25 liquidation of licensees, and for professional services related to  
26 residual pools or excess funds under the agency's control;  
27 (i) Department of Transportation contracts for all road and bridge  
28 projects;  
29 (j) Nebraska Investment Council contracts; and  
30 (k) Contracts under section 57-1503.  
31 Sec. 4. Section 81-153, Reissue Revised Statutes of Nebraska, is  
1 amended to read:  
2 81-153 The materiel division shall have the power and duty to:  
3 (1) Purchase or contract for, in the name of the state, the personal  
4 property required by the using agencies and the state;  
5 (2) Promulgate, apply, and enforce standard specifications  
6 established as provided in section 81-154;  
7 (3) Sell and dispose of personal property that is not needed by the  
8 state or its using agencies as provided in section 81-161.04 or initiate  
9 trade-ins when determined to be in the best interest of the state;  
10 (4) Determine the utility, quality, fitness, and suitability of all  
11 personal property tendered or furnished;  
12 (5) Make rules and regulations consistent with sections 81-145 to  
13 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions  
14 thereof. Such rules and regulations shall include provisions for  
15 modifying and terminating purchase contracts and the cost principles to  
16 be used in such modification or termination;  
17 (6) Employ such clerical, technical, and other assistants as may be  
18 necessary to properly administer such sections, fix their compensation,  
19 and prescribe their duties in connection therewith, subject to existing  
20 laws and appropriations;

21 (7) Allow the purchase of personal property without competitive  
 22 bidding when the price has been established by the federal General  
 23 Services Administration or to allow the purchase of personal property by  
 24 participation in a contract competitively bid by another state or group  
 25 of states, a group of states and any political subdivision of any other  
 26 state, a political subdivision of another state, or a cooperative  
 27 purchasing organization on behalf of a group of states or political  
 28 subdivisions. The division may also give consideration to a sheltered  
 29 workshop pursuant to section 48-1503 in making such purchases;  
 30 (8) Enter into any personal property lease agreement when it appears  
 31 to be in the best interest of the state; and  
 1 (9) Negotiate purchases and contracts when conditions exist to  
 2 defeat the purpose and principles of public competitive bidding.  
 3 Sec. 5. Section 81-1118.06, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:  
 5 81-1118.06 (1) The purposes of the state purchasing bureau created  
 6 by section 81-1118 are:  
 7 (a) ~~(1)~~ To increase public confidence in the procedures followed in  
 8 public procurement;  
 9 (b) ~~(2)~~ To insure the fair and equitable treatment of all persons  
 10 who deal with the procurement system of this state;  
 11 (c) ~~(3)~~ To provide increased economy in state procurement activities  
 12 and maximize to the fullest extent practicable the purchasing value of  
 13 the public funds of the state;  
 14 (d) ~~(4)~~ To foster effective broad-based competition within the free  
 15 enterprise system; and  
 16 (e) ~~(5)~~ To provide safeguards for the maintenance of a procurement  
 17 system of quality and integrity.  
 18 ~~(2) The state purchasing bureau may lead the negotiation of a~~  
 19 ~~contract competitively bid for goods or services in which the state is~~  
 20 ~~interested and on behalf of a cooperative purchasing organization on~~  
 21 ~~behalf of a group of states or political subdivisions.~~  
 22 Sec. 6. Original sections 13-2904, 73-507, 81-153, and 81-1118.06,  
 23 Reissue Revised Statutes of Nebraska, and section 13-2914, Revised  
 24 Statutes Supplement, 2019, are repealed.  
 25 2. On page 1, strike beginning with "state" in line 1 through line 6  
 26 and insert "public lettings and contracts; to amend sections 13-2904,  
 27 73-507, 81-153, and 81-1118.06, Reissue Revised Statutes of Nebraska, and  
 28 section 13-2914, Revised Statutes Supplement, 2019; to change the  
 29 Political Subdivisions Construction Alternatives Act; to provide  
 30 exceptions to certain state bidding requirements and contract approval  
 31 procedures; to provide and change powers and duties of the materiel  
 1 division of the Department of Administrative Services; and to repeal the  
 2 original sections."

(Signed) Julie Slama, Chairperson

### ANNOUNCEMENT

The Chair announced the birthday of Senator Gragert.

### 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 696:

Commission for the Blind and Visually Impaired  
 Mark M. Bulger  
 Brent Heyen  
 Kimberly Scherbarth

Voting in the affirmative, 33:

Albrecht	Cavanaugh	Geist	Hunt	Murman
Arch	Chambers	Gragert	Kolowski	Quick
Blood	Clements	Halloran	Kolterman	Scheer
Bolz	Crawford	Hansen, B.	La Grone	Vargas
Bostelman	Dorn	Hilgers	Lowe	Williams
Brandt	Erdman	Howard	McDonnell	
Brewer	Friesen	Hughes	Moser	

Voting in the negative, 0.

Present and not voting, 3:

Hilkemann	Lathrop	Lindstrom
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Excused and not voting, 13:

Briese	Hansen, M.	Morfeld	Stinner	Wishart
DeBoer	Linehan	Pansing Brooks	Walz	
Groene	McCollister	Slama	Wayne	

The appointments were confirmed with 33 ayes, 0 nays, 3 present and not voting, and 13 excused and not voting.

Senator Friesen moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 696:

Nebraska Motor Vehicle Industry Licensing Board

- Stephan Budke
- Dennis Cloninger
- Brad Jacobs
- Clint Jones
- Joseph Kosiski
- Thomas R. McCaslin
- Matthew O'Daniel
- Curt Prohaska
- Dennis R. Schworer

Voting in the affirmative, 36:

Albrecht	Chambers	Halloran	Lathrop	Vargas
Arch	Clements	Hansen, B.	Lowe	Wayne
Blood	Crawford	Hilgers	McDonnell	Williams
Bolz	Dorn	Hughes	Moser	Wishart
Bostelman	Erdman	Hunt	Murman	
Brandt	Friesen	Kolowski	Quick	
Brewer	Geist	Kolterman	Scheer	
Cavanaugh	Gragert	La Grone	Stinner	

Voting in the negative, 0.

Present and not voting, 3:

Hilkemann	Howard	Lindstrom
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Excused and not voting, 10:

Briese	Groene	Linehan	Morfeld	Slama
DeBoer	Hansen, M.	McCollister	Pansing Brooks	Walz

The appointments were confirmed with 36 ayes, 0 nays, 3 present and not voting, and 10 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 714:

Nebraska State Fair Board  
Beth Smith

Voting in the affirmative, 32:

Albrecht	Chambers	Halloran	La Grone	Scheer
Arch	Clements	Hansen, B.	Lathrop	Stinner
Blood	Crawford	Hilgers	Lowe	Williams
Bolz	Dorn	Hughes	McDonnell	Wishart
Bostelman	Friesen	Hunt	Moser	
Brandt	Geist	Kolowski	Murman	
Brewer	Gragert	Kolterman	Quick	

Voting in the negative, 0.

Present and not voting, 7:

Cavanaugh	Hilkemann	Lindstrom	Wayne
Erdman	Howard	Vargas	

Excused and not voting, 10:

Briese	Groene	Linehan	Morfeld	Slama
DeBoer	Hansen, M.	McCollister	Pansing Brooks	Walz

The appointment was confirmed with 32 ayes, 0 nays, 7 present and not voting, and 10 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

State Racing Commission  
Janelle Beveridge

Voting in the affirmative, 31:

Albrecht	Chambers	Halloran	Lowe	Wayne
Arch	Clements	Hansen, B.	McDonnell	Williams
Blood	Crawford	Hilgers	Moser	Wishart
Bolz	Dorn	Hughes	Murman	
Bostelman	Friesen	Hunt	Quick	
Brandt	Geist	Kolowski	Stinner	
Brewer	Gragert	La Grone	Vargas	

Voting in the negative, 0.

Present and not voting, 8:

Cavanaugh	Hilkemann	Kolterman	Lindstrom
Erdman	Howard	Lathrop	Scheer

Excused and not voting, 10:

Briese	Groene	Linehan	Morfeld	Slama
DeBoer	Hansen, M.	McCollister	Pansing Brooks	Walz

The appointment was confirmed with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

State Electrical Board  
James S. Brummer  
David Hunter

Voting in the affirmative, 36:

Albrecht	Clements	Hansen, B.	Lathrop	Vargas
Arch	Crawford	Hilgers	Lowe	Wayne
Blood	Dorn	Howard	McDonnell	Williams
Bolz	Erdman	Hughes	Moser	Wishart
Bostelman	Friesen	Hunt	Murman	
Brandt	Geist	Kolowski	Pansing Brooks	
Brewer	Gragert	Kolterman	Quick	
Chambers	Halloran	La Grone	Stinner	

Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh	Hilkemann	Lindstrom	Scheer
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Excused and not voting, 9:

Briese	Groene	Linehan	Morfeld	Walz
DeBoer	Hansen, M.	McCollister	Slama	

The appointments were confirmed with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

Nebraska Commission on Problem Gambling  
Kelly J. Lambert

Voting in the affirmative, 31:

Albrecht	Chambers	Halloran	Lathrop	Wayne
Arch	Clements	Hansen, B.	Lowe	Williams
Blood	Crawford	Howard	McCollister	Wishart
Bolz	Dorn	Hughes	Moser	
Bostelman	Erdman	Hunt	Murman	
Brandt	Geist	Kolowski	Pansing Brooks	
Brewer	Gragert	La Grone	Quick	

Voting in the negative, 0.

Present and not voting, 9:

Cavanaugh	Hilgers	Kolterman	McDonnell	Vargas
Friesen	Hilkemann	Lindstrom	Scheer	

Excused and not voting, 9:

Briese	Groene	Linehan	Slama	Walz
DeBoer	Hansen, M.	Morfeld	Stinner	

The appointment was confirmed with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

Nebraska Arts Council  
Mark Laughlin

Voting in the affirmative, 30:

Albrecht	Brewer	Gragert	Kolowski	Murman
Arch	Chambers	Halloran	La Grone	Pansing Brooks
Blood	Crawford	Hansen, B.	Lathrop	Quick
Bolz	Dorn	Howard	Lowe	Scheer
Bostelman	Erdman	Hughes	McCollister	Wayne
Brandt	Geist	Hunt	Moser	Williams

Voting in the negative, 0.

Present and not voting, 10:

Cavanaugh	Friesen	Hilkemann	Lindstrom	Vargas
Clements	Hilgers	Kolterman	McDonnell	Wishart

Excused and not voting, 9:

Briese	Groene	Linehan	Slama	Walz
DeBoer	Hansen, M.	Morfeld	Stinner	

The appointment was confirmed with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

**COMMITTEE REPORT(S)**  
Health and Human Services

**LEGISLATIVE BILL 755.** Placed on General File with amendment.  
[AM2480](#) is available in the Bill Room.

(Signed) Sara Howard, Chairperson

Urban Affairs

**LEGISLATIVE BILL 976.** Placed on General File.

(Signed) Justin Wayne, Chairperson

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

Senator Hughes filed the following amendment to LB858:  
[AM2633](#)

(Amendments to Standing Committee amendments, AM2346)

1 1. On page 6, line 24, strike "Taking" and insert "A procedure  
2 takes".

**GENERAL FILE**

**LEGISLATIVE BILL 344.** Title read. Considered.

Committee [AM2486](#), found on page 654, was offered.

**SENATOR HUGHES PRESIDING**

The committee amendment was adopted with 31 ayes, 0 nays, 10 present and not voting, and 8 excused and not voting.

Senator Halloran withdrew his amendment, [AM2039](#), found on page 468.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present and not voting, and 8 excused and not voting.

**LEGISLATIVE BILL 870.** Title read. Considered.

Committee [AM2182](#), found on page 639, was adopted with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 963.** Title read. Considered.

Committee [AM2523](#), found on page 677, was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 963A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.



**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 962.** Placed on Select File with amendment.[ER177](#)

1 1. On page 1, line 4, strike "to provide an operative date;".

(Signed) Julie Slama, Chairperson

**COMMITTEE REPORT(S)**

Appropriations

**LEGISLATIVE BILL 780.** Placed on General File.**LEGISLATIVE BILL 910.** Placed on General File with amendment.[AM2163](#)1 1. On page 51, reinstate the stricken matter beginning with "(a)" in  
2 line 9 through line 10; in line 14 strike the new matter and reinstate  
3 the stricken matter; in line 23 strike "(b)" and insert "(c)"; and in  
4 line 27 strike "(c)" and insert "(d)".

(Signed) John Stinner, Chairperson

Transportation and Telecommunications

**LEGISLATIVE BILL 128.** Indefinitely postponed.**LEGISLATIVE BILL 215.** Indefinitely postponed.**LEGISLATIVE BILL 371.** Indefinitely postponed.**LEGISLATIVE BILL 546.** Indefinitely postponed.**LEGISLATIVE BILL 612.** Indefinitely postponed.**LEGISLATIVE BILL 691.** Indefinitely postponed.**LEGISLATIVE BILL 697.** Indefinitely postponed.

(Signed) Curt Friesen, Chairperson

Revenue

**LEGISLATIVE BILL 1130.** Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

**SENATOR WILLIAMS PRESIDING****GENERAL FILE****LEGISLATIVE BILL 840.** Title read. Considered.Committee [AM2512](#), found on page 693, was adopted with 29 ayes, 4 nays,  
11 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment:

[AM2598](#)

(Amendments to Standing Committee amendments, AM2512)

- 1 1. Strike section 5 and insert the following new section:
- 2 Sec. 5. Electronic smoking device retail outlet means a store that
- 3 is licensed as provided under sections 28-1421 and 28-1422 and that sells
- 4 electronic smoking devices and products directly related to electronic
- 5 smoking devices.
- 6 2. On page 1, line 23, after "resolution" insert "except as
- 7 provided in subsection (2) of section 71-5730".
- 8 3. On page 3, line 14, after the period insert "This subsection
- 9 preempts any local law on the subject.".

Pending.

### COMMITTEE REPORT(S)

Banking, Commerce and Insurance

**LEGISLATIVE BILL 774.** Placed on General File with amendment.  
[AM2558](#) is available in the Bill Room.

**LEGISLATIVE BILL 808.** Placed on General File with amendment.  
[AM2559](#) is available in the Bill Room.

(Signed) Matt Williams, Chairperson

### AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to [LB1131](#):

[AM2638](#)

(Amendments to Standing Committee amendments, AM2456)

- 1 1. Insert the following new sections:
- 2 Sec. 48. Beginning with the 2021-22 school year, each school board
- 3 shall require that the phone number for a national suicide prevention
- 4 hotline, a local suicide prevention hotline, or a crisis text line is
- 5 printed on each new student identification card issued to a student
- 6 enrolled in a middle school grade or a high school grade, as defined by
- 7 such school board, in a school under the authority of such school board.
- 8 Nothing in this section shall be construed to require the issuance of
- 9 student identification cards to students in any school.
- 10 Sec. 49. Beginning with the 2021-22 academic year, each public
- 11 postsecondary institution authorized to operate in this state shall
- 12 require that the phone number for a national suicide prevention hotline,
- 13 a local suicide prevention hotline, or a crisis text line is printed on
- 14 each new student identification card issued to a student enrolled in such
- 15 public postsecondary institution. Nothing in this section shall be
- 16 construed to require the issuance of student identification cards to
- 17 students in any postsecondary institution.
- 18 2. Renumber the remaining section accordingly.

Senator Morfeld filed the following amendment to [LB1042](#):

[AM2592](#) is available in the Bill Room.

Senator McDonnell filed the following amendment to LB448:  
[AM2648](#)

(Amendments to E & R amendments, ER167)

1 1. On page 2, lines 1 through 3, strike the new matter and insert  
2 "eleven"; in line 3 reinstate the stricken "thousand dollars"; and in  
3 line 6 after the period insert "Beginning in 2023, the Nebraska Workers'  
4 Compensation Court shall annually adjust the dollar limitation in this  
5 subsection. The adjusted limitation shall be equal to the then current  
6 limitation adjusted by the greater of one percent or the percentage  
7 change, for the preceding year, in the Consumer Price Index for All Urban  
8 Consumers, as prepared by the United States Department of Labor, Bureau  
9 of Labor Statistics. Any adjustment shall be effective on July 1. The  
10 adjustment shall not exceed two and three-quarters percent per annum. If  
11 the amount so adjusted is not a multiple of one hundred dollars, the  
12 amount shall be rounded to the nearest multiple of one hundred dollars.".

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

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

Senator Lathrop name added to LB779.

Senator Friesen name added to LB944.

Senator Hunt name added to LB1078.

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

Visitors to the Chamber were students from Wildewood Elementary, Ralston.

The Doctor of the Day was Dr. Christopher Snyder from Omaha.

#### **ADJOURNMENT**

At 11:45 a.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Thursday, February 27, 2020.

Patrick J. O'Donnell  
Clerk of the Legislature

