

THIRTY-SEVENTH DAY - MARCH 9, 2020**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION****THIRTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, March 9, 2020

PRAYER

The prayer was offered by Pastor Jeff Ryan, Three Timbers Church, Bennington.

ROLL CALL

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

The roll was called and all members were present except Senators Brewer, Cavanaugh, M. Hansen, McCollister, Morfeld, Slama, Stinner, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-sixth day was approved.

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

LEGISLATIVE BILL 755. Placed on Select File with amendment.

ER193

- 1 1. In the Standing Committee amendments, AM2480, on page 9, line 31,
- 2 strike "physician" and insert "podiatrist".
- 3 2. On page 1, strike lines 2 through 7 and insert "sections
- 4 38-10,121, 38-10,160, 38-2002, 38-2008, 38-2014, 38-2017, 38-2018,
- 5 38-2023, 38-2046, 38-2047, 38-2050, 38-2053, 38-2054, 38-2055, 38-2056,
- 6 38-3001, 38-3002, 71-202.01, 71-224, 71-519, and 81-6,103, Reissue
- 7 Revised Statutes of Nebraska, sections 81-3401, 81-3403, 81-3416.01,
- 8 81-3428, 81-3429, 81-3432, 81-3433, 81-3438, 81-3448, and 81-3451,
- 9 Revised Statutes Cumulative Supplement, 2018, and sections 38-2001 and
- 10 81-3453, Revised Statutes Supplement, 2019; to change home services
- 11 permit provisions under the Cosmetology, Electrology, Esthetics, Nail
- 12 Technology, and Body Art Practice Act and the Barber Act; to change
- 13 physician, podiatrist, and physician assistant provisions under the
- 14 Medicine and Surgery Practice Act and the Podiatry Practice Act; to
- 15 define and redefine terms; to change membership of the Board of Medicine

16 and Surgery; to change infant screening test provisions; to change
 17 provisions of a Parkinson's disease drug report; to change provisions,
 18 define and redefine terms, and eliminate obsolete provisions under the
 19 Engineers and Architects Regulation Act; to harmonize provisions; and to
 20 repeal the original sections.".

LEGISLATIVE BILL 899. Placed on Select File with amendment.

ER190

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

2 insert the following new sections:

3 Section 1. Section 70-625, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 70-625 (1) Subject to the limitations of the petition for its
 6 creation and all amendments to such petition, a public power district has
 7 all the usual powers of a corporation for public purposes and may
 8 purchase, hold, sell, and lease personal property and real property
 9 reasonably necessary for the conduct of its business. No district may
 10 sell household appliances at retail if the retail price of any such
 11 appliance exceeds fifty dollars, except that newly developed electrical
 12 appliances may be merchandised and sold during the period of time in
 13 which any such appliances are being introduced to the public. New models
 14 of existing appliances shall not be deemed to be newly developed
 15 appliances. An electrical appliance shall be considered to be in such
 16 introductory period of time until the particular type of appliance is
 17 used by twenty-five percent of all the electrical customers served by
 18 such district, but such period shall in no event exceed five years from
 19 the date of introduction by the manufacturer of the new appliance to the
 20 local market.

21 (2) In addition to its powers authorized by Chapter 70 and specified
 22 in its petition for creation, as amended, a public power district may
 23 sell, lease, and service satellite television signal descrambling or
 24 decoding devices, satellite television programming, and equipment and
 25 services associated with such devices and programming, except that this
 26 section does not authorize public power districts (a) to provide signal
 27 descrambling or decoding devices or satellite programming to any location
 1 (i) being furnished such devices or programming on April 24, 1987, or
 2 (ii) where community antenna television service is available from any
 3 person, firm, or corporation holding a franchise pursuant to sections
 4 18-2201 to 18-2206 or a permit pursuant to sections 23-383 to 23-388 on
 5 April 24, 1987, or (b) to sell, service, or lease C-band satellite dish
 6 systems or repair parts.

7 (3) In addition to the powers authorized by Chapter 70 and specified
 8 in its petition for creation as amended, the board of directors of a
 9 public power district may apply for and use funds available from the
 10 United States Department of Agriculture or other federal agencies for
 11 grants or loans to promote economic development and job creation projects
 12 in rural areas as permitted under the rules and regulations of the
 13 federal agency from which the funds are received. Any loan to be made by
 14 a district shall only be made in participation with a bank pursuant to a
 15 contract. The district and the participating bank shall determine the
 16 terms and conditions of the contract. In addition, in rural areas of the
 17 district, the board of directors of such district may provide technical
 18 or management assistance to prospective, new, or expanding businesses,
 19 including home-based businesses, provide assistance to a local or
 20 regional industrial or economic development corporation or foundation
 21 located within or contiguous to the district's service area, and provide
 22 youth and adult community leadership training.

23 (4) In addition to the powers authorized by Chapter 70 and specified
 24 in its petition for creation as amended, a public power district may sell
 25 or lease its dark fiber pursuant to sections 86-574 to 86-578.

26 (5) In addition to the powers authorized by Chapter 70 and specified
 27 in its petition for creation as amended, a public power district may
 28 develop, manufacture, use, purchase, or sell at wholesale advanced
 29 biofuels and biofuel byproducts and other fuels and fuel byproducts so
 30 long as the development, manufacture, use, purchase, or sale of such
 31 biofuels and biofuel byproducts and other fuels and fuel byproducts is
 1 done to help offset greenhouse gas emissions.
 2 ~~(6)~~ (5) Notwithstanding any law, ordinance, resolution, or
 3 regulation of any political subdivision to the contrary, each public
 4 power district may receive funds and extend loans pursuant to the
 5 Nebraska Investment Finance Authority Act or pursuant to this section. In
 6 addition to the powers authorized by Chapter 70 and specified in its
 7 petition for creation, as amended, and without the need for further
 8 amendment thereto, a public power district may own and operate, contract
 9 to operate, or lease energy equipment and provide billing, meter reading,
 10 surveys, or evaluations and other administrative services, but not to
 11 include natural gas services, of public utility systems within a
 12 district's service territory.
 13 Sec. 2. Original section 70-625, Reissue Revised Statutes of
 14 Nebraska, is repealed.
 15 2. On page 1, line 3, strike "biofuels and biofuel" and insert
 16 "certain fuels and fuel".

LEGISLATIVE BILL 848. Placed on Select File with amendment.

ER191

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. The second Monday in October of each year shall be
 4 Indigenous Peoples' Day and Columbus Day and shall be set apart to
 5 recognize the historic, cultural, and contemporary significance of the
 6 people indigenous to the lands that are now known as the Americas,
 7 including Nebraska, and the many contributions of such people.
 8 Sec. 2. Section 25-2221, Reissue Revised Statutes of Nebraska, is
 9 amended to read:
 10 25-2221 Except as may be otherwise more specifically provided, the
 11 period of time within which an act is to be done in any action or
 12 proceeding shall be computed by excluding the day of the act, event, or
 13 default after which the designated period of time begins to run. The last
 14 day of the period so computed shall be included unless it is a Saturday,
 15 a Sunday, or a day during which the offices of courts of record may be
 16 legally closed as provided in this section, in which event the period
 17 shall run until the end of the next day on which the office will be open.
 18 All courts and their offices may be closed on Saturdays, Sundays,
 19 days on which a specifically designated court is closed by order of the
 20 Chief Justice of the Supreme Court, and these holidays: New Year's Day,
 21 January 1; Birthday of Martin Luther King, Jr., the third Monday in
 22 January; President's Day, the third Monday in February; Arbor Day, the
 23 last Friday in April; Memorial Day, the last Monday in May; Independence
 24 Day, July 4; Labor Day, the first Monday in September; Indigenous
 25 Peoples' Day and Columbus Day, the second Monday in October; Veterans
 26 Day, November 11; Thanksgiving Day, the fourth Thursday in November; the
 27 day after Thanksgiving; Christmas Day, December 25; and all days declared
 1 by law or proclamation of the Governor to be holidays. Such days shall be
 2 designated as nonjudicial days. If any such holiday falls on Sunday, the
 3 following Monday shall be a holiday. If any such holiday falls on
 4 Saturday, the preceding Friday shall be a holiday. Court services shall
 5 be available on all other days. If the date designated by the state for
 6 observance of any legal holiday pursuant to this section, except Veterans
 7 Day, is different from the date of observance of such holiday pursuant to
 8 a federal holiday schedule, the federal holiday schedule shall be

9 observed.

10 Sec. 3. Section 43-4502, Reissue Revised Statutes of Nebraska, is
11 amended to read:

12 43-4502 The purpose of the Young Adult Bridge to Independence Act is
13 to support former state or tribal wards in transitioning to adulthood,
14 becoming self-sufficient, and creating permanent relationships. The
15 bridge to independence program shall at all times recognize and respect
16 the autonomy of the young adult. Nothing in the Young Adult Bridge to
17 Independence Act shall be construed to abrogate any other rights that a
18 person who has attained eighteen or nineteen years of age may have as an
19 adult under state or tribal law.

20 Sec. 4. Section 43-4503, Reissue Revised Statutes of Nebraska, is
21 amended to read:

22 43-4503 For purposes of the Young Adult Bridge to Independence Act:

23 (1) Age of eligibility means:

24 (a) Nineteen years of age; or

25 (b) Eighteen years of age if the young adult has attained the age of
26 majority under tribal law;

27 (2) (1) Bridge to independence program means the extended services
28 and support available to a young adult under the Young Adult Bridge to
29 Independence Act other than extended guardianship assistance described in
30 section 43-4511 and extended adoption assistance described in section
31 43-4512;

1 (3) (2) Child means an individual who has not attained twenty-one
2 years of age;

3 (4) (3) Department means the Department of Health and Human
4 Services;

5 (5) (4) Supervised independent living setting means an independent
6 supervised setting, consistent with 42 U.S.C. 672(c). Supervised
7 independent living settings shall include, but not be limited to, single
8 or shared apartments, houses, host homes, college dormitories, or other
9 postsecondary educational or vocational housing;

10 (6) (5) Voluntary services and support agreement means a voluntary
11 placement agreement as defined in 42 U.S.C. 672(f) between the department
12 and a young adult as his or her own guardian; and

13 (7) (6) Young adult means an individual who has attained the age of
14 eligibility ~~nineteen years of age~~ but who has not attained twenty-one
15 years of age.

16 Sec. 5. Section 43-4504, Revised Statutes Supplement, 2019, is
17 amended to read:

18 43-4504 The bridge to independence program is available, on a
19 voluntary basis, to a young adult:

20 (1) Who has attained the age of eligibility at least nineteen years
21 of age;

22 (2) Who was adjudicated to be a juvenile described in subdivision
23 (3)(a) of section 43-247 or the equivalent under tribal law or who was
24 adjudicated to be a juvenile described in subdivision (8) of section
25 43-247 or the equivalent under tribal law if the young adult's
26 guardianship or state-funded adoption assistance agreement was disrupted
27 or terminated after he or she had attained the age of sixteen years and

28 ~~who~~ (a) who, upon attaining the age of eligibility ~~nineteen years of age,~~
29 was in an out-of-home placement or had been discharged to independent
30 living or (b) with respect to whom a kinship guardianship assistance
31 agreement or an adoption assistance agreement was in effect pursuant to
1 42 U.S.C. 673 if the young adult had attained sixteen years of age before
2 the agreement became effective or with respect to whom a state-funded
3 guardianship assistance agreement or a state-funded adoption assistance
4 agreement was in effect if the young adult had attained sixteen years of
5 age before the agreement became effective;

6 (3) Who is:

7 (a) Completing secondary education or an educational program leading
8 to an equivalent credential;

9 (b) Enrolled in an institution which provides postsecondary or
10 vocational education;

11 (c) Employed for at least eighty hours per month;

12 (d) Participating in a program or activity designed to promote
13 employment or remove barriers to employment; or

14 (e) Incapable of doing any of the activities described in
15 subdivisions (3)(a) through (d) of this section due to a medical
16 condition, which incapacity is supported by regularly updated information
17 in the case plan of the young adult;

18 (4) Who is a Nebraska resident, except that this requirement shall
19 not disqualify a young adult who was a Nebraska resident but was placed
20 outside Nebraska pursuant to the Interstate Compact for the Placement of
21 Children; and

22 (5) Who does not meet the level of care for a nursing facility as
23 defined in section 71-424, for a skilled nursing facility as defined in
24 section 71-429, or for an intermediate care facility for persons with
25 developmental disabilities as defined in section 71-421.

26 The changes made to subdivision (2)(b) of this section by Laws 2015,
27 LB243, become operative on July 1, 2015.

28 Sec. 6. Section 43-4510, Reissue Revised Statutes of Nebraska, is
29 amended to read:

30 43-4510 (1) If desired by the young adult, the young adult shall be
31 provided a court-appointed attorney who has received training appropriate
1 to the role. The attorney's representation of the young adult shall be
2 client-directed. The attorney shall protect the young adult's legal
3 rights and vigorously advocate for the young adult's wishes and goals,
4 including assisting the young adult as necessary to ensure that the
5 bridge to independence program is providing the young adult with the
6 services and support required under the Young Adult Bridge to
7 Independence Act. For young adults who were appointed a guardian ad litem
8 before the young adult attained the age of eligibility ~~nineteen years of~~
9 age, the guardian ad litem's appointment may be continued, with consent
10 from the young adult, but under a client-directed model of
11 representation. Before entering into a voluntary services and support
12 agreement and at least sixty days prior to each permanency and case
13 review, the independence coordinator shall notify the young adult of his
14 or her right to request a client-directed attorney if the young adult
15 would like an attorney to be appointed and shall provide the young adult
16 with a clear and developmentally appropriate written notice regarding the
17 young adult's right to request a client-directed attorney, the benefits
18 and role of such attorney, and the specific steps to take to request that
19 an attorney be appointed if the young adult would like an attorney
20 appointed.

21 (2) The court has discretion to appoint a court appointed special
22 advocate volunteer or continue the appointment of a previously appointed
23 court appointed special advocate volunteer with the consent of the young
24 adult.

25 Sec. 7. Section 43-4511, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 43-4511 (1) The department shall provide extended guardianship
28 assistance and medical care under the medical assistance program for a
29 young adult who has attained the age of eligibility ~~is at least nineteen~~
30 years of age ~~but is less than twenty-one years of age~~ and with respect to
31 whom a kinship guardianship assistance agreement was in effect pursuant
1 to 42 U.S.C. 673 if the young adult had attained sixteen years of age
2 before the agreement became effective or with respect to whom a state-
3 funded guardianship assistance agreement was in effect if the young adult
4 had attained sixteen years of age before the agreement became effective

5 and if the young adult meets at least one of the following conditions for
6 eligibility:

- 7 (a) The young adult is completing secondary education or an
8 educational program leading to an equivalent credential;
9 (b) The young adult is enrolled in an institution that provides
10 postsecondary or vocational education;
11 (c) The young adult is employed for at least eighty hours per month;
12 (d) The young adult is participating in a program or activity
13 designed to promote employment or remove barriers to employment; or
14 (e) The young adult is incapable of doing any part of the activities
15 in subdivisions (1)(a) through (d) of this section due to a medical
16 condition, which incapacity must be supported by regularly updated
17 information in the case plan of the young adult.

18 (2) The guardian shall ensure that any guardianship assistance funds
19 provided by the department and received by the guardian shall be used for
20 the benefit of the young adult. The department shall adopt and promulgate
21 rules and regulations defining services and supports encompassed by such
22 benefit.

23 (3) The changes made to this section by Laws 2015, LB243, become
24 operative on July 1, 2015.

25 Sec. 8. Section 43-4512, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 43-4512 (1) The department shall provide extended adoption
28 assistance and medical care under the medical assistance program for a
29 young adult who ~~has attained the age of eligibility is at least nineteen~~
30 ~~years of age but is less than twenty-one years of age and with respect to~~
31 whom an adoption assistance agreement was in effect if the young adult
1 had attained sixteen years of age before the agreement became effective
2 and who meets at least one of the following conditions of eligibility:

- 3 (a) The young adult is completing secondary education or an
4 educational program leading to an equivalent credential;
5 (b) The young adult is enrolled in an institution that provides
6 postsecondary or vocational education;
7 (c) The young adult is employed for at least eighty hours per month;
8 (d) The young adult is participating in a program or activity
9 designed to promote employment or remove barriers to employment; or
10 (e) The young adult is incapable of doing any part of the activities
11 in subdivisions (1)(a) through (d) of this section due to a medical
12 condition, which incapacity must be supported by regularly updated
13 information in the case plan of the young adult.

14 (2) The adoptive parent or parents shall ensure that any adoption
15 assistance funds provided by the department and received by the adoptive
16 parent shall be used for the benefit of the young adult. The department
17 shall adopt and promulgate rules and regulations defining services and
18 supports encompassed by such benefit.

19 Sec. 9. Section 62-301, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 62-301 (1) For the purposes of the Uniform Commercial Code and
22 section 62-301.01, the following days shall be holidays: New Year's Day,
23 January 1; Birthday of Martin Luther King, Jr., the third Monday in
24 January; President's Day, the third Monday in February; Arbor Day, the
25 last Friday in April; Memorial Day, the last Monday in May; Independence
26 Day, July 4; Labor Day, the first Monday in September; Indigenous
27 Peoples' Day and Columbus Day, the second Monday in October; Veterans
28 Day, November 11, and the federally recognized holiday therefor, or
29 either of them; Thanksgiving Day, the fourth Thursday in November; the
30 day after Thanksgiving; and Christmas Day, December 25. If any such
31 holiday falls on Sunday, the following Monday shall be a holiday. If the
1 date designated by the state for observance of any legal holiday
2 enumerated in this section, except Veterans Day, is different from the

3 date of observance of such holiday pursuant to a federal holiday
4 schedule, the federal holiday schedule shall be observed.
5 (2) Any bank doing business in this state may, by a brief written
6 notice at, on, or near its front door, fully dispense with or restrict,
7 to such extent as it may determine, the hours within which it will be
8 open for business.
9 (3) Any bank may close on Saturday if it states such fact by a brief
10 written notice at, on, or near its front door. When such bank will, in
11 observance of such a notice, not be open for general business, such day
12 shall, with respect to the particular bank, be the equivalent of a
13 holiday as fully as if such day were listed in subsection (1) of this
14 section, and any act authorized, required, or permitted to be performed
15 at, by, or with respect to such bank which will, in observance of such
16 notice, not be open for general business, acting in its own behalf or in
17 any capacity whatever, may be performed on the next succeeding business
18 day and no liability or loss of rights on the part of any person shall
19 result from such delay.
20 (4) Any bank which, by the notice provided for by subsection (3) of
21 this section, has created the holiday for such bank may, without
22 destroying the legal effect of the holiday for it and solely for the
23 convenience of its customers, remain open all or part of such day in a
24 limited fashion by treating every transaction with its customers on such
25 day as though the transaction had taken place immediately upon the
26 opening of such bank on the first following business day.
27 (5) Whenever the word bank is used in this section it includes
28 building and loan association, savings and loan association, credit
29 union, savings bank, trust company, investment company, and any other
30 type of financial institution.
31 Sec. 10. Original sections 25-2221, 43-4502, 43-4503, 43-4510,
1 43-4511, 43-4512, and 62-301, Reissue Revised Statutes of Nebraska, and
2 section 43-4504, Revised Statutes Supplement, 2019, are repealed.
3 2. On page 1, strike beginning with "and" in line 1 through line 3
4 and insert ", 43-4502, 43-4503, 43-4510, 43-4511, 43-4512, and 62-301,
5 Reissue Revised Statutes of Nebraska, and section 43-4504, Revised
6 Statutes Supplement, 2019; to rename Columbus Day as Indigenous Peoples'
7 Day and Columbus Day; to change the Young Adult Bridge to Independence
8 Act as it relates to young adult members of Indian tribes; to harmonize
9 provisions; and to repeal the original sections."

LEGISLATIVE BILL 247. Placed on Select File with amendment.

[ER189](#)

1 1. On page 1, line 1, strike "advance", strike "directives", and
2 after the semicolon insert "to amend sections 30-3402, 30-3405, 30-3406,
3 30-3408, and 30-3423, Reissue Revised Statutes of Nebraska;" and in line
4 2 after "Act" insert "; to change and harmonize power of attorney for
5 health care provisions; and to repeal the original sections".

LEGISLATIVE BILL 865. Placed on Select File with amendment.

[ER187](#)

1 1. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 77-2701, Revised Statutes Supplement, 2019, is
4 amended to read:
5 77-2701 Sections 77-2701 to 77-27,135.01, 77-27,222, 77-27,235,
6 77-27,236, 77-27,238, and 77-27,239 and section 2 of this act shall be
7 known and may be cited as the Nebraska Revenue Act of 1967.
8 Sec. 2. (1) Beginning with tax year 2021, the Tax Commissioner
9 shall include space on the individual income tax return form in which the
10 individual taxpayer may, if a refund is due, designate any amount of such

11 refund as a contribution to an account established under the Nebraska
 12 educational savings plan trust.
 13 (2) The Tax Commissioner shall determine the total amount of
 14 contributions designated pursuant to this section each year, and the
 15 State Treasurer shall transfer such amount from the General Fund to the
 16 College Savings Plan Program Fund for deposit into the appropriate
 17 accounts within the College Savings Plan Program Fund.
 18 Sec. 3. This act becomes operative on January 1, 2021.
 19 Sec. 4. Original section 77-2701, Revised Statutes Supplement,
 20 2019, is repealed.
 21 2. On page 1, strike beginning with "the" in line 1 through line 10
 22 and insert "revenue and taxation; to amend section 77-2701, Revised
 23 Statutes Supplement, 2019; to provide for contributions of income tax
 24 refunds to accounts established under the Nebraska educational savings
 25 plan trust; to harmonize provisions; to provide an operative date; and to
 26 repeal the original section."

LEGISLATIVE BILL 865A. Placed on Select File.

LEGISLATIVE BILL 797. Placed on Select File.

LEGISLATIVE BILL 832. Placed on Select File with amendment.

[ER188](#)

1 1. On page 1, strike beginning with "children" in line 1 through
 2 "provisions" in line 4 and insert "civil procedure; to amend section
 3 25-21,186, Reissue Revised Statutes of Nebraska; to provide for immunity
 4 from civil liability for entering a motor vehicle to remove a child in an
 5 emergency as prescribed".

LEGISLATIVE BILL 1152. Placed on Select File with amendment.

[ER192](#) is available in the Bill Room.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 848A. Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 3 nays, 10 present and not voting, and 9 excused and not voting.

LEGISLATIVE BILL 774. Title read. Considered.

Committee [AM2558](#), found on page 750, was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 705. Title read. Considered.

SPEAKER SCHEER PRESIDING

Committee [AM162](#), found on page 488, was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Senator Murman offered the following amendment:

[AM2778](#)

(Amendments to Standing Committee amendments, AM162)

- 1 1. Strike amendment 1 and insert the following new amendment:
- 2 1. Strike the original sections and insert the following new
- 3 sections:
- 4 Section 1. Section 77-1403, Reissue Revised Statutes of Nebraska, is
- 5 amended to read:
- 6 77-1403 (1) Unless otherwise permitted under section 529A, the owner
- 7 of an account shall be the designated beneficiary of the account, except
- 8 that if the designated beneficiary of the account is a minor or has a
- 9 custodian or other fiduciary appointed for the purposes of managing such
- 10 beneficiary's financial affairs, a custodian or fiduciary for such
- 11 designated beneficiary may serve as the account owner if such form of
- 12 ownership is permitted or not prohibited under section 529A.
- 13 (2) Unless otherwise permitted under section 529A, the designated
- 14 beneficiary of an account shall be a resident of the state or of a
- 15 contracting state. The State Treasurer shall determine residency of
- 16 Nebraska residents for such purpose in such manner as may be required or
- 17 permissible under section 529A or, in the absence of any guidance under
- 18 section 529A, by such other means as the State Treasurer shall consider
- 19 advisable for purposes of satisfying the requirements of section 529A.
- 20 (3) To the extent permitted by federal law, upon the death of a
- 21 designated beneficiary of an account, the owner of the account or the
- 22 personal representative of the designated beneficiary may have the
- 23 balance of the account transferred to another account under the program
- 24 specified by the owner of the account, the designated beneficiary, or the
- 25 estate of the designated beneficiary.
- 26 (4) At the time an account is established under the program and
- 1 prior to any transfer pursuant to subsection (3) of this section, the
- 2 State Treasurer shall notify the owner of the account, the designated
- 3 beneficiary, and the estate of the designated beneficiary, if applicable,
- 4 of the potential tax consequences of transferring funds pursuant to
- 5 subsection (3) of this section.
- 6 (5) Upon the death of a designated beneficiary and after the
- 7 Department of Health and Human Services has received approval from the
- 8 Centers for Medicare and Medicaid Services of the United States
- 9 Department of Health and Human Services:
- 10 (a) The state shall not seek recovery of any amount remaining in the
- 11 account of the designated beneficiary for any amount of medical
- 12 assistance received by the designated beneficiary or his or her spouse or
- 13 dependent under the medical assistance program pursuant to the Medical
- 14 Assistance Act after the establishment of the account; and
- 15 (b) The state shall not file a claim for the payment under
- 16 subdivision (f) of section 529A of the Internal Revenue Code, as amended.
- 17 Sec. 2. Original section 77-1403, Reissue Revised Statutes of
- 18 Nebraska, is repealed.

The Murman amendment was adopted with 39 ayes, 0 nays, and 10 present and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, and 10 present and not voting.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR328 was adopted.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LR328.

GENERAL FILE

LEGISLATIVE BILL 1028. Title read. Considered.

Committee [AM2525](#), found on page 776, was adopted with 40 ayes, 0 nays, and 9 present and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, and 9 present and not voting.

LEGISLATIVE BILL 1130. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 911. Title read. Considered.

Senator Quick withdrew his amendment, [AM2735](#), found on page 846.

Senator Quick offered the following amendment:

[AM2818](#)

1 1. Insert the following new section:

2 Sec. 5. Since an emergency exists, this act takes effect when
3 passed and approved according to law.

4 2. On page 2, line 7, strike the new matter and strike "a facility
5 in Sarpy County" and show as stricken; in line 21 strike "three" and show
6 as stricken; and strike lines 25 through 31 and insert the following new
7 subdivision:

8 "(b) Beginning on the effective date of this act, the Director of
9 Veterans' Affairs shall negotiate with the city of Grand Island to
10 acquire an exclusive option for the transfer of title to the former
11 Nebraska Veterans' Memorial Cemetery in the city of Grand Island and land
12 adjacent to the cemetery, as identified in the required program
13 statement, owned by the city of Grand Island. After being granted funding
14 assistance from the National Cemetery Administration, the director shall
15 accept from the city of Grand Island, at no cost, title to the real
16 estate described in this subdivision in order to establish a state
17 cemetery for veterans. The director shall prepare an initial program
18 statement and make a request to the Legislature for funding as required

19 by section 81-1108.41. The expenses of the initial program statement
20 shall be paid from the Nebraska Veteran Cemetery System Operation Fund."
21 3. On page 3, strike lines 1 through 3; and in line 30 after the
22 period insert "The fund may be used for the expenses of the initial
23 program statement under subdivision (1)(b) of this section."

The Quick amendment was adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 889. Title read. Considered.

Senator Hilgers offered his amendment, [AM2690](#), found on page 847.

The Hilgers amendment was adopted with 34 ayes, 0 nays, 14 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1166. Title read. Considered.

Committee [AM2310](#), found on page 558, was adopted with 38 ayes, 0 nays, 10 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 1080. Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1185. Title read. Considered.

Committee [AM2668](#), found on page 788, was adopted with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1060. Title read. Considered.

SENATOR LINDSTROM PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1148:

[AM2810](#)

(Amendments to Standing Committee amendments, AM2637)

1 1. On page 33, lines 24 through 28, strike the new matter.

Senator Hughes filed the following amendment to LB803:

[AM2772](#)

1 1. On page 3, strike beginning with "Voting" in line 23 through the
2 period in line 25.

3 2. On page 4, lines 19 and 20, strike "actual and necessary".

4 3. On page 5, line 2, insert "voting" before each occurrence of
5 "members".

6 4. On page 6, line 5, strike "program" and insert "Pulse Crop
7 Resources Act".

8 5. On page 7, line 22, after "Nebraska" insert "during the prior
9 month".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Blood name added to LB1060.

VISITOR(S)

Visitors to the Chamber were students and teachers from Morrill Public Schools; students from St. Thomas More Catholic School, Omaha; students from Everett Elementary, Park Middle School, Scott Middle School, Lincoln High, Lincoln Northeast, and Lincoln Southwest; students from Trumble Park Elementary, Papillion; and group of Lincoln and Omaha area teachers.

RECESS

At 11:52 a.m., on a motion by Senator Kolowski, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Arch, Bolz, Brewer, Hilkemann, Lowe, Morfeld, Pansing Brooks, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1060. Considered.

Senator Hunt moved for a call of the house. The motion prevailed with 28 ayes, 2 nays, and 19 not voting.

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

Voting in the affirmative, 26:

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

Voting in the negative, 9:

Albrecht	Erdman	Hilgers	La Grone	Murman
Bostelman	Hansen, B.	Hughes	Moser	

Present and not voting, 10:

Arch	Clements	Geist	Halloran	Stinner
Briese	Friesen	Gragert	Slama	Williams

Excused and not voting, 4:

Brewer	Groene	Linehan	Lowe
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Advanced to Enrollment and Review Initial with 26 ayes, 9 nays, 10 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S)

Executive Board

LEGISLATIVE BILL 1207. Placed on General File.

LEGISLATIVE BILL 937. Placed on General File with amendment.

[AM2805](#)

1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Section 72-2201, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 72-2201 Sections 72-2201 to 72-2214 and section 2 of this act shall
 6 be known and may be cited as the Nebraska State Capitol Preservation and

7 Restoration Act.

8 Sec. 2. (1)(a) The Clerk of the Legislature shall cause to be
9 displayed within the Warner Legislative Chamber flags representing the
10 four federally recognized tribes with headquarters in Nebraska: the Omaha
11 Tribe of Nebraska, the Ponca Tribe of Nebraska, the Santee Sioux Nation,
12 and the Winnebago Tribe of Nebraska.

13 (b) The Commission on Indian Affairs shall obtain such flags, as
14 well as poles and bases, through donations from the tribes. The
15 Commission on Indian Affairs shall be responsible for replacing such
16 flags, poles, and bases.

17 (c) The Clerk of the Legislature shall approve placement locations
18 within the Warner Legislative Chamber. The size, proportion, and
19 placement of such flags shall be similar to that of the flag of the
20 United States and the flag of the State of Nebraska.

21 (2)(a) The State Capitol Administrator shall cause to be displayed
22 in the Memorial Chamber on the fourteenth floor of the State Capitol the
23 flags of any Indian tribes with historic and regional connections to
24 Nebraska.

25 (b) The Commission on Indian Affairs shall designate the tribes with
26 historic and regional connections to Nebraska and the flags to be
27 displayed under subdivision (2)(a) of this section. The Commission on
1 Indian Affairs shall obtain such flags, as well as poles and bases,
2 through donations from the tribes. The Commission on Indian Affairs shall
3 be responsible for replacing such flags, poles, and bases.

4 (c) The Nebraska Capitol Commission shall approve placement
5 locations in the Memorial Chamber.

6 Sec. 3. Original section 72-2201, Reissue Revised Statutes of
7 Nebraska, is repealed.

LEGISLATIVE BILL 1144. Placed on General File with amendment.
[AM2785](#) is available in the Bill Room.

(Signed) Mike Hilgers, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1183. Title read. Considered.

Committee [AM2607](#), found on page 809, was offered.

SENATOR HUGHES PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with
27 ayes, 5 nays, and 17 not voting.

Senator Chambers requested a roll call vote on the committee amendment.

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Excused and not voting, 4:

Brewer Groene Linehan Lowe

The committee amendment was adopted with 45 ayes, 0 nays, and 4 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator Brandt filed the following amendment to [LB1188](#):
[AM2769](#)

(Amendments to Standing Committee amendments, AM2736)

1 1. Insert the following new section:
2 Sec. 17. Section 83-107.01, Revised Statutes Cumulative Supplement,
3 2018, is amended to read:
4 83-107.01 (1) The official names of the state institutions under
5 the supervision of the Department of Health and Human Services shall be
6 as follows: (a) ~~(4)~~ Beatrice State Developmental Center, (b) ~~(2)~~ Lincoln
7 Regional Center, (c) ~~(3)~~ Norfolk Regional Center, (d) ~~(4)~~ Hastings
8 Regional Center, (e) ~~(5)~~ Youth Rehabilitation and Treatment Center-
9 Kearney, and (f) ~~(6)~~ Youth Rehabilitation and Treatment Center-Geneva.
10 (2)(a) This subsection applies beginning July 1, 2021.
11 (b) Except as provided in subdivision (2)(c) of this section, so
12 long as the department operates the Youth Rehabilitation and Treatment
13 Center-Kearney, such institution shall be used for the treatment of boys
14 only.
15 (c) Except as provided in subdivision (2)(e) of this section, so
16 long as the department operates the Youth Rehabilitation and Treatment
17 Center-Geneva, such institution shall be used for the treatment of girls
18 only.
19 (d) For any other facility operated and utilized as a youth
20 rehabilitation and treatment center under state law, the department shall
21 ensure safe and appropriate gender separation.
22 (e) In the event of an emergency, the department may use either the
23 Youth Rehabilitation and Treatment Center-Kearney or the Youth
24 Rehabilitation and Treatment Center-Geneva for the treatment of juveniles
25 of both genders for up to seven days. During any such use the department
26 shall ensure safe and appropriate gender separation.

1 (f) For purposes of this section, emergency means a situation
 2 including fire, flood, tornado, natural disaster, or damage to the
 3 institution that renders an institution uninhabitable. Emergency does not
 4 include inadequate staffing.
 5 2. Renumber the remaining sections and correct the repealer
 6 accordingly.

COMMITTEE REPORT(S)
 Enrollment and Review

LEGISLATIVE BILL 1055. Placed on Select File with amendment.
[ER195](#) is available in the Bill Room.

LEGISLATIVE BILL 808. Placed on Select File with amendment.
[ER196](#) is available in the Bill Room.

LEGISLATIVE BILL 1186. Placed on Select File.

LEGISLATIVE BILL 881. Placed on Select File with amendment.
[ER197](#)

1 1. On page 1, strike beginning with "criminal" in line 1 through
 2 "section" in line 4 and insert "criminal and civil procedure; to amend
 3 sections 27-1103 and 29-1406, Reissue Revised Statutes of Nebraska,
 4 sections 29-901, 29-1407.01, 29-1822, 29-2004, 29-2005, 29-2206, 29-2264,
 5 and 29-3005, Revised Statutes Cumulative Supplement, 2018, and section
 6 29-1823, Revised Statutes Supplement, 2019; to require cities of the
 7 primary class and metropolitan class to make an annual report on the
 8 number of untested sexual assault evidence collection kits; to provide
 9 for the admission of expert testimony on eyewitness identification and
 10 memory as prescribed; to change provisions relating to bail; to require
 11 appointment of counsel as prescribed; to change provisions relating to
 12 grand jury transcripts and competency for criminal proceedings; to
 13 provide powers for the Department of Health and Human Services; to change
 14 provisions relating to alternate jurors; to state intent regarding
 15 construction; to prohibit holding a defendant in custody awaiting trial
 16 beyond a prescribed period; to change provisions relating to collection
 17 of fines and costs and setting aside convictions; to provide for
 18 applicability; to harmonize provisions; to provide a duty for the Revisor
 19 of Statutes; and to repeal the original sections".

LEGISLATIVE BILL 850. Placed on Select File with amendment.
[ER194](#)

1 1. On page 1, line 3, strike "a duty" and insert "duties".

LEGISLATIVE BILL 751. Placed on Select File.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1183. Senator Chambers offered the following
 motion:

[MO162](#)

Indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

LEGISLATIVE BILL 912. Title read. Considered.

Committee [AM2620](#), found on page 785, was offered.

Senator La Grone requested a division of the question on the committee amendment.

The Chair sustained the division of the question.

The first committee amendment is as follows:
[AM2832](#) is available in the Bill Room.

The second committee amendment is as follows:
[AM2831](#)

(Amendments to Standing Committee amendments, AM2620)

1 1. Strike amendment 1 and insert the following new amendment:
2 1. Strike the original sections and all amendments thereto and
3 insert the following new section:
4 Sec. 14. Section 25-21,185.11, Reissue Revised Statutes of Nebraska,
5 is amended to read:
6 25-21,185.11 (1) A release, covenant not to sue, or similar
7 agreement entered into by a claimant and a person liable shall discharge
8 that person from all liability to the claimant but shall not discharge
9 any other persons liable upon the same claim ~~unless it so provides~~. The
10 claim of the claimant against other persons liable shall be reduced by
11 the amount of the released person's share of the obligation as determined
12 by the trier of fact.
13 (2) A release, covenant not to sue, or similar agreement entered
14 into by a claimant and a person liable shall preclude that person from
15 being made a party or, if an action is pending, shall be a basis for that
16 person's dismissal, but the person's negligence, if any, shall be
17 considered in accordance with section 25-21,185.09.
18 (3) A release, covenant not to sue, or similar agreement entered
19 into by a claimant and one or more persons liable shall not abrogate the
20 joint and several liability of any other person or persons liable upon
21 the same claim.

The first committee amendment, [AM2832](#), found in this day's Journal, was offered.

The first committee amendment was adopted with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

The second committee amendment, [AM2831](#), found in this day's Journal, was offered.

SPEAKER SCHEER PRESIDING

Pending.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 337.** Introduced by Brandt, 32.

PURPOSE: It has been ten years since Legislative Resolution 42 (2009) first explored the statewide economic and educational potential of a "farm to school" program in Nebraska. In the intervening decade, notable progress has been made in instituting the methods and systems necessary to assist Nebraska producers in providing local schools with fresh and minimally processed foods for school meals and snacks. The addition of a local foods coordinator and introduction of "Nebraska Thursdays" and "Harvest of the Month" programs from the Department of Education have resulted in more school districts sourcing from local farmers and market gardeners. Interest has increased on the federal level as well, with the United States Department of Agriculture's Farm to School Grant Program receiving more requests than it has available funding, and additional federal legislation currently under consideration by Congress, the "Farm to School Act" and the "Kids Eat Local Act", both cosponsored by Rep. Jeff Fortenberry. A follow-up legislative interim study examining the status of Nebraska's farm to school activities and the needs of the stakeholders involved shall ensure that the necessary coordination and strategic planning is in place for further growth.

This interim study shall reexamine which Nebraska-grown food products can feasibly be used for school meals and snacks, including use of appropriate preservation methods of local foods by school nutrition staff for use later in the school year, and shall review existing regulations of the Department of Agriculture, Department of Education, Department of Health and Human Services, and other authorities that may impact the supply of Nebraska-grown foods provided to local schools. In addition, the study shall assemble a catalog of where farm to school activities are happening in the state, along with volume and cost totals for foods locally sourced, to provide insight into best practices as well as barriers that are impeding participation.

To reflect the interests and needs of the various stakeholders concerned with creating successful statewide farm to school opportunities, this interim study shall include input from:

- (1) Producers of agricultural products marketed at Nebraska food markets, including producers of fruits and vegetables, agricultural protein products, and grains;
- (2) Suppliers of agricultural products, including grocers and school suppliers;
- (3) Meat processors;
- (4) Food distributors;
- (5) Food assistance agencies;
- (6) Resource conservation and development organizations;
- (7) Representatives of school food services from rural and urban public school districts;
- (8) Representatives from a summer food service program and from a child and adult care food program;
- (9) Tribal organizations;

- (10) An agricultural education extension organization;
- (11) A member-based agricultural marketing promotion and education program;
- (12) Representatives from the Department of Agriculture, State Department of Education, and Department of Health and Human Services; and
- (13) Any other interested parties or organizations.

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

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

Referred to the Executive Board.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB918](#):
[AM2622](#)

- 1 1. On page 4, strike beginning with "in" in line 4 through line 5
- 2 and insert "of areas such as government contracting, health, education,
- 3 and other relevant areas on or before December 1, 2022, and on or before
- 4 December 1 of every fifth year thereafter."

Senator Slama filed the following amendment to [LB1198](#):
[AM2842](#)

- 1 1. Insert the following new sections:
- 2 Sec. 2. There is hereby appropriated \$125,000 from the General Fund
- 3 for FY2019-20 to the Department of Natural Resources, for Program 334, to
- 4 be used to provide a grant to a city with a population of less than one
- 5 thousand residents to carry out an engineering study to develop cost
- 6 estimates for repair of a breached levee system that resulted in the
- 7 flooding of drinking water and wastewater treatment facilities.
- 8 Sec. 3. Since an emergency exists, this act takes effect when passed
- 9 and approved according to law.

Senator Hunt filed the following amendment to [LB780](#):
[AM2838](#)

- 1 1. Insert the following new sections:
- 2 Section 1. Section 82-312, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 82-312 The duties of the council shall be:
- 5 (1) To stimulate and encourage throughout the state the study and
- 6 presentation of the performing and fine arts and public interest and
- 7 participation therein;
- 8 (2) To make such surveys as may be deemed advisable of public and
- 9 private institutions within the state engaged in artistic and cultural
- 10 activities, including, but not limited to, music, theatre, dance,
- 11 painting, sculpture, architecture, and allied arts and crafts, and to
- 12 make recommendations concerning appropriate methods to encourage
- 13 participation in and appreciation of the arts to meet the legitimate
- 14 needs and aspirations of persons in all parts of the state;

15 (3) To take such steps as may be necessary and appropriate to
 16 encourage public interest in the cultural heritage of our state and to
 17 expand the state's cultural resources; ~~and~~
 18 (4) To encourage and assist freedom of artistic expression essential
 19 for the well-being of the arts; ~~and~~ ~~7~~
 20 (5) To recommend to the Legislature a plan to divide the state into
 21 creative districts and certify them based on geographically contiguous
 22 area, artistic or cultural activities or facilities, promotion and
 23 preservation of artistic or cultural sites or events, educational uses of
 24 artistic or cultural activities or sites, and unique or niche areas,
 25 activities, events, facilities, or sites.
 26 Sec. 2. Section 82-313, Reissue Revised Statutes of Nebraska, is
 27 amended to read:
 1 82-313 (1) The Nebraska Arts Council may:
 2 (a) ~~Hold (1) hold~~ public and private hearings; ~~7~~
 3 (b) ~~Enter (2) enter~~ into contracts, within the limit of funds
 4 available therefor, with individuals, organizations, and institutions for
 5 services furthering the educational objectives of the council's
 6 programs; ~~7~~
 7 (c) ~~Enter (3) enter~~ into contracts, within the limit of funds
 8 available therefor, with local and regional associations for cooperative
 9 endeavors furthering the educational objectives of the council's
 10 programs; ~~7~~
 11 (d) ~~Accept (4) accept~~ gifts, contributions, and bequests of
 12 unrestricted funds from individuals, foundations, corporations, and other
 13 organizations or institutions for the purpose of furthering the
 14 educational objectives of the council's programs; ~~7~~
 15 (e) ~~Distribute (5) distribute~~ funds appropriated by the Legislature
 16 to any organization which has been designated as the state affiliate of
 17 the National Endowment for the Humanities for the period covered by the
 18 appropriation; ~~7~~
 19 (f) ~~Make (6) make~~ and sign any agreements and do and perform any
 20 acts that may be necessary to carry out the purposes of sections 82-309
 21 to 82-316; ~~7~~
 22 (g) ~~Enter (7) enter~~ into contracts, make and sign any agreements,
 23 and perform any acts that may be necessary to stabilize funding for the
 24 arts and humanities and to carry out the intent of sections 82-330 to
 25 82-333; ~~7~~
 26 (h) Prepare a plan that would permit, to the extent that funds are
 27 available, the establishment of a competitive grant program to award a
 28 grant to any creative district that is certified pursuant to the plan
 29 adopted by the Legislature under subdivision (5) of section 82-312 and
 30 that meets the criteria for the competitive grant, including eligibility
 31 criteria, application and appeal processes, conditions on receipt of a
 1 grant, and consequences of failure to meet the conditions; and
 2 (i) ~~Adopt and (8) adopt~~ and promulgate rules and regulations to
 3 carry out its powers and duties.
 4 (2) The council may request from any department, division, board,
 5 bureau, commission, or agency of the state such assistance and data as
 6 will enable it properly to carry out its powers and duties.
 7 Sec. 4. Sections 1, 2, and 5 of this act become operative three
 8 calendar months after the adjournment of this legislative session. The
 9 other sections of this act become operative on their effective date.
 10 Sec. 5. Original sections 82-312 and 82-313, Reissue Revised
 11 Statutes of Nebraska, are repealed.
 12 2. Renumber the remaining sections accordingly.

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 255A. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 255, One Hundred Sixth Legislature, Second Session, 2020.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Brewer name added to LB931.

Senator Hunt name added to LB1060.

Senator Blood name added to LB1183.

VISITOR(S)

Visitors to the Chamber were Kendal Wahlgren from Gothenburg; and Riek Bol and Azcia Fleming from Lincoln.

The Doctor of the Day was Dr. Eric Thomsen from Beatrice.

ADJOURNMENT

At 4:55 p.m., on a motion by Senator Williams, the Legislature adjourned until 9:00 a.m., Tuesday, March 10, 2020.

Patrick J. O'Donnell
Clerk of the Legislature

