

THIRTY-NINTH DAY - MARCH 11, 2020

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION**

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 11, 2020

PRAYER

The prayer was offered by Pastor Derek Geist, Mercy City Church, Lincoln.

ROLL CALL

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

The roll was called and all members were present except Senators Blood, Brewer, DeBoer, and Gragert who were excused; and Senators M. Hansen, Morfeld, Pansing Brooks, Slama, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

MOTION(S) - Print in Journal

Senator Geist filed the following motion to LB814:

[MO165](#)

Place on General File pursuant to Rule 3, Sec. 20(b).

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 848A. Placed on Select File.

(Signed) Julie Slama, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 329, 330, 331, and 332 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 329, 330, 331, and 332.

GENERAL FILE

LEGISLATIVE BILL 918. Title read. Considered.

Senator Wayne offered his amendment, [AM2622](#), found on page 883.

The Wayne amendment was adopted with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 918A. Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 780. Title read. Considered.

Senator Hunt offered her amendment, [AM2838](#), found on page 883.

The Hunt amendment was adopted with 37 ayes, 0 nays, 1 present and not voting, and 11 excused and not voting.

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

LEGISLATIVE BILL 780A. Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 338. Introduced by Halloran, 33.

WHEREAS, the Hastings St. Cecilia High School girls' basketball team won the 2020 Class C-2 Girls State Basketball Championship; and

WHEREAS, the St. Cecilia Hawkettes girls' basketball team defeated the Ponca Indians in the championship game by a score of 41-37; and

WHEREAS, this is the St. Cecilia Hawkettes second straight championship title; and

WHEREAS, the St. Cecilia Hawkettes girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Hastings St. Cecilia High School girls' basketball team and its coaches on winning the 2020 Class C-2 Girls State Basketball Championship.

2. That a copy of this resolution be sent to the Hastings St. Cecilia High School girls' basketball team and Coach Greg Berndt.

Laid over.

LEGISLATIVE RESOLUTION 339. Introduced by Brandt, 32.

WHEREAS, the Crete High School girls' basketball team won the 2020 Class B Girls' State Basketball Championship; and

WHEREAS, the Crete Cardinals girls' basketball team defeated the Lady Orange of Beatrice High School in the championship game by a score of 53 to 26; and

WHEREAS, the Crete High School girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Crete High School girls' basketball team and its coaches on winning the 2020 Class B Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Crete High School girls' basketball team and Coach John Larsen.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Bolz filed the following amendment to [LB43](#):
[AM2864](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1198. Title read. Considered.

The Slama amendment, [AM2842](#), found on page 883, was withdrawn.

Senator Lathrop offered his amendment, [AM2844](#), found on page 900.

SPEAKER SCHEER PRESIDING**PRESIDENT FOLEY PRESIDING**

Senator Lathrop moved for a call of the house. The motion prevailed with 21 ayes, 4 nays, and 24 not voting.

Senator Lathrop requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 14:

Brandt	Crawford	Kolowski	Morfeld	Walz
Cavanaugh	Howard	Lathrop	Pansing Brooks	Wayne
Chambers	Hunt	McCollister	Quick	

Voting in the negative, 13:

Albrecht	Dorn	Halloran	La Grone	Slama
Bostelman	Erdman	Hansen, B.	Lowe	
Clements	Friesen	Hilgers	Moser	

Present and not voting, 14:

Arch	Geist	Kolterman	McDonnell	Williams
Bolz	Hilkemann	Lindstrom	Stinner	Wishart
Briese	Hughes	Linehan	Vargas	

Excused and not voting, 8:

Blood	DeBoer	Groene	Murman
Brewer	Gragert	Hansen, M.	Scheer

The Lathrop amendment lost with 14 ayes, 13 nays, 14 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 2 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 910. Title read. Considered.

Committee [AM2163](#), found on page 749, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB865A](#):
[AM2858](#)

1 1. On page 2, line 1, strike "[\\$131,868](#)" and insert "[\\$119,451](#)".

Senator Wayne filed the following amendment to [LB1186](#):
[AM2869](#)

1 1. Insert the following new section:

2 Sec. 2. (1) Upon receipt from a school district teacher or other
3 employee of a report regarding an incident involving the use of violence,
4 force, coercion, threat, intimidation, or similar conduct by a student in
5 a manner that constitutes a substantial interference with school
6 purposes, a school administrator in such school district shall review the
7 reported incident and develop an individualized response plan in
8 accordance with this section. Such review shall be conducted by the
9 administrator and an assigned school employee.

10 (2) If the report is substantiated, the school administrator shall,
11 in consultation with any teacher or school employee who was subjected to
12 the reported incident, develop an individualized response plan to avoid
13 future dangerous behavior by such student. Such plan may, but is not
14 required to:

15 (a) Minimize any suspension or expulsion of the student;
16 (b) Prioritize counseling and guidance services for the student or
17 educator;

18 (c) Provide positive behavioral interventions and supports, supports
19 designed to address the consequences of trauma, or training for the
20 student or educator regarding positive behavioral interventions or the
21 consequences or trauma;

22 (d) Use restorative practices; and

23 (e) Provide training for school employees who interact with the
24 student.

25 (3) The school district, in consultation with the school
26 administrator, shall provide adequate staffing and professional
27 development to implement the plan.

1 (4) School districts shall provide an annual report to the State
2 Department of Education on the number of incidents involving the use of
3 violence, force, coercion, threat, intimidation, or similar conduct by a
4 student in a manner that constitutes a substantial interference with
5 school purposes.

6 (5)(a) Nothing in this section shall be construed as limiting any
7 federally protected right of a student, including, but not limited to,
8 federally protected rights of students with disabilities.

9 (b) Notwithstanding any provision of this section to the contrary,
10 in the case of a student eligible for services under the federal
11 Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as
12 such sections existed on January 1, 2020, or protected from
13 discrimination under Section 504 of the federal Rehabilitation Act of
14 1973, 29 U.S.C. 794, as such section existed on January 1, 2020, any
15 discussion or actions related to the identification, evaluation, or
16 educational placement of the student or the provision of a free,

17 appropriate public education to the student must take place through the
 18 processes established under federal law.
 19 2. Renumber the remaining section accordingly.

Senator Linehan filed the following amendment to LB1074:
AM2860

1 1. Insert the following new section:
 2 Sec. 2. Section 77-2602.05, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 77-2602.05 (1) A person that paid taxes applicable under section
 5 77-2602 on cigarettes sold in an exempt transaction shall be eligible for
 6 a refund of the taxes paid on those cigarettes.
 7 (2) Exempt transactions, for purposes of this section and section
 8 69-2703, are defined as:
 9 (a) Cigarette sales on a federal installation in a transaction that
 10 is exempt from state taxation under federal law; and
 11 (b) Cigarette sales on an Indian tribe's Indian country to its
 12 tribal members where state taxation is precluded by federal law.
 13 (3) Except as provided in subsection (5) of this section, the person
 14 seeking a refund of taxes shall submit an application to the Tax
 15 Commissioner providing documentation sufficient to demonstrate (a) that
 16 the cigarettes were sold in a package bearing the correct stamp required
 17 under section 77-2603 or 77-2603.01 and that the stamp was one that
 18 required payment of tax, (b) that the person paid the applicable taxes in
 19 question, (c) that the cigarettes were sold in an exempt transaction, and
 20 (d) that the person has not previously obtained the refund on the
 21 cigarettes. The documentation shall include, in addition to information
 22 necessary to meet the requirements of subdivisions (3)(a) through (d) of
 23 this section and any other information that the Tax Commissioner may
 24 reasonably require, documents showing the identity of the seller and
 25 purchaser and the places of shipment and delivery of the cigarettes. The
 26 Tax Commissioner shall verify the accuracy and completeness of the
 27 required documentation and information before granting the requested
 1 refund.
 2 (4) If a meritorious refund claim under subsection (3) of this
 3 section is not paid within sixty days after submission of the required
 4 documentation, the refund shall include interest on the amount of such
 5 refund at the rate specified in section 45-104.02 as such rate existed at
 6 the date of submission of the required documentation.
 7 (5) The Tax Commissioner and an Indian tribe may agree upon a tax
 8 refund formula to operate in lieu of application for refunds under
 9 subsection (3) of this section. The aggregate refund provided to an
 10 Indian tribe under a formula for a year shall not exceed the aggregate
 11 tax paid by entities owned and operated by that tribe or a member of that
 12 tribe on cigarettes sold in exempt transactions on that tribe's Indian
 13 country during that year. Refunds of taxes under subsection (3) of this
 14 section shall not be available for cigarettes sold in exempt transactions
 15 on an Indian tribe's Indian country by an Indian tribe that agrees upon a
 16 refund formula under this subsection. Nothing in this subsection shall
 17 limit the state's authority to enter into an agreement pursuant to
 18 section 77-2602.06 pertaining to the collection and dissemination of any
 19 cigarette taxes which may otherwise be inconsistent with this subsection.
 20 (6) Any product that is taxed as a cigar under Title 26 of the
 21 United States Code, as such title existed on January 1, 2020, and is a
 22 cigarette for purposes of section 77-2602, shall not be treated as a
 23 cigarette for purposes of (a) subdivision (4) of section 69-2702 and the
 24 Master Settlement Agreement as defined in section 69-2702 or (b) the
 25 Reduced Cigarette Ignition Propensity Act.
 26 2. Renumber the remaining sections and correct the repealer
 27 accordingly.

Senator Quick filed the following amendment to LB840:
AM2877

(Amendments to E & R amendments, ER180)

1 1. Strike sections 4 and 5 and insert the following new sections:
2 Sec. 4. Electronic smoking device means an electronic nicotine
3 delivery system as defined in section 28-1418.01. The term includes any
4 such device regardless of whether it is manufactured, distributed,
5 marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape
6 pen or under any other product name or descriptor. The term also includes
7 any substance that is used in an electronic smoking device. The term does
8 not include a diffuser, humidifier, prescription inhaler, or similar
9 device.
10 Sec. 5. (1) Electronic smoking device retail outlet means a store
11 that:
12 (a) Is licensed as provided under sections 28-1421 and 28-1422;
13 (b) Sells electronic smoking devices and products directly related
14 to electronic smoking devices;
15 (c) Does not sell alcohol or gasoline;
16 (d) Derives no more than twenty percent of its revenue from the sale
17 of groceries, including, but not limited to, coffee, soft drinks, and
18 candy; and
19 (e) Prohibits persons under twenty-one years of age from entering
20 the store in accordance with subsection (2) of this section.
21 (2)(a) Prior to January 1, 2022, an electronic smoking device retail
22 outlet shall not allow a person under twenty-one years of age to enter
23 the store but may allow an employee who is under twenty-one years of age
24 to work in the store.
25 (b) On and after January 1, 2022, an electronic smoking device
26 retail outlet shall not allow a person under twenty-one years of age to
1 enter the store and shall not allow an employee who is under twenty-one
2 years of age to work in the store.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 1013. Placed on General File with amendment.

AM2468

1 1. On page 3, strike lines 15 through 19 and insert the following
2 new subsection:
3 "(6) Any product that is taxed as a cigar under Title 26 of the
4 United States Code, as such title existed on January 1, 2020, and is a
5 cigarette for purposes of section 77-2602, shall not be treated as a
6 cigarette for purposes of (a) subdivision (4) of section 69-2702 and the
7 Master Settlement Agreement as defined in section 69-2702 or (b) the
8 Reduced Cigarette Ignition Propensity Act."

(Signed) Lou Ann Linehan, Chairperson

VISITOR(S)

Visitors to the Chamber were Senator Geist's daughter-in-law, Rebecca Geist, from Lincoln; students from Peter Sarpy Elementary, Bellevue; members of OutNebraska from across the state; students from

St. Bonaventure School, Columbus; and members of the Heartland Workers Center from across the state.

RECESS

At 11:46 a.m., on a motion by Speaker Scheer, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood, Brewer, DeBoer, and Gragert who were excused.

GENERAL FILE

LEGISLATIVE BILL 910. Committee [AM2163](#), found on page 749 and considered in this day's Journal, was renewed.

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

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

The motion to cease debate prevailed with 25 ayes, 4 nays, and 20 not voting.

The committee amendment was adopted with 30 ayes, 6 nays, 7 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

[MO166](#)

Recommit to the Appropriations Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 1 nay, and 36 not voting.

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

Voting in the affirmative, 2:

La Grone Wayne

Voting in the negative, 36:

Albrecht	Dorn	Hughes	Morfeld	Vargas
Arch	Friesen	Hunt	Moser	Walz
Bolz	Geist	Lathrop	Murman	Williams
Bostelman	Halloran	Lindstrom	Pansing Brooks	Wishart
Brandt	Hansen, B.	Linehan	Quick	
Briese	Hansen, M.	Lowe	Scheer	
Clements	Hilkemann	McCollister	Slama	
Crawford	Howard	McDonnell	Stinner	

Present and not voting, 3:

Cavanaugh Chambers Kolowski

Excused and not voting, 8:

Blood	DeBoer	Gragert	Hilgers
Brewer	Erdman	Groene	Kolterman

The Chambers motion to recommit to committee failed with 2 ayes, 36 nays, 3 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

[MO167](#)

Reconsider the vote to recommit.

SPEAKER SCHEER PRESIDING

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 3 nays, and 34 not voting.

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

Voting in the affirmative, 2:

Chambers Kolowski

Voting in the negative, 36:

Albrecht	Dorn	Howard	McDonnell	Vargas
Arch	Friesen	Hunt	Morfeld	Walz
Bolz	Geist	Kolterman	Moser	Williams
Bostelman	Groene	La Grone	Murman	Wishart
Brandt	Halloran	Lindstrom	Quick	
Briese	Hansen, B.	Linehan	Scheer	
Clements	Hansen, M.	Lowe	Slama	
Crawford	Hilkemann	McCollister	Stinner	

Present and not voting, 3:

Cavanaugh Pansing Brooks Wayne

Excused and not voting, 8:

Blood	DeBoer	Gragert	Hughes
Brewer	Erdman	Hilgers	Lathrop

The Chambers motion to reconsider failed with 2 ayes, 36 nays, 3 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 858. Placed on Final Reading.

LEGISLATIVE BILL 909. Placed on Final Reading.
[ST49](#)

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

1. In the Standing Committee amendments, AM2312, on page 2, line 10, "counsel, attorney, or financial" has been struck and "a counsel, an attorney, or a financial" inserted.

LEGISLATIVE BILL 944. Placed on Final Reading.
[ST48](#)

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

1. In the Bolz amendment, AM2761, section 10 has been renumbered as section 12.
2. The Bostelman amendment, AM2414, has been struck.
3. In the Standing Committee amendments, AM2307:
 - a. Section 59 and all amendments thereto have been struck and the following sections inserted:

Sec. 91. Sections 3, 10, 15, 17, 18, 19, 21, 22, 23, 30, 31, 32, 33, 34, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 55, 88, 89, 90, and 92 of this act become operative on January 1, 2021. Sections 1, 2, 4, 5, 6, 9, 11, 12, 13, 14, 16, 20, 24, 25, 26, 27, 28, 29, 35, 37, 39, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 93 of this act become operative three calendar months after adjournment of this legislative session. The other sections of this act become operative on their effective date.

Sec. 92. Original section 37-327.03, Reissue Revised Statutes of Nebraska, section 60-3,104.02, Revised Statutes Cumulative Supplement, 2018, and sections 60-301, 60-393, 60-396, 60-3,104, 60-3,122.03, 60-3,127, 60-3,130.04, 60-3,226, 60-3,230, 60-3,232, 60-3,234, 60-3,237, 60-3,239, 60-3,241, 60-3,243, and 60-495, Revised Statutes Supplement, 2019, are repealed.

Sec. 93. Original sections 18-1214, 38-129, 60-3,137, 60-3,203, 60-3,212, 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and 75-399, Reissue Revised Statutes of Nebraska, sections 4-111, 60-192, 60-331.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113, 60-4,114, 60-4,138, 60-4,141, 60-4,168, 60-6,294, 60-6,297, and 60-6,356, Revised Statutes Cumulative Supplement, 2018, and sections 60-107, 60-119.01, 60-302.01, 60-336.01, 60-386, 60-395, 60-3,113.04, 60-3,193.01, 60-3,198, 60-3,238, 60-3,240, 60-3,242, 60-462.01, 60-479.01, 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,182, 60-501, 60-628.01, 60-6,265, 60-6,290, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2019, are repealed.

Sec. 94. Original section 60-142.01, Reissue Revised Statutes of Nebraska, and section 60-144, Revised Statutes Supplement, 2019, are repealed.

Sec. 95. Since an emergency exists, this act takes effect when passed and approved according to law; and

b. On page 88, line 4, "part" has been inserted after "C.F.R."

4. On page 1, the matter beginning with "the" in line 1 through line 17 and all amendments thereto have been struck and "transportation; to amend sections 18-1214, 37-327.03, 38-129, 60-142.01, 60-3,137, 60-3,203, 60-3,212, 66-1406.02, 66-1424, 75-362, 75-369.03, 75-386, 75-398, and 75-399, Reissue Revised Statutes of Nebraska, sections 4-111, 60-192, 60-331.02, 60-3,104.02, 60-3,205, 60-484.04, 60-484.05, 60-4,113, 60-4,114, 60-4,138, 60-4,141, 60-4,168, 60-6,294, 60-6,297, and 60-6,356, Revised Statutes Cumulative Supplement, 2018, and sections 60-107, 60-119.01, 60-144, 60-301, 60-302.01, 60-336.01, 60-386, 60-393, 60-395, 60-396, 60-3,104, 60-3,113.04, 60-3,122.03, 60-3,127, 60-3,130.04, 60-3,193.01, 60-3,198, 60-3,226, 60-3,230, 60-3,232, 60-3,234, 60-3,237, 60-3,238, 60-3,239, 60-3,240, 60-3,241, 60-3,242, 60-3,243, 60-462.01, 60-479.01, 60-495, 60-4,111.01, 60-4,132, 60-4,134, 60-4,147.02, 60-4,182, 60-501, 60-628.01, 60-6,265, 60-6,290, 60-2705, 60-2909.01, 75-363, 75-364, 75-366, 75-392, and 75-393, Revised Statutes Supplement, 2019; to change provisions relating to the federal REAL ID Act of 2005 and certain motor vehicle fees imposed by cities and villages; to update certain federal references; to redefine handicapped or disabled person for purposes of motor vehicle registration; to change provisions relating to a certificate of title for a junked vehicle and odometer statements; to provide for a refund or credit of fees for a loss of possession due to natural disaster; to update a reference to the International Registration Plan; to eliminate provisions relating to certain replacement permanent plates; to authorize temporary license stickers as prescribed; to change and provide provisions relating to license plates, fees, and distribution of the fees; to provide for electronic delivery of an operator's license or state identification card and for a remote knowledge inquiry; to change provisions relating to restrictions to a commercial driver's license and a commercial learner's permit, lifetime disqualifications from operating a commercial motor vehicle, the point system for traffic violations, and vehicle length and weight limits; to provide for the crossing of a controlled-access highway by an all-terrain vehicle or utility-type vehicle as prescribed; to change provisions relating to the International Fuel Tax Agreement Act; to define and redefine terms; to change certain civil penalties; to change provisions relating to the unified carrier registration plan and agreement; to create funds; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 1016. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 340. Introduced by Stinner, 48; Hughes, 44.

PURPOSE: The purpose of this interim study is to examine the extent of surface water irrigation in this state and the condition of the surface water

irrigation projects. The study shall also examine the economic, social, and environmental benefits of such irrigation projects.

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

- (1) The number of irrigation districts, reclamation districts, public power and irrigation districts, and canal companies in the state;
- (2) The acres served with surface water irrigation and the number of surface water irrigators in the state;
- (3) The miles of canals, laterals, pipelines, and drains operated and maintained in the state for the purpose of surface water irrigation;
- (4) The number and size of dams, reservoirs, and lakes operated in the state as part of surface water irrigation projects, including those still under federal ownership through the Bureau of Reclamation;
- (5) Information about the age and condition of the surface water irrigation project facilities in the state;
- (6) Costs of operating and maintaining existing surface water irrigation projects, including amounts paid to the federal government for operation and maintenance of facilities operated by the federal government as part of such projects;
- (7) Benefits from the surface water irrigation projects other than the delivery of irrigation water; and
- (8) An estimate of future funding needs to address aging surface water infrastructure.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 341. Introduced by Halloran, 33.

WHEREAS, the Hastings High School wrestling team won the 2020 Class B State Wrestling Championship; and

WHEREAS, the Hastings Tigers wrestling team clinched the trophy before the championship matches began. Eight medalists and three finalists resulted in 140 team points, 24 1/2 more than second-place and perennial powerhouse, Omaha Skutt Catholic High School; and

WHEREAS, this is the Hastings Tigers' first championship title in wrestling since 1988; and

WHEREAS, the Hastings Tigers wrestling team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Hastings High School wrestling team and its coaches on winning the 2020 Class B State Wrestling Championship.

2. That a copy of this resolution be sent to the Hastings High School wrestling team and Coach Nolan Laux.

Laid over.

LEGISLATIVE RESOLUTION 342. Introduced by Gragert, 40.

WHEREAS, the Wynot High School girls' basketball team won the 2020 Class D-2 Girls State Basketball Championship; and

WHEREAS, the Wynot Blue Devils girls' basketball team defeated the Humphrey St. Francis Flyers with a score of 59-51, defending their state title; and

WHEREAS, the victory marked the Wynot Blue Devils' seventh championship in the past ten years and their tenth championship game appearance in the past eleven years; and

WHEREAS, the Wynot Blue Devils girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and

WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Wynot High School girls' basketball team and its coaches on winning the 2020 Class D-2 Girls State Basketball Championship.

2. That a copy of this resolution be sent to the Wynot High School girls' basketball team and Coach Steve Wieseler.

Laid over.

LEGISLATIVE RESOLUTION 343. Introduced by Hansen, B., 16.

WHEREAS, Nathaniel Bonacci, a member of Troop 114 of Fort Calhoun, has completed the requirements for the rank of Eagle Scout in the Scouts BSA; and

WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout their scouting experience, these young people

have learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Scout is required to earn 21 merit badges, 13 of which are in required areas, and complete an approved community service project; and

WHEREAS, Nathaniel built bird boxes for wood ducks at Summit Lake to help enhance and preserve wood duck populations and their habitat; and

WHEREAS, Nathaniel Bonacci, through hard work and perseverance has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Nathaniel Bonacci on achieving the rank of Eagle Scout.
2. That a copy of this resolution be sent to Nathaniel Bonacci.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 563A. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 563, One Hundred Sixth Legislature, Second Session, 2020.

LEGISLATIVE BILL 911A. Introduced by Quick, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 911, One Hundred Sixth Legislature, Second Session, 2020; and to declare an emergency.

LEGISLATIVE BILL 965A. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 965, One Hundred Sixth Legislature, Second Session, 2020.

LEGISLATIVE BILL 1185A. Introduced by Howard, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1185, One Hundred Sixth Legislature, Second Session, 2020.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 879. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hilkemann filed the following amendment to LB755:

AM2829

(Amendments to Standing Committee amendments, AM2480)

- 1 1. Strike sections 9 and 15 and insert the following new section:
- 2 Sec. 23. (1) To supervise a physician assistant, a podiatrist
- 3 shall:
- 4 (a) Be licensed to practice podiatry under the Podiatry Practice
- 5 Act;
- 6 (b) Have no restriction imposed by the board on such podiatrist's
- 7 ability to supervise a physician assistant; and
- 8 (c) Maintain a collaborative agreement with the physician assistant.
- 9 (2) The podiatrist shall keep the collaborative agreement on file at
- 10 the podiatrist's primary practice site, shall keep a copy of the
- 11 collaborative agreement on file at each practice site where the physician
- 12 assistant provides podiatry services, and shall make the collaborative
- 13 agreement available to the board and the department upon request.
- 14 (3) Supervision of a physician assistant by a supervising podiatrist
- 15 shall be continuous but shall not require the physical presence of the
- 16 supervising podiatrist at the time and place that the services are
- 17 rendered. A physician assistant may render services in a setting that is
- 18 geographically remote from the supervising podiatrist.
- 19 (4) A supervising podiatrist may supervise no more than four
- 20 physician assistants at any one time. The board may consider an
- 21 application for waiver of this limit and may waive the limit upon a
- 22 showing that the supervising podiatrist meets the minimum requirements
- 23 for the waiver. The department may adopt and promulgate rules and
- 24 regulations establishing minimum requirements for such waivers.
- 25 2. On page 4, line 9, strike "sections 7, 9, and 15" and insert
- 26 "section 7"; in line 17 strike "sections 7 and 9" and insert "section 7";
- 1 in line 30 strike "or podiatrist" and insert "or under a collaborative
- 2 agreement with the supervision of a podiatrist as provided by section 22
- 3 of this act"; and in line 31 strike "or podiatrist group".
- 4 3. On page 5, line 1, strike "or podiatrists"; and in line 12 strike
- 5 "or supervising podiatrist".
- 6 4. On page 6, line 30, strike "or".
- 7 5. On page 7, line 1, strike "supervising podiatrist"; in line 5
- 8 strike "or supervising podiatrist"; and in line 13 strike "24" and insert
- 9 "22".
- 10 6. On page 12, line 10, strike "22 to 24" and insert "20 to 23"; in
- 11 line 16 strike "22 and 23" and insert "20 and 21"; and in line 26 strike
- 12 "15" and insert "23".
- 13 7. On page 13, line 2, after the period insert "A physician
- 14 assistant shall have at least one supervising podiatrist for each
- 15 employer".
- 16 8. On page 14, line 20, strike "27 to 32" and insert "26 to 31".
- 17 9. On page 20, lines 23 and 28, strike "37" and insert "36".
- 18 10. Renumber the remaining sections accordingly.

Senator Slama filed the following amendment to LB1008:

AM2884

(Amendments to Standing Committee amendments, AM2737)

1 1. Strike section 26 and insert:
 2 Sec. 26. AGENCY NO. 29 — DEPARTMENT OF NATURAL RESOURCES
 3 Program No. 334 - Soil and Water Conservation
 4

	<u>FY2019-20</u>	<u>FY2020-21</u>
5 <u>GENERAL FUND</u>	<u>125,000</u>	<u>-0-</u>
6 <u>CASH FUND</u>	<u>175,000</u>	<u>425,000</u>
7 <u>PROGRAM TOTAL</u>	<u>300,000</u>	<u>425,000</u>

8 There is included in the appropriation to this program for FY2019-20
 9 \$125,000 General Funds for state aid, which shall only be used for such
 10 purpose. There is included in the appropriation to this program for
 11 FY2020-21 \$-0- General Funds for state aid, which shall only be used for
 12 such purpose.
 13 There is included in the appropriation to this program for FY2019-20
 14 \$125,000 General Funds to provide a grant to a city with a population of
 15 less than one thousand residents to carry out an engineering study to
 16 develop cost estimates for repair of a breached levee system that
 17 resulted in the flooding of drinking water and wastewater treatment
 18 facilities.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 962. Placed on Final Reading.

ST50

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

1. In the Standing Committee amendments, AM2580, on page 5, line 13, "student-athlete" has been struck and "student-athletes" inserted.

LEGISLATIVE BILL 996. Placed on Final Reading.

ST46

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

1. On page 1, the matter beginning with "the" in line 1 through line 5 has been struck and "telecommunications; to amend section 49-14,101.03, Reissue Revised Statutes of Nebraska, and section 86-101, Revised Statutes Supplement, 2019; to create the Broadband Data Improvement Program; to provide powers and duties for the Public Service Commission under the Nebraska Telecommunications Regulation Act; to provide for a government Internet network use policy for the Legislature; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

2. On page 2, line 3, "2" has been struck and "3" inserted.

LEGISLATIVE BILL 997. Placed on Final Reading.

LEGISLATIVE BILL 1014. Placed on Final Reading.

LEGISLATIVE BILL 1061. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 910. Senator Chambers offered the following motion:

MO168

Bracket until April 22, 2020.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB790:
[AM2912](#) is available in the Bill Room.

Senators Lindstrom and Pansing Brooks filed the following amendment to LB808:
[AM2875](#) is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1003. Title read. Considered.

Committee [AM2651](#), found on page 863, was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB322:
[AM2134](#)

(Amendments to AM2082)

- 1 1. On page 1, line 8, strike "nineteen", show as stricken, and
- 2 insert "twenty-one"; in lines 12 and 25 strike "nineteen" and insert
- 3 "twenty-one"; and in line 15 after "check" insert "if such person is
- 4 under nineteen years of age".
- 5 2. On page 2, lines 5 and 8, strike "nineteen", show as stricken,
- 6 and insert "twenty-one".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LB755.

VISITOR(S)

Visitors to the Chamber were students, teacher, and sponsor from Elm Creek High School; and students from Bennet Elementary.

The Doctor of the Day was Drs. Audrey and Paul Paulsen from Omaha.

ADJOURNMENT

At 4:41 p.m., on a motion by Senator Cavanaugh, the Legislature adjourned until 9:00 a.m., Thursday, March 12, 2020.

Patrick J. O'Donnell
Clerk of the Legislature