

SIXTH DAY - JANUARY 15, 2020**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION****SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, January 15, 2020

PRAYER

The prayer was offered by Father Ryan Lewis, St. Elizabeth Ann Catholic Church, Omaha.

ROLL CALL

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

The roll was called and all members were present except Senator Wayne who was excused; and Senators La Grone, Pansing Brooks, and Slama who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifth day was approved.

MOTION(S) - Withdraw LB904

Senator Bolz offered her motion, [MO115](#), found on page 296, to withdraw LB904.

The Bolz motion to withdraw the bill prevailed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1000. Introduced by Blood, 3.

A BILL FOR AN ACT relating to gambling; to direct registration fees collected in relation to the regulation of fantasy contests to professional development for the early childhood care and education workforce; to create a fund; and to provide duties.

LEGISLATIVE BILL 1001. Introduced by Crawford, 45; Lowe, 37.

A BILL FOR AN ACT relating to education; to require hotline phone numbers on student identification cards for middle school, high school, and postsecondary students as prescribed; and to harmonize provisions.

LEGISLATIVE BILL 1002. Introduced by Bostelman, 23.

A BILL FOR AN ACT relating to public health and welfare; to amend sections 71-7436 and 71-7444, Reissue Revised Statutes of Nebraska; to change provisions relating to wholesale drug distribution for emergency medical services; to redefine terms; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1003. Introduced by Walz, 15.

A BILL FOR AN ACT relating to cities of the second class and villages; to amend section 17-405.01, Revised Statutes Cumulative Supplement, 2018; to provide annexation powers for purposes of relocation due to catastrophic flooding; to harmonize provisions; and to repeal the original section.

LEGISLATIVE BILL 1004. Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-1,110, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for parole; and to repeal the original section.

LEGISLATIVE BILL 1005. Introduced by McCollister, 20.

A BILL FOR AN ACT relating to elections; to amend sections 32-314, 32-401, 32-502, 32-503, 32-506, 32-507, 32-509, 32-605, 32-611, 32-612, 32-619.01, 32-623, 32-627, 32-702, 32-716, 32-720, 32-801, 32-809, 32-810, 32-811, 32-813, 32-814, 32-815, and 32-912, Reissue Revised Statutes of Nebraska, and sections 32-312 and 32-610, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to nomination and election of certain partisan candidates as prescribed; to harmonize provisions; to provide an operative date; and to repeal the original sections.

LEGISLATIVE BILL 1006. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to civil procedure; to amend section 25-1056, Reissue Revised Statutes of Nebraska; to change provisions relating to garnishment summonses; and to repeal the original section.

LEGISLATIVE BILL 1007. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to criminal procedure; to amend section

29-1822, Revised Statutes Cumulative Supplement, 2018, and section 29-1823, Revised Statutes Supplement, 2019; to change provisions relating to competency to stand trial and competency to be sentenced; to provide a duty for the Revisor of Statutes; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525

Wednesday, January 22, 2020 1:30 p.m.
James W. Hawks - Environmental Quality Council
LB802
LB858

(Signed) Dan Hughes, Chairperson

MOTION(S) - Print in Journal

Senator Lindstrom filed the following motion to LB765:
[MO116](#)
Withdraw bill.

MOTION - Escort Governor

Senator Hughes moved that a committee of five be appointed to escort the Governor of the State of Nebraska to the Legislative Chamber to deliver his State of the State Address.

The motion prevailed.

The Chair appointed Senators Albrecht, Crawford, Geist, Howard, and Linehan to serve on said committee.

STATE OF THE STATE ADDRESS

“Through it all, Nebraskans showed the world what it truly means to be Nebraska Strong.”

“Property tax relief remains the top priority for the people of Nebraska and it’s my number one priority.”

“Our work in the coming days will take a spirit of collaboration and cooperation for each of us to do our part to keep Nebraska strong.”

President Foley, Speaker Scheer, Members of the Legislature, Distinguished Guests, Friends, Fellow Nebraskans – good morning!

Congratulations on the commencement of the Second Session of the 106th Nebraska Legislature. I want to welcome each of you back to Lincoln, and I look forward to working together to keep Nebraska strong during what is certain to be a fast-paced short session. From property tax relief to flood aid, we have several important priorities that we must address.

As we enter this session, our priorities for 2020 have been shaped by events and circumstances our state has faced over the last year.

As I have said before, I believe that 2019 will be remembered as Nebraska's finest hour.

When we were faced with the most widespread and costliest natural disaster in state history, Nebraskans responded with heroic grit, determination, resilience, and generosity.

For 318 days—from February 4th to December 19th—Nebraska had a Flood Warning, Watch, or Advisory somewhere in our state.

Through it all, Nebraskans showed the world what it truly means to be Nebraska Strong.

Nebraskans not only rescued stranded neighbors, but they also sandbagged levies, donated hay and supplies, delivered hot meals, and raised money for those who had lost everything.

Last month, the First Lady and I had the honor of presenting several of our flood heroes with a token of our state's appreciation. These men and women are ordinary Nebraskans, who recognized a need and took lifesaving action. In many cases they did this, not because it was their job, but because they cared about their neighbors and their communities.

Sadly, the flooding claimed the lives of six Nebraskans. One of those Nebraskans was James Wilke. James was a farmer from near Columbus, who sacrificed his life while volunteering to save a stranded motorist. When local emergency responders asked for his help, James answered the call, put on his boots, and got in his tractor. While driving his tractor to the rescue, the bridge he traveled over could not withstand the powerful water and collapsed. Even though God called James home earlier than any of us expected, he will forever be remembered for his selflessness and heroism. His wife Rachel and family members are here today. Please help me recognize them.

Today, I also want to recognize the amazing work of our public servants here at the State of Nebraska. They are the unsung heroes who worked around the clock organizing rescues, clearing roads, and supporting communities.

During the flooding, members of the Nebraska National Guard drove nearly 45,000 miles and put in 335 hours of flight time. Along the way, they rescued 112 people, 66 of those rescues were by helicopter hoist.

The Nebraska State Patrol made more than 160 rescues in the weeks following the blizzards and floods in March. Rescues were made using patrol units, light armored vehicles, boats, and a helicopter to reach people in danger and bring them to safety. In July, when another round of flooding struck central Nebraska, the State Patrol was among the first on the ground to help. Troopers worked side-by-side with Kearney police officers and others to evacuate hundreds of people from flooded businesses and hotels in Kearney.

At the Nebraska Department of Transportation, teammates like Rudy Novacek sacrificed countless hours to keep people safe. Rudy was escaping through floodwaters in a plow truck when he turned around to go back and assist a Nebraska State Trooper that got stranded behind him. Since the flood, the agency has helped rebuild the state by reopening and repairing 3,300 miles of state highway along with 27 bridges.

And finally, I want to recognize the team at the Nebraska Emergency Management Agency (NEMA). They helped coordinate the response across the state, supported local emergency managers, directed resources, and ran a joint information center among countless other duties. They are the best among their peers in the nation!

Please help me recognize representatives from the Nebraska National Guard, State Patrol, Department of Transportation, and NEMA, who are seated in the balcony today.

Before I elaborate further on the state of the state, I want to briefly honor State Patrol Trooper Jerry Smith who lost his life in a tragic crash last year. He was the first trooper we've lost in the line of duty in the last 20 years. From the sands of war-torn Iraq to the highways and byways of Nebraska, Trooper Smith's life was distinguished by service—a service rooted in his deep love for his family, his community, his state, and his country. While his family was not able to be here today, please help me recognize his sacrifice, and the bravery of all the great men and women who serve in our law enforcement agencies.

Even though the floodwaters subsided and communities pulled together to rebuild, the events of the last year have compounded challenges for ag producers in our state's largest industry. In addition to the flooding, we experienced several other major events. A fire at a beef processing plant in Kansas depressed beef prices and hit our ranch families hard. An irrigation tunnel collapsed in eastern Wyoming, threatening our state's sugar beet industry and hundreds of farm operations. Trade uncertainty has shifted our focus towards diversifying markets for Nebraska's ag producers. And our

continued battle to enforce a robust Renewable Fuel Standard has made for a difficult year for corn growers.

As agriculture works to power through these tough times, each of us has a duty to be a voice for our farm and ranch families whether we come from a rural background or an urban one.

Even with these challenges, Nebraska has been able to achieve several significant milestones in the last twelve months.

In spite of unprecedented flooding and other unforeseen challenges, I'm happy to report that the state of the state is strong, resilient, and growing!

In 2019, Nebraska outpaced the national rate for GDP growth.

In March, Nebraska marked the first month ever that one million unique individuals have been employed in our state.

And in October, we added over 15,000 new jobs, which is the fastest year-over-year job growth since 2015.

Our team at the State of Nebraska has been working hard to support new growth. Over the past year, we've used our four pillars of prosperity to grow Nebraska and deliver on our mission of making state government more effective, more efficient, and more customer-focused.

We have connected numerous Nebraskans with great jobs and opportunities, launched new kinds of apprenticeships with CLAAS and Graepel, expanded registered apprenticeships, and created new Developing Youth Talent Initiative programming.

We continue to lead the nation in running government like a business. In September, Harvard spotlighted the great work our Center of Operational Excellence is doing to put our customers first, cut wait times, and eliminate waste.

Together, we increased the Property Tax Credit Relief Fund by over 20 percent to \$275 million annually, or almost double what it was before I took office.

And I led trade missions to Mexico, Vietnam, Japan, and Germany to promote Nebraska's quality products and to recruit new investment to our state.

These strategies have been key in bringing great opportunities here to the Good Life. Companies such as Costco, Google, Facebook, and Veramaris invested in our state. Investments like these helped us win our third consecutive Governor's Cup award for the most new investments per capita of any state in the nation.

Before I talk about legislative priorities, I want to take a moment to make a special announcement. Nebraska is not just a leader in growing job opportunities, but also in our work in the area of child welfare. You may have noticed that my lovely wife Susanne is not here today. She is in Seattle with Casey Family Programs accepting the foundation's Jim Casey Building Communities of Hope Award on behalf of our great state. Nebraska is receiving this national award because of the incredible work that private and public agencies have been doing through the Bring Up Nebraska initiative. This work is helping produce better outcomes for our children. Thanks in part to this work, the number of children in need of foster care in Nebraska has decreased by 18 percent over the last two years, helping to keep more children and families together. Please help me thank the Nebraska Children and Families Foundation and all the incredible partners who have invested so deeply in Bring Up Nebraska, our kids, and our families!

Now, let's turn to the legislative session, and what we can do to grow our state and keep Nebraska strong. Just a short eight months ago, we collaborated together on a two-year budget that set priorities for this year and next.

With the exception of a couple emergent priorities, I expect state agencies and our partners to manage within this two-year budget. Not including property tax relief, the budget adjustments I am presenting to you today continue to control spending and limit budget growth to about 2.9 percent over the biennium.

A strong finish to the last fiscal year helped us rebuild our cash reserve and has created the opportunity for us to work on key priorities for the people of Nebraska.

In October, the state's forecasting board raised its revenue projection by \$266 million for the current and upcoming fiscal year combined.

With this fiscal framework in mind, I have four major priorities I am presenting to you today.

First, property tax relief. Property tax relief remains the top priority for the people of Nebraska and it's my number one priority. Last year, we successfully increased the Property Tax Credit Relief Fund from the state to the people of Nebraska by over 20 percent. This was a step in the right direction, but more must be done.

Today, I am recommending roughly \$500 million in property tax relief over the next three years to help our farmers, ranchers, home owners, and businesses. I will be working closely with Senator Linehan and the Revenue Committee to direct this relief in a way that will make a difference in the local property tax bills Nebraskans pay.

As we work together, I have three principles I am following: No tax increases, protect the Property Tax Credit Relief Fund, and encourage spending restraint in local governments just like we are doing at the state.

We need local spending restraint because, over the last 10 years, local governments have raised local property taxes 54 percent while inflation only grew at 17 percent.

Second, flood relief. Communities across Nebraska have been rebuilding, but there's still a long way to go. The federal government will step up to provide significant support, but the state must do our part as well. Eighty-four counties and five tribal nations have submitted over \$400 million in disaster relief projects to the Federal Emergency Management Agency.

My recommendation includes \$50 million to address the state's share of these projects and another \$9.2 million to aid the counties most severely impacted by the disaster. I am also recommending an additional \$3 million to maintain an adequate balance in the Governor's Emergency Fund, so the state is prepared to address any future events.

Third, we need to do more to retain our veterans. Veterans continue to contribute to our communities and our economy after they complete their service. Nebraska is the only state in our region whose veterans' population is declining in part because we tax retirement benefits. This week, you voted 46-0 for military retirement tax relief. I want to thank you for advancing LB 153, and encourage you to deliver this tax relief that will help us retain our veterans.

Fourth, workforce and business expansion. These twin issues need ongoing work in both the public and private sector.

Connecting the next generation of Nebraskans to great opportunities in our state is key to helping our kids make Nebraska their home. I am proposing that we invest \$16 million in scholarships for students at our community colleges, state colleges, and University system to help connect the next generation of Nebraskans with great careers in fields ranging from math and engineering to healthcare and IT.

I also want to acknowledge University of Nebraska President Ted Carter who has joined us here today – we look forward to working with you as you lay out your vision for our University system!

My recommendations also include funding for LB 720, which would refine Nebraska's business incentives. It is critical that incentives are dealt with this legislative session, so Nebraska can remain competitive nationally as we work to recruit and expand job opportunities.

And finally on the topic of workforce, I am recommending \$8 million to attract and retain quality teammates in Corrections. This will support the new agreement recently reached with the Corrections Officer union. As we implement this agreement, Director Frakes and I continue to look at next steps for the agency and what we need to do to keep our people and communities safe.

Property tax relief. Flood relief. Veterans tax relief. And growing our people and businesses. These are four ways we can keep Nebraska strong and growing in 2020.

I know that there will be tough debates. Long nights. And an unpredictable journey ahead.

But I also know that the citizen legislators gathered here today can get the job done when everyone rolls up their sleeves and works together.

Before I close, I want to recognize the State Senators who are completing their final session. Each of these individuals has devoted the last seven years to serving their district and our state. Senators Bolz, Chambers, Crawford, Howard, Kolowski, and especially Jim Scheer, who has provided tremendous leadership for the State of Nebraska as Speaker of the Legislature. Would you all please stand? Thank you for your service!

This year also marks an important milestone. It is the 100th anniversary of women's suffrage. I want to recognize all the female legislators who have stepped up to serve our state. Would you please stand and be recognized?

Once again, thank you all for your service to the people of Nebraska. Our work in the coming days will take a spirit of collaboration and cooperation for each of us to do our part to keep Nebraska strong. I look forward to the days ahead.

God bless you all and God bless the great State of Nebraska!

The committee escorted Governor Pete Ricketts from the Chamber.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1008. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2019, LB294, sections 23, 24, 49, 50, 51, 92, 98, 99, 102, 105, 110, 130, 147, 169, 170, 200, 207, 215, 216, 217, and 244; and Laws 2019, LB297, sections 31 and 43; to define and redefine terms; to provide, change, and eliminate appropriations for operation of state government, state aid, postsecondary

education, and capital construction; to provide for transfers of funds; to require reports; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 1009. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to appropriations; to amend sections 61-222 and 61-224, Reissue Revised Statutes of Nebraska, and section 84-1227, Revised Statutes Supplement, 2019; to provide for transfers of funds; to repeal a fund; to harmonize provisions; to repeal the original sections; to outright repeal section 46-752, Reissue Revised Statutes of Nebraska; and to declare an emergency.

LEGISLATIVE BILL 1010. Introduced by Speaker Scheer, 19; at the request of the Governor.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Supplement, 2019; to authorize transfers; to repeal the original section; and to declare an emergency.

LEGISLATIVE BILL 1011. Introduced by Arch, 14.

A BILL FOR AN ACT relating to hospitals; to amend section 71-401, Reissue Revised Statutes of Nebraska; to provide a duty for hospitals; to provide an operative date; and to repeal the original section.

GENERAL FILE

LEGISLATIVE BILL 740. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 741. Title read. Considered.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 7 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 582. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 381. Title read. Considered.

Committee [AM207](#), found on page 578, First Session, 2019, was offered.

Senator B. Hansen offered his amendment, [AM2075](#), found on page 280, to the committee amendment.

The B. Hansen amendment was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 477. Title read. Considered.

Senator Vargas offered his amendment, [AM2098](#), found on page 302.

The Vargas amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 6 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 477A. Title read. Considered.

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

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1012. Introduced by La Grone, 49.

A BILL FOR AN ACT relating to property taxes; to amend section 77-202.03, Revised Statutes Supplement, 2019; to change provisions relating to tax exemptions for property acquired by certain tax-exempt entities; and to repeal the original section.

LEGISLATIVE BILL 1013. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to tobacco; to amend section 77-2602.05, Reissue Revised Statutes of Nebraska; to change provisions relating to a cigarette tax and exempt transactions; to repeal the original section; and to declare an emergency.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hunt name added to LB848.

Senator Kolterman name added to LB853.
 Senator Kolterman name added to LB899.
 Senator Gragert name added to LB946.
 Senator M. Hansen name added to LR294.

VISITOR(S)

Visitors to the Chamber were Senator Bostelman's wife, Jan; and Paul Turman, Gary Bieganski, and John Chaney from the Nebraska State College System and state college presidents, Drs. Randy Rhine, Dan Hanson, and Marysz Rames.

RECESS

At 11:43 a.m., on a motion by Senator Halloran, 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 Stinner and Wayne who were excused; and Senators Friesen, B. Hansen, Hilkemann, Linehan, Morfeld, Murman, and Pansing Brooks who were excused until they arrive.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB886	Banking, Commerce and Insurance (rereferred)
LB975	Judiciary
LB976	Urban Affairs
LB977	Health and Human Services
LB978	Judiciary
LB979	Appropriations
LB980	General Affairs
LB981	Government, Military and Veterans Affairs
LB982	Government, Military and Veterans Affairs
LB983	Transportation and Telecommunications
LB984	Urban Affairs
LB985	Judiciary
LB986	Judiciary
LB987	Revenue
LB988	Banking, Commerce and Insurance

LB989 Revenue
LB990 General Affairs
LB991 Judiciary
LB992 Transportation and Telecommunications
LB994 Judiciary
LB995 Appropriations
LB996 Transportation and Telecommunications
LB997 Banking, Commerce and Insurance
LB998 Education
LB999 Urban Affairs

(Signed) Mike Hilgers, Chairperson
Executive Board

MESSAGE(S) FROM THE GOVERNOR

January 15, 2020

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

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

Contingent upon your approval, the following individual is being
reappointed to the Game and Parks Commission:

Dan C. Kreitman, 1689 County Road E, Wahoo, NE 68056

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

January 15, 2020

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

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

Contingent upon your approval, the following individual is being appointed

to the Beginning Farmer Board:

Britt D. Anderson, 77675 Road 414, Gothenburg, NE 69138

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

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

NOTICE OF COMMITTEE HEARING(S)

Judiciary
Room 1113

Wednesday, January 22, 2020 1:30 p.m.

LB756
LB823
LB844
LB871
LB882
LB884
LB940

Thursday, January 23, 2020 1:30 p.m.

LB776
LB777
LB881
LB906
LB912
LB934
LB969

Friday, January 24, 2020 1:30 p.m.

LB868
LB869
LB914
LB925
LB938

LB951
LB968

(Signed) Steve Lathrop, Chairperson

Agriculture
Room 1524

Tuesday, January 28, 2020 1:30 p.m.
LB803
LB972

(Signed) Steve Halloran, Chairperson

ANNOUNCEMENT

The Chair announced the birthday of Senator McDonnell.

GENERAL FILE

LEGISLATIVE BILL 68. Title read. Considered.

Committee [AM334](#), found on page 704, First Session, 2019, was offered.

Senator M. Hansen offered the Wayne amendment, [AM2097](#), found on page 298, to the committee amendment.

The Wayne amendment was adopted with 37 ayes, 0 nays, 3 present and not voting, and 9 excused and not voting.

The committee amendment, as amended, was adopted with 35 ayes, 0 nays, 5 present and not voting, and 9 excused and not voting.

The Wayne amendment, [AM1988](#), found on page 176, was withdrawn.

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

LEGISLATIVE BILL 107. Title read. Considered.

Committee [AM356](#), found on page 705, First Session, 2019, was adopted with 33 ayes, 2 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 11 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 9. Title read. Considered.

Senator Blood moved for a call of the house. The motion prevailed with 19 ayes, 1 nay, and 29 not voting.

Senator Blood requested a roll call vote, in reverse order, on the advancement of the bill.

Voting in the affirmative, 13:

Blood	DeBoer	Hunt	Pansing Brooks	Wishart
Cavanaugh	Hansen, M.	McDonnell	Vargas	
Crawford	Howard	Morfeld	Walz	

Voting in the negative, 17:

Albrecht	Erdman	Hughes	Moser	Williams
Brewer	Gragert	Kolterman	Murman	
Clements	Halloran	Lindstrom	Scheer	
Dorn	Hilgers	Lowe	Slama	

Present and not voting, 12:

Bolz	Chambers	Groene	Linehan
Brandt	Friesen	La Grone	McCollister
Briese	Geist	Lathrop	Quick

Excused and not voting, 7:

Arch	Hansen, B.	Kolowski	Wayne
Bostelman	Hilkemann	Stinner	

Failed to advance to Enrollment and Review Initial with 13 ayes, 17 nays, 12 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

NOTICE OF COMMITTEE HEARING(S)

Health and Human Services
Room 1510

Thursday, January 23, 2020 1:30 p.m.

LB811

LB755

LB828

(Signed) Sara Howard, Chairperson

Government, Military and Veterans Affairs
Room 1507

Thursday, January 23, 2020 1:30 p.m.
LB890
LB763

Friday, January 24, 2020 1:30 p.m.
LB820
LB822

(Signed) Tom Brewer, Chairperson

Executive Board
Room 1507

Wednesday, January 22, 2020 12:00 p.m.
LR279CA

(Signed) Mike Hilgers, Chairperson

Transportation and Telecommunications
Room 1113

Monday, January 27, 2020 1:30 p.m.
LB944
LB931
LB761
LB842
LB983
LB830

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Vargas filed the following amendment to LB310:
[AM2099](#)

(Amendments to Standing Committee amendments, AM739)

1 1. Insert the following new section:

2 Sec. 2. Section 77-5601, Revised Statutes Supplement, 2019, is
3 amended to read:

4 77-5601 (1) From August 1, 2004, through October 31, 2004, there
5 shall be conducted a tax amnesty program with regard to taxes due and
6 owing that have not been reported to the Department of Revenue. Any
7 person applying for tax amnesty shall pay all unreported taxes that were
8 due on or before April 1, 2004. Any person that applies for tax amnesty
9 and is accepted by the Tax Commissioner shall have any penalties and
10 interest waived on unreported and delinquent taxes notwithstanding any
11 other provisions of law to the contrary.

12 (2) To be eligible for the tax amnesty provided by this section, the
13 person shall apply for amnesty within the amnesty period, file a return
14 for each taxable period for which the amnesty is requested by December
15 31, 2004, if no return has been filed, and pay in full all taxes for
16 which amnesty is sought with the return or within thirty days after the
17 application if a return was filed prior to the amnesty period. Tax
18 amnesty shall not be available for any person that is under civil or
19 criminal audit, investigation, or prosecution for unreported or
20 delinquent taxes by this state or the United States Government on or
21 before April 16, 2004.

22 (3) The department shall not seek civil or criminal prosecution
23 against any person for any taxable period for which amnesty has been
24 granted. The Tax Commissioner shall develop forms for applying for the
25 tax amnesty program, develop procedures for qualification for tax
26 amnesty, and conduct a public awareness campaign publicizing the program.

1 (4) If a person elects to participate in the amnesty program, the
2 election shall constitute an express and irrevocable relinquishment of
3 all administrative and judicial rights to challenge the imposition of the
4 tax or its amount. Nothing in this section shall prohibit the department
5 from adjusting a return as a result of any state or federal audit.

6 (5)(a) Except for any local option sales tax collected and returned
7 to the appropriate municipality and any motor vehicle fuel, diesel fuel,
8 and compressed fuel taxes, which shall be deposited in the Highway Trust
9 Fund or Highway Allocation Fund as provided by law, no less than eighty
10 percent of all revenue received pursuant to the tax amnesty program shall
11 be deposited in the General Fund and ten percent, not to exceed five
12 hundred thousand dollars, shall be deposited in the Department of Revenue
13 Enforcement Fund. Any amount that would otherwise be deposited in the
14 Department of Revenue Enforcement Fund that is in excess of the five-
15 hundred-thousand-dollar limitation shall be deposited in the General
16 Fund.

17 (b) For fiscal year 2005-06, all proceeds in the Department of
18 Revenue Enforcement Fund shall be appropriated to the department for
19 purposes of employing investigators, agents, and auditors and otherwise
20 increasing personnel for enforcement of the Nebraska Revenue Act of 1967.

21 (c) For fiscal years after fiscal year 2005-06, twenty percent of
22 all proceeds received during the previous calendar year due to the
23 efforts of auditors and investigators hired pursuant to subdivision (5)

24 (b) of this section, not to exceed seven hundred fifty thousand dollars,
25 shall be deposited in the Department of Revenue Enforcement Fund for
26 purposes of employing investigators and auditors or continuing such
27 employment for purposes of increasing enforcement of the act.

28 (d) Ten percent of all proceeds received during each calendar year
29 due to the contracts entered into pursuant to section 77-367 shall be
30 deposited in the Department of Revenue Enforcement Fund for purposes of
31 identifying nonfilers of returns, underreporters, nonpayers of taxes, and
1 improper or fraudulent payments.

2 (6)(a) The department shall prepare a report by April 1, 2005, and
3 by February 1 of each year thereafter detailing the results of the tax
4 amnesty program and the subsequent enforcement efforts. For the report
5 due April 1, 2005, the report shall include (i) the amount of revenue

6 obtained as a result of the tax amnesty program broken down by tax
7 program, (ii) the amount obtained from instate taxpayers and from out-of-
8 state taxpayers, and (iii) the amount obtained from individual taxpayers
9 and from business enterprises.

10 (b) For reports due in subsequent years, the report shall include
11 (i) the number of personnel hired for purposes of subdivision (5)(b) of
12 this section and their duties, (ii) a description of lists, software,
13 programming, computer equipment, and other technological methods acquired
14 and the purposes of each, and (iii) the amount of new revenue obtained as
15 a result of the new personnel and acquisitions during the prior calendar
16 year, broken down into the same categories as described in subdivision
17 (6)(a) of this section.

18 (7) The Department of Revenue Enforcement Fund is created. Transfers
19 may be made from the Department of Revenue Enforcement Fund to the
20 General Fund at the direction of the Legislature. The Department of
21 Revenue Enforcement Fund may receive transfers from the Civic and
22 Community Center Financing Fund at the direction of the Legislature for
23 the purpose of administering the Sports Arena Facility Financing
24 Assistance Act. The Department of Revenue Enforcement Fund shall include
25 any money credited to the fund (a) under section 77-2703, and such money
26 shall be used by the Department of Revenue to defray the costs incurred
27 to implement Laws 2019, LB237, and (b) under the Mechanical Amusement
28 Device Tax Act, and such money shall be used by the department to defray
29 the costs incurred to implement and enforce Laws 2019, LB538, and any
30 rules and regulations adopted and promulgated to carry out Laws 2019,
31 LB538, and (c) under section 77-2906, and such money shall be used by the
1 Department of Revenue to defray the costs incurred to implement this
2 legislative bill. Any money in the Department of Revenue Enforcement Fund
3 available for investment shall be invested by the state investment
4 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
5 State Funds Investment Act.

6 (8) For purposes of this section, taxes mean any taxes collected by
7 the department, including, but not limited to state and local sales and
8 use taxes, individual and corporate income taxes, financial institutions
9 deposit taxes, motor vehicle fuel, diesel fuel, and compressed fuel
10 taxes, cigarette taxes, transfer taxes, and charitable gaming taxes.
11 2. On page 3, strike lines 19 through 22 and insert:

12 "(b) A fee equal to six-tenths of one percent of the credit amount.
13 The department shall remit such fees to the State Treasurer for credit to
14 the Department of Revenue Enforcement Fund."

15 3. Renumber the remaining section and correct the repealer
16 accordingly.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 30. Placed on Select File with amendment.

[ER138](#)

- 1 1. In the Standing Committee amendments, AM302:
2 a. On page 1, line 6, after "19" insert "of this act"; and
3 b. On page 4, line 5, after the semicolon insert "and".

LEGISLATIVE BILL 93. Placed on Select File with amendment.

[ER139](#)

- 1 1. On page 1, line 1, strike "civil procedure; to amend section
2 25-328" and insert "paternity; to amend section 43-1411".

(Signed) Julie Slama, Chairperson

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1014. Introduced by Lindstrom, 18.

A BILL FOR AN ACT relating to insurance; to amend sections 44-7601, 44-7603, 44-7604, 44-7605, 44-7606, 44-7612, 44-7614, and 44-7617, Reissue Revised Statutes of Nebraska; to change the Multiple Employer Welfare Arrangement Act as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1015. Introduced by Briese, 41.

A BILL FOR AN ACT relating to time; to amend sections 32-908, 49-1301, 49-1302, and 81-1323, Reissue Revised Statutes of Nebraska, and section 81-1328, Revised Statutes Cumulative Supplement, 2018; to provide for year-round daylight saving time as prescribed; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1016. Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to labor; to amend sections 48-1228 and 48-1231, Revised Statutes Cumulative Supplement, 2018, and section 48-1234, Revised Statutes Supplement, 2019; to change the Nebraska Wage Payment and Collection Act; to harmonize provisions; and to repeal the original sections.

LEGISLATIVE BILL 1017. Introduced by Geist, 25; Bolz, 29; Dorn, 30.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Supreme Court for problem-solving courts for mental health.

LEGISLATIVE BILL 1018. Introduced by Vargas, 7; Cavanaugh, 6; Hansen, M., 26; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for local public health departments as prescribed.

GENERAL FILE

LEGISLATIVE BILL 148. Title read. Considered.

SPEAKER SCHEER PRESIDING

Committee [AM421](#), found on page 710, First Session, 2019, was adopted with 31 ayes, 0 nays, 11 present and not voting, and 7 excused and not voting.

The Wayne amendment, [FA33](#), found on page 988, First Session, 2019, was withdrawn.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 594. Title read. Considered.

Committee [AM313](#), found on page 740, First Session, 2019, was offered.

Senator Brewer offered the following motion:

[MO118](#)

Recommit to the Agriculture Committee.

PRESIDENT FOLEY PRESIDING

Pending.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 1019. Introduced by Vargas, 7; McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for federally qualified health centers as prescribed.

LEGISLATIVE BILL 1020. Introduced by Vargas, 7; Wishart, 27.

A BILL FOR AN ACT relating to the Nebraska Fair Housing Act; to amend sections 20-139, 20-301, 20-317, 20-318, 20-320, 20-321, 20-322, and 20-325, Reissue Revised Statutes of Nebraska; to define a term; to change provisions relating to discrimination; and to repeal the original sections.

LEGISLATIVE BILL 1021. Introduced by Groene, 42.

A BILL FOR AN ACT relating to cities and villages; to amend sections 18-2108, 18-2110, 18-2111, 18-2112, 18-2114, 18-2117, and 77-1704.01, Reissue Revised Statutes of Nebraska, sections 18-2109, 18-2113, 18-2115, 18-2116, 18-2117.01, and 18-2147, Revised Statutes Cumulative Supplement, 2018, and section 18-2101, Revised Statutes Supplement, 2019; to provide for an expedited review of certain redevelopment plans under the Community Development Law; to exempt such redevelopment plans from certain requirements; to harmonize provisions; and to repeal the original sections.

NOTICE OF COMMITTEE HEARING(S)

Business and Labor
Room 1524

Monday, January 27, 2020 1:30 p.m.

LB888

LB963

LB846

LB926

(Signed) Matt Hansen, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Linehan name added to LB903.

Senator Wayne name added to LB924.

WITHDRAW - Cointroducer(s)

Senator Hunt name withdrawn from LB934.

VISITOR(S)

The Doctor of the Day was Dr. Patrick Hotovy from York.

ADJOURNMENT

At 4:56 p.m., on a motion by Senator Walz, the Legislature adjourned until 9:00 a.m., Thursday, January 16, 2020.

Patrick J. O'Donnell
Clerk of the Legislature