

**SEVENTH DAY - JANUARY 16, 2020****LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION****SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Thursday, January 16, 2020

**PRAYER**

The prayer was offered by Pastor Albert Longe, Oxford United Methodist Church.

**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 Moser and Wayne who were excused; and Senators Cavanaugh and Morfeld who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 206.** Placed on Select File with amendment.

[ER140](#)

- 1 1. In the Standing Committee amendments, AM430, on page 2, line 30,
- 2 before "For" insert "(1)".
- 3 2. On page 1, line 4, strike "to provide immunity for schools;".

**LEGISLATIVE BILL 230.** Placed on Select File with amendment.

[ER141](#)

- 1 1. On page 1, strike beginning with "section" in line 1 through line
- 2 5 and insert "sections 83-4,125, 83-4,126, 83-4,132, and 83-4,134.01,
- 3 Revised Statutes Cumulative Supplement, 2018; to change provisions and
- 4 provide requirements for room confinement for juveniles as prescribed; to
- 5 harmonize provisions; and to repeal the original sections."

(Signed) Julie Slama, Chairperson

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of January 15, 2020, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Behrens, Mark A.  
Nationwide Mutual Insurance Company (Withdrawn 01/15/2020)  
DeRossett, Dennis M.  
Nebraska Press Association  
Hubly, Justin  
Nebraska Association of Public Employees NAPE/AFSCME Local 61  
Nebraska Strategies  
Keith County Area Development  
O'Hara Lindsay & Associates, Inc.  
Coburn Construction, LLC  
Imagine Nebraska Coalition  
Schuller, Lynne  
Nebraska Horsemen's Benevolent and Protective Association  
Nebraska Propane Gas Association

**REPORTS**

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

**MOTION(S) - Withdraw LB765**

Senator Lindstrom offered his motion, [MO116](#), found on page 309, to withdraw LB765.

The Lindstrom motion to withdraw the bill prevailed with 36 ayes, 0 nays, 8 present and not voting, and 5 excused and not voting.

**GENERAL FILE**

**LEGISLATIVE BILL 594.** Considered.

Senator Blood requested to pass over LB594.

**NOTICE OF COMMITTEE HEARING(S)**  
Health and Human Services  
Room 1510

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

LB834

LB772

LB817

(Signed) Sara Howard, Chairperson

Education  
Room 1525

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

LB950

LB998

(Signed) Mike Groene, Chairperson

Transportation and Telecommunications  
Room 1113

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

LB961

LB771

LB789

(Signed) Curt Friesen, Chairperson

Natural Resources  
Room 1525

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

Jeff T. Kanger - Nebraska Environmental Trust Board

LB899

LB856

(Signed) Dan Hughes, Chairperson

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

Senator Brewer filed the following motion to [LR285CA](#):

[MO120](#)

Withdraw resolution.

**BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1022.** Introduced by Hansen, M., 26.

A BILL FOR AN ACT relating to elections; to amend sections 11-119, 11-125, 11-126, 22-417, 32-207, 32-211, 32-213, 32-214, 32-217, 32-218, 32-219, 32-242, 32-555, 32-615, 32-811, 32-1049, and 32-1201, Reissue Revised Statutes of Nebraska, sections 11-105, 11-115, 23-2518, and 32-208, Revised Statutes Cumulative Supplement, 2018, and sections 23-405 and 32-101, Revised Statutes Supplement, 2019; to provide for election of election commissioners; to change and eliminate provisions related to official bonds, consolidation of county offices, deputy county clerks for elections, civil service commissions, chief deputy election commissioners, removal from office, and vacancies; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 32-209 and 32-210, Reissue Revised Statutes of Nebraska; and to declare an emergency.

**LEGISLATIVE BILL 1023.** Introduced by DeBoer, 10.

A BILL FOR AN ACT relating to special education; to amend section 79-1142, Revised Statutes Supplement, 2019; to adopt the Extraordinary Increase in Special Education Cost Act; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1024.** Introduced by Clements, 2.

A BILL FOR AN ACT relating to the Intergovernmental Risk Management Act; to amend sections 44-4305, 44-4306, 44-4307, and 44-4311, Reissue Revised Statutes of Nebraska; to subject risk management pools to the Unfair Insurance Trade Practices Act; to change provisions relating to the board of directors of a risk management pool; to provide procedures for dissolution as prescribed; to provide for issuance of corrective orders; to provide an operative date; and to repeal the original sections.

**LEGISLATIVE BILL 1025.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5701, Reissue Revised Statutes of Nebraska; to create the Tax Credit Buy-Back Program; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1026.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the University of Nebraska.

#### **GENERAL FILE**

**LEGISLATIVE BILL 305.** Title read. Considered.

Committee [AM592](#), found on page 777, First Session, 2019, was offered.

**SPEAKER SCHEER PRESIDING**

**SENATOR HUGHES PRESIDING**

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

The Chair ruled there had not been a full and fair debate, pursuant to Rule 7, Sec. 4, on the committee amendment.

Pending.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 1027.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to civil procedure; to adopt the County Court Special Proceedings Act.

**LEGISLATIVE BILL 1028.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to small claims; to amend section 25-2804, Reissue Revised Statutes of Nebraska; to change provisions relating to commencement of actions in Small Claims Court; and to repeal the original sections.

**LEGISLATIVE BILL 1029.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to court records; to amend sections 24-1004 and 24-1005, Reissue Revised Statutes of Nebraska; to change provisions relating to preservation of court records; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1030.** Introduced by Lathrop, 12.

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

29-2702, Reissue Revised Statutes of Nebraska; to change provisions relating to forfeited recognizances, fines, or costs; and to repeal the original section.

**LEGISLATIVE BILL 1031.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to decedents' estates; to amend sections 30-2414, 30-2416, and 30-2426, Reissue Revised Statutes of Nebraska; to change provisions relating to applications and proof and findings in informal probate or appointment proceedings and petitions in formal testacy or appointment proceedings; and to repeal the original sections.

**LEGISLATIVE BILL 1032.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to civil procedure; to amend sections 25-1301 and 25-1301.01, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to civil judgments; and to repeal the original sections.

**LEGISLATIVE BILL 1033.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to revenue and taxation; to amend section 77-27,132, Reissue Revised Statutes of Nebraska; to change the distribution of certain sales and use tax revenue as prescribed; to create a fund; to authorize the use of funds for certain infrastructure projects; to repeal the original section; and to declare an emergency.

**LEGISLATIVE BILL 1034.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Nebraska Advantage Act; to amend section 77-5735, Reissue Revised Statutes of Nebraska, and section 77-5725, Revised Statutes Supplement, 2019; to extend application deadlines; to change provisions relating to certain tax credits; to provide for the applicability of changes; and to repeal the original sections.

**LEGISLATIVE BILL 1035.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to the Legislature; to amend section 32-508, Reissue Revised Statutes of Nebraska; to change the number of legislative districts; and to repeal the original section.

**LEGISLATIVE BILL 1036.** Introduced by Morfeld, 46.

A BILL FOR AN ACT relating to the age of majority; to amend section 43-2101, Revised Statutes Supplement, 2019; to allow persons eighteen years of age and older to make health care decisions as prescribed; to allow persons under nineteen years of age who are committed to the Department of Correctional Services to consent to mental health services, medical care, and related services as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1037.** Introduced by Hunt, 8; Cavanaugh, 6; Vargas, 7.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for participation in the Supplemental Nutrition Assistance Program; and to repeal the original section.

**LEGISLATIVE BILL 1038.** Introduced by Hunt, 8; Cavanaugh, 6; Vargas, 7.

A BILL FOR AN ACT relating to public assistance; to amend section 68-1017.02, Reissue Revised Statutes of Nebraska; to change provisions relating to eligibility for Supplemental Nutrition Assistance Program benefits as prescribed; and to repeal the original section.

**LEGISLATIVE BILL 1039.** Introduced by Cavanaugh, 6; Hunt, 8; Vargas, 7.

A BILL FOR AN ACT relating to schools; to amend section 79-10,137, Reissue Revised Statutes of Nebraska; to adopt the Hunger-Free Schools Act; to restate legislative findings; to eliminate provisions relating to reimbursement for school breakfast programs; to repeal the original section; and to outright repeal sections 79-10,138 and 79-10,139, Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1040.** Introduced by Vargas, 7; Cavanaugh, 6; Hunt, 8.

A BILL FOR AN ACT relating to agriculture; to amend section 2-3815, Revised Statutes Cumulative Supplement, 2018; to provide for a state food insecurity nutrition incentive grant program; to provide duties for the Department of Agriculture; to state intent regarding appropriations; to harmonize provisions; and to repeal the original section.

**LEGISLATIVE BILL 1041.** Introduced by Pansing Brooks, 28.

A BILL FOR AN ACT relating to criminal procedure; to amend section 29-1406, Reissue Revised Statutes of Nebraska, and section 29-1407.01, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to grand jury transcripts; to provide for rules; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections.

**LEGISLATIVE BILL 1042.** Introduced by La Grone, 49; McDonnell, 5.

A BILL FOR AN ACT relating to the Nebraska educational savings plan trust; to amend sections 77-3,110, 85-1808, and 85-1810, Reissue Revised Statutes of Nebraska, and sections 77-2716, 85-1802, and 85-1807, Revised Statutes Supplement, 2019; to change provisions relating to the Department

of Revenue Miscellaneous Receipts Fund and the College Savings Plan Expense Fund; to provide tax deductions for certain contributions to the Nebraska educational savings plan trust as prescribed; to provide that certain contributions to the Nebraska educational savings plan trust not be recognized as income for certain purposes; to redefine qualified higher education expenses for purposes of the Nebraska educational savings plan trust; to harmonize provisions; to repeal the original sections; and to declare an emergency.

**LEGISLATIVE BILL 1043.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to health care facilities; to amend sections 71-2085, 71-2086, 71-2087, 71-2092, 71-2093, and 71-2094, Reissue Revised Statutes of Nebraska; to change provisions relating to receivers and receivership; and to repeal the original sections.

**LEGISLATIVE BILL 1044.** Introduced by Hansen, B., 16.

A BILL FOR AN ACT relating to the Medical Nutrition Therapy Practice Act; to amend section 38-1813, Reissue Revised Statutes of Nebraska; to provide for the independent provision of a therapeutic diet order; and to repeal the original section.

**LEGISLATIVE BILL 1045.** Introduced by Brandt, 32; Chambers, 11; DeBoer, 10; Dorn, 30; Friesen, 34; Halloran, 33; Hilkemann, 4; Kolowski, 31; Morfeld, 46; Walz, 15; Wishart, 27.

A BILL FOR AN ACT relating to tax incentive programs; to amend sections 77-27,119, 77-27,187.02, and 77-5723, Reissue Revised Statutes of Nebraska, sections 84-602.01 and 84-602.03, Revised Statutes Cumulative Supplement, 2018, and sections 77-2711 and 84-602.04, Revised Statutes Supplement, 2019; to change provisions relating to the disclosure and confidentiality of information on tax incentive programs; to change the Taxpayer Transparency Act to require the posting and reporting of information relating to tax incentive programs; to harmonize provisions; and to repeal the original sections.

**LEGISLATIVE BILL 1046.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to community antenna television service; to amend sections 18-2204 and 23-386, Reissue Revised Statutes of Nebraska; to change provisions relating to certain taxes and fees on community antenna television service; and to repeal the original sections.

**LEGISLATIVE BILL 1047.** Introduced by Friesen, 34.

A BILL FOR AN ACT relating to counties; to amend section 23-1605, Revised Statutes Cumulative Supplement, 2018; to change and eliminate provisions relating to semiannual statements of county treasurers; to repeal the original section; and to outright repeal sections 23-1606 and 23-1607,



Reissue Revised Statutes of Nebraska.

**LEGISLATIVE BILL 1048.** Introduced by Quick, 35; Cavanaugh, 6; Hansen, M., 26; McCollister, 20; McDonnell, 5; Pansing Brooks, 28.

A BILL FOR AN ACT relating to child abuse or neglect; to amend section 28-713.01, Reissue Revised Statutes of Nebraska, and sections 28-710 and 28-713, Revised Statutes Supplement, 2019; to provide for notification regarding child abuse or neglect to the Commissioner of Education when the subject is a school employee; to define terms; to create the offense of sexual assault by a school employee; to provide penalties; and to repeal the original sections.

**LEGISLATIVE BILL 1049.** Introduced by Bolz, 29.

A BILL FOR AN ACT relating to social services; to amend section 68-1206, Revised Statutes Supplement, 2019; to provide for participation in the federal Child Care Subsidy child care assistance program; to provide for termination of participation; to state intent regarding funding; and to repeal the original section.

**LEGISLATIVE BILL 1050.** Introduced by Vargas, 7.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to the Coordinating Commission for Postsecondary Education for the Nebraska Opportunity Grant Program.

**LEGISLATIVE BILL 1051.** Introduced by Wishart, 27; Williams, 36.

A BILL FOR AN ACT relating to nursing facilities; to create a fund; to provide for grants; and to provide powers and duties.

**LEGISLATIVE BILL 1052.** Introduced by Wishart, 27.

A BILL FOR AN ACT relating to the Medical Assistance Act; to amend section 68-955, Reissue Revised Statutes of Nebraska; to change provisions relating to prescription drugs not on the preferred drug list; and to repeal the original section.

#### **NOTICE OF COMMITTEE HEARING(S)**

General Affairs  
Room 1510

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

LB943

LB798

LB980

Cameron J. Arch - Nebraska Commission on Problem Gambling

Claudia Louise Barthold - Nebraska Commission on Problem Gambling  
Mark R. Canada - Nebraska Commission on Problem Gambling

(Signed) Tom Briese, Chairperson

Revenue  
Room 1524

Thursday, January 23, 2020 2:30 p.m.  
LB747  
LB879

Friday, January 24, 2020 1:30 p.m.  
LB818  
LB841  
LB952

(Signed) Lou Ann Linehan, Chairperson

#### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR282 was referred to the Reference Committee.

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

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

Senator Howard name added to LB534.  
Senator Cavanaugh name added to LB748.

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

Visitors to the Chamber were Gadiel Salinas from Omaha; Roberta Pinkerton and members of Leadership Nebraska Class 12 from across the state; and Deb Neary.

The Doctor of the Day was Dr. Steven M. Williams from Omaha.

**ADJOURNMENT**

At 11:33 a.m., on a motion by Senator Brandt, the Legislature adjourned until 9:00 a.m., Tuesday, January 21, 2020.

Patrick J. O'Donnell  
Clerk of the Legislature

