

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

[LB8 LB9 LB11 LB16 LB18 LB18A LB19 LB29 LB57 LB61 LB62 LB68 LB85 LB88 LB94
LB99 LB113 LB133 LB140 LB151 LB152 LB158 LB184 LB185 LB186 LB203 LB225 LB253
LB283 LB289 LB297 LB298 LB335 LB336 LB340 LB342 LB356 LB425 LB439 LB518
LB518A LB566 LB578 LB661 LR26 LR72 LR79 LR80]

PRESIDENT FOLEY PRESIDING

PRESIDENT FOLEY: Good morning, ladies and gentlemen. Welcome to the George W. Norris Legislative Chamber for the fifty-third day of the One Hundred Fifth Legislature, First Session. Our chaplain for today is Pastor Jim Haack of the Beautiful Savior Lutheran Church in La Vista, Nebraska, Senator Smith's district. Please rise.

PASTOR HAACK: (Prayer offered.)

PRESIDENT FOLEY: Thank you, Pastor Haack. And I call to order the fifty-third day of the One Hundred Fifth Legislature, First Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

ASSISTANT CLERK: There is a quorum present, Mr. President.

PRESIDENT FOLEY: Thank you, Mr. Clerk. Are there any corrections for the Journal?

ASSISTANT CLERK: No corrections this morning.

PRESIDENT FOLEY: Thank you, sir. Are there any messages, reports, or announcements?

ASSISTANT CLERK: There are, Mr. President. I have a communication from the Executive Board regarding the procedures to be followed on the qualifications challenge in the 11th Legislative District. Committee on Enrollment and Review reports LB335 and LB518 to Select File with amendments. I have a list of registered lobbyists to be inserted in the Journal along with the various reports that have been submitted electronically and are available through the Legislature's Web site. That is all I have at this time. (Legislative Journal pages 791-792.)
[LB335 LB518]

PRESIDENT FOLEY: Thank you, Mr. Clerk. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LR72. Speaker Scheer, you are recognized. [LR72]

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Floor Debate
March 23, 2017

SPEAKER SCHEER: Thank you, Mr. Lieutenant Governor. Just a reminder to my colleagues that starting Tuesday we will be going all days. It's not my intent to go late or work over the noonhours for at least the first two weeks. On Fridays or last day of the weeks, per normal custom, we will try to get done somewhere between noon and 1:00, hopefully, if I do a fairly decent job of scheduling. And if we are not too chatty we will normally be able to be out of here by 1:00, I would hope. On Tuesday, the Revenue Committee will be holding a hearing in 2102 in the afternoon. I do intend to continue to have the body work over that period of time, so the Revenue Committee will need to be prepared to come back out as necessary if there is a call made on the house. We will not, as we go forward, it is not my intent at this point to work through noonhours. We probably at some point may have to work into the evenings. And so depending upon how far we have to get in the agenda will determine how late we will work into the evenings. I have...my intent, however, in relationship to the meals, I am not going to ask the lobbyists to be providing the meals. We are compensated for our food during the day from the state. My office at some point will try to put together some type of a food process. Those of you that wish to participate will just be x amount of dollars if you would like to participate. If you want to order your own Jimmy John's, that's fine, but we'll be providing our own food for the evening meal if we do go late in the evening. And last but certainly not least, I have been asked on several occasions about the consent agenda. I still plan on having a consent agenda and will send out a memo probably in the next week or two relating how we will go about the selection process. Those that have been here for a while know over the years there have been occasions where the consent agenda had to be approved by the committee chair as well as the individual senator. We have other times have just had the individual senator send in the request without the approval of the committee chairs. I think sort of a duplicate, yeah, so I will not require a committee chair to sign off on that. I very well may call the committee chair to talk about the bill to make sure that we fully comprehend what the bill is, but those requests will come directly from the individual senators when we do get to the consent agenda. If you have any questions, as always, I'll be in the back here, in my office or you can contact Spencer or Laurie or your staff can. So thank you, Mr. Lieutenant Governor.

PRESIDENT FOLEY: Thank you, Mr. Speaker. Members, we will now proceed to Final Reading pursuant to rules, if you can move to your desks so we can commence. Members, please return to your desks so we can commence Final Reading. We will now proceed with Final Reading, Mr. Clerk. The first vote is to dispense with the at-large reading for LB8. All those in favor to dispense with the reading vote aye; those opposed vote nay. Please record. [LB8]

ASSISTANT CLERK: 40 ayes, 1 nay to dispense with the at-large reading, Mr. President. [LB8]

PRESIDENT FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB8]

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Transcriber's Office

Floor Debate
March 23, 2017

ASSISTANT CLERK: (Read LB8 on Final Reading.) [LB8]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB8 pass? All those in favor vote aye; those opposed vote nay. Have you all voted? Record, Mr. Clerk. Mr. Clerk, please record. [LB8]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 793.) The vote is 45 ayes, 0 nays, 4 excused and not voting, Mr. President. [LB8]

PRESIDENT FOLEY: LB8 passes. We will now proceed to LB11, Mr. Clerk. [LB8 LB11]

ASSISTANT CLERK: (Read LB11 on Final Reading.) [LB11]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB11 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB11]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 794.) Vote is 45 ayes, 0 nays, 4 excused and not voting. [LB11]

PRESIDENT FOLEY: LB11 passes. (Doctor of the day introduced.) Secondly, in celebration of his birthday, Senator Lindstrom has brought parfais for his colleagues. Happy birthday, Senator Lindstrom. We will now proceed to the next bill, LB16E. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor of dispensing with the reading vote aye; those opposed vote nay. Record, Mr. Clerk. [LB11 LB16]

ASSISTANT CLERK: 40 ayes, 1 nay, to dispense with the at-large reading, Mr. President. [LB16]

PRESIDENT FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB16]

ASSISTANT CLERK: (Read title of LB16.) [LB16]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB16E pass? All those in favor vote aye; those opposed vote nay. Mr. Clerk, please record. [LB16]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

ASSISTANT CLERK: (Record vote read, Legislative Journal page 795.) Vote is 46 ayes, 0 nays, 3 excused and not voting. [LB16]

PRESIDENT FOLEY: LB16E passes. We will now proceed to LB18. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote aye; those opposed vote nay. Please record. [LB16 LB18]

ASSISTANT CLERK: 39 ayes, 3 nays, to dispense with the at-large reading, Mr. President. [LB18]

PRESIDENT FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB18]

ASSISTANT CLERK: (Read title of LB18.) [LB18]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB18 pass? All those in favor vote aye; those opposed vote nay. Please record. [LB18]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 796.) Vote is 46 ayes, 0 nays, 3 excused and not voting. [LB18]

PRESIDENT FOLEY: LB18 passes. We will now proceed to LB18A, Mr. Clerk. [LB18A]

ASSISTANT CLERK: (Read LB18A on Final Reading.) [LB18A]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB18A pass? All those in favor vote aye; those opposed vote nay. Please record. [LB18A]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 796-797.) Vote is 46 ayes, 0 nays, 3 excused and not voting. [LB18A]

PRESIDENT FOLEY: LB18A passes. We will now proceed to LB19, Mr. Clerk. [LB18A LB19]

ASSISTANT CLERK: (Read LB19 on Final Reading.) [LB19]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB19 pass? All those in favor vote aye; those opposed vote nay. Please record. [LB19]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 797.) Vote is 46 ayes, 0 nays, 3 excused and not voting. [LB19]

PRESIDENT FOLEY: LB19 passes. We will now proceed to LB29, Mr. Clerk. [LB19 LB29]

ASSISTANT CLERK: (Read LB29 on Final Reading.) [LB29]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB29 pass? All those in favor vote aye; those opposed vote nay. Record, please. [LB29]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 798.) Vote is 44 ayes, 0 nays, 2 present and not voting, 3 excused and not voting, Mr. President. [LB29]

PRESIDENT FOLEY: LB29 passes. We will proceed to LB57, Mr. Clerk. [LB29 LB57]

ASSISTANT CLERK: (Read LB57 on Final Reading.) [LB57]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB57 pass? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk. [LB57]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 798-799.) Vote is 43 ayes, 3 nays, 3 excused and not voting, Mr. President. [LB57]

PRESIDENT FOLEY: LB57 passes. We will now proceed to LB62, Mr. Clerk. [LB57 LB62]

ASSISTANT CLERK: Mr. President, with respect to LB62, Senator Chambers would move to return the bill to Select File for specific amendment, that being to strike the enacting clause. (FA48, Legislative Journal page 799.) [LB62]

PRESIDENT FOLEY: Senator Chambers, you're recognized to open on your motion. [LB62]

Floor Debate
March 23, 2017

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, on these types of matters I'm a man of my word. That doesn't mean I may not modify what I've said that I was going to do in keeping my word. I am strongly opposed to this bill for the reasons that I had stated on the previous stages of debate. In order to make sure that my objections are a part of the record on this bill, it's necessary that I not only make this motion, but take a vote on it so the Journal will record the fact that a motion was made, that a vote was taken, and what that vote was. I am as serious as a heart attack, so to speak, when it comes to the issue of church and state. There are other bills which will get the Chambers' treatment. One which--and it boggles my mind--is designed to create a so-called scholarship fund for those who attend private schools only. The drivers of that bill are two of the big Catholic universities. People like to say, well, other schools, other private schools, but that's like having a very large item and then little specks of dust following along picking up the crumbs. That's a mixed metaphor but it serves my purpose. This bill, to refresh people's mind, would allow people to wear the paraphernalia--it's called garb or clothing--of a particular religion, sect, or denomination. It would include members of the Ku Klux Klan who belong to the Christian Knights of the Ku Klux Klan. Some people say this bill should go forward which repeals a law that has been on the books for decades. It has been said and nobody challenges it, even including me, that the bill grew out of an anti-Catholic fervor that was rampant in Nebraska. Well, the Catholics are having the last laugh because now they have a tremendous amount of political influence in Nebraska, and they are doing to others what they said was being done to them. They have the political clout to push things through this Legislature that ought not be done. That "choose life" license plate is one of those items. I'm going to fight that bill and take all of the time I can when it gets to Final Reading. This one I'm not going to take all of the time that I can, but I don't want to just put the motion up, take the vote, and let it alone. I had stated yesterday--and my understanding is that some people took it as an acknowledgment that I'm about to kick the bucket, croak, shuffle off the mortal coil, or however, leaving this earth by means of action by the Grim Reaper would take me away--but this is a high-tech society and no longer is the Reaper...you all know what a scythe is, s-c-y-t-h-e? One of those long-handled sickles that has a curved handle and a big blade at the bottom and you hold it with two hands. Some of you youngsters have never even heard of that, so I tried the best I could to describe it for you. Well, the Grim Reaper likes to move with the times. You know how the Grim Reaper functions? Everybody who's going to come on this earth is appointed a time to die. And that is calculated by discussions with the Grim Reaper, and here is the gist of that discussion. We have a fella...he hasn't got a name yet, but the last name is Lowe, L-o-w-e. And when I go after him it's going to be swing Lowe and put him on the sweet chariot. And that chariot will carry him home, but the determination of the destination will be left up to that baby child Lowe as he goes through the world and compiles a record. But because the Grim Reaper likes to keep step with the times he's now known, Senator Friesen, as the International Harvester. And for those who deal in agriculture, you know what an International Harvester is, and now the city folk, the rubes, the city slickers, the tenderfeet--what do they call them--bar jockeys or whatever, stool jockeys...I had suggested that I will leave at some point and people mistook that

Floor Debate
March 23, 2017

to mean that I was going soon. I really don't know when that time will come, but because it can come at any time, we don't know when an unkind fate is going to interrupt, intercede, sidetrack, ambush us, so I have to do each thing each day as the opportunity presents itself that I believe I ought to do. And I ought to oppose this bill and any attempts to blur that line. That's all that exists now between church and state. I would like to see a wall, and as I've indicated, with a moat on each side filled with ravenous creatures, so if the wall doesn't get you, the moat will. The Catholics do have a lot of power. That's known. It was shown on that license plate bill. I'll discuss that when it comes before us, though. The Ku Klux Klan can come into the classroom in his or her paraphernalia. Since no questions about religion in the form of a religious test can be given when it comes to obtaining employment, a question cannot be put to an individual, what religion are you, and thereby, you discover that a person is a member of the Christian Knights and that person is hired to teach, then appears in the classroom in his robes--we call them bedsheets--and his hood--we call them pillowcases. And what are you going to do? You cannot put that person out of the classroom. You cannot go behind that person's religious faith. You cannot favor one religion over the other. And for my part, the Ku Klux Klan is no worse than any other religion. There are Catholics who participated in lynch mobs because they were racists also. The other day the Pope just issued an apology for what was done in Rwanda because there were Catholic priests, Catholic nuns, and Catholics participating in the murders that took place. The nuns and the priests participated in the murders and the Pope felt the need to apologize. So don't tell me about Catholic religion and the sins of the past. And it just happens that the black people being slaughtered were black, just as it happened that the slaves in this country were black just like me. And slavery was introduced into this hemisphere with the assistance of a Catholic priest, and the Catholic Church benefited from slavery. So don't tell me anything about an organization that has such worldwide power and has misused it down through the ages. I have tried to make clear that when it comes to what an individual believes or disbelieves is between that person and that person ... [LB62]

PRESIDENT FOLEY: One minute. [LB62]

SENATOR CHAMBERS: ...and that person. I don't care what individuals believe as long as their belief doesn't impel them to do harmful things to others. And those who do such harmful things usually are bullies and cowards and they pick on the innocent. Do you know that Pius XII was known as Hitler's Pope? Read history and find out why. I'm going to wait until I'm recognized again, and I will pull that vote that I want to have from you all when I decide. Thank you, Mr. President. [LB62]

PRESIDENT FOLEY: Thank you, Senator Chambers. Senator Harr, you're recognized. [LB62]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR HARR: Thank you, Mr. President. Senator...would Senator Chambers yield to a question? [LB62]

PRESIDENT FOLEY: Senator Chambers, will you yield, please? [LB62]

SENATOR CHAMBERS: Are you a Catholic? [LB62]

SENATOR HARR: I am. [LB62]

SENATOR CHAMBERS: Yes, I will yield to show that I'm ecumenical. [LB62]

SENATOR HARR: Thank you. You give a--I won't call it a parable--a story about a jackass who kicks. Is that correct? [LB62]

SENATOR CHAMBERS: Who brays. [LB62]

SENATOR HARR: Can you tell the body that story for us, please? [LB62]

SENATOR CHAMBERS: Well, I use so many of them that I don't know which one you have in mind, so I don't mind you repeating it. And that will show that it's serving the purpose I want, which is to spread it around so others may benefit from it and spread the message. [LB62]

SENATOR HARR: All right. Well, you give a story about where there's a group of jackasses and you throw a stone and the one who kicks is the one who is hit. Is that correct? [LB62]

SENATOR CHAMBERS: No, the one who brays is the one who was hit. [LB62]

SENATOR HARR: Brays, okay. Thank you. Well, you hit me. I've been brayed. I would love to say the Catholic Church is all powerful, but were you aware of a petition drive last fall to eliminate the death penalty? [LB62]

SENATOR CHAMBERS: A petition drive to eliminate the death penalty? [LB62]

SENATOR HARR: Or, excuse me, to reinstate the death penalty. [LB62]

SENATOR CHAMBERS: Oh, yes. Yes. [LB62]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR HARR: I never knew how to vote on that one. I never knew what no meant. No doesn't always mean no. But you were aware of that, correct? [LB62]

SENATOR CHAMBERS: Oh, very much aware of it. [LB62]

SENATOR HARR: And the Catholic Church and you were on the same side, is that correct? [LB62]

SENATOR CHAMBERS: We certainly were. [LB62]

SENATOR HARR: And the Catholic Church lost. [LB62]

SENATOR CHAMBERS: Well, I don't know about that, because there's so many other things that the Catholic Church does where they win that this is so minor and inconsequential, in the broader scheme of things it was not that significant. But for those of us who were opposed and are opposed to the death penalty, it was noted, it was greatly appreciated. And every time I commented on the matter, I gave credit to the Catholic Conference and explained to people that these are the three Catholic bishops in Nebraska. And they have encouraged priests on Sundays when they have congregations to speak against the death penalty. And when the Pope came here and spoke before Congress, he made reference to the fact that the death penalty is no longer needed in this society, that it ought to be banned. So I give credit where credit is due. [LB62]

SENATOR HARR: Thank you. That's all I have. Thank you, Mr. President. [LB62]

PRESIDENT FOLEY: Thank you, Senator Harr and Senator Chambers. Senator Chambers, you're recognized. [LB62]

SENATOR CHAMBERS: Thank you, Mr. President. The other day when I was discussing another bill which I thought was going in the wrong direction by not giving proper consideration to the welfare of children, I read the statement made by a nun. The nun and I were on the same side of the issue. Because I criticize an organization does not mean I would say that everything about the organization, even acting as an organization, is wrong. But when it arrogates to itself a certain image of moral rectitude, then that church as an organization implements policies that violate that self-imposed standard, that self-recognized standard, then I condemn that organization for violating what it stands for. You wouldn't hear me condemning La Cosa Nostra or the Mafia, because they are what they are. But they have higher standards than the Catholic Church because if a member of those two organizations molested a child, the organization would ice that individual. That individual would leave this earth and the members of that organization

Floor Debate
March 23, 2017

would assist the Grim Reaper or the International Harvester in taking that one away. And it's a sad day when a group such as La Cosa Nostra and the Mafia will have a higher moral standard than the Catholic Church. And the Catholic Church, because of the way they have dealt with the abuse of children in such a way that it implicated the hierarchy at the national level, cardinals, archbishops, bishops, priests, brothers, deacons, and even some nuns, and yet those at the top who can make decisions acted in such a way as to endorse and condone what these perverted, pedophile, predatory priests were doing. They did not even keep faith with members of their own religion. Various dioceses wound up with predators being sent among them, transferred from another diocese where they had been exposed as predators, but when they were transferred to the next diocese, those people were not warned. And the wolf was sent among those lambs. They thought they were getting a shepherd, but they were getting a wolf in shepherd's clothing. And there's documented evidence, there have even been prosecutions based on the fact that bishops and others would call in families where a child had been molested and would do everything they could to make sure that there was no exposure by threatening that person with excommunication, with censure, with shunning, and that person would not come clean until after the scandal had been revealed. Then they had numerous Catholics coming up telling what happened at the hands of these creeps who were wearing robes and backward Roman collars. And some of that goes on to this day. So don't tell me... [LB62]

PRESIDENT FOLEY: One minute. [LB62]

SENATOR CHAMBERS: ...what has and has not happened, because I read. And in case you didn't know it, I left the church that I grew up in when I was younger. Not that those kind of activities against children were prevalent in that church, but the church itself in my opinion was flawed so it was of no value to me. My criticism is of all of these churches. I wish they all would go away. Read about a guy whose last name was Hus, H-u-s. Do you know what indulgences are? Do you know that there was a time when indulgences were sold for money? Churches... [LB62]

PRESIDENT FOLEY: Time, Senator. Thank you, Senator Chambers. (Visitors introduced.) Continuing discussion, Senator Chambers. This is your third opportunity, Senator. [LB62]

SENATOR CHAMBERS: Thank you. Mr. President, members of the Legislature, I have also said I don't care what a person believes. And if Senator Briese were to believe in worshiping sticks and stones, stones are immovable. They are virtually unchangeable. Sticks at one time were growing, living, entities. So if Senator Briese worshiped sticks and stones and by worshiping those sticks and stones he believed that it was wrong to mistreat anybody, he believed that he should treat others the way he wanted to be treated himself. He would not walk down the street and see a poor person, know the person is hungry, have more than what he

Floor Debate
March 23, 2017

himself needs, and avert his eyes rather than giving some of his abundance to that one who had nothing, who believed that all human beings are members of one family. He even read some literature and he knew that poem, the whole thing by heart: No man is an island/entire unto itself/ each is a part of the main. And then for those of us who are not that learned, he'd hit us with the other line that most of us heard. Every person's death diminishes me/Therefore, seek not to know/for whom the bell tolls/for it tolls for thee. If Senator Briese carried his life out in that fashion, I would be one of the first ones to inquire into what is it that would lead a man during these hateful times, these selfish times, these self-centered times, to be so outgoing, to be so generous, to be so compassionate. What is it? And he'd say, maybe nobody believes except I, but I worship sticks and I worship stones. I'd tell Senator Briese, brother, if I had the capacity I would put a Rock of Gibraltar in everybody's front yard and a giant California redwood in everybody's backyard and give them the biggest stick and the biggest stone I could and hope that it had the same impact on them. I'm the one who wishes more than anybody else that religions would carry out what they profess to believe, that its adherence would show in their lives through their conduct what that religion means and what it leads them to do. I know all the things that can be said about social justice. All you have to do is read books. But when you're young and you have confidence in people and then that faith is shown to have been misplaced because of their betrayal of what they taught you to believe and what they said they believe, you would say what Lafayette said about this country: Had I known that America would be a slaveholding country, I never would have drawn my sword in the cause of the Americans during the Revolution. He was tricked into thinking he was fighting for freedom, but he was fighting for the freedom of white people to enslave black people, to rape little girls, to rape young women, to rape old women, to work old men until they die. And they would look old before their time. And that's what I know has happened and religion had a strong, strong role to play in it. [LB62]

PRESIDENT FOLEY: One minute. [LB62]

SENATOR CHAMBERS: So when these bills are brought and I'm told that the original law that's being repealed was put in the bill...the law books at the instigation of the Ku Klux Klan, what does that mean to me? As you all say, a blind hog finds an acorn every now and then. A stopped clock is right twice a day, so if a stopped clock can be right twice a day, why cannot the Ku Klux Klan do something that's right? I'm sure the Klan members did not do wrong most of the time; but when they did wrong, it was horrendous. I don't believe liars lie most of the time. If they did that, nobody would ever believe them. They have to give the appearance of truth telling. Satan didn't lie all the time. He told Jesus the truth when he was tempting him. But Jesus knew the reason he was telling him that truth. He had told him to jump off this cliff and let your angels come get you, because the book said that you'd be born up by angels lest you dash your foot against a stone. [LB62]

PRESIDENT FOLEY: Time, Senator. [LB62]

Floor Debate
March 23, 2017

SENATOR CHAMBERS: Thank you, Mr. President. [LB62]

PRESIDENT FOLEY: Senator Chambers, you're recognized to close on your motion. [LB62]

SENATOR CHAMBERS: Thank you, Mr. President. Jesus did not deny that what Satan said was true, but he told him, get thee behind me, Satan. And then said, you're not supposed to tempt God. So what do these Christians do when they stand up there and pray or they stand out here while somebody prays? Are they not tempting God when they're told that this is what you ought to do and you don't do it? You're counting on being that person who can seek salvation between the stirrup and the ground. The person that's jumping off the horse and all of his body is off the horse except that foot in the stirrup and then he's coming toward the ground. Well, before he hits the ground, between the stirrup and the ground, he can say, Lord, have mercy. And if his neck is broken, he hopes that the Lord will have mercy. That's the kind of thing that I heard when I was growing up, not in language that colorful. Studying religion is productive. It rewards anytime you spend studying it. You learn more about human beings by studying their religion than studying history. Somebody said history is a lie agreed upon. So is religion. Why, if there was a drop of religion, just a drop for each person in here who professes to be religious, this would be one of the best states in which to live. Do you all know that faith as a grain of a mustard seed can move a mountain? You don't believe that, though, do you? I know you don't believe it. Who in here believes that a grain of sand...a grain of faith the size of a grain of mustard seed can move a mountain? I see one hand. I see two hands. I see a number of hands. All right. With your faith, move this cup. Put up or shut up. Move the cup. And if I'm tempting God, may I be struck dead, may my tongue cleave to the roof of my mouth and my right arm lose its cunning. Use your faith as a grain of mustard seed, show everybody the power of your God. Move this cup. Now, let me show you what I can do as a flesh and blood man. I move the cup. Your faith didn't work. My motive power as a man worked. Why won't you listen to me? Why won't you believe when I suggest to you what you were told in that "Bible"? That's what I say you should believe. Forget what I tell you, just believe that. Believe one-tenth of it and act on it. But you're not going to do it. Some of you stand up there and pray and tell God to let us do this and that and help us to do the other, and then when we come down from the praying we don't do what we're able to do right here. Let your light so shine before people that they may see your good works and glorify your Father which is in heaven. You know that's BS. I can even say it. But what does it mean? What good does it do? It doesn't even affect you all and you say you're saved or you're Christians or whatever term you use to indicate that you've got religion. Beware how you entertain strangers for some have entertained angels thereby unawares. So when these strangers come to the shores of this country and you want to turn them away,... [LB62]

PRESIDENT FOLEY: One minute. [LB62]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR CHAMBERS: ...when they come to this state and you want to turn your back on them. And your ancestors stole this country, you enslaved my people, this country was built on the labor of black people. And now you have the nerve to arrogate to yourself superiority over everybody else. And then you're able to brain some of us...brainwash us so we do your dirty work. We bring horrendous legislation. I'm making that we one out of courtesy. I don't do that, but there are people in the legislative assemblies who do that. They think they can cheese up to the oppressors and they're going to somehow gain favor even at the expense of their own people. I'll never do that. Trees are known by the fruit that they bear. You will not go to a thorn tree or plant and obtain delicious peaches. You won't gain... [LB62]

PRESIDENT FOLEY: Time, Senator. [LB62]

SENATOR CHAMBERS: Thank you, Mr. President. [LB62]

PRESIDENT FOLEY: Thank you, Senator Chambers. [LB62]

SENATOR CHAMBERS: I'm going to make a request. Could we check in? And then I'd like a roll call vote. [LB62]

PRESIDENT FOLEY: Members, if you could please return to your desks so we can check in and proceed to a vote. Please check in. Senators Lindstrom, Murante, Clements, please check in. Senator Murante, please return to the Chamber and check in. Thank you, Senator Chambers. There's been a request for a roll call vote. The question before the body is to return LB62 to Select File. Mr. Clerk, please call the roll. [LB62]

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal page 799.) The vote is 1 aye, 43 nays, Mr. President, on the motion to return. [LB62]

PRESIDENT FOLEY: The motion is not adopted. We'll now proceed to Final Reading on LB62. Mr. Clerk. [LB62]

ASSISTANT CLERK: (Read LB62 on Final Reading.) [LB62]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB62 pass? All those in...there's been a request for a roll call vote. Mr. Clerk. [LB62]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

ASSISTANT CLERK: (Roll call vote taken, Legislative Journal page 800.) The vote is 39 ayes, 5 nays, Mr. President. [LB62]

PRESIDENT FOLEY: LB62 passes. We'll now proceed to LB85. Mr. Clerk. [LB62 LB85]

ASSISTANT CLERK: (Read LB85 on Final Reading.) [LB85]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB85 pass? All those in favor vote aye; those opposed vote nay. Please record, Mr. Clerk. [LB85]

ASSISTANT CLERK: (Record vote read, Legislative Journal page 801.) Vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB85]

PRESIDENT FOLEY: LB85 passes. We will now proceed to LB94, Mr. Clerk. [LB85 LB94]

ASSISTANT CLERK: (Read LB94 on Final Reading.) [LB94]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB94 pass? All those in favor vote aye; those opposed vote nay. Record, Mr. Clerk. [LB94]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 801-802.) Vote is 48 ayes, 0 nays, 1 excused and not voting. [LB94]

PRESIDENT FOLEY: LB94 passes. We will now proceed to LB99. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote aye; those opposed vote nay. Please record. [LB99]

ASSISTANT CLERK: 44 ayes, 2 nays to dispense with the at-large reading, Mr. President. [LB99]

PRESIDENT FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB99]

ASSISTANT CLERK: (Read title of LB99.) [LB99]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB99 pass? All those in favor vote aye; those opposed vote nay. Please record. [LB99]

ASSISTANT CLERK: (Record vote read, Legislative Journal pages 802-803.) Vote is 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB99]

PRESIDENT FOLEY: LB99 passes. We will now proceed to LB113. Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote aye; those opposed vote nay. Record, please. [LB99 LB113]

ASSISTANT CLERK: 42 ayes, 3 nays to dispense with at-large reading, Mr. President. [LB113]

PRESIDENT FOLEY: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB113]

ASSISTANT CLERK: (Read title of LB113.) [LB113]

PRESIDENT FOLEY: All provisions of law relative to procedure having been complied with, the question is, shall LB113 pass? All those in favor vote aye; those opposed vote nay. Please record. [LB113]

CLERK: (Record vote read, Legislative Journal page 804.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB113]

PRESIDENT FOLEY: LB113 passes. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB8, LB11, LB16E, LB18, LB18A, LB19, LB29, LB57, LB62, LB85, LB94, LB99 and LB113. [LB113 LB8 LB11 LB16 LB18 LB18A LB19 LB29 LB57 LB62 LB85 LB94 LB99]

SPEAKER SCHEER PRESIDING

SPEAKER SCHEER: Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor say aye; all those opposed vote nay. Record, Mr. Clerk. [LB133]

CLERK: 44 ayes, 2 nays, Mr. President, to dispense with the at-large reading. [LB133]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SPEAKER SCHEER: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB133]

CLERK: (Read title of LB133.) [LB133]

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB133 pass? All those in favor vote aye; all those opposed please vote nay. Record, Mr. Clerk. We have now waited our minute, Mr. Clerk, will you please record? [LB133]

CLERK: (Record vote read, Legislative Journal pages 805-806.) 46 ayes, 2 nays, 1 excused and not voting, Mr. President. [LB133]

SPEAKER SCHEER: LB133 passes. We will now proceed to LB140E. First vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB133 LB140]

CLERK: 41 ayes, 5 nays, Mr. President, to dispense with the at-large reading. [LB140]

SPEAKER SCHEER: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB140]

CLERK: (Read title of LB140.) [LB140]

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB140E pass with emergency clause attached? All those in favor vote aye; all those opposed vote nay. This will require 33 affirmative votes. Record, Mr. Clerk. [LB140]

CLERK: (Record vote read, Legislative Journal pages 807-808.) 48 ayes, 0 nays, 1 excused and not voting, Mr. President. [LB140]

SPEAKER SCHEER: Thank you, Mr. Clerk. LB140E passes with emergency clause attached. We will now proceed to LB184. [LB184]

CLERK: (Read LB184 on Final Reading.) [LB184]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB184 pass? All those in favor vote aye; all those opposed vote nay. Have all voted that wish to? Record, Mr. Clerk. [LB184]

CLERK: (Record vote read, Legislative Journal page 808.) 47 ayes, 0 nays, 2 excused and not voting, Mr. President. [LB184]

SPEAKER SCHEER: LB184 passes. We will now proceed to LB185. [LB184 LB185]

CLERK: (Read LB185 on Final Reading.) [LB185]

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB185 pass? All those in favor vote aye; all those opposed vote nay. Have all voted that wish to? Record, Mr. Clerk. [LB185]

CLERK: (Record vote read, Legislative Journal page 809.) 44 ayes, 0 nays, 3 present and not voting, 2 excused and not voting. [LB185]

SPEAKER SCHEER: LB185 passes. We will now proceed to LB186. [LB185 LB186]

CLERK: (Read LB186 on Final Reading.) [LB186]

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB186 pass? All those in favor vote aye; all those opposed vote nay. Please record, Mr. Clerk. [LB186]

CLERK: (Record vote read, Legislative Journal pages 809-810.) 47 ayes, 0 nays, 2 excused and not voting. [LB186]

SPEAKER SCHEER: LB186 passes. (Visitors introduced.) Mr. Clerk, the first vote is to dispense with the at-large reading. All those in favor vote aye; all those opposed please vote nay. Have all those voted that wish to? Record, Mr. Clerk. [LB186 LB203]

CLERK: 40 ayes, 2 nays, Mr. President, to dispense with the at-large reading. [LB203]

SPEAKER SCHEER: The at-large reading is dispensed with. Mr. Clerk, please read the title. [LB203]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

CLERK: (Read title of LB203.) [LB203]

SPEAKER SCHEER: All provisions of law relative to procedure having been complied with, the question is, shall LB203 pass? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB203]

CLERK: (Record vote read, Legislative Journal pages 810-811.) 47 ayes, 0 nays, 2 excused and not voting. [LB203]

SPEAKER SCHEER: LB203 passes. Mr. Clerk, for announcements? [LB203]

CLERK: Mr. President, some items, thank you. Government, Military and Veterans Affairs Committee reports LB661 to General File. Revenue Committee reports LB253 to General File with amendments. New resolution LR79 by Senator Halloran. Senator Murante would like to print an amendment to LB68. And I have an explanation of vote from Senator Wayne (re LB8, LB11, LB16, LB18, LB18A, LB19, LB29, LB57). That's all that I have, Mr. President. (Legislative Journal pages 811-814.) [LB661 LB253 LR79 LB68 LB8 LB11 LB16 LB18 LB18A LB19 LB29 LB57]

SPEAKER SCHEER: Thank you, Mr. Clerk. Go to the next item. While the Legislature is in session and capable of transacting business, I propose to sign and do hereby sign LB133, LB140E, LB184, LB185, LB186, and LB203. Mr. Clerk, next item. [LB133 LB140 LB184 LB185 LB186 LB203]

CLERK: Mr. President, General File. LB225, a bill originally introduced by Senator Crawford. It was presented on January of this year, referred to the Health Committee. There are Health Committee amendments. Senator Crawford opened on her bill yesterday. Senator Riepe presented the Health Committee amendments. I do have an amendment to those committee amendments, Mr. President. (AM611, Legislative Journal page 706.) [LB225]

SPEAKER SCHEER: Senator Morfeld, you're welcome to open on your amendment. [LB225]

SENATOR CRAWFORD: Refresh? [LB225]

SPEAKER SCHEER: Oh, I'm sorry. Yeah. Might help if we know what we're talking about, so, Senator Crawford, could you possibly give us about a two-minute synopsis of what we've got. [LB225]

Floor Debate
March 23, 2017

SENATOR CRAWFORD: Thank you, Mr. President; delighted to do so. Good morning, colleagues. LB225 extends our Child Welfare Alternative Response pilot project across the state and until December 31, 2020, and requires a report from DHHS to the Children's Commission and the HHS Committee so that we can make a careful choice on whether to continue this program and how to change the program should we decide to continue it. This bill must pass for Nebraska to continue to receive our Child Welfare IV-E Waiver funding. I agreed to make LB225 my personal priority bill to ensure that it got to the floor and because I believe it is important that we continue the pilot and carefully consider the results from our independent study of this program as we decide how to best proceed to protect our children and strengthen our families. I also agreed to allow LB225 to be used to get one of the budget bills, LB336, and two other bills to improve services for our youth supported by the committee to the floor. Just a quick comment on LB336. This bill came out of committee as it did because multiple members of the committee with private sector business backgrounds argued that if we were to charge a fee, it should be sufficient to provide a quality and timely service, and concerns from those members with experience in the private sector that a \$3 would not be sufficient to ensure that. Along with persuasive argument by another member that if the people we pay to take care of our foster children who we require to get these backs...checks should be exempt. And the combination of those arguments is what led LB336 to come out of committee in its form that it is now in, in AM611. I urge your support for AM611 and LB225. Thank you, Mr. President. [LB225 LB336]

SENATOR WATERMEIER PRESIDING

SENATOR WATERMEIER: Thank you, Senator Crawford. Senator Riepe, you are recognized to refresh us on the amendments from the committee. [LB225]

SENATOR RIEPE: Thank you, Mr. President and colleagues. AM611 is the committee amendment and includes three additional bills: LB297, LB298 and LB336. LB297, Senator McCollister's bill as amended, creates the Children and Juvenile Data Feasibility Study Advisory Group. LB298, Senator Baker's bill as amended, changes provisions relating to the Nebraska Strengthening Families Act. And LB336, introduced by myself at the request of the Governor, allows the department to charge a reasonable fee to put toward the operational cost of completing central registry background checks. Thank you, Mr. President. [LB225 LB297 LB298 LB336]

SENATOR WATERMEIER: Thank you, Chairman Riepe. Mr. Clerk, for an amendment. [LB225]

CLERK: Mr. President, Senator Morfeld would move to amend the committee amendments with AM726. (Legislative Journal 789.) [LB225]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR WATERMEIER: Senator Morfeld, you're recognized to open on your amendment to the committee amendments. [LB225]

SENATOR MORFELD: Mr. President, Mr. Clerk, I wish to withdraw that amendment. [LB225]

SENATOR WATERMEIER: Motion is withdrawn with no objections. [LB225]

CLERK: Mr. President, Senator Howard would move to amend with AM731. (Legislative Journal page 814.) [LB225]

SENATOR WATERMEIER: Senator Howard for your amendment to the committee amendment. [LB225]

SENATOR HOWARD: Thank you, Mr. President. This is in relation to LB336 which is inside of AM611. LB336 allows for a charge for our central registry checks. Now our central registry is a database that is internal and we use it exclusively for our child and abuse substantiated allegations. We require certain agencies in the state to check the central registry when they're hiring or when they're looking at potential foster parents. And so what the committee decided was the department came to us and said we'd like to charge everybody \$3. The committee decided--let's charge folks a little bit more because comparable states were \$13 for a check. So the committee said they could go no lower than \$5, no more than \$10 and we exempted foster care placing agencies. Well, it came to my attention when this bill came up that there were other agencies that we are requiring a check through statute or regulation. And so the amendment here simply says a requester that's required to request the check according to a statute, a rule or reg of the department or a contract with the department shall be exempt from that charge. What that leaves are groups like third-party background agencies, law firms, or out-of-state businesses. But it doesn't sort of rob Peter to pay Paul in the sense that we're asking foster care placement agencies, for example, to look at the central registry as they're placing foster parents. And they're doing that with a contract with the state, so we're not going to see our contracts with those agencies increase in light of us asking them to pay for the central registry checks. I'm happy to try to answer any questions, but I would certainly urge the adoption of AM731. Thank you, Mr. President. [LB225 LB336]

SENATOR WATERMEIER: Thank you, Senator Howard. Members, you've heard the opening on the amendment to the committee amendments. Those in the queue wishing to speak: Senator Baker, McCollister, Crawford, Kolterman, and Senator Smith. Senator Baker, you are recognized. [LB225]

Floor Debate
March 23, 2017

SENATOR BAKER: Thank you, Mr. President. Good morning, colleagues. Senators Crawford and Riepe spoke at length yesterday about the components of AM611. Several bills were combined in AM611 to LB225 including LB298 which I had introduced, and I'm fine with it being included in AM611. LB298 was a follow-up on LB746, passed in the 2016 Legislature that established normalcy for children in foster care. The reasonable and prudent standard was established to allow foster parents to use their best judgment in making day-to-day decisions relating to what is age and developmentally appropriate extracurricular enrichment, cultural and social activities youth and foster care may participate. LB298 would ensure that normalcy and the other provisions of Nebraska Strengthening Families Act apply not only to youth and foster care but also to youth and childcare institutions that are contracted through DHHS and youth residential treatment facilities. So what is normalcy? Normalcy is about letting kids be kids, ensuring they have access to age and developmentally appropriate activities and experiences. Research shows that many everyday experiences that kids have growing up, like getting a driver's license or having a part-time job, are very important to their social development. But youth and care often face barriers to normalcy experiences just to have contact with their family, to have access to their personal belongings, and to take part in school and community activities. Youth in the system still need access to these important experiences that can support them to become successful adults. Normalcy plans are to be developed and progress reports are to be delivered annually. These normalcy plans are not individualized plans for individual youth, but a general plan for how each childcare institution will implement normalcy for youth in their care. LB298 also improves efforts for youth missing from care, at risk of trafficking. Thank you. [LB225 LB298]

SENATOR WATERMEIER: Thank you, Senator Baker. Senator McCollister, you're recognized. [LB225]

SENATOR MCCOLLISTER: Thank you, Mr. President. Good morning, colleagues. I want to thank Chairman Riepe and the Health and Human Services Committee for the decision to include LB297 with AM365 in the committee amendment to LB225. I also want to thank Senator Crawford for designating LB225 as her priority...a personal priority this year. As introduced, LB297 would reestablish a pilot project to be known as the Children and Juvenile Data Pilot Project. The project would be administered by the Foster Care Review Office. There is no fiscal impact for LB297. The Department of the Health and Human Services signed off on the bill and it came out of the committee on a unanimous vote. I ask for your support for AM611 to LB225 and the provisions of LB297 in Section 5 of the amendment. Thank you, Mr. President. [LB225 LB297]

SENATOR WATERMEIER: Thank you, Senator McCollister. Senator Crawford, you are recognized. [LB225]

Floor Debate
March 23, 2017

SENATOR CRAWFORD: Thank you. And I appreciate that summary by the other senators who have these important bills that are now in AM611. And I want to thank Senator Howard for introducing her bill to make sure that we allow that those entities that we require to do these checks that we allow to make sure they're able to do those checks, especially we have many entities that we are paying for services and we are allowing...requiring to do these checks, and her amendment ensures that they would continue to not pay for these checks, but we are going to be asking those who are using the central registry who we do not require to do so it would have them paying for those checks to help support that service. And that includes entities from out of state who may be doing background checks. So we're allowing them to pay for that service that is important for our entities in the state and allowing those fees to cover the service so it's no longer a General Fund expense and also no longer an obligation that would have to be paid by those entities that we require to get this background check as part of the work that they do and services they provide for us. I think that moving forward this entire package is a very helpful package to improve our services for our youth, and it's really important that we are moving forward. The alternate response bill that moves forward is an important study that allows us to examine evidence of whether alternate response is working better for our families and children than traditional response. Senator McCollister's bill ensures that we're moving forward on having access to data across all of our departments to move forward and do analysis to determine the best way to invest our money. And Senator Baker's bill moving forward allows us to make sure we're protecting our juvenile justice youth from further risks for sex trafficking and also making sure we're helping them to integrate better into their communities. All important bills to move forward improving our services for our children and our families. And I encourage your support of AM731, AM611 and LB225. Thank you, Mr. President. [LB225]

SENATOR WATERMEIER: Thank you, Senator Crawford. Senator Kolterman, you are recognized. [LB225]

SENATOR KOLTERMAN: Thank you, Mr. President. I rise in support of AM731, AM611 and LB225. This legislation was heard in our committee. All three bills were listened to carefully. They had broad support in the committee. I will tell you that AM731 is important to those of us in the private sector. The department came to us and said they wanted us to charge \$3. And after evaluating that, you can't do anything for \$3 anymore. So we as a committee put together a bill that would ask for \$5 minimum up to a \$10 maximum and gave them some flexibility. I don't think it's wise to move back to the \$3 considering where we're at in the budgetary process. If we can collect a few more fees in HHS, we should do so. So again, I would ask you to support the two amendments and LB225. And thanks, Senator Crawford, Senator McCollister, and my neighbor here, Senator Baker, for bringing these three bills to us. Thank you. [LB225]

SENATOR WATERMEIER: Thank you, Senator Kolterman. Senator Smith, you are recognized. [LB225]

Floor Debate
March 23, 2017

SENATOR SMITH: Thank you, Mr. President, and good morning, colleagues. I do stand in support of this bill and the amendments in general. I do believe this is a very important and necessary approach to take and I'm going to continue to listen to the conversation and debate. There was some comments brought up about fees, so I thought that might be an appropriate time to just set the record straight on a few things that's happening around our state right now and it involves taxes and revenues. And as most of you know, later today, we're going to have an Exec Session in Revenue. And as I have made my commitment going forward, we do need tax relief in this state and I do believe there is a path forward for Nebraskans, all Nebraskans to have some level of relief. But there is a campaign, there is a campaign in this state to discredit, to confuse, and to intimidate members of the Revenue Committee, myself, and maybe even some of you. The Farm Bureau...Reform Nebraska, which is funded by the Farm Bureau, and political gadfly, Mark Fahleson, has launched this campaign and I'm looking very forward to making certain that we can have the record set very straight on the next...the next number of days in the Legislature. My promise to Nebraskans is to work hard for them, to make certain we have some meaningful tax reform this year, but I can only do so much myself. Whenever someone attacks me, I will set the record straight. And so I look forward to having lengthy and better conversation in coming days. And I welcome all of you to be engaged on this very important issue to Nebraska. We are taxed too much in this state and it's time for us to do something and stop the fighting and stop dividing. Thank you, Mr. President. [LB225]

SENATOR WATERMEIER: Thank you, Senator Smith. Senator Howard, you are recognized. [LB225]

SENATOR HOWARD: Thank you, Mr. President. I thought I would just take a moment and highlight the importance of the underlying bill here. LB225 is a really important bill when it comes to our child welfare system as a whole. So most of you maybe have heard me talk about our IV-E funding, and IV-E is our primary stream for child welfare. And IV-E really only kicks in when a child is removed from the home. And Alternative Response gives us the opportunity to draw down federal funding, IV-E funds, when we allow a family to remain intact, when we allow them to remain unified. And so Alternative Response is a little bit like noncourt. So it provides these wraparound resources for families and it prevents them from more expensive interventions--either removing the child or even leading to a termination of parental rights. Now, initially, I was very skeptical of Alternative Response. I'll be very candid about that, because I never want to see a case be put into Alternative Response when it merits more attention from the state. And so right now, we just want to make sure that the right families are going into the right track, so either court or Alternative Response. But another piece of this bill that is really fantastic. Mr. President, could I get a gavel? Thank you, sir. Another piece of this legislation that is really important is that the child advocacy centers will be included as part of the team for the Alternative Response cases. Right now, they're not getting all of the information. And just as a refresher, our child advocacy centers are these multidisciplinary teams that include doctors and

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

law enforcement, mental health providers and caseworkers, but they need access to all of our abuse cases. And so LB225 really continues that Alternative Response pilot, allows us to continue drawing down those funds. LB336 is a great bill that allows us to start charging for our central registry which is our substantiated child and adult abuse allegation database. And Senator McCollister's data bill, Senator Baker's normalcy bill, these are all really important pieces for our child welfare system for this year. And so I very much appreciate the body's attention to LB225. And I, obviously, support AM611 and AM731. Thank you, Mr. President. [LB225 LB336]

SENATOR WATERMEIER: Thank you, Senator Howard. Senator Riepe, you are recognized. [LB225]

SENATOR RIEPE: Thank you, Mr. President and colleagues. LB336 proposes to allow the Department of Health and Human Services to charge a reasonable fee to recover expenses in carrying out central registry record checks. The department may waive the fee if the requesting party shows the fee would be an undue financial hardship. The department will use the fees to defray costs incurred to carry out such record checks. The central registry is a listing of individuals who have a substantiated or allegation of child or adult abuse or neglect. Several entities request central registry checks to evaluate the background of potential employees or volunteers. Entities requesting these checks include but are not limited to: hospitals, adoption and foster care agencies, law firms, nursing facilities, third-party background check agencies, in-home service providers, schools, community services, and faith-based groups. The department also performs these checks for individuals requesting self checks, as well as requests submitted by out-of-state businesses. The department conducts over 120,000 central registry checks annually. LB336 permits the Department of Health and Human Services to charge a fee up to \$3 per check. The 13 states that responded to the department's survey charged rates that range from \$7 to \$30 per check. The department is recommending collecting \$2.50 initially for these requests, which will allow the department to offset incurred expenditures by \$300,000. AM661 changes the fee from \$3 to a \$5 minimum with a \$10 maximum. The amendment also precludes children-placed agencies for the purpose of placement of a child in foster care. Thank you, sir. [LB225 LB336]

SENATOR WATERMEIER: Thank you, Senator Riepe. Senator Williams, you are recognized. [LB225]

SENATOR WILLIAMS: Thank you, Mr. President, and good morning, colleagues. As a new member of HHS, many of these issues that we're looking at were new to me at the beginning, so had to do a lot of studying, but do want to stand in support of Alternative Response and where we're attempting to go with that. Also, I want to just point out the issue that has been talked about some about the fee that on this is interesting to me because with my business background

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

in the banking world, I have some insight into what it costs to mail stuff and how those approaches work. And as Senator Riepe talked, there's numerous requests that are made; in fact, it's a significant number of requests that are made for these things. And the amendments that we are looking at give us a better opportunity to recoup the cost, not to make money on this process, but to recoup the cost. Originally the department came in with \$2.50, and I will just tell you, you cannot recoup your costs at that level. With the requirement of sending things out and mailing, that is a losing process. So the amendment that we are looking at sets the minimum of \$5, with the maximum of \$10 as they discover whatever happens in the future. And I think clearly that is a fair approach to this. It also exempts those organizations that should be exempted from having to pay that fee. So with that said, I would encourage everyone to vote green on all of these amendments as we lead into passing LB255 today. Thank you, Mr. President. [LB225]

SENATOR WATERMEIER: Thank you, Senator Williams. Seeing no one in the queue, Senator Howard, you are recognized to close on your amendment to the committee amendment. [LB225]

SENATOR HOWARD: Thank you, Mr. President. Just as a reminder, AM731 exempts any requesters for a central registry check who have a statutory or regulatory compliance to do so. And I would certainly encourage the adoption of AM731. Thank you, Mr. President. [LB225]

SENATOR WATERMEIER: Thank you, Senator Howard. Members, you've heard the question...excuse me, you've heard the closing on the amendment to the committee amendment. The question is, shall the amendment to the committee amendment be adopted? All those in favor vote aye; all those opposed vote nay. Have all those voted who wish to vote on the amendment to the committee amendment? Record, Mr. Clerk. [LB225]

ASSISTANT CLERK: 32 ayes, 1 nay on the adoption of the Senator Howard's amendment to the committee amendments. [LB225]

SENATOR WATERMEIER: The amendment is adopted. Seeing no one in the queue, Senator Riepe, you are recognized to close on your committee amendment. Senator Riepe waives closing on the committee amendment. The question is, shall the committee amendment to LB225 be adopted? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB225]

ASSISTANT CLERK: 31 ayes, 0 nays on adoption of committee amendments, Mr. President. [LB225]

SENATOR WATERMEIER: The committee amendment is adopted. Seeing no one in the queue, Senator Crawford, you are recognized to close on LB225. [LB225]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR CRAWFORD: Thank you, Mr. President. And thank you, colleagues for your support of all of those amendments. LB225, as amended now, is a package of bills that helps us advance our child welfare system and make improvements and assure we will get our IV-E waiver funding for our child welfare services in the future and help us make good evidence-based decisions in how to continue to improve our services for our child and welfare system, as well as ensure that we have an improved systems in our juvenile justice side to improve services for our youth to improve their transition in their community, and also reduce their risk for being sex trafficking victims, and as well as addressing a budget issue that needed to be addressed in terms of making up money that's currently used in General Fund to pay for the central registry checks. We will now make that a cash fund expense and have those who are required to do central registry checks to continue to be able to do that without charge. But those who are using our central registry checks for things that we do not require them to use it for to be the ones who are paying with cash funds for that service. So I thank you for your support and urge your support for LB225. Thank you, Mr. President. [LB225]

SENATOR WATERMEIER: Thank you, Senator Crawford. Members, you have heard the closing on LB225. The question is the advancement of LB225 to E&R initial. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB225]

ASSISTANT CLERK: 33 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB225]

SENATOR WATERMEIER: LB225 does advance. Next item on the agenda. [LB225]

ASSISTANT CLERK: Mr. President, LB340 was introduced by Senator Murante at the request of the Governor. (Read title.) The bill was introduced on January 12 of this year. It was referred to the Government, Military and Veterans Affairs Committee. That committee placed the bill on General File with no committee amendments. [LB340]

SENATOR WATERMEIER: Senator Murante, you are recognized to open on LB340. [LB340]

SENATOR MURANTE: Thank you, Mr. President. Members, good morning. I introduced LB340 on behalf of the Governor because it works towards our common-shared goal of continuing to find ways to better serve Nebraska's veterans. LB340 transfers all authority from the Division of Veterans' Homes of the Department of Health and Human Services to the Department of Veterans' Affairs. This administrative change will increase service efficiency resulting in better care for veterans living in one of these homes. After our veterans have sacrificed so much for our country, it is the least we can do to assure that we serve them to the best of our ability, and LB340 seeks to do just that. There is an amendment to this bill that was brought on behalf of the Department of Health and Human Services which makes some technical

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

changes. I want to thank, first of all, Governor Ricketts for bringing this issue to our attention. Second, I would like to thank Director John Hilgert, who is a person who is widely respected within the veterans' community. As the Chairman of the Government, Military and Veterans Affairs Committee, I have an opportunity to have conversations frequently with members of our veterans' organizations and from veterans across the state of Nebraska and I can assure you that Director Hilgert is one of the most respected members of state government and he has earned the trust of the veterans of our state and putting this issue under the Department of Veterans' Affairs is wholly appropriate and ensures the best possible outcomes for our veterans. Next, I would like to thank the members of the Government, Military and Veterans Affairs Committee for voting this bill out unanimously. It did not have any opposition in committee, and I think that speaks to the common sense nature of this proposal. And I would also like to thank Senator Brewer for prioritizing this bill to ensure that we have an up or down vote. This bill will be a cost savings to the state. It will improve the quality of care for our veterans. And I encourage your support of LB340. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Murante. Mr. Clerk for an amendment. [LB340]

ASSISTANT CLERK: Mr. President, Senator Murante would offer AM287. (Legislative Journal page 735.) [LB340]

SENATOR WATERMEIER: Senator Murante, you can open on your amendment to the bill. [LB340]

SENATOR MURANTE: Thank you, Mr. President. Members, good morning. AM287 is a technical amendment to fix an employee threshold change in DHHS. In the original bill, DHHS would be dropped below the 5,000 employee threshold that provides for 50 discretionary employees. The 4,001 to 5,000 employee range provides 14 discretionary employees. DHHS currently has 39 discretionary employees. Under the bill they would have to eliminate 25 of these positions. The amendment fixes this by changing the allotment of discretionary employees from the 4,001 to 5,000 range to 40 employees. And I encourage your adoption of the amendment and the underlying bill. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Murante. Members, you've heard the opening to the committee amendment to LB340...excuse me, the amendment to LB340. Senator Brewer, you are recognized. [LB340]

SENATOR BREWER: Thank you, Mr. President, and good morning, colleagues. I would like to speak in support of LB340. When I made the decision to run for office, one of the concerns I had

Floor Debate
March 23, 2017

was that we wanted to work with agencies to reduce the tax burden while also making sure that the infrastructure gets the resources that it needs. LB340, the merger of the Division of Veterans' Homes with the Nebraska Department of Veterans' Affairs does both. The merger promises to open up resources for our veterans. It preserves and enhances the infrastructure and reduce the General Fund expenditures. And just to give you a rough idea, that is in that \$1.6 million range that it will help reduce. This is serving our veterans and protecting our taxpayers. This is real reform that saves and will continue to save money for the state of Nebraska. LB340 is worthy of my support, worthy of my sponsorship, and worthy of my priority. LB340 is a fairly simple concept. It transfers the Division of Veterans' Homes from the Division of Health and Human Services to the Department of Veterans' Affairs. And just as a kind of quick refresher on our veterans' homes, we have four facilities. One is our western Nebraska veterans' home in Scottsbluff. The second one is the Grand Island veterans' home. Our third is in Norfolk. And the fourth one is Eastern Nebraska Veterans' Home in Bellevue. Now some background on the veterans' homes. They were originally part of DPI, the Department of Public Institutions. In 1997, DPI was merged into DHHS. At that time, the director of the Nebraska Department of Veterans' Affairs was placed in charge as the division director of the Division of Veterans' Homes while retaining his role as agency director. In 1997 and in 2007, there was support from veterans' communities across the state to make the homes a freestanding element. Now this is finally able to be done. The homes are in sound financial position and have well-established leadership teams. Their track record is a proven quality and have consistently had excellent results. In fact, just a few days ago the Norfolk Veterans' Home had another deficiency-free survey to give them five of the last six years. The veterans have fought and sacrificed to defend our constitutional rights and freedoms. As a fellow veteran, I can appreciate that sacrifice, but even more I can appreciate and be grateful for their service. So I would ask you to honor our veterans and vote for LB340. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Brewer. Senator Howard, you are recognized. [LB340]

SENATOR HOWARD: Thank you, Mr. President. I rise in support of AM287 and LB340. And I just want to give the perspective, I've been on Health and Human Services for four years, and we do a lot of confirmation hearings and we hear from the CEO of the Department of Health and Human Services and the Director of Behavioral Health and Medicaid and Child and Family Services and Public Health and then we have Veterans' Affairs. And it was always sort of like this odd man out when you were looking at the umbrella of the Department of Health and Human Services. In 1997, when it was part of the Department of Public Institutions, and then the Department of Public Institutions was merged into the Department of Health and Human Services, it made sense. And in 2007, Veterans' Affairs was made its own division, and the division director of the Division of Veterans' Homes retained his role as agency director for Veterans' Affairs under the umbrella of Department of Health and Human Services. But I have

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

always thought it was strange that this was where veterans' affairs landed. And so I was really excited to see LB340 come up, because it is really important that not only that subject matters align in our government, but also when you think of the behemoth that is the Department of Health and Human Services, when you think of the work that CEO Phillips has to do, this is really a logical shift to make sure that she can focus on the areas that are most critical in our Department of Health and Human Services, streamlining operations and efficiencies, but also really focusing on the children and families who are involved in that system. I promised Director Hilgert that I would say something nice, even though he has told me that he will not miss coming to the Health and Human Services Committee and having his confirmation hearing with us. With that, I urge the adoption of AM287 and LB340. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Howard. Senator Riepe, you are recognized. [LB340]

SENATOR RIEPE: Thank you, Mr. President and colleagues. As Chairman of Health and Human Services Committee and a Navy veteran, I stand in support of the transfer of powers and duties from the division of veterans over to the Health and Human Services Committee to the Department of Veterans' Affairs and ask for the body to vote green on the amendment and also on LB340. Thank you. [LB340]

SENATOR WATERMEIER: Thank you, Senator Riepe. Seeing no one in the queue, Senator Murante, you are recognized to close on your amendment. [LB340]

SENATOR MURANTE: Thank you, Mr. President. Members, the amendment before you simply ensures that current discretionary employees of the Department of Health and Human Services do not lose their jobs by the adoption of LB340. And I encourage your support of the amendment. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Murante. Members, you have heard the closing on the amendment to LB340. The question is, shall the amendment to LB340 be adopted? All those in favor vote aye; all those opposed vote nay. Record, Mr. Clerk. [LB340]

ASSISTANT CLERK: 33 ayes, 0 nays on the adoption of the amendment. [LB340]

SENATOR WATERMEIER: The amendment is adopted. Seeing no one in the queue, Senator Murante, to close. [LB340]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR MURANTE: Thank you, Mr. President. Members, good morning. I think Chairman Riepe illustrated a point that this bill isn't just about veterans. It is certainly good for veterans. It saves the state money, it's a common sense proposal. But it also takes an enormous organization like the Department of Health and Human Services and takes one of the components of that department away from an enormous organization and bureaucracy and allows the veterans to be singularly focused in the Department of Veterans Affairs. I know I have spoken with Senator Riepe at length about the challenges facing the Department of Health and Human Services. And I believe this bill is not just good for the veterans, which it certainly is, but it also will be a benefit to anyone who interacts with the Department of Health and Human Services because it allows that department to focus their attention on the many, many issues which are under their purview. So it is a good proposal for the veterans, it's a good proposal for anyone who interacts with the Department of Health and Human Services. It saves money to the state. It is a common sense proposal. And I encourage your support of LB340. Thank you, Mr. President. [LB340]

SENATOR WATERMEIER: Thank you, Senator Murante. Members, you have heard the closing on LB340 as amended. The question before the body is the advancement of LB340 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB340]

ASSISTANT CLERK: 39 ayes, 0 nays on the motion to advance the bill, Mr. President. [LB340]

SENATOR WATERMEIER: LB340 does advance. Next item on the agenda. [LB340]

ASSISTANT CLERK: LB88, introduced by Senator Blood. (Read title.) The bill was introduced on January 5; referred to the Health and Human Services Committee. That committee placed the bill on General File with committee amendments. [LB88]

SENATOR WATERMEIER: Thank you, Mr. Clerk. Senator Blood, you are recognized to open on LB88. [LB88]

SENATOR BLOOD: Thank you, Mr. President. Fellow senators, friends all, today I rise to present LB88 which is one of two military spouses bills I have brought forward this session. Should it eventually become law, it would remove hurdles many military spouses encounter when they transfer to the great state of Nebraska. The bill deals with over 30 different professions, most of which are based in medical fields such as chiropractors, nurses, drug and alcohol counselors, nutrition specialists, and other areas where Nebraska is facing a rather concerning deficit when it comes to finding qualified individuals. The bill removes hurdles for military spouses to work in the fields they love by giving them temporary licenses while they go through the process of getting the permanent license. The licensing process can be lengthy due to

Floor Debate
March 23, 2017

bureaucratic requirements and expensive thanks to fees and continuing education rules. That forces spouses to put their careers on hold. And many have complained that by the time they were able to go back to work, it was time to move again and start the process all over again. For those of you on the Education Committee, you heard the 55th Wing Commander's wife express that very concern on a different military spouse bill that I brought forward. The facts are very clear. Military spouses that move across the state lines are ten times more likely to make that move than a civilian spouse because these spouses frequently have occupations that have licensing requirements. And because of the frequent moves across state lines, licensing can create an additional hurdle to employment. This is especially concerning when you realize that at least 35 percent of all military spouses have careers that do require licensing. Originally, my bill allowed for these temporary licenses to be good for six months, but included in the amendment that I brought forward when presented to the HHS Committee is an extension to a full year or until they hear back from the licensing entity about practicing in Nebraska. Also included in the amendment was the exclusion of dentists to the list since their licensing was more complicated, it just was not a good fit at the end of the day. The amendment was approved by the committee. Now, I want to be really clear that LB88 does not lower the bar for getting a license for anyone covered by this bill. Any military spouse looking to take advantage of this bill will still need to be licensed where they previously resided and also have comparable education or certification requirements for professional license in order to qualify for the temporary licensing here in Nebraska. Colleagues, there are several very good reasons for passing this important piece of legislation. LB88 is something that will not only help military spouses find firm footing when it comes to helping their families get acclimated to our state after a transfer, but this will also help stimulate Nebraska's economy. Fifty-five percent of service members are married, and 77 percent of military spouses report that they want to find work. Along those lines, a May 2016 report by the Military Times showed that unemployment and underemployment of military spouses cost the U.S. economy anywhere from \$710 million to \$1 billion a year. Here in Nebraska, Offutt carries an economic impact of more than \$1.6 billion. It is important that the people who live and work around Offutt are able to hit the ground running when they transfer in as a spouse. I do want to point out that I've had some people asked why I did not craft my bill to allow the temporary licenses to apply to everyone who moves into our state. The reason I went about doing this is really twofold. The first is that bills like this have a very real impact on showing that Nebraska is a military friendly state. The importance of this cannot be understated when it comes to time for those in Washington looking at which bases should receive certain resources and even which bases should remain in operation. I have utilized a ten-point checklist from the U.S. Department of Defense's USA for Military Families Initiative and I am hoping to continue to push Nebraska toward all ten of these metrics starting with LB88. Secondly, while it can certainly be an annoyance for a spouse who is moving into the state to have to wait to get their license, the factors surrounding an intentional move and that of a military spouse are very different. For the most part, a military spouse does not have much say in where their family is being deployed. They simply need to make the most of it once they arrive in their new

Floor Debate
March 23, 2017

community. I think it is also important to stress that since Nebraska residents are the second house, should anyone want to change or generate new policy to address that particular issue and hold a hearing on a future bill, I'd encourage them to do so. But this, Senator Erdman, is not the bill you are looking for. I believe it is our job as Nebraska's legislative body to make sure we are the best place for service members to work, live, and ultimately retire here in our great state. Lastly, it did not take long to realize that this bill, although very comprehensive, also has the potential to be a strong engine for a few amendments from the Health and Human Services Committee that are certainly germane to this cause. Senator Riepe will address those amendments. So friends, in closing, I would point out LB88 advanced from the committee on a 6-1 vote. And while only three people were able to testify in person, the committee received over 20 letters in support of this bill. With that, I would ask you to vote green on this very important piece of legislation. And I will enthusiastically await any questions you may have. I leave you today with a quote you see in many of the homes in my district: "Where you go, we will go. Where you stay, we will stay." Remember that this bill is ultimately about people, and today you can vote in support of those who know their loved ones are not a number, are more than a rank, are moms, dads, grandparents, siblings, and heroes to many. These people are our military spouses and families like the service members that they support. They, too, must sacrifice. And so, and this message is for Senator Chambers, I do have the faith of a mustard seed today, and I think we can move this mountain if we all vote green and move it through General File. Thank you. [LB88]

SENATOR WATERMEIER: Thank you, Senator Blood. Mr. Clerk for a committee amendment. [LB88]

ASSISTANT CLERK: Mr. President, there are committee amendments from Health and Human Services, AM391. (Legislative Journal page 570.) [LB88]

SENATOR WATERMEIER: Senator Riepe, you are recognized to open on your committee amendment. [LB88]

SENATOR RIEPE: Thank you, Mr. President, colleagues, and thank you, Senator Blood. AM391 is the committee amendment for LB88. AM391 adds the definition of military spouse and removes dentistry from the temporary credentials. I ask you to support AM391 to LB88. Thank you. [LB88]

SENATOR WATERMEIER: Thank you, Senator Riepe. Mr. Clerk for an amendment to the committee amendment. Members, you've heard the opening to the committee amendment to LB88. Those in the queue wishing to speak: Senator Crawford, Senator Brewer, Senator Schumacher, and Senator Hilkemann. Senator Crawford, you are recognized. [LB88]

Floor Debate
March 23, 2017

SENATOR CRAWFORD: Thank you, Mr. President, and good morning, colleagues. I want to rise in support of LB88 and committee amendments. It is my understanding that we will have committee amendments that will include several other important licensing updates and improvements that are critical for improving licensure for our practitioners who are practicing in the state and those who are moving into our state. I want to speak to you for just a moment about LB425 which is going to be included as a committee amendment to LB88 as part of that package. In 2015, with the support of many of you here, LB107 was passed and signed into law by Governor Ricketts. The bill provided widely supported changes to the Nurse Practitioner Practice Act that allowed nurse practitioners to practice without an integrated practice agreement and put into place a transaction to practice protocol. LB107 allowed full practice authority for nurse practitioners, but did not change any of the collaboration, consultation, or referral provisions that remain in the statute. LB425, as amended into our committee amendment that's coming, is a regulatory cleanup language that is necessary to ensure appropriate implementation of LB107. And at this moment, I am going to continue that conversation when we get that appropriate committee amendment up on the board. I just urge your support for LB88 and the committee amendments that we have on that bill as well. It is an important improvement of our licensure in the state. There are people across in all parts of the state and across party lines who all recognize the critical importance of improving our licensure to make sure that we have people in our state, in our workforce as quickly as possible; but also in a way that protects the public safety of our citizens. And also critically important to make sure that our licensure works across...that we are making sure that when people come to our state to practice in our state that we get them up and running in our practices as quickly as possible, but also, again, being attentive to the importance of making sure we are protecting public safety. And, colleagues, LB88, and all of the other licensure bills that will be amended to LB88 with the committee amendment, are ones that are very careful and attentive to striking that appropriate balance. Striking the balance of making sure that we are improving the ability of people in our state and the ability of the people who move to our state to be up and running in their professions as smoothly as possible and improving our state processes to make those as smooth as possible, but also being attentive to making sure that we're also protecting public safety. And so I urge your support of LB88, AM391, and the committee amendments that will incorporate other licensure improvements of the same kind to LB88. Thank you, Mr. President. [LB88 LB425]

SENATOR WATERMEIER: Thank you, Senator Crawford. Let me just clarify, we have another filed amendment to LB88, but right now on file right now we are debating is AM391 which is the committee amendment to LB88. Those in the queue wishing to speak is Senator Brewer, Senator Schumacher, and Senator Hilkemann. Senator Brewer...Senator Brewer, you are recognized. [LB88]

SENATOR BREWER: Thank you, Mr. President. And this is on the initial bill itself that I pushed the light for. We're good there? [LB88]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR WATERMEIER: We are debating right now the committee amendment from the Health and Human Services Committee to LB88. We do have another filed amendment, but you are welcome to speak to this committee amendment. [LB88]

SENATOR BREWER: Why don't I stand down for now and pick it up when we're back on the main. [LB88]

SENATOR WATERMEIER: That is just fine. Senator Schumacher, you are recognized. [LB88]

SENATOR SCHUMACHER: Thank you, Mr. President, members of the body. Sometimes it pays to sit and listen to these debates because all of a sudden you realize that there's something that is going on here that affects a problem that you have in your district or some other problem that's been called to your attention. And I recognize what Senator Blood is trying to do here in this bill, and it is a good idea. But the opportunity for the body to make changes which are needed in our law and our sentiment does not come often. And I have been working on a situation in my district where a pediatrician was attracted to the district in order to practice in our facilities, which is a big thing. It's difficult to get people to set up shop with those kind of credentials in rural Nebraska. This particular pediatrician has got a wife who is an RN and she would like, of course, to earn some income, too, and further her career. Well, she's licensed in New York and Colorado. And our licensing department is spinning her around because she originally comes from India and went to school there and is having a hard time getting papers out of India because the India school doesn't have the papers that our licensing department requires. Nevertheless, she is licensed already in Colorado, licensed in New York, and there is no reason on God's green earth that we should run her and her husband out of state because Nebraska decides to play bureaucrat. So I am going to watch these amendments coming up. I am told that there may be something that covers this issue. If not, I may introduce something on Select File which is of value of some extended debate that is productive extended debate, because these issues need to be resolved. In rural Nebraska, we have healthcare shortages. We have trouble getting skilled and highly educated people there. And to have our bureaucracy spinning people around for, really, what has to be a nonsense reason if she's already licensed in two of our sister states is simply wrong. And if we got a chance to do it and fix some of those problems here while this is moving through on the floor, I think it's an excellent opportunity. Thank you. [LB88]

SENATOR WATERMEIER: Thank you, Senator Schumacher. Senator Hilkemann, you are recognized. [LB88]

SENATOR HILKEMANN: Thank you, Mr. President. First of all, I rise to support this LB...or the bill that Senator Blood has brought forth, but I think that we have some questions we need to

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

ask about it before we pass this bill. I am wondering if Senator Blood would take some questions from me. [LB88]

SENATOR WATERMEIER: Senator Blood, would you be available for a question? [LB88]

SENATOR BLOOD: Yes, I will yield. [LB88]

SENATOR HILKEMANN: Senator Blood, how many states have implemented similar legislation? [LB88]

SENATOR BLOOD: In my research I have found at least 23 that have similar legislation and it's been very successful. [LB88]

SENATOR HILKEMANN: Okay. And, Senator, tell me why this is...there is a situation for medical licenses called reciprocity; why is this different than just reciprocity? [LB88]

SENATOR BLOOD: There is reciprocity and we also have in our amendment that compact amendment that is going to be addressing some of that. But this issue is about people who come into the state with comparable education or licensure. And at this time, under state statute, they are not able to get a license within a reasonable amount of time. And so this is going to expedite the process, but it's not going to allow in anybody who is not qualified or educated in an area that we would have the expectation they would be educated in. [LB88]

SENATOR HILKEMANN: So, Senator, are you saying that if I moved into Nebraska and my wife were in the military, that I could begin the practice of podiatry the very next day as a fact that this person...that they're part of the military? [LB88]

SENATOR BLOOD: No, sir, that is not quite accurate. It would say that because as a podiatrist and a military spouse, you probably have to move every two years based on whatever your assignment is for the person who is in the military. And you would probably have been struggling because every time you came into every state, you'd have to go through the lengthy process. But if you were already qualified or certified, this would allow them to look at your credentials and say, hey, he's got equal credentials or above, we're going to go ahead and allow him to practice while we're working on getting his license. [LB88]

SENATOR HILKEMANN: Who makes that decision on that credentialing, Senator? [LB88]

Transcript Prepared By the Clerk of the Legislature
Transcriber's Office

Floor Debate
March 23, 2017

SENATOR BLOOD: The credentialing committee? That's a...I'm not really sure. It depends on... [LB88]

SENATOR HILKEMANN: Are we talking...well, no... [LB88]

SENATOR BLOOD: I am not really sure which area you are asking. So I know we had spoke earlier and you said the credentialing committee tends to make these types of decisions. Is that indeed the case? I would have to say on that one I'm not sure. [LB88]

SENATOR HILKEMANN: Well, here's...what I want to...this is just kind of a technical point. [LB88]

SENATOR BLOOD: Absolutely. [LB88]

SENATOR HILKEMANN: Well, more...not necessarily a technical point, but if...again, I'm going to use the illustration. Okay? I am a licensed podiatrist and I have been practicing in Iowa or I've been practicing in Wisconsin or whatever, and let's say my wife were a military spouse and moves into Omaha. Okay? All right, could I immediately set up a shop by myself and say, Robert Hilkemann, podiatrist, I'm available. I would not have to have any...who is managing that? [LB88]

SENATOR BLOOD: No. Who you go to does not change just because you are a military spouse. You would go to the same organization that is responsible for licensing, be you a military spouse, who they are going to give some leeway to so they can get to work, or somebody who is already here in Nebraska, has gone to school, and has gotten their credentials. So you don't immediately get to put up a tile that says "Joe Blow" podiatrist. You still have to contact the entities that are responsible for licensing. [LB88]

SENATOR WATERMEIER: One minute. [LB88]

SENATOR BLOOD: The caveat being that it's going to expedite the process if you are credentialed at an appropriate level, it's going to speed it up so you can get to work sooner. It is not going to lower the standards in any fashion. It is not going to give you the false hope that you can immediately move here and open up shop. You still have to go to the reporting entities and you still have to be a qualified individual. [LB88]

SENATOR HILKEMANN: So I would have to apply to the state of Nebraska licensing for a license to practice podiatry in the state of Nebraska before I could open up. [LB88]

Floor Debate
March 23, 2017

SENATOR BLOOD: You would. And if you look at the bill, you'll see there are step-by-step instructions that I made sure were in the bill that show what the process is about and how it works. [LB88]

SENATOR HILKEMANN: Thank you, Senator. [LB88]

SENATOR WATERMEIER: Thank you, Senator Hilkemann and Senator Blood. (Visitors introduced.) Senator Brewer, you are recognized, but we are still on the committee amendment AM391. [LB88]

SENATOR BREWER: Well, I will still go ahead and address LB88 because I think that we've...there is a lot of what if's that can go into this. So I would ask that you take a look at the bill. Because the part that caused me to want to take support of it, besides the fact that I have, for most of my 36 years that I was in uniform, watched as the one link that made it possible for our service was that as we deployed or went off to schools, it was a spouse that stayed behind. And when we did our PCS, our permanent change of station, they packed up the house, they had to organize how to have the child removed from one school and put into another school, they boxed up homes and moved them. So I guess I kind of struggle when you think about the challenges that they are put under and the fact that this bill really just gives them a little more of a chance to have a life once they take care of all those things that we weren't able to do because we were busy in another land or somewhere where we were doing what the military has asked us to do. But they never raised their right hand. They were there doing those things that bonded the family together and made it possible for us to do our missions. So I just want to rise in support and ask that you remember that without that piece, we are not able to do the mission that our country asked us to do. And they are the neglected part of this picture. So I would ask for your support for LB88. [LB88]

SENATOR WATERMEIER: Thank you, Senator Brewer. Seeing no one in the queue, Senator Riepe, you are recognized to close on your committee amendment. Senator Riepe waives closing on the amendment. Members, the question is, shall the committee amendment, AM391, be adopted? All those in favor vote aye; all those opposed vote nay. Have you all voted? [LB88]

ASSISTANT CLERK: 37 ayes, 0 nays on the adoption of the committee amendments. [LB88]

SENATOR WATERMEIER: The committee amendment is adopted. Mr. Clerk for an amendment. [LB88]

Floor Debate
March 23, 2017

ASSISTANT CLERK: Mr. President, Senator Riepe offers AM705. (Legislative Journal page 815.) [LB88]

SENATOR WATERMEIER: Senator Riepe, you are recognized to open on your amendment. [LB88]

SENATOR RIEPE: Thank you, Mr. President and colleagues; and again, Senator Blood, for carrying this bill. AM705 is the collaboration of the HHS Committee. The committee is thankful, as I said, to Senator Blood to allow these occupational licensing bills to be amended. AM705 includes LB61 which is Senator Koltermann's bill on medical compact; LB283, my bill for licensed nurse practitioners; LB342, the nursing compact of Senator Erdman's at the request of the Governor; and LB425, a cleanup bill for nurse practitioners which is Senator Crawford's bill. Each senator will represent these respective bills. I ask for your support of AM705 to LB88. Thank you, Mr. President. [LB88 LB61 LB283 LB342 LB425]

SENATOR WATERMEIER: Thank you, Senator Riepe. Members, you have heard the opening to the amendment to LB88. Those in the queue wishing to speak: Senator Crawford and Senator Kolterman. Senator Crawford, you are recognized. [LB88]

SENATOR CRAWFORD: Thank you, Mr. President, and good morning, colleagues. And thank you, Senator Blood, for introducing LB88. As I noted earlier, this is a very important bill for improving our licensure, and I really appreciate her willingness to allow us to include a package of bills that were important to the committee in term of addressing this issue that is critical for our health workforce in our state and our economic development in our state to make sure that our licensure laws work well and that we get people up and credentialed as quickly and as efficiently as possible, while still protecting the public interest. And this package of bills, I believe, does that very well and also addresses the issue of allowing us to recruit people from outside of the state and get their credentials up and running as quickly as possible, protecting public safety. And it's a critical...a critical bill to pass in terms of our economic development and our healthcare workforce. So let me just, again, talk a bit about LB425 which is part of this package. In 2015, with the support of many of you here, LB107 was passed and signed into law by Governor Ricketts. The bill provided widely supported changes to the Nurse Practitioner Practice Act that allowed nurse practitioners to practice without an integrated practice agreement and put into place a transition to practice protocol. LB107 allowed full practice authority for nurse practitioners but did not change any of the collaboration, consultation, or referral positions that remain in statute. LB425, as amended into AM705, is regulatory cleanup language that is necessary to ensure the appropriate implementation of LB107 from 2015 and ensure that nurse practitioners who have experience in other states or experience in our state prior to the passage of LB107 have that experience recognized in their application for licensure. Currently, the APRN

Floor Debate
March 23, 2017

board which governs advanced practice nurses, including nurse practitioners cannot proceed with rules and regulations triggered by the passage of LB107 until the alignments are changed by the passage of the bill before you. This implementation delay is directly affecting the licensure process for nurse practitioners and our abilities to recruit nurse practitioners to the state. I urge your support of AM705 and LB88. Thank you, Mr. President. [LB88 LB425]

SENATOR WATERMEIER: Thank you, Senator Crawford. Senator Kolterman, you are recognized. [LB88]

SENATOR KOLTERMAN: Thank you, Mr. President. I would like to offer my support for LB88 and AM705. And also I would like to thank Senator Blood for allowing us to attach these amendments. Senator Riepe has done an excellent job of pulling this all together with his legal counsel, Kristen Stiffler. There is a lot of work that's gone into this, even to the point where as we were discussing the bill and adding these amendments, we visited with Speaker Scheer and Laurie and we really appreciate their willingness to help us as all of these deal with licensure of professionals. So thank you to all of them. AM705 includes my bill, LB61, which advanced out of HHS Committee unanimously and did not carry any fiscal note. As introduced, the LB61 portion of AM705 enables Nebraska to join the Interstate Medical Licensure Compact and streamline medical licensure in our state. The compact was designed to implement a speedier, more efficient medical licensure process with fewer administrative burdens for physicians who are seeking licensure in multiple states. The compact was developed by the Federation of State Medical Boards. The LB61 portion of AM705 is based on several key principles which include developing a comprehensive process that complements the existing licensing and regulatory authority of the state medical boards, creating another pathway for licensure that does not otherwise change the state's existing Medical and Surgery Practice Act. Adopting the prevailing standard for licensure, affirming that the practice of medicine occurs where the patient is located at the time of the patient-physician encounter, requiring the physician to be under the jurisdiction of the state medical board where the patient is located, and ensuring that the state medical boards participate in the compact retain the jurisdiction and create the Interstate Medical Licensure Compact Commission. We were one of the first ten states to introduce this compact and now there have been 18 states which have passed this legislation, including every neighboring state except for Missouri. The first licenses under the compact began processing earlier this year. These Midwestern states see that this is an opportunity to expand our healthcare workforce by streamlining licensure, still maintaining our medical licensure practice act, maintaining our ability to ensure that physicians practicing in the state are doing so appropriately, but making it easier for them to get licensed in multiple states largely for purposes of telemedicine. Telemedicine and technology are changing healthcare, but our licensure process is falling behind. For many Nebraskans, especially in rural areas, this committee knows better than anybody that access to in-person clinical services due to transportation limitations and lack of available physicians is often a challenge which results in poor health outcomes. This compact, as I said, will make it

Floor Debate
March 23, 2017

easier for physicians to obtain licenses in multiple states while ensuring that patients are not only provided safe, quality, in-person or telehealth services but they have increased access to those services. The Interstate Medical Licensure Compact represents a nationwide solution built upon and reinforcing a system of state-based regulation proving to extend healthcare to the underserved, protect patients, and help facilitate telemedicine in the United States. Because the amendment involves a compact, the Unicameral cannot make changes to the provisions in the amendment that have already been enacted into law by every other member state. [LB88 LB61]

SENATOR WATERMEIER: One minute. [LB88]

SENATOR KOLTERMAN: It is the intent of the Unicameral, however, that Section 9 of the amendment regarding joint investigations, page 7, line 24, to page 8, line 12, shall only apply to physicians who choose to obtain a medical license through procedures required under this compact. It is also the intent of the Unicameral that any rules of the interstate commission will only apply to those physicians who choose to obtain medical license through this process required under the compact. I repeat, this compact does not superseding any state licensure laws. Thank you, and I would encourage you to please advance AM705 and LB88. [LB88]

SENATOR WATERMEIER: Thank you, Senator Kolterman. Those in the queue wishing to speak: Senator Riepe, Erdman, and Senator Schumacher. Senator Riepe, you are recognized. [LB88]

SENATOR RIEPE: Mr. President, colleagues, thank you. I want to address the LB283 which is an amendment into AM705. LB283 came out of the Health and Human Services Committee on a 7-0 vote with no opposition testimony. Today LPNs do not provide intravenous IV therapy because they are prohibited based on the licensure limitations and scope of practice. The goal of LB283 is to incorporate Nebraska's current LPNC requirements into the existing LPN requirements. This would increase LPN education, improve the consistency of interstate LPN scope of practice, and gradually eliminate the need for dual licenses for LPNs. The bill provides a statutory structure that reflects current practice and focuses on the necessary IV therapy education. LB283 recognizes the current LPN's prior education and work experience. LPNs would be offered the opportunity of completing the didactic educational component in person or on-line. This education would count towards the continuing education hours needed to meet the LPNs biennial license renewal requirements. Under this bill, LPNs are allowed five years to complete the didactic educational component. It requires the additional in-person clinical education for those LPNs who will actually be providing IV therapy as part of their employment. Currently in Nebraska, a registered nurse is required to oversee this IV treatment. It is not efficient or cost effective for the employer to have LPNs provide IV therapy because an RN or licensed practitioner must be present at least once during each 24-hour interval to assess the

Floor Debate
March 23, 2017

patient when the LPN is providing the IV therapy. LB283 does not change other components of the scope of practice for the LPNs. On February 1, 2017, the Director of Public Health, Dr. Williams, conferred with the Technical Review Committee and the Board of Health to propose changes in scope of practice. I also want to point out there is a fiscal note that will be a loss of revenue of around \$45,000 every other year from the cash fund. That said, I ask you to support AM705. [LB88 LB283]

SENATOR WATERMEIER: Thank you, Senator Riepe. Senator Erdman, you are recognized. [LB88]

SENATOR ERDMAN: Thank you, Mr. President; good morning, Nebraska. Let me start by addressing my no vote on LB88 in committee. I voted no on LB88 because of the provision that it didn't apply to anyone who moved to the state, only military people, military spouses. I understand Senator Brewer's comments and Senator Blood's. I will support LB88. I did make that known in the committee that I wasn't real happy with the fact that it didn't allow everyone to be included. I am also happy that Senator Blood allowed me to attach LB342 to her bill, and LB342 is the nurses licensure compact bill. And that bill is a multistate licensure bill that would allow Nebraska to join with 26 other states when these 26 other states have approved this. We now are a part of a nurses licensure compact, and there are 25 states in that compact and we are going to begin an enhanced licensure compact. We will become a member of the new compact either by December 31, 2018, or when 26 states ratify the compact. So this compact allows Nebraska to reduce the nursing shortage...helps us reduce the nursing shortage, and it allows spouses of people who move here to get licenses and practice here. And the purpose is to extend the same waiver to continue in competency and requirements that they have with the educational requirement in the state that they came from. It creates a model that allows nurses to practice freely in the member states, and while they are allowing the states to retain autonomy and authority over and enforce the nurses' licensure act in their state. It improves access to licensed nurses during a disaster and other times of great need so qualified nursing services can be had in our state. Nurses moving across state line from one compact state to another will have met all the licensing requirements not needed to be further...meet any further requirements. The elimination of burdensome expense and redundant application processes for individuals and employees and employers eliminating licensing requirements in the practicing state...the "multipracting" states. Telehealth, case management, payer preauthorization calls and the transferring of patients across state lines to higher levels of care when accompanied by a nurse will be accomplished by this compact. Why change the nursing compact now? The nursing compact has been in existence for 15 years; and as I said, there are 25 states that belong to that compact. The new compact updates the enhancement of the compact and is the only national database to verify the nurses' licensure and adds a disciplinary practice privilege to the nurses' licensure practicing jurisdictions included in the states. And so what will happen is those people who are licensed in the compact will have to have passed a background check, which is not in the compact now, and

Floor Debate
March 23, 2017

that will enhance the safety of those people receiving services. So what this compact will do, it will allow people to move from one state to another and practice under the same license they have in their home state and it makes it better for Nebraskans who want to relocate here, such as Senator Schumacher's example of the doctor with his wife that is a nurse. And we have now nine states that have approved the new, enhanced licensure compact, and those states as of right now are: Arizona, Florida, Idaho, New Hampshire, Oklahoma, South Dakota, Tennessee, Virginia, and Wyoming. [LB88 LB342]

SENATOR WATERMEIER: One minute. [LB88]

SENATOR ERDMAN: And so that is what we're trying to accomplish by this licensure compact. I believe it's a good move for Nebraska. And I would encourage you to vote for LB342 included in AM705. Thank you. [LB88 L342]

SENATOR WATERMEIER: Thank you, Senator Erdman. Seeing no one in the queue, Senator Riepe, you're recognized to close on your amendment. [LB88]

SENATOR RIEPE: Mr. President and colleagues, in the interest of time, I will say please vote green on AM705 and green on LB88. [LB88]

SENATOR WATERMEIER: Thank you, Senator Riepe. Members, you've heard the closing on AM705. The question is the adoption of AM705 to LB88. All those in favor vote aye...excuse me, all those in favor vote aye; all those opposed vote nay. Have you all voted? Record, Mr. Clerk. [LB88]

ASSISTANT CLERK: 36 ayes, 0 nays on the adoption of the amendment. [LB88]

SENATOR WATERMEIER: The amendment is adopted. Seeing no one in the queue, Senator Blood, you're recognized to close on LB88. [LB88]

SENATOR BLOOD: Thank you, Mr. President. Friends, what a wonderful example today of teamwork. With that, I ask please vote green. [LB88]

SENATOR WATERMEIER: Thank you, Senator Blood. Members, you heard the closing on LB88. The question is the advancement of LB88 to E&R Initial. All those in favor vote aye; all those opposed vote nay. Have you all changed your mind? Record, Mr. Clerk. [LB88]

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Floor Debate
March 23, 2017

ASSISTANT CLERK: 37 ayes, 0 nays on the motion to advance the bill. [LB88]

SENATOR WATERMEIER: The bill does advance. Mr. Clerk for announcements or items.
[LB88]

ASSISTANT CLERK: Mr. President, the bills that were read on Final Reading this morning have been presented to the Governor (re LB8, LB11, LB16, LB18, LB18A, LB19, LB29, LB57, LB62, LB85, LB94, LB99, LB113, LB133, LB140, LB184, LB185, LB186, and LB203.) Your Committee on Enrollment and Review reports LB566 and LB9 to Select File. Committee on Appropriations reports LB356 to General File with amendments. New A bill: LB518A, introduced by Senator Williams (Read LB518A by title for the first time). New resolution: LR80 by Senator Bolz, that will be laid over. Amendment to be printed from Senator Stinner to LB151. Name adds: Senator Lowe to LB152; Senator Hansen to LB158 and LB289; Senator Kolterman to LB439 and LB578; Senator Hansen to LR26. (Legislative Journal pages 815-817.) [LB8 LB11 LB16 LB18 LB18A LB19 LB29 LB57 LB62 LB85 LB94 LB99 LB113 LB133 LB140 LB184 LB185 LB186 LB203 LB566 LB9 LB356 LB518A LB151 LB152 LB158 LB289 LB439 LB578 LR80 LR26]

Mr. President, a priority motion, Senator Ebke would move to adjourn until Tuesday, March 28, 2017, at 9:00 a.m.

SENATOR WATERMEIER: Members, the question is shall the body adjourn? All those in favor say aye. Those opposed nay. The Legislature is adjourned.