THIRTY-FIRST DAY - FEBRUARY 26, 2020

LEGISLATIVE JOURNAL

ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

THIRTY-FIRST DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 26, 2020

PRAYER

The prayer was offered by Pastor Andrew Anderson, Country Bible Church, Blair.

ROLL CALL

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

The roll was called and all members were present except Senator M. Hansen who was excused; and Senators Briese, DeBoer, Groene, Linehan, McCollister, Morfeld, Pansing Brooks, Slama, Stinner, Walz, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirtieth day was approved.

COMMITTEE REPORT(S)

Education

LEGISLATIVE BILL 1001. Placed on General File.

LEGISLATIVE BILL 1186. Placed on General File with amendment.  
AM2554
1 1. On page 2, strike lines 23 through 26.

LEGISLATIVE BILL 563. Placed on General File with amendment.  
AM2526
1 1. Strike the original sections and insert the following new
2 sections:
3 Sec. 1. Sections 1 to 8 of this act shall be known and may be
4 cited as the Access College Early Tech Promise Program Act;
5 Sec. 2. For purposes of the Access College Early Tech Promise
6 Program Act:
7 (1) Academic year means a twelve-month period of instruction as
8 determined by the eligible institution;
9 (2) Access college early scholarship means a scholarship granted
10 pursuant to the Access College Early Scholarship Program Act;
11 (3) Award means a grant of money by the commission to an eligible
12 student to be used for educational expenses;
13 (4) Career program of study has the same meaning as in section
14 85-2102;
15 (5) Commission means the Coordinating Commission for Postsecondary
16 Education;
17 (6) Committee means the Nebraska Community College Student
18 Performance and Occupational Education Grant Committee;
19 (7) Educational expenses means tuition, fees, room, board, books,
20 supplies, and other educational expenses as determined by the eligible
21 institution;
22 (8) Eligible institution means any Nebraska community college, any
23 not-for-profit, two-year college in Nebraska which is a member
24 institution of an accrediting body recognized by the United States
25 Department of Education, or the Nebraska College of Technical Agriculture
26 at Curtis;
27 (9) Eligible occupation means an in-demand occupation designated as
28 an eligible occupation pursuant to section 4 of this act;
29 (10) Eligible program means a program of study that:
30 (a) Is offered by an eligible institution;
31 (b) Is designed to be completed in two academic years or less;
32 (c) Offers a certificate, diploma, or associate degree that directly
33 qualifies the recipient for employment in an eligible occupation; and
34 (d) Is approved to be an eligible program pursuant to section 4 of
35 this act;
36 (11) Eligible student means a full-time student who:
37 (a) Is enrolled in an eligible program at an eligible institution;
38 (b) Received postsecondary education credit while in high school for
39 at least two courses in a single career program of study related to an
40 in-demand occupation;
41 (c)(i) Received an access college early scholarship while in high
42 school, or
43 (ii) Qualified to receive an access college early scholarship while
44 in high school, but the scholarship was not granted due to insufficient
45 funds;
46 (d) Has applied for federal financial aid through the Free
47 Application for Federal Student Aid for the applicable academic year;
48 (e) Has not previously earned an associate degree; and
49 (f) For a student who is applying for an award for a second academic
50 year, has successfully completed the first academic year at an eligible
51 institution and maintained the minimum standards of performance as
52 required by such eligible institution;
53 (12) Full-time student means a student who is enrolled in a minimum
54 of twelve credit hours per semester or nine credit hours per quarter; and
55 (13) In-demand occupation has the same meaning as in section
56 85-2002.
57 Sec. 3. The Access College Early Tech Promise Program is
58 established. Except for duties assigned to the committee as provided in
59 section 4 of this act, the program shall be administered by the
60 commission.
61 Sec. 4. (1) For each biennium, the committee shall establish
62 criteria to determine what constitutes an in-demand occupation that is a
63 high priority for the state for purposes of the Access College Early Tech
64 Promise Program. After establishing such criteria, the committee shall
65 designate each in-demand occupation that meets the criteria as an
66 eligible occupation for such biennium.
67 (2) Each program applicant shall complete an application form
10 developed and provided by the commission and shall submit the form for
11 the biennium for which eligibility is sought to the commission. The
12 application shall include, but not be limited to, the name of the
13 eligible institution, the program description and requirements, the
14 certificate, diploma, or associate degree a student may earn from such
15 program, the eligible occupation for which a graduate of the program
16 would be qualified, and any other information necessary to determine
17 eligibility. The commission shall transmit the applications to the
18 committee, and the committee shall review each application and either
19 approve or deny the application. If an application is approved, the
20 program of study shall be designated as an eligible program for the
21 biennium.
22 (3) An eligible student who is granted an award for his or her first
23 academic year in an eligible program shall be eligible for an award to
24 complete his or her second academic year of such program notwithstanding
25 a decision of the committee to remove the eligible program designation
26 for entering eligible students.
27 Sec. 5. (1) Each student applicant for the Access College Early
28 Tech Promise Program shall complete an application form developed and
29 provided by the commission and shall submit the form for the academic
30 year for which an award is sought to the financial aid office or other
31 official designated by the eligible institution. Such application shall
32 include, but not be limited to, the applicant's name, social security
33 number, and date of birth and any other information necessary to
34 determine eligibility. The financial aid office or other official
35 designated by an eligible institution shall make recommendations
36 regarding the eligibility of each applicant making application to such
37 eligible institution and shall forward each application and
38 recommendation to the commission for review.
39 (2) The commission shall review each application and verify or deny
40 the eligibility of each applicant under the Access College Early Tech
41 Promise Program Act. The commission shall notify the applicant and the
42 financial aid office or other official designated by an eligible
43 institution of the verification or denial of eligibility and the award
44 amount, if any, for such academic year in writing within thirty days
45 following receipt of the application and recommendation from a financial
46 aid office or other designated official of an eligible institution.
47 (3) An award for an academic year shall not exceed the sum of
48 tuition and fees plus one thousand five hundred dollars for educational
49 expenses minus any Federal Pell Grant granted to the eligible student for
50 such academic year. No award for an academic year shall be less than one
51 thousand five hundred dollars. No eligible student shall be granted
52 awards for more than two academic years pursuant to this section. The
53 commission shall forward such amount directly to the eligible institution
54 as payment of tuition and mandatory fees remaining after any Federal
55 Pell Grant for such eligible student and for distribution to such
56 eligible student for educational expenses. Except as otherwise provided
57 in this subsection, the commission may distribute awards pro rata on a
58 term-by-term basis.
59 Sec. 6. Within twenty days following notice of an adverse decision,
60 an affected student may submit a request in writing to the executive
61 director of the commission for a review of such adverse decision. The
62 commission shall conduct any such review pursuant to the Administrative
63 Procedure Act.
64 Sec. 7. The commission shall prepare an annual report on awards
65 granted pursuant to the Access College Early Tech Promise Program Act and
66 shall submit the report electronically to the Clerk of the Legislature.
67 The report shall include, but not be limited to, the number and amount of
68 awards, successful completion by award recipients, and workforce outcomes
69 aggregated by eligible institution and by eligible program. Each eligible
institution shall cooperate with the commission and the Department of Labor to report workforce outcomes one year, three years, and five years after award recipients complete their eligible programs.

11 Sec. 8. The commission may adopt and promulgate rules and regulations to carry out the Access College Early Tech Promise Program Act.

12 2018, is amended to read:

16 85-1412 The commission shall have the following additional powers and duties:

17 (1) Conduct surveys and studies as may be necessary to undertake the coordination function of the commission pursuant to section 85-1403 and request information from governing boards and appropriate administrators of public institutions and other governmental agencies for research projects. All public institutions and governmental agencies receiving state funds shall comply with reasonable requests for information under this subdivision. Public institutions may comply with such requests pursuant to section 85-1417;

18 (2) Recommend to the Legislature and the Governor legislation it deems necessary or appropriate to improve postsecondary education in Nebraska and any other legislation it deems appropriate to change the role and mission provisions in sections 85-917 to 85-966.01. The recommendations submitted to the Legislature shall be submitted electronically;

19 (3) Establish any advisory committees as may be necessary to undertake the coordination function of the commission pursuant to section 85-1403 or to solicit input from affected parties such as students, faculty, governing boards, administrators of the public institutions, administrators of the private nonprofit institutions of postsecondary education and proprietary institutions in the state, and community and business leaders regarding the coordination function of the commission;

20 (4) Participate in or designate an employee or employees to participate in any committee which may be created to prepare a coordinated plan for the delivery of educational programs and services in Nebraska through the telecommunications system;

21 (5) Seek a close liaison with the State Board of Education and the State Department of Education in recognition of the need for close coordination of activities between elementary and secondary education and postsecondary education;

22 (6) Administer the Integrated Postsecondary Education Data System or other information system or systems to provide the commission with timely, comprehensive, and meaningful information pertinent to the exercise of its duties. The information system shall be designed to provide comparable data on each public institution. The commission shall also administer the uniform information system prescribed in sections 85-1421 to 85-1427 known as the Nebraska Educational Data System. Public institutions shall supply the appropriate data for the information system or systems required by the commission;

23 (7) Administer the Nebraska Community College Act, the Community College Early Scholarship Program Act, the Community College Aid Act, the Community College Promise Program Act, the Nebraska Opportunity Grant Act, the Postsecondary Institution Act, the College Gap Assistance program, and the Community College Gap Assistance Program Fund, and the Access College Early Tech Promise Program Act;

24 (8) Accept and administer loans, grants, and programs from the federal or state government and from other sources, public and private, for carrying out any of its functions, including the administration of privately endowed scholarship programs. Such loans and grants shall not
be expended for any other purposes than those for which the loans and
7 grants were provided. The commission shall determine eligibility for such
8 loans, grants, and programs, and such loans and grants shall not be
9 expended unless approved by the Governor;
10 (9) On or before December 1 of each even-numbered year, submit to
11 the Legislature and the Governor a report of its objectives and
12 activities and any new private colleges in Nebraska and the
13 implementation of any recommendations of the commission for the preceding
14 two calendar years. The report submitted to the Legislature shall be
15 submitted electronically;
16 (10) Provide staff support for interstate compacts on postsecondary
17 education; and
18 (11) Request inclusion of the commission in any existing grant
19 review process and information system.
20 Sec. 10. Section 85-1539, Reissue Revised Statutes of Nebraska, is
21 amended to read:
22 85-1539 (1) There is hereby created the Nebraska Community College
23 Student Performance and Occupational Education Grant Committee. The
24 committee shall consist of (a) a representative of the Coordinating
25 Commission for Postsecondary Education who shall serve as chairperson of
26 the committee, (b) a representative of the Department of Economic
27 Development, (c) a representative of the Department of Labor, (d) a
28 representative of the State Department of Education, (e) a representative
29 affiliated with one of the two community college areas with the two
30 smallest full-time equivalent student enrollment totals for the most
31 recent fiscal year, (f) a representative affiliated with one of the two
1 community college areas with the two largest full-time equivalent student
2 enrollment totals for the most recent fiscal year, and (g) a
3 representative affiliated with one of the two community college areas not
4 included in the categories provided in subdivisions (1)(e) and (f) of
5 this section. Each member shall be appointed by the agency or community
6 college areas being represented. The representatives appointed pursuant
7 to subdivisions (1)(e) through (g) of this section shall serve terms of
8 two years and shall be succeeded by a representative affiliated with the
9 community college areas not represented for the preceding term.
10 (2) The committee shall develop guidelines for and annually
11 determine the allocation of aid or grants to the community colleges for
12 (a) applied technology and occupational faculty training, instructional
13 equipment upgrades, employee assessment, preemployment training,
14 employment training, and dislocated worker programs benefiting the State
15 of Nebraska or (b) programs or activities to enhance (i) student
16 performance in the areas of degree, certificate, or diploma completion,
17 retention, or foundations education as defined in section 85-932.01 or
18 (ii) the collection, reporting, analysis, and utilization of student
19 data. The total amount allocated for a fiscal year shall not exceed the
20 amounts appropriated from the Nebraska Community College Student
21 Performance and Occupational Education Grant Fund and such other funds as
22 may be appropriated by the Legislature for purposes of this section for
23 such fiscal year. The commission shall certify the allocation determined
24 by the committee on or before September 10 of the fiscal year for which
25 such allocation is being certified and shall report such allocation to
26 the Department of Administrative Services. The commission shall
27 distribute the allocated funds to the selected community college board or
28 boards in a single payment between the fifth and twentieth day of October
29 of each year.
30 (3) Applications for aid or grants pursuant to subsection (2) of
31 this section may be submitted by a community college area independently
1 or in collaboration with other community college areas.
2 (4) The committee shall review programs submitted pursuant to the
3 Access College Early Tech Promise Program Act and approve or deny each
program for eligibility on a biennial basis.
5 Sec. 11. Section 85-2104, Revised Statutes Cumulative Supplement,
6 2018, is amended to read:
7 85-2104 Applications for the Access College Early Scholarship
8 Program shall be prioritized for students qualifying pursuant to
9 subdivision (1) or (2) of this section, and applications for students
10 qualifying only pursuant to subdivision (3) of this section shall only be
11 considered if funds are available after fulfilling the applications for
12 students qualifying pursuant to subdivision (1) or (2) of this section.
13 Priority dates shall be determined by the commission on a term basis. A
14 student who is applying to take one or more courses for credit from a
15 qualified postsecondary educational institution is eligible for the
16 Access College Early Scholarship Program if:
17 (1) Such student or the student's parent or legal guardian is
18 eligible to receive:
19 (a) Supplemental Security Income;
20 (b) Supplemental Nutrition Assistance Program benefits;
21 (c) Free or reduced-price lunches under United States Department of
22 Agriculture child nutrition programs;
23 (d) Aid to families with dependent children; or
24 (e) Assistance under the Special Supplemental Nutrition Program for
25 Women, Infants, and Children;
26 (2) The student or the student's parent or legal guardian has
27 experienced an extreme hardship; or
28 (3) Such student is requesting assistance pursuant to the program to
29 cover the cost of tuition and fees for a course that is part of a career
30 program plan of study, up to two hundred fifty dollars per term, and the
31 student's family has an annual household income at or below two hundred
1 percent of the federal poverty level.
2 Sec. 12. Original section 85-1539, Reissue Revised Statutes of
3 Nebraska, and sections 85-1412 and 85-2104, Revised Statutes Cumulative
4 Supplement, 2018, are repealed.

LEGISLATIVE RESOLUTION 306. Reported to the Legislature for
further consideration.

(Signed) Mike Groene, Chairperson
Government, Military and Veterans Affairs

LEGISLATIVE BILL 889. Placed on General File.
LEGISLATIVE BILL 918. Placed on General File.
LEGISLATIVE BILL 1086. Placed on General File.
LEGISLATIVE BILL 1119. Placed on General File.
LEGISLATIVE BILL 1120. Placed on General File.
LEGISLATIVE BILL 1136. Placed on General File.

LEGISLATIVE BILL 1055. Placed on General File with amendment.
AM2573 is available in the Bill Room.

(Signed) Tom Brewer, Chairperson
COMMITTEE REPORT(S)

Education

The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Chad W. Buckendahl - Technical Advisory Committee for Statewide Assessment


The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Cindy Gray - Technical Advisory Committee for Statewide Assessment


The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Timothy Daniels - Coordinating Commission for Postsecondary Education


The Education Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Charles Garman - Coordinating Commission for Postsecondary Education


(Signed) Mike Groene, Chairperson

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LR324 was adopted.
While the Legislature was in session and capable of transacting business, the President signed the following: LR324.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 790. Placed on Select File with amendment.

ER178

11. Strike the original sections and all amendments thereto and
2 insert the following new sections:
3 Section 1. Section 13-2904, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 13-2904 (1) Notwithstanding the procedures for public lettings in
6 sections 73-101 to 73-106 or any other statute relating to the letting of
7 bids by a political subdivision, a political subdivision which follows
8 the Political Subdivisions Construction Alternatives Act may solicit and
9 execute a design-build contract or a construction management at risk
10 contract.
11 (2) The governing body of the political subdivision shall adopt a
12 resolution selecting the design-build contract or construction management
13 at risk contract delivery system provided under the act prior to
14 proceeding with the provisions of sections 13-2905 to 13-2914. The
15 resolution shall require the affirmative vote of at least two-thirds of
16 the governing body of the political subdivision. The resolution shall
17 include a statement that the political subdivision has made a
18 determination that the design-build contract or construction management
19 at risk contract delivery system is in the public interest based, at a
20 minimum, on one of the following criteria: (a) Savings in cost or time;
21 or (b) requirement of specialized or complex construction methods
22 suitable for the design-build contract or construction management at risk
23 contract delivery system.
24 Sec. 2. Section 13-2914, Revised Statutes Supplement, 2019, is
25 amended to read:
26 13-2914 (1) A political subdivision shall not use a design-build
27 contract or construction management at risk contract under the Political
28 Subdivisions Construction Alternatives Act for a project, in whole or in
29 part, for road, street, or highway, water, wastewater, utility, or sewer
30 construction,
31 (2) A except that a city of the metropolitan class may use a design-
32 build contract or construction management at risk contract under the
33 Political Subdivisions Construction Alternatives Act for the purpose of
34 complying with state or federal requirements to control or minimize
35 overflows from combined sewers,
36 (3) A a political subdivision may use a design-build contract or
37 construction management at risk contract under the Political Subdivisions
38 Construction Alternatives Act for a project, in whole or in part, for
39 water, wastewater, utility, or sewer construction.
40 Sec. 3. Section 73-507, Reissue Revised Statutes of Nebraska, is
41 amended to read:
42 73-507 (1) Subject to review by the Director of Administrative
43 Services, the division shall provide procedures to grant limited
44 exceptions from sections 73-504, 73-508, and 73-509 for:
45 (a) Sole source contracts, emergency contracts, and contracts for
46 services when the price has been established by the federal General
47 Services Administration or competitively bid by another state or group of
48 states, a group of states and any political subdivision of any other
22 state, a political subdivision of another state, or a cooperative
23 purchasing organization on behalf of a group of states or political
24 subdivisions; and
25 (b) Other circumstances or specific contracts when any of the
26 requirements of sections 73-504, 73-508, and 73-509 are not appropriate
27 for or are not compatible with the circumstances or contract. The
28 division shall provide a written rationale which shall be kept on file
29 when granting an exception under this subdivision.
30 (2) The following types of contracts for services are not subject to
31 sections 73-504, 73-508, 73-509, and 73-510:
1 (a) Contracts for services subject to the Nebraska Consultants'
2 Competitive Negotiation Act;
3 (b) Contracts for services subject to federal law, regulation, or
4 policy or state statute, under which a state agency is required to use a
5 different selection process or to contract with an identified contractor
6 or type of contractor;
7 (c) Contracts for professional legal services and services of expert
8 witnesses, hearing officers, or administrative law judges retained by
9 state agencies for administrative or court proceedings;
10 (d) Contracts involving state or federal financial assistance passed
11 through by a state agency to a political subdivision;
12 (e) Contracts with a value of fifteen million dollars or less with
13 direct providers of medical, behavioral, or developmental health
14 services, child care, or child welfare services to an individual;
15 (f) Agreements for services to be performed for a state agency by
16 another state or local government agency or contracts made by a state
17 agency with a local government agency for the direct provision of
18 services to the public;
19 (g) Agreements for services between a state agency and the
20 University of Nebraska, the Nebraska state colleges, the courts, the
21 Legislature, or other officers or state agencies established by the
22 Constitution of Nebraska;
23 (h) Department of Insurance contracts for financial or actuarial
24 examination, for rehabilitation, conservation, reorganization, or
25 liquidation of licensees, and for professional services related to
26 residual pools or excess funds under the agency's control;
27 (i) Department of Transportation contracts for all road and bridge
28 projects;
29 (j) Nebraska Investment Council contracts; and
30 (k) Contracts under section 57-1503.
31 Sec. 4. Section 81-153, Reissue Revised Statutes of Nebraska, is
1 amended to read:
2 81-153 The materiel division shall have the power and duty to:
3 (1) Purchase or contract for, in the name of the state, the personal
4 property required by the using agencies and the state;
5 (2) Promulgate, apply, and enforce standard specifications
6 established as provided in section 81-154;
7 (3) Sell and dispose of personal property that is not needed by the
8 state or its using agencies as provided in section 81-161.04 or initiate
9 trade-ins when determined to be in the best interest of the state;
10 (4) Determine the utility, quality, fitness, and suitability of all
11 personal property tendered or furnished;
12 (5) Make rules and regulations consistent with sections 81-145 to
13 81-171 and 81-1118 to 81-1118.06 to carry into effect the provisions
14 thereof. Such rules and regulations shall include provisions for
15 modifying and terminating purchase contracts and the cost principles to
16 be used in such modification or termination;
17 (6) Employ such clerical, technical, and other assistants as may be
18 necessary to properly administer such sections, fix their compensation,
19 and prescribe their duties in connection therewith, subject to existing
20 laws and appropriations;
21 (7) Allow the purchase of personal property without competitive
22 bidding when the price has been established by the federal General
23 Services Administration or to allow the purchase of personal property by
24 participation in a contract competitively bid by another state or group
25 of states, a group of states and any political subdivision of any other
26 state, a political subdivision of another state, or a cooperative
27 purchasing organization on behalf of a group of states or political
28 subdivisions. The division may also give consideration to a sheltered
29 workshop pursuant to section 48-1503 in making such purchases;
30 (8) Enter into any personal property lease agreement when it appears
31 to be in the best interest of the state; and
1 (9) Negotiate purchases and contracts when conditions exist to
2 defeat the purpose and principles of public competitive bidding.
3 Sec. 5. Section 81-1118.06, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 81-1118.06 (1) The purposes of the state purchasing bureau created
6 by section 81-1118 are:
7 (a) To increase public confidence in the procedures followed in
8 public procurement;
9 (b) To insure the fair and equitable treatment of all persons
10 who deal with the procurement system of this state;
11 (c) To provide increased economy in state procurement activities
12 and maximize to the fullest extent practicable the purchasing value of
13 the public funds of the state;
14 (d) To foster effective broad-based competition within the free
15 enterprise system; and
16 (e) To provide safeguards for the maintenance of a procurement
17 system of quality and integrity.
18 (2) The state purchasing bureau may lead the negotiation of a
19 contract competitively bid for goods or services in which the state is
20 interested and on behalf of a cooperative purchasing organization on
21 behalf of a group of states or political subdivisions.
22 Sec. 6. Original sections 13-2904, 73-507, 81-153, and 81-1118.06,
23 Reissue Revised Statutes of Nebraska, and section 13-2914, Revised
24 Statutes Supplement, 2019, are repealed.
25 2. On page 1, strike beginning with "state" in line 1 through line 6
26 and insert "public lettings and contracts; to amend sections 13-2904,
27 73-507, 81-153, and 81-1118.06, Reissue Revised Statutes of Nebraska, and
28 section 13-2914, Revised Statutes Supplement, 2019; to change the
29 Political Subdivisions Construction Alternatives Act; to provide
30 exceptions to certain state bidding requirements and contract approval
31 procedures; to provide and change powers and duties of the materiel
1 division of the Department of Administrative Services; and to repeal the
2 original sections.”.

(Signed) Julie Slama, Chairperson

ANNOUNCEMENT

The Chair announced the birthday of Senator Gragert.

MOTION(S) - Confirmation Report(s)

Senator Howard moved the adoption of the Health and Human Services
Committee report for the confirmation of the following appointment(s)
found on page 696:

Commission for the Blind and Visually Impaired
  Mark M. Bulger
  Brent Heyen
  Kimberly Scherbarth
Voting in the affirmative, 33:

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Albrecht</td>
<td>Cavanaugh</td>
<td>Geist</td>
<td>Hunt</td>
<td>Murman</td>
</tr>
<tr>
<td>Arch</td>
<td>Chambers</td>
<td>Gragert</td>
<td>Kolowski</td>
<td>Quick</td>
</tr>
<tr>
<td>Blood</td>
<td>Clements</td>
<td>Halloran</td>
<td>Kolterman</td>
<td>Scheer</td>
</tr>
<tr>
<td>Bolz</td>
<td>Crawford</td>
<td>Hansen, B.</td>
<td>La Grone</td>
<td>Vargas</td>
</tr>
<tr>
<td>Bostelman</td>
<td>Dorn</td>
<td>Hilgers</td>
<td>Lowe</td>
<td>Williams</td>
</tr>
<tr>
<td>Brandt</td>
<td>Erdman</td>
<td>Howard</td>
<td>McDonnell</td>
<td></td>
</tr>
<tr>
<td>Brewer</td>
<td>Friesen</td>
<td>Hughes</td>
<td>Moser</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.

Present and not voting, 3:

Hilkemann  Lathrop  Lindstrom

Excused and not voting, 13:

<p>| | | | | |</p>
<table>
<thead>
<tr>
<th></th>
<th></th>
<th></th>
<th></th>
<th></th>
</tr>
</thead>
<tbody>
<tr>
<td>Briese</td>
<td>Hansen, M.</td>
<td>Morfeld</td>
<td>Stinner</td>
<td>Wishart</td>
</tr>
<tr>
<td>DeBoer</td>
<td>Linehan</td>
<td>Pansing Brooks</td>
<td>Walz</td>
<td></td>
</tr>
<tr>
<td>Groene</td>
<td>McCollister</td>
<td>Slama</td>
<td>McCollister</td>
<td>Wayne</td>
</tr>
</tbody>
</table>

The appointments were confirmed with 33 ayes, 0 nays, 3 present and not voting, and 13 excused and not voting.

Senator Friesen moved the adoption of the Transportation and Telecommunications Committee report for the confirmation of the following appointment(s) found on page 696:

Nebraska Motor Vehicle Industry Licensing Board
- Stephan Budke
- Dennis Cloninger
- Brad Jacobs
- Clint Jones
- Joseph Kosiski
- Thomas R. McCaslin
- Matthew O'Daniel
- Curt Prohaska
- Dennis R. Schworer

Voting in the affirmative, 36:
The appointments were confirmed with 36 ayes, 0 nays, 3 present and not voting, and 10 excused and not voting.

Senator Halloran moved the adoption of the Agriculture Committee report for the confirmation of the following appointment(s) found on page 714:

Nebraska State Fair Board
   Beth Smith

Voting in the affirmative, 32:

<table>
<thead>
<tr>
<th>Albrecht</th>
<th>Chambers</th>
<th>Halloran</th>
<th>La Grone</th>
<th>Scheer</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arch</td>
<td>Clements</td>
<td>Hansen, B.</td>
<td>Lathrop</td>
<td>Stinner</td>
</tr>
<tr>
<td>Blood</td>
<td>Crawford</td>
<td>Hilgers</td>
<td>McDonnell</td>
<td>Williams</td>
</tr>
<tr>
<td>Bolz</td>
<td>Dorn</td>
<td>Hughes</td>
<td>Moser</td>
<td>Wishart</td>
</tr>
<tr>
<td>Bostelman</td>
<td>Erdman</td>
<td>Hunt</td>
<td>McCollister</td>
<td>Pansing</td>
</tr>
<tr>
<td>Brandt</td>
<td>Friesen</td>
<td>Kolowski</td>
<td>Quick</td>
<td></td>
</tr>
<tr>
<td>Brewer</td>
<td>Geist</td>
<td>Koltermann</td>
<td>Scheer</td>
<td></td>
</tr>
<tr>
<td>Cavanaugh</td>
<td>Gragert</td>
<td>La Grone</td>
<td>Stinner</td>
<td></td>
</tr>
</tbody>
</table>

Voting in the negative, 0.

Present and not voting, 7:

<table>
<thead>
<tr>
<th>Cavanaugh</th>
<th>Hilkemann</th>
<th>Lindstrom</th>
<th>Wayne</th>
</tr>
</thead>
<tbody>
<tr>
<td>Erdman</td>
<td>Howard</td>
<td>Vargas</td>
<td></td>
</tr>
</tbody>
</table>

Excused and not voting, 10:
The appointment was confirmed with 32 ayes, 0 nays, 7 present and not voting, and 10 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:
- State Racing Commission
  - Janelle Beveridge

Voting in the affirmative, 31:

- Albrecht
- Chambers
- Halloran
- Lowe
- Wayne
- Arch
- Clements
- Hansen, B.
- McDonnell
- Williams
- Blood
- Crawford
- Hilgers
- Moser
- Wishart
- Bolz
- Dorn
- Hughes
- Murman
- Bostelman
- Friesen
- Hunt
- Quick
- Brandt
- Geist
- Kolowski
- Stinner
- Brewer
- Gragert
- La Grone
- Vargas

Voting in the negative, 0.

Present and not voting, 8:

- Cavanaugh
- Hilkemann
- Kolterman
- Lindstrom
- Erdman
- Howard
- Lathrop
- Scheer

Excused and not voting, 10:

- Briese
- Groene
- Linehan
- Morfeld
- Slama
- DeBoer
- Hansen, M.
- McCollister
- Pansing Brooks
- Walz

The appointment was confirmed with 31 ayes, 0 nays, 8 present and not voting, and 10 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:
- State Electrical Board
  - James S. Brummer
  - David Hunter

Voting in the affirmative, 36:
Voting in the negative, 0.

Present and not voting, 4:

Cavanaugh   Hilkemann   Lindstrom   Scheer

Excused and not voting, 9:

Briese       Groene     Linehan     Morfeld     Walz
DeBoer       Hansen, M.  McCollister  Slama

The appointments were confirmed with 36 ayes, 0 nays, 4 present and not voting, and 9 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

Nebraska Commission on Problem Gambling
Kelly J. Lambert

Voting in the affirmative, 31:

Albrecht     Chambers    Halloran    Lathrop    Wayne
Arch         Crawford    Hansen, B.  Lathrop    Williams
Blood        Crawford    Howard      McCollister Wishart
Bolz          Dorn       Hughes      Moser       Wishart
Bostelman    Erdman      Hunt        Murman      
Brandt        Geist      Kolowski    Pansing Brooks
Brewer        Gragert    Kolterman   Quick       
Chambers      Halloran   La Grone    Stinner

Voting in the negative, 0.

Present and not voting, 9:

Cavanaugh   Hilkemann   Lindstrom   Scheer
Friesen      Hilkemann   Lindstrom   Scheer

Excused and not voting, 9:
The appointment was confirmed with 31 ayes, 0 nays, 9 present and not voting, and 9 excused and not voting.

Senator Lowe moved the adoption of the General Affairs Committee report for the confirmation of the following appointment(s) found on page 727:

Nebraska Arts Council
Mark Laughlin

Voting in the affirmative, 30:

Albrecht Brewer Gragert Kolowski Murman
Arch Chambers Halloran La Grone Pansing Brooks
Blood Crawford Hansen, B. Lathrop Quick
Bolz Dorn Howard Lowe Scheer
Bostelman Erdman Hughes McCollister Wayne
Brandt Geist Hunt Moser Williams

Voting in the negative, 0.

Present and not voting, 10:

Cavanaugh Friesen Hilkemann Lindstrom Vargas
Clements Hilgers Kolterman McDonnell Wishart

Excused and not voting, 9:

Briese Groene Linehan Slama Walz
DeBoer Hansen, M. Morfeld Stinner

The appointment was confirmed with 30 ayes, 0 nays, 10 present and not voting, and 9 excused and not voting.

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 755. Placed on General File with amendment. AM2480 is available in the Bill Room.

(Signed) Sara Howard, Chairperson

Urban Affairs

LEGISLATIVE BILL 976. Placed on General File.

(Signed) Justin Wayne, Chairperson
AMENDMENT(S) - Print in Journal

Senator Hughes filed the following amendment to LB858:
AM2633  (Amendments to Standing Committee amendments, AM2346)
1 1. On page 6, line 24, strike "Taking" and insert "A procedure
2 takes".

GENERAL FILE

LEGISLATIVE BILL 344. Title read. Considered.

Committee AM2486, found on page 654, was offered.

SENATOR HUGHES PRESIDING

The committee amendment was adopted with 31 ayes, 0 nays, 10 present
and not voting, and 8 excused and not voting.

Senator Halloran withdrew his amendment, AM2039, found on page 468.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 11 present
and not voting, and 8 excused and not voting.

LEGISLATIVE BILL 870. Title read. Considered.

Committee AM2182, found on page 639, was adopted with 34 ayes, 0 nays,
8 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 4 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 963. Title read. Considered.

Committee AM2523, found on page 677, was adopted with 37 ayes, 0 nays,
8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 3 present
and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 963A. Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present
and not voting, and 4 excused and not voting.
THIRTY-FIRST DAY - FEBRUARY 26, 2020

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 962. Placed on Select File with amendment.

ER177
1 1. On page 1, line 4, strike "to provide an operative date;".

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Appropriations

LEGISLATIVE BILL 780. Placed on General File.

LEGISLATIVE BILL 910. Placed on General File with amendment.

AM2163
1 1. On page 51, reinstate the stricken matter beginning with "(a)" in
2 line 9 through line 10; in line 14 strike the new matter and reinstate
3 the stricken matter; in line 23 strike "(b)" and insert "(c)"; and in
4 line 27 strike "(c)" and insert "(d)".

(Signed) John Stinner, Chairperson

Transportation and Telecommunications

LEGISLATIVE BILL 128. Indefinitely postponed.
LEGISLATIVE BILL 215. Indefinitely postponed.
LEGISLATIVE BILL 371. Indefinitely postponed.
LEGISLATIVE BILL 546. Indefinitely postponed.
LEGISLATIVE BILL 612. Indefinitely postponed.
LEGISLATIVE BILL 691. Indefinitely postponed.
LEGISLATIVE BILL 697. Indefinitely postponed.

(Signed) Curt Friesen, Chairperson

Revenue

LEGISLATIVE BILL 1130. Placed on General File.

(Signed) Lou Ann Linehan, Chairperson

SENATOR WILLIAMS PRESIDING

GENERAL FILE

LEGISLATIVE BILL 840. Title read. Considered.

Committee AM2512, found on page 693, was adopted with 29 ayes, 4 nays,
11 present and not voting, and 5 excused and not voting.
Senator Wayne offered the following amendment:

AM2598

(Amendments to Standing Committee amendments, AM2512)

1. Strike section 5 and insert the following new section:

Sec. 5. Electronic smoking device retail outlet means a store that is licensed as provided under sections 28‑1421 and 28‑1422 and that sells electronic smoking devices and products directly related to electronic smoking devices.

2. On page 1, line 23, after “resolution” insert “, except as provided in subsection (2) of section 71‑5730”.

3. On page 3, line 14, after the period insert “This subsection preempts any local law on the subject.”

Pending.

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 774. Placed on General File with amendment. AM2558 is available in the Bill Room.

LEGISLATIVE BILL 808. Placed on General File with amendment. AM2559 is available in the Bill Room.

(Signed) Matt Williams, Chairperson

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB1131:

AM2638

(Amendments to Standing Committee amendments, AM2456)

1. Insert the following new sections:

Sec. 48. Beginning with the 2021‑22 school year, each school board shall require that the phone number for a national suicide prevention hotline, a local suicide prevention hotline, or a crisis text line is printed on each new student identification card issued to a student enrolled in a middle school grade or a high school grade, as defined by such school board, in a school under the authority of such school board.

Nothing in this section shall be construed to require the issuance of student identification cards to students in any school.

Sec. 49. Beginning with the 2021‑22 academic year, each public postsecondary institution authorized to operate in this state shall a local suicide prevention hotline, or a crisis text line is printed on each new student identification card issued to a student enrolled in such public postsecondary institution. Nothing in this section shall be construed to require the issuance of student identification cards to students in any postsecondary institution.

2. Renumber the remaining section accordingly.

Senator Morfeld filed the following amendment to LB1042:

AM2592 is available in the Bill Room.
Senator McDonnell filed the following amendment to LB448:

AM2648

(Amendments to E & R amendments, ER167)

1. On page 2, lines 1 through 3, strike the new matter and insert
   "eleven"; in line 3 reinstate the stricken "thousand dollars"; and in
   line 6 after the period insert "Beginning in 2023, the Nebraska Workers'
   Compensation Court shall annually adjust the dollar limitation in this
   subsection. The adjusted limitation shall be equal to the then current
   limitation adjusted by the greater of one percent or the percentage
   change, for the preceding year, in the Consumer Price Index for All Urban
   Consumers, as prepared by the United States Department of Labor, Bureau
   of Labor Statistics. Any adjustment shall be effective on July 1. The
   adjustment shall not exceed two and three-quarters percent per annum. If
   the amount so adjusted is not a multiple of one hundred dollars, the
   amount shall be rounded to the nearest multiple of one hundred dollars."

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Lathrop name added to LB779.
Senator Hunt name added to LB1078.

VISITOR(S)

Visitors to the Chamber were students from Wildewood Elementary,
Ralston.

The Doctor of the Day was Dr. Christopher Snyder from Omaha.

ADJOURNMENT

At 11:45 a.m., on a motion by Senator Moser, the Legislature adjourned
until 9:00 a.m., Thursday, February 27, 2020.

Patrick J. O'Donnell
Clerk of the Legislature