

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

FOLEY: Good morning, ladies and gentlemen. Welcome to George W. Norris Legislative Chamber for the third day of the One Hundred Sixth Legislature, Second Session. Our chaplain for today is Pastor Wayne Nestor from the Trinity Lutheran Church in Columbus, Nebraska, Senator Moser's district. Please rise.

PASTOR NESTOR: President Foley, Speaker Scheer, thank you for the invitation to be here today. It's an honor and a privilege. You may be seated. Was that OK? Yeah. And I'd like to say special thanks to Senator Moser for the invitation to be here today. Let's bow together in prayer. Heavenly Father, thank you for your goodness. Lord, you are the God who cares, who's there. And Lord, like you spoke through the Apostle Paul to the church in Ephesus, Lord, you were wanting them to be a people group that would build others up according to their needs that it might benefit those who listen. So, Lord, in these chambers, might such speech be found, Lord, the words of encouragement would be shared. Lord, the deep thinking would occur. Father, might you bring your individual blessing on each senator for the waiting matters that they have to work through this session and this year. Help them, Lord, with the task at hand, free them from distractions. Free them, Lord, from frivolous speech that would derail the important work at hand. Lord, lead them to balanced conclusions by the help and insight of colleagues and constituents. And Lord, even by the insights of critics might they gain fresh perspective and continue to learn as they lead this great state. Father, bless these senators that they would lead with courageousness, Lord, as they represent their constituents. Corporately, Lord, might you build the relationships of the senators in this room and their staffs. Lord, give them clear understanding of the difficult issues at hand. Like it says, Father, in Proverbs, Chapter 11, verse 14: For lack of guidance a nation falls, but victory is found through many advisors. Lord, might the friendships and the relationships between these senators grow warm, grow strong for the benefit of this state. Heavenly Father, might you clear away the distractions that fog over the important elements of each debate, guard their consciences from being seared by hurt and doubt. Instead, Lord, bring healing to the hearts of those who have been wounded. Give, Lord, each one wisdom, insight, and integrity in the decisions they have to reach. Lord, might the relationships that they have be a key for resolving problems and leading our important heartland state of Nebraska. Lord, let each senator know they don't stand alone, but you are a Lord who is there, who cares for them individually and collectively. Heavenly Father, might you protect their families and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

their personal blessing. Protect them, Lord, from being misunderstood. Protect them from being misquoted. Protect their staffs, their homes, and their families. Lord, protect their character. And Father, let each senator move forward with great encouragement because they have friends in this room. At the end of this day, at the end of this session, may each sense that they've been heard and understood and blessed by Heaven's bounty. I ask this now in the loving and powerful name of Jesus Christ, our Lord, Amen.

FOLEY: Thank you, Pastor Nestor. I call to order the third day at One Hundred Sixth Legislature, Second Session. Senators, please record your presence. Roll call. Mr. Clerk, please record.

CLERK: I have a quorum present, Mr. President.

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

CLERK: I have no corrections.

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

CLERK: Mr. President, a Reference report referring LB740 through LB-- or LR288. Also a Reference report regarding certain gubernatorial appointments. Communication letter from the Governor, Mr. President, with an appointment to the Nebraska Arts Council. That will be referred to Reference. Two announcements. Education Committee will meet at 10:30. Education at 10:30 today in Room 2022. The Executive Board will meet at 10:30 in Room 1113. Executive Board at 10:30 in Room 1113. That's all that I have, Mr. President.

FOLEY: Thank you, Mr. Clerk. Members, please come to order. Speaker Scheer, you're recognized.

SCHEER: Thank you, Mr. President. Colleagues, it is Friday, and I will continue my tradition of giving you a idea of what we might be doing the following week, as I have in previous sessions. For next week, we will be in all-day floor debate because the hearings will not start till after the following weekend, our four-day weekend. We have two carry-over priority bills that will be up first on Monday from 2019. One is LB147 and the other is LB153, Senator Groene and Brewer's. Senator Groene's will be up first via a coin flip. Although Senator Groene was not present, we utilized Senator Brewer's coin and Senator

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

Brewer made the call and lost. So Senator Brewer's bill will be up after Senator Groene's. Once we get past those two, at this point in time we will be going back to General File for the rest of the week. As well, if the Executive Committee meets and provides a recommendation for the Ombudsman, I would intend to schedule that as well next week. On Monday and the rest of the week, we will be starting at 9:00, not 10:00. And essentially for the rest of the session, we will be at 9:00 unless I will notify you in advance that that has changed for some specific reason. We will deliberate next week till approximately noon. We'll break as we did, come back 1:30. And I will try to adjourn as close or before 5:00 every day other than Thursday, which will be the last day. My intent will be to be done by noon. And as we go farther into the session, the last day of our week, whatever that might be, I will try to be-- get us out of here somewhere in the noon to 1:00 range, depending upon if we are in a bill and I think we can get that done in proximity. I'm-- quite probably will go past noon, but we will get out, if not by noon, very early in the afternoon. Next week as well, Wednesday at 10:00, the Governor will be presenting the State of the State Address to us, so that I have blocked out essentially about an hour for that. And other than that, it will be just a fairly routine week. If you have any questions, I'm standing right back here, or have your staff contact the office for any clarification. Have a safe, good holiday. Come back rested and ready to start and we'll see everybody Monday. Thank you.

FOLEY: Thank you, Mr. Speaker. Senator Kolterman would like to recognize Dr. Robert Wergin of Seward, Nebraska, who is serving us today as family physician of the day. Dr. Wergin is with us under the north balcony. Doctor, please rise, so that we can welcome you and thank you for being here at the Nebraska Legislature. Pursuant to the agenda, if members have bills they would like read into the record today, this would be an appropriate time to bring them forward to the Clerk's desk. Thank you. Introduction of new bills. Mr. Clerk.

CLERK: Mr. President, LB904 is a bill by Senator Bolz relating to Water Sustainability Fund. Provides an additional use of the fund; restates intent. LB905 is by Senator DeBoer relating to revenue and taxation. It provides a fee for single-use checkout bags in a program to distribute reusable checkout bags. LB906, Senator DeBoer. A bill for an act relating to crimes and offenses; provides for maintenance and restrictions of the release and use of video recordings of forensic interviews. LB907 by Senator DeBoer relates to adoptions. Provides for adoption by two persons jointly; defines terms; and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

changes provisions relating to consents, biological, putative, adjudicated, and acknowledged fathers, required notices, objections to adoption, procedures, home studies, and technology. LB908 by Senator Williams. A bill for an act relating to the Delayed Deposit Services Licensing Act. It updates the definition, defines a term, and adds a processing fee. LB909 is Senator Williams relating to finance. It changes provisions relating to certain prohibited acts by the Department of Banking and Finance; to redefine the terms related to loan limits; it updates and changes references to certain federal provisions; eliminates the reporting notice requirement and exemption; revises powers of state-chartered banks, building and loan associations and credit unions. LB910 is by Senator Stinner. It's a bill for an act relating to the Secretary of State. It eliminates fees and the collection and distribution of fees. It creates and eliminates transfers of funds; eliminates a provision regarding failure to report interest in certain real estate, powers and duties regarding centralized computer system equipment; eliminates obsolutions; and provides an operative date. LB911 is by Senator Quick. It's a bill for an act relating to state veteran cemetery system. It changes provisions relating to the state veterans cemetery system; states intent and eliminates obsolete provisions; provides for duties. LB912 is by Senator Brandt. It's a bill for an act relating to courts. Changes provisions relating to examination of witnesses by telephonic, video conferences, and similar methods. LB913, Senator McDonnell. A bill for an act relating to the Nebraska Criminal Code. Changes provisions and penalties relating to arson.

FOLEY: Thank you, Mr. Clerk. New bills. Mr. Clerk.

ASSISTANT CLERK: Thank you, Mr. President. LB914 introduced by Senator Hunt. It's a bill for an act relating to the Mobile Home Landlord and Tenant Act. Change provision relating to the return of rental deposits, damages, and period of time relating to written notice of termination of a rental agreement. LB915 by Senator Hunt. It's a bill for an act relating to the Wage and Hour Act to change the minimum wage of persons compensated by way of gratuities; change provisions relating to the posting of information; and to repeal the original sections. LB916 by Senator Lathrop. It's a bill for an act relating to appropriations; to appropriate funds for the Department of Correctional Services for the construction or expansion of a community correctional facility. LB917 by Senator Wayne. It's a bill for an act relating to the Medical Assistance Act; to provide for a diabetes pilot study; and repeal the original section. LB918 by Senator Wayne.

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

A bill for an act relating to government; to create the Commission on African American Affairs; and require a study. LB919 by Senator Wayne. It's a bill for an act relating to the Nebraska Hemp Farming Act. Change provisions relating to approval and denial of license applications and license agreements; and to repeal the original sections. LB920 by Senator Groene. It's a bill for an act relating to education. Change provisions relating to the State Lottery Operation Trust Fund, the Nebraska Education Improvement Fund, the Nebraska Opportunity Grant Fund, the Excellence in Teaching Cash Fund, the Excellence in Teaching Act, the Department of Education, the Innovative Grant Fund, Community College Grant Assistance Program, the Expanded Learning Opportunity Grant, State Department of Education Cash Fund, Department of Education, Coordinating Commission for Postsecondary Education; change the name and provisions of the Master Teacher Program Act; create a fund; to eliminate funds; transfer powers and duties; provide funding for an education pathway software; consortium, with grants as prescribed; provide duties; eliminate obsolete provisions; and repeal the original sections. LB921 by Senator Hilkemann. It's a bill for an act relating to motor vehicles. Change provisions relating to the Game and Parks State Improvement and Maintenance Fund; provide for The Good Life Is Outside Plates; harmonize provisions; and to repeal the original sections. LB922 by Senator Kolterman. It's a bill for an act relating to prescriptions to require electronic issuance of prescriptions for controlled substances; to provide exceptions; to harmonize provisions; and repeal the original sections. LB923 by Senator Lindstrom. It's a bill for an act relating to revenue and taxation. To change the provision relating to gross receipts; provide an operative date; and repeal the original section; declare an emergency. LB924 by Senator Chambers. It's a bill for an act relating to law enforcement; to change provisions relating to racial profiling prevention policies; to prohibit law enforcement agencies failing to comply with racial profiling monitoring and reporting requirements from receiving funding from the Nebraska Commission on Law Enforcement and Criminal Justice as prescribed; to require anti-bias and implicit bias training for law enforcement officers; and repeal the original sections. LB925 by Senator Chambers. It's a bill for an act relating to the Administrative Procedures Act. Change provisions relating to the actions for declaratory judgments; and to repeal the original sections. LB926 by the Business and Labor Committee. It's a bill for an act to the Employee Classification Act. Change provisions relating to violations of the act; provide for a hearing; harmonize provisions; and repeal the original sections. LB927

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

by the Business and Labor Committee. It's a bill for an act relating to claims against the state; to appropriate funds for the payment of claims; provide for payment of claims; authorize agencies to write off certain claims as prescribed; declare an emergency. LB928 by the Business and Labor Committee. It's a bill for an act relating to claims against the state; to disapprove certain claims. LB929 by Senator Lindstrom is a bill for an act of the Nebraska Real Estate License Act; to provide an exemption to the act as prescribed; and repeal the original sections. LB930 by Senator Briese. It's a bill for an act relating to revenue and taxation; to require a minimum amount of tax relief under the Property Tax Credit Act; and to repeal the original sections. That's all I have at this time, Mr. President.

FOLEY: Thank you, Mr. Clerk. Mr. Clerk, you're recognized.

CLERK: Mr. President, new bills. LB931 is a bill by Senator Halloran relating to Rules of the Road. Changes the harvested products maximum weight overload exception. LB932 is a bill by Senator Wishart relating to medical assistance; provides duties for the Department of Health and Human Services. LB933 is a bill by Senator Crawford. It's a bill for an act relating to utility services; changes provisions relating to discontinuance of utility services; and repeals the original sections. LB934, Senator Morfeld, relating to attorneys at law. Changes provisions relating to the authorized practice of law by certain law students; eliminates a bar examination. LB935, Senator Hunt. A bill for an act relating to Nebraska Political Accountability and Disclosure Act; authorize expenditures by a committee for expenses incurred for child care services by an officeholder. LB936 is by Senator Hunt. Bill for an act relating to the Political Accountability and Disclosure Act; authorize expenditures by a committee for conference fees, have meals, lodging, and travel for certain members of officeholder's immediate family. LB937 is a bill by Senator Brewer. It's a bill for an act relating to the Nebraska State Capitol Preservation and Restoration Act. Requires the display of tribal flags in the State Capitol as prescribed. In addition, Mr. President, I have a constitutional amendment. Senator La Grone proposes LR292CA proposing an amendment to Article I, Section 22 of the State Constitution. Amendments to be printed. Senator Brewer to LB153; Senator Cavanaugh to LB534; Senator Morfeld, LB206. Series of name additions. Senators Wayne, LB153; Brandt, LB267; Gragert, LB477; Crawford, LB744; Arch, LB744; Hunt and Walz to LB748; Crawford and

Transcript Prepared by Clerk of the Legislature Transcribers Office
Floor Debate January 10, 2020

Bolz, LB752; Erdman, LB770; Williams and Bolz to LB778; and Lindstrom to LB806.

Mr. President, Senator Clements would move to adjourn the body until Monday morning, January 13, at 9:00 a.m.

FOLEY: Members, you heard the motion to adjourn. Those in favor say aye. Those opposed say nay. We are adjourned.