

FORTY-SIXTH DAY - MARCH 21, 2019**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION****FORTY-SIXTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, March 21, 2019

PRAYER

The prayer was offered by Pastor Jim Haack, Beautiful Savior Lutheran Church, La Vista.

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 Walz who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fifth day was approved.

COMMITTEE REPORT(S)

Agriculture

LEGISLATIVE BILL 227. Placed on General File with amendment.
AM746

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 2-4403, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 2-4403 A farm or farm operation or a public grain warehouse or

6 public grain warehouse operation shall not be found to be a public or

7 private nuisance if:

8 (1) The ~~the~~ farm or farm operation or public grain warehouse or

9 public grain warehouse operation existed before a change in the land use

10 or occupancy of land in and about the locality of such farm or farm

11 operation or public grain warehouse or public grain warehouse operation

12 and before such change in land use or occupancy of land the farm or farm

13 operation or public grain warehouse or public grain warehouse operation

14 would not have been a nuisance; or -

15 (2)(a) Reasonable techniques are employed to keep dust, noise,

16 insects, and odors at a minimum and the farm or farm operation or public
 17 grain warehouse or public grain warehouse operation is in compliance with
 18 applicable laws and regulations, including any zoning regulations of a
 19 local governing body; and

20 (b) There is no significant change in the farm or farm operation or
 21 public grain warehouse or public grain warehouse operation and such farm
 22 or farm operation or public grain warehouse or public grain warehouse
 23 operation has been in operation for more than one year and was not a
 24 nuisance at the time it began. For purposes of this subdivision, a
 25 significant change in a farm or farm operation or public grain warehouse
 26 or public grain warehouse operation does not include:

27 (i) The conversion from one type of farm or farm operation or public
 1 grain warehouse or public grain warehouse operation to another type of
 2 farm or farm operation or public grain warehouse or public grain
 3 warehouse operation;

4 (ii) A change in ownership or size of the farm or farm operation or
 5 public grain warehouse or public grain warehouse operation;

6 (iii) The enrollment, reduction, or cessation of participation in a
 7 government program by the farm or farm operation or public grain
 8 warehouse or public grain warehouse operation; or

9 (iv) Adoption of new technology by the farm or farm operation or
 10 public grain warehouse or public grain warehouse operation.

11 Sec. 2. Original section 2-4403, Reissue Revised Statutes of
 12 Nebraska, is repealed.

(Signed) Steve Halloran, Chairperson

REPORT OF REGISTERED LOBBYISTS

Following is a list of all lobbyists who have registered as of March 20, 2019,
 in accordance with Section 49-1481, Revised Statutes of Nebraska.
 Additional lobbyists who have registered will be filed weekly.

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

Forrest, Sarah
 Nebraska Alliance of Child Advocacy Centers

REPORTS

Agency reports electronically filed with the Legislature can be found on the
 Nebraska Legislature's website at:
<http://www.nebraskalegislature.gov/agencies/view.php>

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 141.

A BILL FOR AN ACT relating to crimes and offenses; to amend sections 28-115 and 28-310.01, Reissue Revised Statutes of Nebraska; to prohibit assault by strangulation or suffocation as prescribed; to provide for an enhanced penalty for assault by strangulation or suffocation of a pregnant woman; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Lindstrom | Scheer |
| Arch | DeBoer | Hilgers | Linehan | Slama |
| Blood | Dorn | Hilkemann | Lowe | Stinner |
| Bolz | Erdman | Howard | McCollister | Vargas |
| Bostelman | Friesen | Hughes | McDonnell | Wayne |
| Brandt | Geist | Hunt | Morfeld | Williams |
| Briese | Gragert | Kolowski | Moser | Wishart |
| Cavanaugh | Groene | Kolterman | Murman | |
| Chambers | Halloran | La Grone | Pansing Brooks | |
| Clements | Hansen, B. | Lathrop | Quick | |

Voting in the negative, 0.

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 318.

A BILL FOR AN ACT relating to liens; to amend section 52-903, Revised Statutes Cumulative Supplement, 2018; to change provisions relating to petroleum products liens; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Lindstrom | Scheer |
| Arch | DeBoer | Hilgers | Linehan | Slama |
| Blood | Dorn | Hilkemann | Lowe | Stinner |
| Bolz | Erdman | Howard | McCollister | Vargas |
| Bostelman | Friesen | Hughes | McDonnell | Wayne |
| Brandt | Geist | Hunt | Morfeld | Williams |
| Briese | Gragert | Kolowski | Moser | Wishart |
| Cavanaugh | Groene | Kolterman | Murman | |
| Chambers | Halloran | La Grone | Pansing Brooks | |
| Clements | Hansen, B. | Lathrop | Quick | |

Voting in the negative, 0.

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 339.

A BILL FOR AN ACT relating to judges; to amend section 24-803, Reissue Revised Statutes of Nebraska; to change provisions relating to judicial nominating commissions; to eliminate obsolete provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Linehan | Slama |
| Arch | DeBoer | Hilgers | Lowe | Stinner |
| Blood | Dorn | Hilkemann | McCollister | Vargas |
| Bolz | Erdman | Howard | McDonnell | Wayne |
| Bostelman | Friesen | Hughes | Morfeld | Williams |
| Brandt | Geist | Hunt | Moser | Wishart |
| Briese | Gragert | Kolowski | Murman | |
| Cavanaugh | Groene | Kolterman | Pansing Brooks | |
| Chambers | Halloran | Lathrop | Quick | |
| Clements | Hansen, B. | Lindstrom | Scheer | |

Voting in the negative, 0.

Present and not voting, 1:

La Grone

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 340.

A BILL FOR AN ACT relating to corrections; to amend sections 29-2262, 83-4,142, 83-4,144, 83-4,145, and 83-4,146, Reissue Revised Statutes of Nebraska, and section 83-4,143, Revised Statutes Cumulative Supplement, 2018; to change and eliminate provisions relating to incarceration work camps; to eliminate the incarceration work camp as a condition of probation; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Lindstrom | Scheer |
| Arch | DeBoer | Hilgers | Linehan | Slama |
| Blood | Dorn | Hilkemann | Lowe | Stinner |
| Bolz | Erdman | Howard | McCollister | Vargas |
| Bostelman | Friesen | Hughes | McDonnell | Williams |
| Brandt | Geist | Hunt | Morfeld | Wishart |
| Briese | Gragert | Kolowski | Moser | |
| Cavanaugh | Groene | Kolterman | Murman | |
| Chambers | Halloran | La Grone | Pansing Brooks | |
| Clements | Hansen, B. | Lathrop | Quick | |

Voting in the negative, 0.

Present and not voting, 1:

Wayne

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB354 with 38 ayes, 6 nays, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 354.

A BILL FOR AN ACT relating to the Nebraska Juvenile Code; to amend sections 43-260.04, 43-2,108.01, 43-2,108.02, 43-2,108.03, 43-2,108.04, and 43-2,108.05, Reissue Revised Statutes of Nebraska; to change requirements for juvenile pretrial diversion programs; to change provisions relating to the sealing of juvenile records; to provide for retroactivity; to increase a penalty; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 46:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Lindstrom | Slama |
| Arch | DeBoer | Hilgers | Linehan | Stinner |
| Blood | Dorn | Hilkemann | McCollister | Vargas |
| Bolz | Erdman | Howard | McDonnell | Wayne |
| Bostelman | Friesen | Hughes | Morfeld | Williams |
| Brandt | Geist | Hunt | Moser | Wishart |
| Briese | Gragert | Kolowski | Murman | |
| Cavanaugh | Groene | Kolterman | Pansing Brooks | |
| Chambers | Halloran | La Grone | Quick | |
| Clements | Hansen, B. | Lathrop | Scheer | |

Voting in the negative, 0.

Present and not voting, 1:

Lowe

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 354A.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 354, One Hundred Sixth Legislature, First Session, 2019.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

| | | | | |
|-----------|----------|------------|-------------|----------------|
| Albrecht | Crawford | Hansen, B. | La Grone | Pansing Brooks |
| Blood | DeBoer | Hansen, M. | Lathrop | Quick |
| Bolz | Dorn | Hilgers | Lindstrom | Slama |
| Bostelman | Erdman | Hilkemann | Linehan | Stinner |
| Brandt | Friesen | Howard | McCollister | Vargas |
| Briese | Geist | Hughes | McDonnell | Wayne |
| Cavanaugh | Gragert | Hunt | Morfeld | Williams |
| Chambers | Groene | Kolowski | Moser | Wishart |
| Clements | Halloran | Kolterman | Murman | |

Voting in the negative, 0.

Present and not voting, 3:

| | | |
|------|------|--------|
| Arch | Lowe | Scheer |
|------|------|--------|

Excused and not voting, 2:

| | |
|--------|------|
| Brewer | Walz |
|--------|------|

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 399.

A BILL FOR AN ACT relating to schools; to amend sections 79-724 and 79-727, Reissue Revised Statutes of Nebraska; to change the name of and provisions relating to the committee on Americanism; to eliminate a penalty; to provide duties for the State Board of Education and the State Department of Education; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 44:

| | | | | |
|-----------|----------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, B. | Lindstrom | Quick |
| Arch | DeBoer | Hansen, M. | Linehan | Scheer |
| Blood | Dorn | Hilgers | Lowe | Slama |
| Bolz | Erdman | Hilkemann | McCollister | Stinner |
| Bostelman | Friesen | Hughes | McDonnell | Vargas |
| Brandt | Geist | Kolowski | Morfeld | Wayne |
| Briese | Gragert | Kolterman | Moser | Williams |
| Cavanaugh | Groene | La Grone | Murman | Wishart |
| Clements | Halloran | Lathrop | Pansing Brooks | |

Voting in the negative, 2:

Chambers Hunt

Present and not voting, 1:

Howard

Excused and not voting, 2:

Brewer Walz

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 443.

A BILL FOR AN ACT relating to the Nebraska Treatment and Corrections Act; to amend section 83-181, Reissue Revised Statutes of Nebraska; to require the Department of Correctional Services to allow committed offenders to communicate with their attorneys as prescribed; to harmonize provisions; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 32:

| | | | | |
|-----------|------------|-------------|----------------|----------|
| Blood | Dorn | Hunt | McDonnell | Vargas |
| Bolz | Friesen | Kolowski | Morfeld | Wayne |
| Brandt | Gragert | Kolterman | Murman | Williams |
| Cavanaugh | Hansen, M. | Lathrop | Pansing Brooks | Wishart |
| Chambers | Hilkemann | Lindstrom | Quick | |
| Crawford | Howard | Linehan | Scheer | |
| DeBoer | Hughes | McCollister | Stinner | |

Voting in the negative, 9:

| | | | | |
|-----------|----------|--------|----------|------|
| Albrecht | Clements | Geist | Halloran | Lowe |
| Bostelman | Erdman | Groene | Hilgers | |

Present and not voting, 6:

| | | |
|--------|------------|-------|
| Arch | Hansen, B. | Moser |
| Briese | La Grone | Slama |

Excused and not voting, 2:

| | |
|--------|------|
| Brewer | Walz |
|--------|------|

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

LEGISLATIVE BILL 463.

A BILL FOR AN ACT relating to revenue and taxation; to amend sections 77-1802, 77-1831, 77-1832, 77-1833, 77-1834, 77-1835, 77-1837, and 77-1837.01, Reissue Revised Statutes of Nebraska; to change and eliminate provisions relating to real property sold for delinquent taxes, the process for issuing treasurer's tax deeds, and tax sale certificates; to harmonize provisions; to repeal the original sections; and to outright repeal section 77-1824.01, Reissue Revised Statutes of Nebraska.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

| | | | | |
|-----------|------------|------------|----------------|----------|
| Albrecht | Crawford | Hansen, M. | Lindstrom | Scheer |
| Arch | DeBoer | Hilgers | Linehan | Slama |
| Blood | Dorn | Hilkemann | Lowe | Stinner |
| Bolz | Erdman | Howard | McCollister | Vargas |
| Bostelman | Friesen | Hughes | McDonnell | Wayne |
| Brandt | Geist | Hunt | Morfeld | Williams |
| Briese | Gragert | Kolowski | Moser | Wishart |
| Cavanaugh | Groene | Kolterman | Murman | |
| Chambers | Halloran | La Grone | Pansing Brooks | |
| Clements | Hansen, B. | Lathrop | Quick | |

Voting in the negative, 0.

Excused and not voting, 2:

| | |
|--------|------|
| Brewer | Walz |
|--------|------|

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 141, 318, 339, 340, 354, 354A, 399, 443, and 463.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 550. Placed on General File with amendment.
AM530

1 1. Strike the original sections and insert the following new
2 section:
3 Section 1. No municipality shall impose any tax or fee related to
4 wireless and prepaid wireless services after the effective date of this
5 act unless and until the question of whether to impose such tax or fee
6 has been submitted at a primary, general, or special election held within
7 the municipality and in which all registered voters shall be entitled to
8 vote on such question. The officials of the municipality shall order the
9 submission of the question by submitting a certified copy of the
10 resolution proposing the tax or fee to the election commissioner or
11 county clerk by March 1 for a primary election, by September 1 for a
12 general election, or at least fifty days before a special election. The
13 election shall be conducted in accordance with the Election Act. If a
14 majority of the votes cast upon such question are in favor of such tax or
15 fee, then the governing body of such municipality shall be empowered to
16 impose such tax or fee. If a majority of those voting on the question are
17 opposed to such tax or fee, then the governing body of the municipality
18 shall not impose such tax or fee.

LEGISLATIVE BILL 641. Placed on General File with amendment.
AM724

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. (1) For purposes of this section, 211 Information and
4 Referral Network means a statewide information and referral network
5 providing information to the public regarding disaster and emergency
6 response and health and human services provided by public and private
7 entities throughout the state.
8 (2) The Public Service Commission shall award a grant annually to a
9 211 Information and Referral Network which submits an application and
10 meets the requirements of this section. The amount of each grant shall be
11 three hundred thousand dollars.
12 (3) To be eligible for a grant, the 211 Information and Referral
13 Network shall update the information and referral services on the network
14 at least annually, shall geographically index the services to provide
15 information on a county-by-county basis, and shall be accredited as
16 meeting the standards for service delivery and quality by the Alliance of

17 Information and Referral Systems or a similar organization approved by
18 the commission.

19 (4) The grant may be used to establish a web site which includes
20 links to providers of health and human services, the name, address, and
21 telephone number of any organization listed on the web site, a
22 description of the type of services provided by the organization, and
23 other information to educate the public about the health and human
24 services available on a geographic basis. The grant may also be used to
25 provide access to the network twenty-four hours per day, seven days per
26 week, through telephone access and web site access.

27 Sec. 2. Section 71-7611, Reissue Revised Statutes of Nebraska, is
1 amended to read:

2 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
3 Treasurer shall transfer (a) sixty million three hundred thousand dollars
4 on or before July 15, 2014, (b) sixty million three hundred fifty
5 thousand dollars on or before July 15, 2015, (c) sixty million three
6 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
7 million seven hundred thousand dollars on or before July 15, 2017, (e)
8 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one
9 million six hundred thousand dollars on or before July 15, 2018, (g)
10 sixty-one million three hundred fifty thousand dollars on or before July
11 15, 2019, and (h) sixty million four hundred fifty thousand dollars on or
12 before every July 15 thereafter from the Nebraska Medicaid
13 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust
14 Fund to the Nebraska Health Care Cash Fund, except that such amount shall
15 be reduced by the amount of the unobligated balance in the Nebraska
16 Health Care Cash Fund at the time the transfer is made. The state
17 investment officer shall advise the State Treasurer on the amounts to be
18 transferred first from the Nebraska Medicaid Intergovernmental Trust Fund
19 until the fund balance is depleted and from the Nebraska Tobacco
20 Settlement Trust Fund thereafter in order to sustain such transfers in
21 perpetuity. The state investment officer shall report electronically to
22 the Legislature on or before October 1 of every even-numbered year on the
23 sustainability of such transfers. The Nebraska Health Care Cash Fund
24 shall also include money received pursuant to section 77-2602. Except as
25 otherwise provided by law, no more than the amounts specified in this
26 subsection may be appropriated or transferred from the Nebraska Health
27 Care Cash Fund in any fiscal year.

28 The State Treasurer shall transfer ten million dollars from the
29 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on
30 June 28, 2018, and June 28, 2019.

31 Except as otherwise provided in subsection (6) of this section, it
1 ~~is~~ is the intent of the Legislature that no additional programs are
2 funded through the Nebraska Health Care Cash Fund until funding for all
3 programs with an appropriation from the fund during FY2012-13 are
4 restored to their FY2012-13 levels.

5 (2) Any money in the Nebraska Health Care Cash Fund available for
6 investment shall be invested by the state investment officer pursuant to
7 the Nebraska Capital Expansion Act and the Nebraska State Funds

8 Investment Act.

9 (3) The University of Nebraska and postsecondary educational
10 institutions having colleges of medicine in Nebraska and their affiliated
11 research hospitals in Nebraska, as a condition of receiving any funds
12 appropriated or transferred from the Nebraska Health Care Cash Fund,
13 shall not discriminate against any person on the basis of sexual
14 orientation.

15 (4) The State Treasurer shall transfer fifty thousand dollars on or
16 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
17 Board of Regents of the University of Nebraska for the University of
18 Nebraska Medical Center. It is the intent of the Legislature that these
19 funds be used by the College of Public Health for workforce training.

20 (5) It is the intent of the Legislature that the cost of the staff
21 and operating costs necessary to carry out the changes made by Laws 2018,
22 LB439, and not covered by fees or federal funds shall be funded from the
23 Nebraska Health Care Cash Fund for fiscal years 2018-19 and 2019-20.

24 (6) The State Treasurer shall transfer three hundred thousand
25 dollars on or before September 15, 2019, and on or before September 15,
26 2020, from the Nebraska Health Care Cash Fund to the Public Service
27 Commission for grants to be awarded pursuant to section 1 of this act.

28 Sec. 3. Original section 71-7611, Reissue Revised Statutes of
29 Nebraska, is repealed.

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Kolterman filed the following amendment to LB34:
AM915

(Amendments to Standing Committee amendments, AM591)

1 1. On page 46, line 4, strike "a total of" and show as stricken.

GENERAL FILE

LEGISLATIVE BILL 169. Senator Groene renewed his amendment,
AM804, found on page 927 and considered on page 928, to the committee
amendment.

SPEAKER SCHEER PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB169:
AM922

(Amendments to Standing Committee amendments, AM710)

1 1. Strike original section 1 and all amendments thereto and insert
2 the following new section:

3 Section 1. Section 68-1017.02, Reissue Revised Statutes of Nebraska,
4 is amended to read:

5 68-1017.02 (1)(a) The Department of Health and Human Services shall
6 apply for and utilize to the maximum extent possible, within limits
7 established by the Legislature, any and all appropriate options available
8 to the state under the federal Supplemental Nutrition Assistance Program
9 and regulations adopted under such program to maximize the number of
10 Nebraska residents being served under such program within such limits.
11 The department shall seek to maximize federal funding for such program
12 and minimize the utilization of General Funds for such program and shall
13 employ the personnel necessary to determine the options available to the
14 state and issue the report to the Legislature required by subdivision (b)
15 of this subsection.

16 (b) The department shall submit electronically an annual report to
17 the Health and Human Services Committee of the Legislature by December 1
18 on efforts by the department to carry out the provisions of this
19 subsection. Such report shall provide the committee with all necessary
20 and appropriate information to enable the committee to conduct a
21 meaningful evaluation of such efforts. Such information shall include,
22 but not be limited to, a clear description of various options available
23 to the state under the federal Supplemental Nutrition Assistance Program,
24 the department's evaluation of and any action taken by the department
25 with respect to such options, the number of persons being served under
26 such program, and any and all costs and expenditures associated with such
1 program.

2 (c) The Health and Human Services Committee of the Legislature,
3 after receipt and evaluation of the report required in subdivision (b) of
4 this subsection, shall issue recommendations to the department on any
5 further action necessary by the department to meet the requirements of
6 this section.

7 (2)(a) The department shall develop a state outreach plan to promote
8 access by eligible persons to benefits of the Supplemental Nutrition
9 Assistance Program. The plan shall meet the criteria established by the
10 Food and Nutrition Service of the United States Department of Agriculture
11 for approval of state outreach plans. The Department of Health and Human
12 Services may apply for and accept gifts, grants, and donations to develop
13 and implement the state outreach plan.

14 (b) For purposes of developing and implementing the state outreach
15 plan, the department shall partner with one or more counties or nonprofit
16 organizations. If the department enters into a contract with a nonprofit
17 organization relating to the state outreach plan, the contract may
18 specify that the nonprofit organization is responsible for seeking
19 sufficient gifts, grants, or donations necessary for the development and
20 implementation of the state outreach plan and may additionally specify
21 that any costs to the department associated with the award and management
22 of the contract or the implementation or administration of the state
23 outreach plan shall be paid out of private or federal funds received for
24 development and implementation of the state outreach plan.

25 (c) The department shall submit the state outreach plan to the Food

26 and Nutrition Service of the United States Department of Agriculture for
 27 approval on or before August 1, 2011, and shall request any federal
 28 matching funds that may be available upon approval of the state outreach
 29 plan. It is the intent of the Legislature that the State of Nebraska and
 30 the Department of Health and Human Services use any additional public or
 31 private funds to offset costs associated with increased caseload
 1 resulting from the implementation of the state outreach plan.

2 (d) The department shall be exempt from implementing or
 3 administering a state outreach plan under this subsection, but not from
 4 developing such a plan, if it does not receive private or federal funds
 5 sufficient to cover the department's costs associated with the
 6 implementation and administration of the plan, including any costs
 7 associated with increased caseload resulting from the implementation of
 8 the plan.

9 (3)(a)(i) On or before October 1, 2011, the department shall create
 10 a TANF-funded program or policy that, in compliance with federal law,
 11 establishes categorical eligibility for federal food assistance benefits
 12 pursuant to the Supplemental Nutrition Assistance Program to maximize the
 13 number of Nebraska residents being served under such program in a manner
 14 that does not increase the current gross income eligibility limit.

15 (ii) Such TANF-funded program or policy shall eliminate all asset
 16 limits for eligibility for federal food assistance benefits, except that
 17 the total of liquid assets which includes cash on hand and funds in
 18 personal checking and savings accounts, money market accounts, and share
 19 accounts shall not exceed twenty-five thousand dollars pursuant to the
 20 Supplemental Nutrition Assistance Program, as allowed under federal law
 21 and under 7 C.F.R. 273.2(j)(2).

22 (iii) This subsection becomes effective only if the department
 23 receives funds pursuant to federal participation that may be used to
 24 implement this subsection.

25 (b) For purposes of this subsection:

26 (i) Federal law means the federal Food and Nutrition Act of 2008, 7
 27 U.S.C. 2011 et seq., and regulations adopted under the act; and

28 (ii) TANF means the federal Temporary Assistance for Needy Families
 29 program established in 42 U.S.C. 601 et seq.

30 (4)(a) As authorized under 21 U.S.C. 862a(d) and within ~~Within~~ the
 31 limits specified in this subsection, the State of Nebraska opts out of
 1 the provision of the federal Personal Responsibility and Work Opportunity
 2 Reconciliation Act of 1996, as such act existed on January 1, 2009, that
 3 eliminates eligibility for the Supplemental Nutrition Assistance Program
 4 for any person convicted of a felony involving the possession, use, or
 5 distribution of a controlled substance.

6 (b) Except as otherwise provided in subdivision (c) of this
 7 subsection, a person convicted of a felony involving the possession or
 8 use of a controlled substance shall only be eligible for Supplemental
 9 Nutrition Assistance Program benefits if such person (i) has completed
 10 her or his sentence for such felony, including any term of parole,
 11 probation, or post-release supervision, or (ii) is serving a term of
 12 parole, probation, or post-release supervision for such felony.

13 (c) A person shall be ineligible for Supplemental Nutrition
 14 Assistance Program benefits under this subsection if he or she (i) has
 15 had three or more felony convictions for the possession or use of a
 16 controlled substance or (ii) has been convicted of a felony involving the
 17 sale or distribution of a controlled substance or the intent to sell or
 18 distribute a controlled substance. ~~A person with one or two felony
 19 convictions for the possession or use of a controlled substance shall
 20 only be eligible to receive Supplemental Nutrition Assistance Program
 21 benefits under this subsection if he or she is participating in or has
 22 completed a state licensed or nationally accredited substance abuse
 23 treatment program since the date of conviction. The determination of such
 24 participation or completion shall be made by the treatment provider
 25 administering the program.~~

BILL ON FIRST READING

The following bill was read for the first time by title:

LEGISLATIVE BILL 483A. Introduced by Erdman, 47.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 483, One Hundred Sixth Legislature, First Session, 2019; and to declare an emergency.

GENERAL FILE

LEGISLATIVE BILL 243. Title read. Considered.

Committee AM640, found on page 834, was offered.

Senator Gragert offered his amendment, AM789, found on page 934, to the committee amendment.

PRESIDENT FOLEY PRESIDING

The Gragert amendment was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

The committee amendment, as amended, was adopted with 38 ayes, 0 nays, 9 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 7 present and not voting, and 2 excused and not voting.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 138. Placed on General File with amendment. AM783 is available in the Bill Room.

LEGISLATIVE BILL 356. Placed on General File with amendment. AM731 is available in the Bill Room.

(Signed) Curt Friesen, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 55. Introduced by Kolterman, 24.

WHEREAS, Tim Teegerstrom began working at Polk County Rural Public Power District while still in high school as a part-time groundman; and

WHEREAS, Tim served the district honorably in several integral positions, eventually working his way up to Safety Director; and

WHEREAS, under Tim's leadership as Safety Director, the Polk County Rural Public Power District celebrated over ten years without a lost time accident, embodying the motto "Work Safe, Home Safe"; and

WHEREAS, Tim retired from the Polk County Rural Public Power District after nearly 45 years of service.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature recognizes Tim Teegerstrom for his many years of service to the Polk County Rural Public Power District and congratulates him on his retirement.

2. That a copy of this resolution be sent to Tim Teegerstrom.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Hunt filed the following amendment to LB169:

FA25

Amend AM710

On page 3, strike "being served" and insert "serviced".

PRESENTED TO THE GOVERNOR

Presented to the Governor on March 21, 2019, at 11:30 a.m. were the following: LBs 141, 318, 339, 340, 354, 354A, 399, 443, and 463.

(Signed) Laura Gerkin
Clerk of the Legislature's Office

MESSAGE(S) FROM THE GOVERNOR

March 21, 2019

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 8, 16, 29, 48, 112, 112A, 116, 124e, 125, 127, 139, 145, 156, 160, 195, 224, 284e, 302e, 319, 384, 486, 575, 660e, 660Ae, and 699 were received in my office on March 15, 2019.

These bills were signed and delivered to the Secretary of State on March 21, 2019.

Sincerely,
(Signed) Pete Ricketts
Governor

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Murman name added to LB15.
Senator Gragert name added to LB15.
Senator Briese name added to LB15.
Senator Brandt name added to LB15.
Senator Lowe name added to LB15.
Senator Williams name added to LB352.
Senator Slama name added to LB584.

VISITOR(S)

Visitors to the Chamber were students from elementary schools in Chapman, St. Libory, and Grand Island; students, teacher, and sponsors from Southwest High School, Bartley; members of Leadership Tomorrow and Leadership Hastings from Grand Island and Hastings; Tammy and Tom Hanson from Lincoln and Bettania Heaton from Roca; and the Executive Director of the YWCA of Lincoln, Karen Bell-Dancy.

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

ADJOURNMENT

At 11:42 a.m., on a motion by Senator Murman, the Legislature adjourned until 9:00 a.m., Monday, March 25, 2019.

Patrick J. O'Donnell
Clerk of the Legislature