THIRTY-NINTH DAY - MARCH 11, 2020

LEGISLATIVE JOURNAL

ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

THIRTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, March 11, 2020

PRAYER

The prayer was offered by Pastor Derek Geist, Mercy City Church, Lincoln.

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 Senators Blood, Brewer, DeBoer, and Gragert who were excused; and Senators M. Hansen, Morfeld, Pansing Brooks, Slama, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-eighth day was approved.

MOTION(S) - Print in Journal

Senator Geist filed the following motion to LB814:
MO165
Place on General File pursuant to Rule 3, Sec. 20(b).

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 848A. Placed on Select File.

(Signed) Julie Slama, Chairperson
RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 329, 330, 331, and 332 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 329, 330, 331, and 332.

GENERAL FILE

LEGISLATIVE BILL 918. Title read. Considered.
Senator Wayne offered his amendment, AM2622, found on page 883.
The Wayne amendment was adopted with 29 ayes, 0 nays, 8 present and not voting, and 12 excused and not voting.
Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 918A. Title read. Considered.
Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 6 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 780. Title read. Considered.
Senator Hunt offered her amendment, AM2838, found on page 883.
The Hunt amendment was adopted with 37 ayes, 0 nays, 1 present and not voting, and 11 excused and not voting.
Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 1 present and not voting, and 11 excused and not voting.

LEGISLATIVE BILL 780A. Title read. Considered.
Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 7 present and not voting, and 9 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 338. Introduced by Halloran, 33.

WHEREAS, the Hastings St. Cecilia High School girls' basketball team won the 2020 Class C-2 Girls State Basketball Championship; and
WHEREAS, the St. Cecilia Hawkettes girls' basketball team defeated the Ponca Indians in the championship game by a score of 41-37; and
WHEREAS, this is the St. Cecilia Hawkettes second straight championship title; and
WHEREAS, the St. Cecilia Hawkettes girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and
WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Hastings St. Cecilia High School girls' basketball team and its coaches on winning the 2020 Class C-2 Girls State Basketball Championship.

2. That a copy of this resolution be sent to the Hastings St. Cecilia High School girls' basketball team and Coach Greg Berndt.

Laid over.

LEGISLATIVE RESOLUTION 339. Introduced by Brandt, 32.

WHEREAS, the Crete High School girls' basketball team won the 2020 Class B Girls' State Basketball Championship; and
WHEREAS, the Crete Cardinals girls' basketball team defeated the Lady Orange of Beatrice High School in the championship game by a score of 53 to 26; and
WHEREAS, the Crete High School girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Crete High School girls' basketball team and its coaches on winning the 2020 Class B Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Crete High School girls' basketball team and Coach John Larsen.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Bolz filed the following amendment to LB43: AM2864 is available in the Bill Room.
LEGISLATIVE BILL 1198. Title read. Considered.

The Slama amendment, AM2842, found on page 883, was withdrawn.

Senator Lathrop offered his amendment, AM2844, found on page 900.

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Lathrop moved for a call of the house. The motion prevailed with 21 ayes, 4 nays, and 24 not voting.

Senator Lathrop requested a roll call vote, in reverse order, on his amendment.

Voting in the affirmative, 14:

Brandt  Crawford  Kolowski  Morfeld  Walz
Cavanaugh  Howard  Lathrop  Pansing Brooks  Wayne
Chambers  Hunt  McCollister  Quick

Voting in the negative, 13:

Albrecht  Dorn  Halloran  La Grone  Slama
Bostelman  Erdman  Hansen, B.  Lowe
Clements  Friesen  Hilgers  Moser

Present and not voting, 14:

Arch  Geist  Koltermann  McDonnell  Williams
Bolz  Hilkemann  Lindstrom  Stinner  Wishart
Briese  Hughes  Linehan  Vargas

Excused and not voting, 8:

Blood  DeBoer  Groene  Murman
Brewer  Gragert  Hansen, M.  Scheer

The Lathrop amendment lost with 14 ayes, 13 nays, 14 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review Initial with 39 ayes, 1 nay, 2 present and not voting, and 7 excused and not voting.
LEGISLATIVE BILL 910. Title read. Considered.

Committee AM2163, found on page 749, was offered.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB865A:
AM2858
1. On page 2, line 1, strike "$131,868" and insert "$119,451".

Senator Wayne filed the following amendment to LB1186:
AM2869
1. Insert the following new section:
2. Sec. 2. (1) Upon receipt from a school district teacher or other
3. employee of a report regarding an incident involving the use of violence,
4. force, coercion, threat, intimidation, or similar conduct by a student in
5. a manner that constitutes a substantial interference with school
6. purposes, a school administrator in such school district shall review the
7. reported incident and develop an individualized response plan in
8. accordance with this section. Such review shall be conducted by the
9. administrator and an assigned school employee;
10. (2) If the report is substantiated, the school administrator shall,
11. in consultation with any teacher or school employee who was subjected to
12. the reported incident, develop an individualized response plan to avoid
13. future dangerous behavior by such student. Such plan may, but is not
14. required to:
15. (a) Minimize any suspension or expulsion of the student;
16. (b) Prioritize counseling and guidance services for the student or
17. educator;
18. (c) Provide positive behavioral interventions and supports, supports
19. designed to address the consequences of trauma, or training for the
20. student or educator regarding positive behavioral interventions or the
21. consequences or trauma;
22. (d) Use restorative practices; and
23. (e) Provide training for school employees who interact with the
24. student.
25. (3) The school district, in consultation with the school
26. administrator, shall provide adequate staffing and professional
27. development to implement the plan.
28. (4) School districts shall provide an annual report to the State
29. Department of Education on the number of incidents involving the use of
30. violence, force, coercion, threat, intimidation, or similar conduct by a
31. student in a manner that constitutes a substantial interference with
32. school purposes.
33. (a) Nothing in this section shall be construed as limiting any
34. federally protected right of a student, including, but not limited to,
35. federally protected rights of students with disabilities.
36. (b) Notwithstanding any provision of this section to the contrary,
37. in the case of a student eligible for services under the federal
38. Individuals with Disabilities Education Act, 20 U.S.C. 1400 et seq., as
39. such sections existed on January 1, 2020, or protected from
40. discrimination under Section 504 of the federal Rehabilitation Act of
41. 1973, 29 U.S.C. 794, as such section existed on January 1, 2020, any
42. discussion or actions related to the identification, evaluation, or
43. educational placement of the student or the provision of a free,
Senator Linehan filed the following amendment to **LB1074**: **AM2860**

1. Insert the following new section:

2. Sec. 2. Section 77-2602.05, Reissue Revised Statutes of Nebraska, is amended to read:

4 77-2602.05 (1) A person that paid taxes applicable under section
5 77-2602 on cigarettes sold in an exempt transaction shall be eligible for
6 a refund of the taxes paid on those cigarettes.

7 (2) Exempt transactions, for purposes of this section and section
8 69-2703, are defined as:
9 (a) Cigarette sales on a federal installation in a transaction that
10 is exempt from state taxation under federal law; and
11 (b) Cigarette sales on an Indian tribe's Indian country to its
12 tribal members where state taxation is precluded by federal law.
13 (3) Except as provided in subsection (5) of this section, the person
14 seeking a refund of taxes shall submit an application to the Tax
15 Commissioner providing documentation sufficient to demonstrate (a) that
16 the cigarettes were sold in a package bearing the correct stamp required
17 under section 77-2603 or 77-2603.01 and that the stamp was one that
18 required payment of tax, (b) that the person paid the applicable taxes in
19 question, (c) that the cigarettes were sold in an exempt transaction, and
20 (d) that the person has not previously obtained the refund on the
21 cigarettes. The documentation shall include, in addition to information
22 necessary to meet the requirements of subdivisions (3)(a) through (d) of
23 this section and any other information that the Tax Commissioner may
24 reasonably require, documents showing the identity of the seller and
25 purchaser and the places of shipment and delivery of the cigarettes. The
26 Tax Commissioner shall verify the accuracy and completeness of the
27 required documentation and information before granting the requested
1 refund.
2 (4) If a meritorious refund claim under subsection (3) of this
3 section is not paid within sixty days after submission of the required
4 documentation, the refund shall include interest on the amount of such
5 refund at the rate specified in section 45-104.02 as such rate existed at
6 the date of submission of the required documentation.
7 (5) The Tax Commissioner and an Indian tribe may agree upon a tax
8 refund formula to operate in lieu of application for refunds under
9 subsection (3) of this section. The aggregate refund provided to an
10 Indian tribe under a formula for a year shall not exceed the aggregate
11 tax paid by entities owned and operated by that tribe or a member of that
12 tribe on cigarettes sold in exempt transactions on that tribe's Indian
13 country during that year. Refunds of taxes under subsection (3) of this
14 section shall not be available for cigarettes sold in exempt transactions
15 on an Indian tribe's Indian country by an Indian tribe that agrees upon a
16 refund formula under this subsection. Nothing in this subsection shall
17 limit the state's authority to enter into an agreement pursuant to
18 section 77-2602.06 pertaining to the collection and dissemination of any
19 cigarette taxes which may otherwise be inconsistent with this subsection.
20 (6) Any product that is taxed as a cigar under Title 26 of the
21 United States Code, as such title existed on January 1, 2020, and is a
22 cigarette for purposes of section 77-2602, shall not be treated as a
23 cigarette for purposes of (a) subdivision (4) of section 69-2702 and the
24 Master Settlement Agreement as defined in section 69-2702 or (b) the
25 Reduced Cigarette Ignition Propensity Act.
26 2. Renumber the remaining sections and correct the repealer
27 accordingly.
Senator Quick filed the following amendment to LB840:

AM2877

(Amendments to E & R amendments, ER180)

1. Strike sections 4 and 5 and insert the following new sections:

2. Sec. 4. Electronic smoking device means an electronic nicotine delivery system as defined in section 28-1418.01. The term includes any such device regardless of whether it is manufactured, distributed, marketed, or sold as an e-cigarette, e-cigar, e-pipe, e-hookah, or vape pen or under any other product name or descriptor. The term also includes any substance that is used in an electronic smoking device. The term does not include a diffuser, humidifier, prescription inhaler, or similar device.

3. Sec. 5. (1) Electronic smoking device retail outlet means a store that:

(a) Is licensed as provided under sections 28-1421 and 28-1422;

(b) Sells electronic smoking devices and products directly related to electronic smoking devices;

(c) Does not sell alcohol or gasoline;

(d) Derives no more than twenty percent of its revenue from the sale of groceries, including, but not limited to, coffee, soft drinks, and candy; and

(e) Prohibits persons under twenty-one years of age from entering the store in accordance with subsection (2) of this section.

2. (2)(a) Prior to January 1, 2022, an electronic smoking device retail outlet shall not allow a person under twenty-one years of age to enter the store but may allow an employee who is under twenty-one years of age to work in the store.

(b) On and after January 1, 2022, an electronic smoking device retail outlet shall not allow a person under twenty-one years of age to enter the store and shall not allow an employee who is under twenty-one years of age to work in the store.

COMMITTEE REPORT(S)

Revenue

LEGISLATIVE BILL 1013. Placed on General File with amendment.

AM2468

1. On page 3, strike lines 15 through 19 and insert the following

new subsection:

2. "(6) Any product that is taxed as a cigar under Title 26 of the United States Code, as such title existed on January 1, 2020, and is a cigarette for purposes of section 77-2602, shall not be treated as a cigarette for purposes of (a) subdivision (4) of section 69-2702 and the Master Settlement Agreement as defined in section 69-2702 or (b) the Reduced Cigarette Ignition Propensity Act."

(Signed) Lou Ann Linehan, Chairperson

VISITOR(S)

Visitors to the Chamber were Senator Geist's daughter-in-law, Rebecca Geist, from Lincoln; students from Peter Sarpy Elementary, Bellevue; members of OutNebraska from across the state; students from
St. Bonaventure School, Columbus; and members of the Heartland Workers Center from across the state.

RECESS

At 11:46 a.m., on a motion by Speaker Scheer, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood, Brewer, DeBoer, and Gragert who were excused.

GENERAL FILE

LEGISLATIVE BILL 910. Committee AM2163, found on page 749 and considered in this day's Journal, was renewed.

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

Senator McDonnell moved for a call of the house. The motion prevailed with 24 ayes, 2 nays, and 23 not voting.

The motion to cease debate prevailed with 25 ayes, 4 nays, and 20 not voting.

The committee amendment was adopted with 30 ayes, 6 nays, 7 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO166
Recommit to the Appropriations Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 1 nay, and 36 not voting.

Senator Chambers requested a roll call vote on the motion to recommit to committee.

Voting in the affirmative, 2:
La Grone    Wayne

Voting in the negative, 36:

Albrecht    Dorn    Hughes    Morfeld    Vargas
Arch        Friesen    Hunt    Moser    Walz
Bolz        Geist    Lathrop    Murman    Williams
Bostelman   Halloran    Lindstrom    Pansing    Brooks    Wishart
Brandt      Hansen, B.    Linehan    Quick
Briese       Hansen, M.    Lowe    Scheer
Clements    Hilkemann    McCollister    Slama
Crawford    Howard    McDonnell    Stinner

Present and not voting, 3:

Cavanaugh    Chambers    Kolowski

Excused and not voting, 8:

Blood        DeBoer    Gragert    Hilgers
Brewer       Erdman    Groene    Kolterman

The Chambers motion to recommit to committee failed with 2 ayes, 36 nays, 3 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO167
Reconsider the vote to recommit.

**SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 12 ayes, 3 nays, and 34 not voting.

Senator Chambers requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 2:

Chambers    Kolowski

Voting in the negative, 36:
The Chambers motion to reconsider failed with 2 ayes, 36 nays, 3 present and not voting, and 8 excused and not voting.

The Chair declared the call raised.

Pending.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 858.** Placed on Final Reading.

**LEGISLATIVE BILL 909.** Placed on Final Reading.

**ST49**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM2312, on page 2, line 10, "counsel, attorney, or financial" has been struck and "a counsel, an attorney, or a financial" inserted.

**LEGISLATIVE BILL 944.** Placed on Final Reading.

**ST48**

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Bolz amendment, AM2761, section 10 has been renumbered as section 12.
2. The Bostelman amendment, AM2414, has been struck.
3. In the Standing Committee amendments, AM2307:
   a. Section 59 and all amendments thereto have been struck and the following sections inserted:

   Sec. 91. Sections 3, 10, 15, 17, 18, 19, 21, 22, 23, 30, 31, 32, 33, 34, 36, 38, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 55, 88, 89, 90, and 92 of this act become operative on January 1, 2021. Sections 1, 2, 4, 5, 6, 9, 11, 12, 13, 14, 15, 16, 20, 24, 25, 26, 27, 28, 29, 35, 37, 39, 51, 52, 53, 54, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 66, 67, 68, 69, 70, 71, 72, 73, 74, 75, 76, 77, 78, 79, 80, 81, 82, 83, 84, 85, 86, 87, and 93 of this act become operative three calendar months after adjournment of this legislative session. The other sections of this act become operative on their effective date.
LEAGISLATIVE BILL 1016. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

RESOLUTION(S)

LEAGISLATIVE RESOLUTION 340. Introduced by Stinner, 48; Hughes, 44.

PURPOSE: The purpose of this interim study is to examine the extent of surface water irrigation in this state and the condition of the surface water
irrigation projects. The study shall also examine the economic, social, and environmental benefits of such irrigation projects.

The issues addressed by this interim study shall include, but not be limited to:

1. The number of irrigation districts, reclamation districts, public power and irrigation districts, and canal companies in the state;
2. The acres served with surface water irrigation and the number of surface water irrigators in the state;
3. The miles of canals, laterals, pipelines, and drains operated and maintained in the state for the purpose of surface water irrigation;
4. The number and size of dams, reservoirs, and lakes operated in the state as part of surface water irrigation projects, including those still under federal ownership through the Bureau of Reclamation;
5. Information about the age and condition of the surface water irrigation project facilities in the state;
6. Costs of operating and maintaining existing surface water irrigation projects, including amounts paid to the federal government for operation and maintenance of facilities operated by the federal government as part of such projects;
7. Benefits from the surface water irrigation projects other than the delivery of irrigation water; and
8. An estimate of future funding needs to address aging surface water infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND SESSION:
1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 341. Introduced by Halloran, 33.

WHEREAS, the Hastings High School wrestling team won the 2020 Class B State Wrestling Championship; and
WHEREAS, the Hastings Tigers wrestling team clinched the trophy before the championship matches began. Eight medalists and three finalists resulted in 140 team points, 24 1/2 more than second-place and perennial powerhouse, Omaha Skutt Catholic High School; and
WHEREAS, this is the Hastings Tigers' first championship title in wrestling since 1988; and
WHEREAS, the Hastings Tigers wrestling team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and
WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Hastings High School wrestling team and its coaches on winning the 2020 Class B State Wrestling Championship.
2. That a copy of this resolution be sent to the Hastings High School wrestling team and Coach Nolan Laux.

Laid over.

LEGISLATIVE RESOLUTION 342. Introduced by Gragert, 40.

WHEREAS, the Wynot High School girls' basketball team won the 2020 Class D-2 Girls State Basketball Championship; and
WHEREAS, the Wynot Blue Devils girls' basketball team defeated the Humphrey St. Francis Flyers with a score of 59-51, defending their state title; and
WHEREAS, the victory marked the Wynot Blue Devils' seventh championship in the past ten years and their tenth championship game appearance in the past eleven years; and
WHEREAS, the Wynot Blue Devils girls' basketball team members are positive role models of hard work, dedication, perseverance, and discipline for young athletes in their community; and
WHEREAS, such a team achievement is made possible through the support of teachers, administrators, parents, and the community; and
WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature recognizes and congratulates the Wynot High School girls' basketball team and its coaches on winning the 2020 Class D-2 Girls State Basketball Championship.
2. That a copy of this resolution be sent to the Wynot High School girls' basketball team and Coach Steve Wieseler.

Laid over.

LEGISLATIVE RESOLUTION 343. Introduced by Hansen, B., 16.

WHEREAS, Nathaniel Bonacci, a member of Troop 114 of Fort Calhoun, has completed the requirements for the rank of Eagle Scout in the Scouts BSA; and
WHEREAS, to earn the rank of Eagle Scout, the highest rank in scouting, a Scout must fulfill requirements in the areas of leadership, service, and outdoor skills. Throughout their scouting experience, these young people
have learned, been tested on, and been recognized for various scouting skills; and

WHEREAS, to achieve the rank of Eagle Scout, a Scout is required to earn 21 merit badges, 13 of which are in required areas, and complete an approved community service project; and

WHEREAS, Nathaniel built bird boxes for wood ducks at Summit Lake to help enhance and preserve wood duck populations and their habitat; and

WHEREAS, Nathaniel Bonacci, through hard work and perseverance has joined other high achievers who are Eagle Scouts, including astronauts, leaders of government and industry, artists, scientists, and athletes.

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

1. That the Legislature congratulates Nathaniel Bonacci on achieving the rank of Eagle Scout.

2. That a copy of this resolution be sent to Nathaniel Bonacci.

Laid over.

BILLS ON FIRST READING

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

LEGISLATIVE BILL 563A. Introduced by Bolz, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 563, One Hundred Sixth Legislature, Second Session, 2020.

LEGISLATIVE BILL 911A. Introduced by Quick, 35.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 911, One Hundred Sixth Legislature, Second Session, 2020; and to declare an emergency.

LEGISLATIVE BILL 965A. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 965, One Hundred Sixth Legislature, Second Session, 2020.

LEGISLATIVE BILL 1185A. Introduced by Howard, 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1185, One Hundred Sixth Legislature, Second Session, 2020.
AMENDMENT(S) - Print in Journal

Senator Hilkemann filed the following amendment to LB755: AM2829

(Amendments to Standing Committee amendments, AM2480)

1. Strike sections 9 and 15 and insert the following new section:

   Sec. 9. The podiatrist shall:
   (a) Be licensed to practice podiatry under the Podiatry Practice Act;
   (b) Have no restriction imposed by the board on such podiatrist's ability to supervise a physician assistant; and
   (c) Maintain a collaborative agreement with the physician assistant.

2. The podiatrist shall keep the collaborative agreement on file at the podiatrist's primary practice site, shall keep a copy of the collaborative agreement on file at each practice site where the physician assistant provides podiatry services, and shall make the collaborative agreement available to the board and the department upon request.

3. Supervision of a physician assistant by a supervising podiatrist shall be continuous but shall not require the physical presence of the supervising podiatrist at the time and place that the services are rendered. A physician assistant may render services in a setting that is geographically remote from the supervising podiatrist.

4. A supervising podiatrist may supervise no more than four physician assistants at any one time. The board may consider an application for waiver of this limit and may waive the limit upon a showing that the supervising podiatrist meets the minimum requirements for the waiver. The department may adopt and promulgate rules and regulations establishing minimum requirements for such waivers.

5. On page 4, line 9, strike "sections 7, 9, and 15" and insert "section 7"; in line 17 strike "sections 7 and 9" and insert "section 7"; in line 30 strike "or podiatrist" and insert "or under a collaborative agreement with the supervision of a podiatrist as provided by section 22 of this act"; and in line 31 strike "or podiatrist group".

6. On page 5, line 1, strike "or podiatrists"; and in line 12 strike "or supervising podiatrist".

7. On page 6, line 30, strike "or".

8. On page 7, line 1, strike "supervising podiatrist"; in line 5 strike "or supervising podiatrist"; and in line 13 strike "24" and insert 9, 22, 24.

9. On page 12, line 10, strike "22 to 24" and insert "20 to 23"; in line 16 strike "22 and 23" and insert "20 and 21"; and in line 26 strike "15" and insert "23".

10. On page 13, line 2, after the period insert "A physician assistant shall have at least one supervising podiatrist for each employer.

11. On page 14, line 20, strike "22 to 23" and insert "26 to 31".

12. On page 20, lines 23 and 28, strike "37" and insert "36".

13. Renumber the remaining sections accordingly.
Senator Slama filed the following amendment to LB1008:

AM2884

(Amendments to Standing Committee amendments, AM2737)

1. Strike section 26 and insert:

2 1. Strike section 26 and insert:

Sec. 26. AGENCY NO. 29 - DEPARTMENT OF NATURAL RESOURCES

Program No. 334 - Soil and Water Conservation

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<th>FY2019-20</th>
<th>FY2020-21</th>
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<tr>
<td>GENERAL FUND</td>
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<tr>
<td>CASH FUND</td>
<td>175,000</td>
</tr>
<tr>
<td>PROGRAM TOTAL</td>
<td>300,000</td>
</tr>
</tbody>
</table>

There is included in the appropriation to this program for FY2019-20

$125,000 General Funds for state aid, which shall only be used for such

purpose. There is included in the appropriation to this program for

FY2020-21

$-0- General Funds for state aid, which shall only be used for such

purpose.

There is included in the appropriation to this program for FY2019-20

$125,000 General Funds to provide a grant to a city with a population of

less than one thousand residents to carry out an engineering study to

develop cost estimates for repair of a breached levee system that

resulted in the flooding of drinking water and wastewater treatment

facilities.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 962. Placed on Final Reading.

ST50

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM2580, on page 5, line 13, "student-athlete" has been struck and "student-athletes" inserted.

LEGISLATIVE BILL 996. Placed on Final Reading.

ST46

The following changes, required to be reported for publication in the Journal, have been made:

1. On page 1, the matter beginning with "the" in line 1 through line 5 has been struck and "telecommunications; to amend section 49-14,101.03, Reissue Revised Statutes of Nebraska, and section 86-101, Revised Statutes Supplement, 2019; to create the Broadband Data Improvement Program; to provide for a government Internet network use policy for the Legislature; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

2. On page 2, line 3, "2" has been struck and "3" inserted.

LEGISLATIVE BILL 997. Placed on Final Reading.

LEGISLATIVE BILL 1014. Placed on Final Reading.

LEGISLATIVE BILL 1061. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 910. Senator Chambers offered the following motion:

MO168 Bracket until April 22, 2020.

Pending.
AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB790: AM2912 is available in the Bill Room.

Senators Lindstrom and Pansing Brooks filed the following amendment to LB808: AM2875 is available in the Bill Room.

GENERAL FILE

LEGISLATIVE BILL 1003. Title read. Considered.

Committee AM2651, found on page 863, was adopted with 36 ayes, 0 nays, 5 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Crawford filed the following amendment to LB322: AM2134

(Amendments to AM2082)

1 1. On page 1, line 8, strike "nineteen", show as stricken, and 2 insert "twenty-one"; in lines 12 and 25 strike "nineteen" and insert 3 "twenty-one"; and in line 15 after "check" insert "if such person is 4 under nineteen years of age".

5 2. On page 2, lines 5 and 8, strike "nineteen", show as stricken, 6 and insert "twenty-one".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LB755.

VISITOR(S)

Visitors to the Chamber were students, teacher, and sponsor from Elm Creek High School; and students from Bennet Elementary.

The Doctor of the Day was Drs. Audrey and Paul Paulsen from Omaha.
ADJOURNMENT

At 4:41 p.m., on a motion by Senator Cavanaugh, the Legislature adjourned until 9:00 a.m., Thursday, March 12, 2020.

Patrick J. O'Donnell
Clerk of the Legislature