THIRTY-EIGHTH DAY - MARCH 10, 2020

LEGISLATIVE JOURNAL

ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION

THIRTY-EIGHTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, March 10, 2020

PRAYER

The prayer was offered by Pastor Michael Warrick, Enduring Faith Christian Center, Omaha.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:20 a.m., Senator Williams presiding.

The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senators M. Hansen, Pansing Brooks, Quick, Slama, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-seventh day was approved.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 1008. Placed on General File with amendment. AM2737 is available in the Bill Room.

LEGISLATIVE BILL 1009. Placed on General File with amendment. AM273

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. The State Treasurer shall transfer three million eight
4 hundred thousand dollars from the General Fund to the Critical
5 Infrastructure Facilities Cash Fund on or before June 30, 2020, on such
6 date as directed by the budget administrator of the budget division of
7 the Department of Administrative Services.
8 Sec. 2. Section 9-1,101, Revised Statutes Supplement, 2019, is
9 amended to read:
10 9-1,101 (1) The Nebraska Bingo Act, the Nebraska County and City
11 Lottery Act, the Nebraska Lottery and Raffle Act, the Nebraska Pickle
12 Card Lottery Act, the Nebraska Small Lottery and Raffle Act, and section
13 9-701 shall be administered and enforced by the Charitable Gaming
14 Division of the Department of Revenue, which division is hereby created.
15 The Department of Revenue shall make annual reports to the Governor,
16 Legislature, Auditor of Public Accounts, and Attorney General on all tax
17 revenue received, expenses incurred, and other activities relating to the
18 administration and enforcement of such acts. The report submitted to the
19 Legislature shall be submitted electronically.
20 (2) The Charitable Gaming Operations Fund is hereby created. Any
21 money in the fund available for investment shall be invested by the state
22 investment officer pursuant to the Nebraska Capital Expansion Act and the
23 Nebraska State Funds Investment Act.
24 (3)(a) Forty percent of the taxes collected pursuant to sections
25 9-239, 9-344, 9-429, and 9-648 shall be available to the Charitable
26 Gaming Division for administering and enforcing the acts listed in
27 subsection (1) of this section and providing administrative support for
28 the Nebraska Commission on Problem Gambling. The remaining sixty percent
29 shall be transferred to the General Fund. Any portion of the forty
30 percent not used by the division in the administration and enforcement of
31 such acts and section shall be distributed as provided in this
32 subsection.
33 (b) Beginning July 1, 2019, through June 30, 2021, on or before the
34 last day of the last month of each calendar quarter, the State Treasurer
35 shall transfer one hundred thousand dollars from the Charitable Gaming
36 Operations Fund to the Compulsive Gamblers Assistance Fund.
37 July 1, 2021, on or before November 1 each year, the State Treasurer
38 shall transfer one hundred thousand dollars from the Charitable Gaming
39 Operations Fund to the Compulsive Gamblers Assistance Fund, except that
40 no transfer shall occur if the Charitable Gaming Operations Fund contains
41 less than one hundred thousand dollars.
42 (c) Any money remaining in the Charitable Gaming Operations Fund
43 after the transfer pursuant to subdivision (b) of this subsection not
44 used by the Charitable Gaming Division in its administration and
45 enforcement duties pursuant to this section may be transferred to the
46 General Fund and the Compulsive Gamblers Assistance Fund at the direction
47 of the Legislature.
48 (4) The Tax Commissioner shall employ investigators who shall be
49 vested with the authority and power of a law enforcement officer to carry
50 out the laws of this state administered by the Tax Commissioner or the
51 Department of Revenue and to enforce sections 28-1101 to 28-1117 relating
52 to possession of a gambling device. For purposes of enforcing sections
53 28-1101 to 28-1117, the authority of the investigators shall be limited
54 to investigating possession of a gambling device, notifying local law
55 enforcement authorities, and reporting suspected violations to the county
56 attorney for prosecution.
57 (5) The Charitable Gaming Division may charge a fee for publications
58 and listings it produces. The fee shall not exceed the cost of
59 publication and distribution of such items. The division may also charge
60 a fee for making a copy of any record in its possession equal to the
61 actual cost per page. The division shall remit the fees to the State
62 Treasurer for credit to the Charitable Gaming Operations Fund.
63 (6) For administrative purposes only, the Nebraska Commission on
64 Problem Gambling shall be located within the Charitable Gaming Division.
65 The division shall provide office space, furniture, equipment, and
66 stationery and other necessary supplies for the commission. Commission
67 staff shall be appointed, supervised, and terminated by the director of
68 the Gamblers Assistance Program pursuant to section 9-1004.
69 Sec. 3. Section 13-2704, Revised Statutes Supplement, 2019, is
70 amended to read:
71 13-2704 (1) The Civic and Community Center Financing Fund is
created. The fund shall be administered by the department. Any money in
the fund available for investment shall be invested by the state
investment officer pursuant to the Nebraska Capital Expansion Act and the
Nebraska State Funds Investment Act. Transfers may be made from the fund
to the General Fund, the Department of Revenue Enforcement Fund, and the
State Colleges Sport Facilities Cash Fund at the direction of the
Legislature.
(2) (a) The department shall use the Civic and Community Center
Financing Fund for the following purposes:
(i) For grants of assistance as described in section 13-2704.01;
(ii) For grants of assistance as described in section 13-2704.02;
and
(iii) For reasonable and necessary costs of the department directly
related to the administration of the fund, not to exceed the amount
needed to employ one half-time equivalent employee.
(b) Grants of assistance shall not be used for programming,
marketing, advertising, or facility-staffing activities.
(3) The State Treasurer shall transfer two hundred fifty thousand
dollars from the Civic and Community Center Financing Fund to the State
Colleges Sport Facilities Cash Fund on October 1 of 2012, 2013, and 2014.
Commencing October 1, 2015, and every year thereafter, the State
Treasurer shall transfer three hundred thousand dollars from the Civic
and Community Center Financing Fund to the State Colleges Sport
Facilities Cash Fund.
Sec. 4. Section 61-222, Reissue Revised Statutes of Nebraska, is
amended to read:
The Water Sustainability Fund is created in the Department of
Natural Resources. The fund shall be used in accordance with the
provisions established in Laws 2014, LB1098, and for costs directly
related to the administration of the fund, except that transfers may be
made from the fund as provided in this section.
The fund shall consist of money transferred to the fund by the
Legislature, other funds as appropriated by the Legislature, and money
received as gifts, bequests, or other contributions from public or private
entities. Funds made available by any department or agency of the United
States may also be credited to the fund if so directed by such department
or agency. Any money in the fund available for investment shall be
invested by the state investment officer pursuant to the Nebraska Capital
Expansion Act and the Nebraska State Funds Investment Act. Investment
earnings from investment of money in the fund shall be credited to the
fund.
It is the intent of the Legislature that twenty-one million dollars
be transferred from the General Fund to the Water Sustainability Fund in
each fiscal year 2014-15 and that eleven million dollars be transferred from
the General Fund to the Water Sustainability Fund each fiscal year
beginning in fiscal year 2015-16. It is the intent of the Legislature
that three million dollars be transferred annually from the Water
Sustainability Fund to the Nebraska Resources Development Fund in
FY2015-16 and in FY2016-17.
The State Treasurer shall transfer one hundred seventy-five thousand
dollars from the Water Sustainability Fund to the Department of Natural
Resources Cash Fund on or before June 30, 2020, on such dates and in such
amounts as directed by the budget administrator of the budget division of
the Department of Administrative Services.
The State Treasurer shall transfer four hundred twenty-five thousand
dollars from the Water Sustainability Fund to the Department of Natural
Resources Cash Fund on or before June 30, 2021, on such dates and in such
amounts as directed by the budget administrator of the budget division of
the Department of Administrative Services.
The State Treasurer shall transfer five hundred thousand dollars
from the Water Sustainability Fund to the General Fund on or before June 30, 2021, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services.

61-224, Reissue Revised Statutes of Nebraska, is amended to read:

There is hereby created the Critical Infrastructure Facilities Cash Fund in the Department of Natural Resources. The fund shall consist of funds appropriated or transferred by the Legislature. The fund shall be used by the Department of Natural Resources (1) to provide a grant to a natural resources district to offset costs related to soil and water improvements intended to protect critical infrastructure facilities within the district which includes military installations, transportation routes, and wastewater treatment facilities and (2) to provide a grant to an irrigation district for reimbursement of costs related to temporary repairs to the main canal and tunnels of an interstate irrigation system which experienced a failure. Any funds remaining after all such project costs have been completely funded shall be transferred to the General Fund. Transfers may be made from the Critical Infrastructure Facilities Cash Fund to the General Fund on or before June 30, 2019, on such dates and in such amounts as directed by the budget administrator of the budget division of the Department of Administrative Services. Any money in the Critical Infrastructure Facilities Cash Fund available for investment shall be invested by the state investment officer pursuant to the Nebraska Capital Expansion Act and the Nebraska State Funds Investment Act, and any interest earned by the fund shall be credited to the General Fund.

Sections 61-222 and 61-224, Reissue Revised Statutes of Nebraska, and sections 9-1,101 and 13-2704, Revised Statutes of Nebraska, are repealed.

The following section is outright repealed: Section 46-752, Reissue Revised Statutes of Nebraska.

Since an emergency exists, this act takes effect when passed and approved according to law.

(Signed) John Stinner, Chairperson

MESSAGE(S) FROM THE GOVERNOR

March 6, 2020

Mr. President, Speaker Scheer and Members of the Legislature

State Capitol

Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Racing Commission:

Shelby Bakenhus, 38578 490th Avenue, Saint Edward, NE 68660
The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,
(Signed) Pete Ricketts
Governor

Enclosures

GENERAL FILE

LEGISLATIVE BILL 912. The second committee amendment, AM2831, found on page 881, was renewed.

SPEAKER SCHEER PRESIDING

SENATOR WILLIAMS PRESIDING

Senator Lathrop moved for a call of the house. The motion prevailed with 24 ayes, 3 nays, and 22 not voting.

Senator Lathrop requested a roll call vote on the second committee amendment.

Voting in the affirmative, 21:

Bolz    DeBoer    Kolterman    Pansing Brooks    Wishart
Brandt  Hansen, M.  Lathrop    Quick
Cavanaugh Howard McCollister Vargas
Chambers Hunt McDonnell Walz
Crawford Kolowski Morfeld Wayne

Voting in the negative, 24:

Albrecht Dorn Groene La Grone Murman
Arch Erdman Halloran Lindstrom Scheer
Bostelman Friesen Hansen, B. Linehan Stinner
Briese Geist Hilgers Lowe Williams
Clements Gragert Hilkemann Moser

Excused and not voting, 4:

Blood Brewer Hughes Slama

The second committee amendment lost with 21 ayes, 24 nays, and 4 excused and not voting.

The Chair declared the call raised.
Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 5 present and not voting, and 5 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Bolz filed the following amendment to LB219:

AM2812

(AMENDMENTS TO E & R AMENDMENTS, ER166)

1 1. Strike section 3 and insert the following new sections:

2 Sec. 3. Section 68-1212, Revised Statutes Supplement, 2019, is amended to read:

3 Except as provided in subsection (2) of this section, and for all cases in which a court has awarded a juvenile to the care of the Department of Health and Human Services according to subsection (1) of section 43-285 and for any noncourt and voluntary cases, the case manager shall be an employee of the department. Such case manager shall be responsible for and shall directly oversee: Case planning; service authorization; investigation of compliance; monitoring and evaluation of the care and services provided to children and families; and decisionmaking regarding the determination of visitation and the care, placement, medical services, psychiatric services, training, and expenditures on behalf of each juvenile under subsection (1) of section 43-285. Such case manager shall be responsible for decisionmaking and direct preparation regarding the proposed plan for the care, placement, services, and permanency of the juvenile filed with the court required under subsection (2) of section 43-285. The health and safety of the juvenile shall be the paramount concern in the proposed plan in accordance with such subsection.

21 (2) The department may contract with a lead agency for a case management lead agency model pilot project in the department's eastern service area as designated pursuant to section 81-3116. The department shall include in the pilot project the appropriate conditions, performance outcomes, and oversight for the lead agency, including, but not limited to:

1 (a) The reporting and survey requirements of lead agencies described in sections 43-4406 and 43-4407;

3 (b) Departmental monitoring and functional capacities of lead agencies described in section 43-4408;

5 (c) The key areas of evaluation specified in subsection (3) of section 43-4409;

7 (d) Compliance and coordination with the strategic child welfare priorities determined by the Nebraska Children's Commission as provided in section 43-4204; and

10 (e) Assurance of financial accountability and reporting by the lead agency.

12 (3) A lead agency contracted to provide community-based care for children and families shall:

14 (a) Have a board of directors of which at least fifty-one percent of the membership is comprised of Nebraska residents who are not employed by the lead agency or by a subcontractor of the lead agency;

17 (b) Demonstrate readiness shown by the completion of a readiness assessment as developed by the Department of Health and Human Services to determine the lead agency's viability. The readiness assessment shall evaluate organizational, operational, and programmatic capabilities and performance, including the readiness reviews of the board of directors, compliance and oversight, financial risk management, financial liquidity and performance, infrastructure
24 maintenance; funding sources, including state, federal, and external
25 private funding; and operations, including reporting, staffing,
26 evaluation, training, supervision, contract monitoring, and program
27 performance tracking capabilities;
28 (c) Have the ability to provide directly or by contract through a
29 local network of providers the services required of a lead agency. A lead
30 agency shall not directly provide more than thirty-five percent of direct
31 services required under the contract; and
1 (d) Provide accountability for meeting the outcomes and performance
2 standards related to child welfare services established by Nebraska child
3 welfare policy and the federal government.
4 (4) Each condition of subsection (3) of this section shall be met
5 prior to the assumption of service provision by such lead agency under
6 this section. Nothing in this section shall prohibit the department from
7 phasing the transition of case management services to such lead agency
8 over a period of time.
9 (5) The Director of Children and Family Services of the Division of
10 Children and Family Services of the Department of Health and Human
11 Services shall notify the Health and Human Services Committee of the
12 Legislature when the readiness assessment required under subdivision (3)
13 (b) of this section is complete and provide assurance that the lead
14 agency has demonstrated full readiness, prior to the assumption of
15 service provision by such lead agency.
16 Sec. 4. Original section 43‑704, Revised Statutes Cumulative
17 Supplement, 2018, and sections 43‑1311.03 and 68‑1212, Revised Statutes
18 Supplement, 2019, are repealed.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 760. Placed on Select File with amendment.
ER198
†1. On page 1, line 2, after the semicolon insert "to define terms."

LEGISLATIVE BILL 965. Placed on Select File with amendment.
ER199
†1. On page 1, line 1, strike beginning with the second "to" through
2 line 7 and insert "to recognize American Sign Language as a distinct and
3 separate language; to authorize schools and postsecondary educational
4 institutions to offer courses in American Sign Language; to define terms;
5 to establish a language assessment program for children who are deaf or
6 hard of hearing; to provide duties for the Commission for the Deaf and
7 Hard of Hearing and the State Department of Education; to provide for an
8 advisory committee; and to provide a duty for the Revisor of Statutes."

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Business and Labor

LEGISLATIVE BILL 927. Placed on General File with amendment.
AM2822
†1. Strike original section 1 and insert the following new sections:
2 Section 1. The following sum of money, or so much thereof as may be
3 required, is hereby appropriated from the General Fund or from other
4 funds as indicated in the state treasury, not otherwise appropriated, for
5 the payment of a state settlement, which has been settled by the Attorney
6 General in the district court and which requires the approval of the
7 Legislature for payment.
8 §107,243.21 for 8:16CV546, a self-insured liability settlement with
9 Riley Nicole Shadie, against the State of Nebraska, pay to Michael D.
10 Gooch, Attorney, 7215 North 162nd Street, Bennington, NE 68007, out of
11 the General Fund.
12 The claim included in this section shall be paid through Program 536
13 in Agency 65.
14 For informational purposes only, the appropriation contained in this
15 section and fund source:
16 | FUND SOURCE | DOLLAR AMOUNT |
17 | GENERAL FUND | $107,243.21  |
18 | CASH FUND | $0- |
19 | REVOLVING FUND | $0- |
20 | TOTAL | $107,243.21 |
21 Sec. 2. The following sums of money, or so much thereof as may be
22 required, are hereby appropriated from the General Fund or from other
23 funds as indicated in the state treasury, not otherwise appropriated, for
24 the payment of tort claims which have been settled by the State Claims
25 Board and approved by the district court, which have been settled by the
26 Attorney General in the district court, or in which court judgments have
27 been entered and which require the approval of the Legislature for
28 payment.
29 $335,000.00 for Tort Claim Number 2017-16279, against the State of
30 Nebraska, pay to Disability Rights Nebraska Trust Account on behalf of
31 Ruth Cecetka, 134 South 13th Street, Suite 600, Lincoln, NE 68508, out of
32 the General Fund.
33 $350,000.00 for Tort Claim Numbers 2018-18149 and 2018-18150,
34 against the State of Nebraska, pay jointly to Christine Allen (now
35 "Harms") and Cynthia Allen; Woods & Aitken LLP, 301 South 13th Street,
36 Suite 500, Lincoln, NE 68508-2578, out of the General Fund.
37 The claims included in this section shall be paid through Program
38 591 in Agency 65.
39 For informational purposes only, the appropriations contained in
40 this section and fund source:
41 | FUND SOURCE | DOLLAR AMOUNT |
42 | GENERAL FUND | $1,185,000.00  |
43 | CASH FUND | $0- |
44 | REVOLVING FUND | $0- |
45 | TOTAL | $1,185,000.00 |
46 Sec. 4. The following sums of money, or so much thereof as may be
47 required, are hereby appropriated from the General Fund or from other
48 funds as indicated in the state treasury, not otherwise appropriated, for
49 the payment of tort claims which have been settled by the State Claims
50 Board and approved by the district court, which have been settled by the
51 Attorney General in the district court, or in which court judgments have
52 been entered and which require the approval of the Legislature for
53 payment.
54 $90,000.00 for Tort Claim Number 2016-15375, against the State of
55 Nebraska, pay to Jennifer Urbina and Dyer Law, Attorney, Dyer Law PC,
56 30th, 2611 South 117th Street, Omaha, NE 68144, out of the State Insurance
57 Fund.
58 $112,000.00 for Tort Claim Number 2016-16049, against the State of
59 Nebraska, pay to Copple and Rockey Trust Account, 2425 Taylor Avenue,
60 P.O. Box 78, Norfolk, NE 68701, out of the State Insurance Fund.
61 $323,846.79 for Tort Claim Number 2017-16406, against the State of
62 Nebraska, pay to Kevin Nibble and Law Office of Sodoro, Mooney, and
63 Lenaghan, 13924 Gold Circle, Omaha, NE 68144, out of the State Insurance
64 Fund.
The claims included in this section shall be paid through Program 9594 in Agency 65.

For informational purposes only, the appropriations contained in this section and fund source:

<table>
<thead>
<tr>
<th>FUND SOURCE</th>
<th>DOLLAR AMOUNT</th>
</tr>
</thead>
<tbody>
<tr>
<td>GENERAL FUND</td>
<td>$0-</td>
</tr>
<tr>
<td>CASH FUND</td>
<td>$0-</td>
</tr>
<tr>
<td>REVOLVING FUND</td>
<td>$525,846.79</td>
</tr>
<tr>
<td>TOTAL</td>
<td>$525,846.79</td>
</tr>
</tbody>
</table>

17 On page 3, after line 4, insert the following new paragraph:

"$25,000.00 for a workers' compensation claim, pay to Michael Morgan and Joe Dowding, Dowding, Dowding, Dowding & Urbom Law Office, 201 North 8th Street, Suite 242, P.O. Box 83103, Lincoln, NE 68510, out of the Workers' Compensation Claims Revolving Fund."

18 Strike "$257,733.72" and insert "$282,733.72".

19 3. On page 4, line 7, strike "$113,813.12" and insert "$110,998.88"; in line 13 strike "$63,386,644.68" and insert "$63,342,441.64"; and in line 21 strike "$4.00" and insert "$3.00".

20 Renumber the remaining sections accordingly.

(Signed) Matt Hansen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 1140. Title read. Considered.

Committee AM2663, found on page 834, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 45 ayes, 0 nays, 2 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 1144. Title read. Considered.

Committee AM2785, found on page 878, was adopted with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 3 present and not voting, and 3 excused and not voting.

VISITOR(S)

Visitors to the Chamber were Kate Kelley from Omaha; students from Cottonwood Elementary, Omaha; students and teacher from Central Valley High School, Greeley; and Ella Levy from Omaha.

RECESS

At 11:44 a.m., on a motion by Senator Wishart, the Legislature recessed until 1:30 p.m.
AFTER RECESS
The Legislature reconvened at 1:30 p.m., Senator Lindstrom presiding.

ROLL CALL
The roll was called and all members were present except Senators Blood and Brewer who were excused; and Senator Pansing Brooks who was excused until she arrives.

GENERAL FILE

LEGISLATIVE BILL 1188. Title read. Considered.

Committee AM2736, found on page 839, was offered.

Senator Brandt offered his amendment, AM2769, found on page 879, to the committee amendment.

Senator Brandt moved for a call of the house. The motion prevailed with 22 ayes, 4 nays, and 23 not voting.

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

Voting in the affirmative, 32:

Arch  DeBoer  Howard  McDonnell  Vargas  
Bolz    Dorn   Hunt   Morfeld   Walz  
Brandt  Friesen Kolowski Murman  Wayne  
Briese  Gragert Kolterman Pansing Brooks Williams  
Cavanaugh Hansen, B. Lathrop Quick  
Chambers Hansen, M. Lindstrom Scheer  
Crawford Hilkemann McCollister Stinner

Voting in the negative, 9:

Albrecht  Clements  Geist  Lowe  Slama  
Bostelman Erdman La Grone Moser  

Present and not voting, 3:

Halloran Hughes Linehan

Excused and not voting, 5:

Blood Brewer Groene Hilgers Wishart

The Brandt amendment was adopted with 32 ayes, 9 nays, 3 present and not voting, and 5 excused and not voting.
The Chair declared the call raised.

The committee amendment, as amended, was adopted with 32 ayes, 5 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 4 nays, 7 present and not voting, and 6 excused and not voting.

**COMMITTEE REPORT(S)**

**General Affairs**

**LEGISLATIVE BILL 1064.** Placed on General File.

(Signed) Tom Briese, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services
Room 1510

Wednesday, March 18, 2020 1:00 p.m.
Rui Yi - Stem Cell Research Advisory Committee
Daniel J. Rosenthal - State Board of Health
Benjamin R. Iske - Nebraska Rural Health Advisory Commission

(Signed) Sara Howard, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 1148.** Title read. Considered.

**SPEAKER SCHEER PRESIDING**

Committee AM2637, found on page 785, was offered.

**SENIOR LINDSTROM PRESIDING**

Senator Lathrop offered his amendment, AM2666, found on page 796, to the committee amendment.

Senator Vargas moved for a call of the house. The motion prevailed with 21 ayes, 3 nays, and 24 not voting.

The Lathrop amendment was adopted with 27 ayes, 0 nays, 15 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.
Senator Lathrop offered his amendment, AM2810, found on page 876, to the committee amendment.

The Lathrop amendment was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 1 nay, 8 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 1 nay, 6 present and not voting, and 7 excused and not voting.

LEGISLATIVE BILL 835. Title read. Considered.

Committee AM2185, found on page 481, was offered.

Senator Chambers offered the following amendment to the committee amendment:

FA109
Amend AM2185
P.1, line 24, strike "proper" and insert "appropriate".

SENATOR HUGHES PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Geist filed the following amendment to LB814:

AM2867
1. Strike original section 8 and insert the following new section:
2 Sec. 8. Upon request in any civil, criminal, or administrative
3 proceeding or action brought under sections 3 to 7 of this act, the court
4 shall take every possible measure allowable under the law to protect the
5 anonymity of any woman upon whom an abortion has been performed or
6 attempted to be performed and to preserve her identity from public
7 disclosure. The court shall make a ruling, accompanied by specific
8 written findings, explaining why the anonymity of the woman should or
9 should not be preserved from public disclosure. Upon determining that her
10 anonymity should be preserved, the court shall issue orders to the
11 parties, witnesses, and counsel and shall direct the sealing of the
12 record and exclusion of individuals from courtrooms or hearing rooms to
13 the extent necessary to safeguard her identity from public disclosure.
14 Each such order shall be accompanied by specific written findings
15 explaining why the anonymity of the woman should be preserved from public
16 disclosure, why the order is essential to that end, how the order is
17 narrowly tailored to serve that interest, and why no less restrictive
18 alternative exists. In the absence of written consent of the woman upon
19 whom an abortion is performed or attempted to be performed, any person
20 other than a public official who brings an action under section 4 or 5 of
21 this act shall do so under a pseudonym. This section may not be construed
22 to conceal the identity of the plaintiff or of witnesses from the
defendant or from attorneys for the defendant.
Senator Williams filed the following amendment to LB1055: AM2856
(Amendments to E & R amendments, ER195
1 1. On page 23, line 10, strike "direct pecuniary fee", show as
2 stricken, and insert "payment, fee:"; strike lines 26 through 30 and show
3 as stricken; and in line 31 strike ",(7)"; show as stricken, and insert
4 "(0)".
5 2. On page 24, line 6, strike "(8)"; show as stricken, and insert
6 "(2)"; in line 11 strike "(9)"; show as stricken, and insert "(8)"; and
7 in line 13 strike "(10)(a)"; show as stricken, and insert "(9)(a)".

GENERAL FILE

LEGISLATIVE BILL 835. The Chambers amendment, FA109, found in
this day's Journal, to the committee amendment, was renewed.

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 his amendment.

Voting in the affirmative, 0.

Voting in the negative, 41:

<table>
<thead>
<tr>
<th>Albrecht</th>
<th>Dorn</th>
<th>Hilkemann</th>
<th>Linehan</th>
<th>Stinner</th>
</tr>
</thead>
<tbody>
<tr>
<td>Arch</td>
<td>Friesen</td>
<td>Howard</td>
<td>Lowe</td>
<td>Vargas</td>
</tr>
<tr>
<td>Bolz</td>
<td>Geist</td>
<td>Hughes</td>
<td>McDonnell</td>
<td>Wayne</td>
</tr>
<tr>
<td>Bostelman</td>
<td>Gragert</td>
<td>Hunt</td>
<td>Morfeld</td>
<td>Williams</td>
</tr>
<tr>
<td>Brandt</td>
<td>Groene</td>
<td>Kolowski</td>
<td>Moser</td>
<td>Wishart</td>
</tr>
<tr>
<td>Briese</td>
<td>Halloran</td>
<td>Kolterman</td>
<td>Murman</td>
<td></td>
</tr>
<tr>
<td>Clements</td>
<td>Hansen, B.</td>
<td>La Grone</td>
<td>Quick</td>
<td></td>
</tr>
<tr>
<td>Crawford</td>
<td>Hansen, M.</td>
<td>Lathrop</td>
<td>Scheer</td>
<td></td>
</tr>
<tr>
<td>DeBoer</td>
<td>Hilgers</td>
<td>Lindstrom</td>
<td>Slama</td>
<td></td>
</tr>
</tbody>
</table>

Present and not voting, 4:

<table>
<thead>
<tr>
<th>Cavanaugh</th>
<th>Chambers</th>
<th>Erdman</th>
<th>Pansing Brooks</th>
</tr>
</thead>
</table>

Excused and not voting, 4:

<table>
<thead>
<tr>
<th>Blood</th>
<th>Brewer</th>
<th>McCollister</th>
<th>Walz</th>
</tr>
</thead>
</table>

The Chambers amendment lost with 0 ayes, 41 nays, 4 present and not
voting, and 4 excused and not voting.

The Chair declared the call raised.

Pending.
AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB1198:

AM2844
1. Insert the following new section:
2 Sec. 2. There is hereby appropriated $52,000,000 from the General
3 Fund for FY2020-21 to the Department of Correctional Services for the
4 construction or expansion of a community corrections facility with three
5 hundred new beds in the Omaha metropolitan area.
6 The new or expanded facility shall be consistent with the increase
7 of community corrections capacity in the Omaha area recommended in Phase
8 1 of the Department of Correctional Services 2014 Master Plan Report.

BILL ON FIRST READING

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

LEGISLATIVE BILL 918A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to
aid in carrying out the provisions of Legislative Bill 918, One Hundred

GENERAL FILE

LEGISLATIVE BILL 835. Senator Chambers offered the following
motion:

MO164
Reconsider the vote taken on FA109.

Senator Chambers asked unanimous consent to withdraw his motion to
reconsider. No objections. So ordered.

Committee AM2185, found on page 481 and considered in this day's
Journal, was renewed.

The committee amendment was adopted with 30 ayes, 0 nays, 11 present
and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 7 present
and not voting, and 8 excused and not voting.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator DeBoer name added to LB627.
Senator DeBoer name added to LB755.
VISITOR(S)

Visitors to the Chamber were Amelia Stoner from Lincoln; students from Harvey Oaks Elementary, Omaha; a group from the University of Nebraska from across the state; and Phil, Jessica, and Josh Gebers from Lincoln.

The Doctor of the Day was Dr. Bret Elliott from Omaha.

MOTION - Adjournment

Senator Pansing Brooks moved to adjourn until 9:00 a.m., Wednesday, March 11, 2020.

Senator Chambers moved for a call of the house. The motion failed with 7 ayes, 27 nays, and 15 not voting.

Senator Wayne requested a roll call vote on the motion to adjourn.

The Pansing Brooks motion to adjourn prevailed with 28 ayes, 8 nays, 5 present and not voting, and 8 excused and not voting, and at 4:57 p.m., the Legislature adjourned until 9:00 a.m., Wednesday, March 11, 2020.

Patrick J. O'Donnell
Clerk of the Legislature