

FORTY-FIFTH DAY - JULY 21, 2020

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION**

FORTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, July 21, 2020

PRAYER

The prayer was offered by Senator DeBoer.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senator Hilkemann who was excused until he arrives.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-fourth day was approved.

BILL ON FIRST READING

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

LEGISLATIVE BILL 755A. Introduced by Blood, 3.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 755, One Hundred Sixth Legislature, Second Session, 2020.

SELECT FILE

LEGISLATIVE BILL 944A. Considered.

Advanced to Enrollment and Review for Engrossment.

MOTION(S) - Return LB1140 to Select File

Senator Howard moved to return LB1140 to Select File for the following specific amendment:

[AM3121](#)

(Amendments to AM3035)

1 1. On page 10, line 15, strike "2,".

The Howard motion to return prevailed with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 1140. The Howard specific amendment, [AM3121](#), found in this day's Journal, was adopted with 46 ayes, 0 nays, 2 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

BILLS ON FINAL READING**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB344 with 36 ayes, 5 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 344.

A BILL FOR AN ACT relating to agriculture; to amend sections 37-478, 37-479, 37-505, 37-524, 37-1402, 54-706.12, 54-778, 54-797, 54-2293, 54-2304, 54-2314, 54-2757, and 81-202, Reissue Revised Statutes of Nebraska, and sections 2-3812, 54-626, 54-645, 54-7,105, 54-7,105.01, 54-7,107, 54-7,108, 54-1158, and 54-1371, Revised Statutes Cumulative Supplement, 2018; to adopt the Animal Health and Disease Control Act; to eliminate and provide general powers and duties of and for the Department of Agriculture; to eliminate the Nebraska Poultry Disease Control Act, the Bovine Tuberculosis Act, the Anthrax Control Act, the Animal Importation Act, the Nebraska Swine Brucellosis Act, the Nebraska Bovine Brucellosis Act, the Pseudorabies Control and Eradication Act, the Scrapie Control and Eradication Act, and the Bureau of Animal Industry; to terminate the Bovine Tuberculosis Cash Fund, the Anthrax Control Act Cash Fund, the Brucellosis Control Cash Fund, the Pseudorabies Control Cash Fund, and the Scrapie Control Cash Fund and make fund transfers to and create the Animal Health and Disease Control Cash Fund; to provide for criminal and administrative penalties; to harmonize provisions; to provide a duty for the Revisor of Statutes; to repeal the original sections; and to outright repeal

sections 2-3001, 2-3002, 2-3003, 2-3004, 2-3005, 2-3006, 2-3007, 2-3008, 54-701, 54-701.01, 54-701.02, 54-702, 54-702.01, 54-706.01, 54-706.02, 54-706.03, 54-706.04, 54-706.05, 54-706.06, 54-706.07, 54-706.08, 54-706.09, 54-706.10, 54-706.11, 54-706.13, 54-706.14, 54-706.15, 54-706.16, 54-706.17, 54-743, 54-744, 54-745, 54-746, 54-747, 54-753.01, 54-753.04, 54-764, 54-765, 54-766, 54-767, 54-768, 54-769, 54-770, 54-771, 54-772, 54-773, 54-774, 54-775, 54-776, 54-777, 54-779, 54-780, 54-781, 54-785, 54-786, 54-787, 54-788, 54-790, 54-791, 54-792, 54-793, 54-794, 54-795, 54-796, 54-1348, 54-1349, 54-1350, 54-1351, 54-1352, 54-1353, 54-1354, 54-1355, 54-1356, 54-1357, 54-1358, 54-1359, 54-1360, 54-1361, 54-1362, 54-1363, 54-1364, 54-1365, 54-1366, 54-1367, 54-1368, 54-1369, 54-1370, 54-1372, 54-1373, 54-1374, 54-1375, 54-1376, 54-1377, 54-1378, 54-1379, 54-1380, 54-1381, 54-1383, 54-1384, 54-2235, 54-2236, 54-2237, 54-2238, 54-2239, 54-2240, 54-2241, 54-2242, 54-2243, 54-2244, 54-2245, 54-2246, 54-2247, 54-2248, 54-2249, 54-2250, 54-2251, 54-2252, 54-2253, 54-2254, 54-2255, 54-2256, 54-2257, 54-2258, 54-2259, 54-2260, 54-2262, 54-2262.01, 54-2263, 54-2264, 54-2265, 54-2266, 54-2267, 54-2268, 54-2269, 54-2270, 54-2271, 54-2276, 54-2277, 54-2278, 54-2279, 54-2280, 54-2281, 54-2283, 54-2286, 54-2287, 54-2288, 54-2289, 54-2290, 54-2291, 54-2292, 54-2294, 54-2295, 54-2296, 54-2297, 54-2298, 54-2299, 54-22,100, 54-2701, 54-2702, 54-2703, 54-2704, 54-2705, 54-2706, 54-2707, 54-2708, 54-2709, 54-2710, 54-2711, 54-2712, 54-2713, 54-2714, 54-2715, 54-2716, 54-2717, 54-2718, 54-2719, 54-2720, 54-2721, 54-2722, 54-2723, 54-2724, 54-2725, 54-2726, 54-2727, 54-2728, 54-2729, 54-2730, 54-2731, 54-2732, 54-2733, 54-2734, 54-2735, 54-2736, 54-2737, 54-2738, 54-2739, 54-2740, 54-2741, 54-2742, 54-2743, 54-2744, 54-2745, 54-2746, 54-2747, 54-2748, 54-2749, 54-2750, 54-2751, 54-2752, 54-2753, 54-2754, 54-2755, 54-2756, 54-2758, 54-2759, 54-2760, 54-2761, 81-202.01, and 81-202.02, Reissue Revised Statutes of Nebraska, sections 54-701.03, 54-704, 54-705, 54-742, 54-750, 54-751, 54-752, 54-753, 54-784.01, 54-789, 54-7,110, and 54-1382, Revised Statutes Cumulative Supplement, 2018, and sections 54-703 and 54-744.01, Revised Statutes Supplement, 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, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Cavanaugh

Excused and not voting, 1:

Hilkemann

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 770.

A BILL FOR AN ACT relating to game and parks; to amend section 37-438, Reissue Revised Statutes of Nebraska, as amended by section 10, Legislative Bill 287, One Hundred Sixth Legislature, Second Session, 2020; to change the fees for annual and temporary permits for nonresident motor vehicles; to provide for disabled veteran permits; to provide powers for the Game and Parks Commission; 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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilkemann

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

LEGISLATIVE BILL 870. With Emergency Clause.

A BILL FOR AN ACT relating to cities and villages; to amend section 18-201, Revised Statutes Supplement, 2019; to change provisions relating to direct borrowing; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilkemann

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB909 with 39 ayes, 4 nays, 5 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 909. With Emergency Clause.

A BILL FOR AN ACT relating to banking and finance; to amend sections 8-224.01, 30-3205, 45-191.02, 45-191.09, 45-601, 45-602, 45-605, 45-606, 45-609, 45-610, 45-611, 45-620, 45-623, 45-905, 45-906, 45-912, 45-915, 45-1017, 45-1033, and 59-1725.01, Reissue Revised Statutes of Nebraska, sections 8-103, 8-141, 8-167, 45-901, 45-902, 45-910, 45-911, 52-1308, and 59-1722, Revised Statutes Cumulative Supplement, 2018, sections 8-135, 8-143.01, 8-157.01, 8-183.04, 8-1,140, 8-318, 8-355, 8-1101, 8-1101.01, 8-1103, 8-1111, 8-1704, 8-1707, 21-17,115, 69-2103, 69-2104, 69-2112, 77-2398, and 77-23,100, Revised Statutes Supplement, 2019, section 9-513A, Uniform Commercial Code, Revised Statutes Cumulative Supplement, 2018, and section 4A-108, Uniform Commercial Code, Revised Statutes Supplement, 2019; to change financial institution loan provisions relating to Department of Banking and Finance employees; to redefine a term and update a federal reference relating to loan limits; to update and change references to certain federal provisions under the Nebraska Banking Act, building and loan association provisions, the Securities Act of Nebraska, the Commodity Code, the Seller-Assisted Marketing Plan Act, and the Consumer Rental Purchase Agreement Act; to eliminate a bank reporting notice requirement and exemption; to redefine terms under the Securities Act of Nebraska; to revise powers of state-chartered banks, building and loan associations, and credit unions; to authorize financial institutions to place a hold on certain customer transactions in cases of financial exploitation; to provide exceptions from certain prohibited investments and authorize investments in certain securities, shares, and interests by trust companies; to change obsolete civil penalty provisions; to change the fund for remittance of loan broker filing fees; to authorize licensees under the Collection Agency Act to be licensed and registered through the Nationwide Mortgage Licensing System and Registry, define and redefine terms, and change certain fee and license renewal provisions; to update a definition, define a term, add a processing fee, and change licensing provisions under the Delayed Deposit Services Licensing Act; to change provisions relating to examinations under the Nebraska Installment Loan Act; to change provisions relating to farm product liens and actions relating to termination statements; to change

provisions relating to secured deposits and pooled collateral and change reporting requirements under the Public Funds Deposit Security Act; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 8-167.01, Revised Statutes Supplement, 2019; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilkemann

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

The following bills were read and put upon final passage:

LEGISLATIVE BILL 962.

A BILL FOR AN ACT relating to postsecondary institutions; to amend sections 48-2610 and 48-2614, Reissue Revised Statutes of Nebraska; to adopt the Nebraska Fair Pay to Play Act; to change the Nebraska Uniform Athlete Agents Act; to provide severability; 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, 37:

Arch	Crawford	Hunt	Morfeld	Vargas
Blood	DeBoer	Kolowski	Moser	Walz
Bolz	Dorn	Kolterman	Murman	Wayne
Brandt	Gragert	La Grone	Pansing Brooks	Williams
Brewer	Hansen, M.	Lathrop	Quick	Wishart
Briese	Hilgers	Lindstrom	Scheer	
Cavanaugh	Howard	McCollister	Slama	
Chambers	Hughes	McDonnell	Stinner	

Voting in the negative, 6:

Albrecht	Clements	Friesen
Bostelman	Erdman	Lowe

Present and not voting, 5:

Geist	Groene	Halloran	Hansen, B.	Linehan
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Excused and not voting, 1:

Hilkemann

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

LEGISLATIVE BILL 996. With Emergency Clause.

A BILL FOR AN ACT relating to 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 powers and duties for the Public Service Commission under the Nebraska Telecommunications Regulation Act; 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.

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

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 1:

Erdman

Excused and not voting, 1:

Hilkemann

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

LEGISLATIVE BILL 997.

A BILL FOR AN ACT relating to insurance; to adopt the Out-of-Network Emergency Medical Care Act; and to provide an operative date.

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

Voting in the negative, 0.

Present and not voting, 1:

Hansen, B.

Excused and not voting, 1:

Hilkemann

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

LEGISLATIVE BILL 1014.

A BILL FOR AN ACT relating to insurance; to amend sections 44-7601, 44-7603, 44-7604, 44-7605, 44-7606, 44-7612, 44-7614, and 44-7617, Reissue Revised Statutes of Nebraska; to change the Multiple Employer Welfare Arrangement Act as prescribed; 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, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilkemann

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

WITHDRAW - Amendment to LB1016

Senator M. Hansen withdrew his amendment, [FA112](#), found on page 944, to LB1016.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 1016. With Emergency Clause.

A BILL FOR AN ACT relating to labor; to amend sections 48-1228, 48-1231, 48-2107, and 48-2907, Revised Statutes Cumulative Supplement, 2018, and sections 48-622.03 and 48-1234, Revised Statutes Supplement, 2019; to change reporting requirements for the Department of Labor; to prohibit retaliation or discrimination by employers as prescribed; to provide and change requirements for claims under the Nebraska Wage Payment and Collection Act; to provide restrictions on employers with unpaid citations under the act; to require public posting of certain information related to compliance with the act; to change fee provisions under the Contractor Registration Act; to change enforcement provisions under the Employee Classification Act; to eliminate provisions related to service letters, high voltage lines, and private employment agencies; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 48-209, 48-210, 48-211, 48-440, 48-501.01, 48-503, 48-504, 48-505, 48-506, 48-507, 48-508, 48-510, 48-511, 48-512, 48-513, 48-514, 48-515, 48-516, 48-517, 48-518, 48-519, 48-520, 48-521, 48-523, and 48-524, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Voting in the affirmative, 42:

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

Voting in the negative, 4:

Albrecht	Clements	Erdman	Lowe
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Present and not voting, 2:

Arch	Brewer
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Excused and not voting, 1:

Hilkemann

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB1054 with 35 ayes, 6 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1054. With Emergency Clause.

A BILL FOR AN ACT relating to retirement; to amend sections 79-932, 84-1317, 84-1320, and 84-1321, Reissue Revised Statutes of Nebraska, sections 23-2301, 23-2315, 23-2319, 24-701, 24-708, 81-2014, 81-2025, and 84-1301, Revised Statutes Cumulative Supplement, 2018, and sections 23-2317, 79-902, and 84-1319, Revised Statutes Supplement, 2019; to define required beginning date and change deferral of payment provisions under the County Employees Retirement Act, Judges Retirement Act, School Employees Retirement Act, Nebraska State Patrol Retirement Act, and State Employees Retirement Act; to harmonize provisions; to provide severability; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Hilkemann

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause 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 LB1061 with 32 ayes, 4 nays, 12 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 1061.

A BILL FOR AN ACT relating to children; to amend sections 28-710.01, 43-4331, and 71-3405, Reissue Revised Statutes of Nebraska, sections 28-712 and 28-712.01, Revised Statutes Cumulative Supplement, 2018, and sections 28-710, 28-713, and 43-4203, Revised Statutes Supplement, 2019; to change the Child Protection and Family Safety Act; to eliminate a committee of the Nebraska Children's Commission; 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	Clements	Hansen, B.	Lindstrom	Scheer
Arch	Crawford	Hansen, M.	Linehan	Slama
Blood	DeBoer	Hilgers	Lowe	Vargas
Bolz	Dorn	Howard	McCollister	Wayne
Bostelman	Erdman	Hughes	McDonnell	Williams
Brandt	Friesen	Hunt	Morfeld	Wishart
Brewer	Geist	Kolowski	Moser	
Briese	Gragert	Kolterman	Murman	
Cavanaugh	Groene	La Grone	Pansing Brooks	
Chambers	Halloran	Lathrop	Quick	

Voting in the negative, 0.

Present and not voting, 2:

Stinner Walz

Excused and not voting, 1:

Hilkemann

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

MOTION(S) - Return LB858 to Select File

Senator Hughes moved to return LB858 to Select File for his specific amendment, [AM2997](#), found on page 1018.

The Hughes motion to return prevailed with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 858. The Hughes specific amendment, [AM2997](#), found on page 1018, was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION(S) - Return LB924 to Select File

Senator Chambers moved to return LB924 to Select File for his specific amendment, [AM3000](#), found on page 1018.

The Chambers motion to return prevailed with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 924. The Chambers specific amendment, [AM3000](#), found on page 1018, was adopted with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

MOTION(S) - Return LB153 to Select File

Senator Brewer moved to return LB153 to Select File for his specific amendment, [AM3003](#), found on page 1021.

The Brewer motion to return prevailed with 47 ayes, 0 nays, 1 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 153. The Brewer specific amendment, [AM3003](#),

found on page 1021, was adopted with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

SPEAKER SIGNED

While the Legislature was in session and capable of transacting business, the Speaker signed the following: LBs 344, 770, 870, 909, 962, 996, 997, 1014, 1016, 1054, and 1061.

COMMITTEE REPORT(S)

Judiciary

LEGISLATIVE BILL 966. Placed on General File with amendment.
[AM2947](#) is available in the Bill Room.

LEGISLATIVE BILL 1004. Placed on General File with amendment.
[AM3094](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 43-2101, Revised Statutes Supplement, 2019, is
4 amended to read:
5 43-2101 (1) All persons under nineteen years of age are declared to
6 be minors, but in case any person marries under the age of nineteen
7 years, his or her minority ends.
8 (2) Upon becoming the age of majority, a person is considered an
9 adult and acquires all rights and responsibilities granted or imposed by
10 statute or common law, except that a person:
11 (a) Eighteen years of age or older and who is not a ward of the
12 state may:
13 (i) Enter into a binding contract or lease of whatever kind or
14 nature and shall be legally responsible for such contract or lease,
15 including legal responsibility to third parties;
16 (ii) Execute, sign, authorize, or otherwise authenticate (A) an
17 effective financing statement, (B) a promissory note or other instrument
18 evidencing an obligation to repay, or (C) a mortgage, trust deed,
19 security agreement, financing statement, or other security instrument to
20 grant a lien or security interest in real or personal property or
21 fixtures, and shall be legally responsible for such document, including
22 legal responsibility to third parties; and
23 (iii) Acquire or convey title to real property and shall have legal
24 responsibility for such acquisition or conveyance, including legal
25 responsibility to third parties; ~~and~~
26 (b) Eighteen years of age or older may consent to mental health
27 services for himself or herself without the consent of his or her parent
1 or guardian; -
2 (c) Eighteen years of age or older may make health care decisions
3 for himself or herself without the consent of his or her parent or
4 guardian; and
5 (d) Under nineteen years of age and who is committed to the
6 Department of Correctional Services for secure care may consent to, and
7 make decisions regarding, such person's medical care, mental health
8 services, and related services during the period of the person's
9 commitment to the department without the consent of such person's parent
10 or guardian.

11 Sec. 2. Section 83-1,102, Revised Statutes Cumulative Supplement,
12 2018, is amended to read:

13 83-1,102 The Director of Supervision and Services shall:

14 (1) Supervise and administer the Division of Parole Supervision;

15 (2) Establish and maintain policies, standards, and procedures for
16 the field parole service and the community supervision of sex offenders
17 pursuant to section 83-174.03. The policies, standards, and procedures
18 for the field parole service shall include specific caseload standards
19 for parole officers and specific policies, standards, and procedures for
20 the use of electronic monitoring of parolees;

21 (3) Divide the state into parole districts and appoint district
22 parole officers and such other employees as may be required to carry out
23 adequate parole supervision of all parolees, prescribe their powers and
24 duties, and obtain division offices for staff in each district as may be
25 necessary;

26 (4) Cooperate with the Board of Parole, the courts, the Community
27 Corrections Division of the Nebraska Commission on Law Enforcement and
28 Criminal Justice, and all other agencies, public and private, which are
29 concerned with the treatment or welfare of persons on parole;

30 (5) Provide the Board of Parole and district judges with any record
31 of a parolee which the board or such judges may require;

1 (6) Make recommendations to the Board of Parole or district judge in
2 cases of violation of the conditions of parole, issue warrants for the
3 arrest of parole violators when so instructed by the board or district
4 judge, notify the Director of Correctional Services of determinations
5 made by the board, and upon instruction of the board, issue certificates
6 of parole and of parole revocation to the facilities and certificates of
7 discharge from parole to parolees;

8 (7) Organize and conduct training programs for the district parole
9 officers and other employees;

10 (8) Use the funds provided under section 83-1,107.02 to augment
11 operational or personnel costs associated with the development,
12 implementation, and evaluation of enhanced parole-based programs and
13 purchase services to provide such programs aimed at enhancing adult
14 parolee supervision in the community and treatment needs of parolees.
15 Such enhanced parole-based programs include, but are not limited to,
16 specialized units of supervision, related equipment purchases and
17 training, and programs that address a parolee's vocational, educational,
18 mental health, behavioral, or substance abuse treatment needs, including
19 evidence-based peer and family support programs;

20 (9) Ensure that any risk or needs assessment instrument utilized by
21 the system be periodically validated;

22 (10) Request adequate funding to ensure sufficient staffing levels
23 to comply with state law, including section 83-1,103, and all policies,
24 standards, and procedures;

25 (11) On or before January 1, 2021, and by each January 1 thereafter,
26 report (10) Report annually to the Governor and electronically to the
27 Clerk of the Legislature beginning January 1, 2015, the number of parole
28 revocations and the number of technical violations of parole for the
29 preceding calendar year. The report shall also include detailed
30 statistics on the caseloads of parole officers, including the number of
31 parolees supervised by each parole officer and the offense types and risk
1 assessment levels of parolees supervised by parole officers; and

2 (12) (11) Exercise all powers and perform all duties necessary and
3 proper in carrying out his or her responsibilities.

4 Sec. 3. Section 83-1,110, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 83-1,110 (1) Every committed offender shall be eligible for parole
7 when the offender has served one-half the minimum term of his or her
8 sentence as provided in sections 83-1,107 and 83-1,108 or two years prior

9 to the offender's mandatory discharge date, whichever is earlier. The
 10 board shall conduct a parole review not later than sixty days prior to
 11 the date a committed offender becomes eligible for parole as provided in
 12 this subsection, except that if a committed offender is eligible for
 13 parole upon his or her commitment to the department, a parole review
 14 shall occur as early as is practical. No such reduction of sentence shall
 15 be applied to any sentence imposing a mandatory minimum term.
 16 (2) Every committed offender sentenced to consecutive terms, whether
 17 received at the same time or at any time during the original sentence,
 18 shall be eligible for release on parole when the offender has served the
 19 total of one-half the minimum term as provided in sections 83-1,107 and
 20 83-1,108 or two years prior to the offender's mandatory discharge date,
 21 whichever is earlier. The maximum terms shall be added to compute the new
 22 maximum term which, less good time, shall determine the date when
 23 discharge from the custody of the state becomes mandatory.
 24 Sec. 4. Original section 83-1,110, Reissue Revised Statutes of
 25 Nebraska, section 83-1,102, Revised Statutes Cumulative Supplement, 2018,
 26 and section 43-2101, Revised Statutes Supplement, 2019, are repealed.

LEGISLATIVE BILL 1221. Placed on General File with amendment.
[AM2614](#) is available in the Bill Room.

(Signed) Steve Lathrop, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 350. Introduced by Arch, 14; Howard, 9;
 Williams, 36.

PURPOSE: The purpose of this resolution is to examine the role of telehealth services during the COVID-19 pandemic of 2020 and the practices and regulations that were adjusted in order to effectively meet health care needs during the crisis. The study shall examine the aspects of telehealth that could be modified to provide for the responsible evolution of this component of the health care system, including, but not limited to, the following:

- (1) The types of health care services that are delivered through telehealth;
- (2) The costs of telehealth services and the reimbursement structure for services in the Nebraska medicaid program and in private insurance plans;
- (3) The utilization of telehealth services during the pandemic compared to previous years and the anticipated utilization in future years;
- (4) The electronic technology utilized in the delivery of telehealth services and the ability to protect patient privacy; and
- (5) The occupational licensing necessary to provide quality telehealth services and the potential barriers licensing regulations place on the delivery of health care services through telehealth.

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

1. That the Health and Human Services Committee and the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall upon the conclusion of their study make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 910. Considered.

SENATOR WILLIAMS PRESIDING

Senator Chambers withdrew his motion, [MO168](#), found on page 918, to bracket until April 22, 2020.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 16 present and not voting, and 1 excused and not voting.

LEGISLATIVE BILL 424. Committee amendment, [AM509](#), found on page 705 and considered on pages 1198, 1199, 1451, First Session, 2019, and page 712, was renewed.

Senator Hilgers renewed his amendment, [FA102](#), found on page 716 and considered on page 725, to the committee amendment.

Senator Hilgers withdrew his amendment.

Senator Quick withdrew his amendment, [AM2686](#), found on page 804.

Senator Quick offered his amendment, [AM2847](#), found on page 949, to the committee amendment.

Pending.

PRESENTED TO THE GOVERNOR

Presented to the Governor on July 21, 2020, at 11:15 a.m. were the following: LBs 344, 770, 870e, 909e, 962, 996e, 997, 1014, 1016e, 1054e, and 1061.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 344, 770, 870e, 909, 962, 996e, 997, 1014, 1016e, 1054e, and 1061.

(Signed) Robert Hilkemann

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Cavanaugh name added to LB43.

RECESS

At 11:57 a.m., on a motion by Senator McCollister, the Legislature recessed until 1:30 p.m.

AFTER RECESS

The Legislature reconvened at 1:30 p.m., Senator Hughes presiding.

ROLL CALL

The roll was called and all members were present except Senators Howard, Morfeld, and Wayne who were excused until they arrive.

COMMITTEE REPORT(S)

Business and Labor

LEGISLATIVE BILL 1160. Placed on General File with amendment.

[AM3084](#)

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Sections 1 to 4 of this act shall be known and may be
4 cited as the Nebraska Statewide Workforce and Education Reporting System
5 Act.
6 Sec. 2. The Legislature finds that:
7 (1) In order to promote strong economic development policies, good
8 jobs, growing businesses, and thriving communities, it is the intent of
9 the Legislature that the state support the continued planning and
10 development of the Nebraska Statewide Workforce and Education Reporting
11 System;
12 (2) As recommended in the 2019 Nebraska Economic Development Task
13 Force Report, it is the long-term goal of the state to target resources
14 and focus data analysis on assessing workforce development and employment
15 success;
16 (3) The Nebraska Statewide Workforce and Education Reporting System
17 is envisioned as a comprehensive, sustainable, and robust lifelong
18 learning and workforce longitudinal data system serving the needs of the
19 people of Nebraska;
20 (4) The Nebraska Statewide Workforce and Education Reporting System
21 collaboration has its roots in Legislative Bill 1071 enacted by the One
22 Hundred First Legislature, Second Session, which directed the Board of
23 Regents of the University of Nebraska, the State Board of Education, the
24 Board of Trustees of the Nebraska State Colleges, and the Community
25 College Board of Governors for each community college area to adopt a
26 policy to share student data. In 2019, such partners completed the legal
27 formation of the Nebraska Statewide Workforce and Education Reporting

1 System as a joint public entity under the Interlocal Cooperation Act in
 2 order to cooperate for mutual advantage with regard to data initiatives;
 3 and
 4 (5) The Nebraska Statewide Workforce and Education Reporting System
 5 shall be a comprehensive, sustainable, robust, lifelong learning and
 6 workforce longitudinal data system to enable the training of tomorrow's
 7 workforce, today.
 8 Sec. 3. The Nebraska Statewide Workforce and Education Reporting
 9 System allows Nebraska to:
 10 (1) Provide workforce-outcomes data to postsecondary institutions to
 11 guide program, educator, and institutional improvement;
 12 (2) Support students and parents in understanding what education,
 13 training, and career pathways best prepare students for occupational
 14 success;
 15 (3) Provide comprehensive data about student success and workforce
 16 outcomes to policymakers to inform decisions and resource allocation;
 17 (4) Track workforce outcomes in order to better align programs with
 18 demands in the labor market;
 19 (5) Disaggregate student outcomes by race, ethnicity, gender, and
 20 economic status in order to identify and close educational attainment
 21 gaps; and
 22 (6) Identify the long-term return on investment from early education
 23 programs.
 24 Sec. 4. (1) The Department of Labor shall execute a memorandum of
 25 understanding with the Nebraska Statewide Workforce and Education
 26 Reporting System before December 31, 2020, to ensure the exchange of
 27 available Department of Labor data throughout the prekindergarten to
 28 postsecondary education to workforce continuum, and may utilize data and
 29 agreements under sections 79-776, 85-110, 85-309, and 85-1511.
 30 (2) The Nebraska Statewide Workforce and Education Reporting System
 31 shall issue a report electronically to the Clerk of the Legislature on or
 1 before December 1, 2021. Such report shall make recommendations on the
 2 planning and development of the Nebraska Statewide Workforce and
 3 Education Reporting System, including, but not limited to, additional
 4 data and stakeholder needs and potential future funding.
 5 Sec. 5. Since an emergency exists, this act takes effect when passed
 6 and approved according to law.

(Signed) Matt Hansen, Chairperson

GENERAL FILE

LEGISLATIVE BILL 424. Senator Quick renewed his amendment, [AM2847](#), found on page 949 and considered in this day's Journal, to the committee amendment.

The Quick amendment was adopted with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

Committee [AM509](#), as amended, was adopted with 30 ayes, 0 nays, 18 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 11 nays, and 12 present and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 351. Introduced by Brewer, 43; Briese, 41; Groene, 42; Linehan, 39; Murman, 38.

WHEREAS, Wayne "Rusty" Ruppert has served Nebraska schools for forty-nine years: twenty-five years as a teacher, eight years as a principal, and sixteen years as a superintendent; and

WHEREAS, Mr. Ruppert coached five different sports over forty-nine years: Football, basketball, track, wrestling, and swimming. Two of the football teams were state-champion runner-ups, and one girls' basketball team was Class D-2 state champion; and

WHEREAS, Mr. Ruppert is the father of three sons: Eric, Brandon, and Raif; and

WHEREAS, Mr. Ruppert has served on multiple boards and organizations, including being president of the Nebraska Association of School Administrators Region Activity Conference and serving on the Nebraska Six-Man Football Coaches Association.

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

1. That the Legislature recognizes the achievements and dedication of Rusty Ruppert.
2. That a copy of this resolution be sent to Rusty Ruppert.

Laid over.

GENERAL FILE

LEGISLATIVE BILL 147. Senator Wayne renewed his motion, [MO38](#), found on page 1006, First Session, 2019, and considered on pages 258, 267, and 270, to indefinitely postpone pursuant to Rule 6, Sec. 3(f) .

PRESIDENT FOLEY PRESIDING

Pending.

AMENDMENT(S) - Print in Journal

Senator Blood filed the following amendment to [LB814](#):

[AM3141](#)

1 1. On page 6, strike lines 1 and 2 and insert the following new
2 subdivision:

3 "(b) The father of the unborn child if paternity was proven at the

4 time the dismemberment abortion was performed; or".

Senator Blood filed the following amendment to [LB814](#):

[AM3140](#)

1 1. On page 6, strike lines 3 through 5 and insert the following new

2 subdivision:

3 "(c) The grandparents of the unborn child.".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 352. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to explore the enforcement of the ordinances and codes of cities of the second class and villages to promote the public welfare and economic development. The interim study shall include, but not be limited to, an examination of the following:

- (1) How cities of the second class and villages across Nebraska provide ordinance and code enforcement;
- (2) How other cities of the second class and villages across the country provide municipal and village ordinance and code enforcement;
- (3) Resources available to such political subdivisions to ensure such ordinance and code enforcement;
- (4) The unique challenges smaller cities and villages face in such ordinance and code enforcement; and
- (5) The resources the state can provide and potential laws the Legislature can consider to assist such political subdivisions in such ordinance and code enforcement.

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

1. That the Urban Affairs 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.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 338, 339, 341, 342, and 343 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 338, 339, 341, 342, and 343.

GENERAL FILE

LEGISLATIVE BILL 147. Senator Chambers offered the following motion:

[MO181](#)

Recommit to the Education Committee.

Pending.

AMENDMENT(S) - Print in Journal

Senator Hilkemann filed the following amendment to [LB1106](#):

[AM3122](#)

(Amendments to Standing Committee amendments, AM2870)

1 1. Strike the original sections and all amendments thereto and

2 insert the following new sections:

3 Section 1. Section 77-4212, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 77-4212 (1) For tax year 2007, the amount of relief granted under

6 the Property Tax Credit Act shall be one hundred five million dollars.

7 For tax year 2008, the amount of relief granted under the act shall be

8 one hundred fifteen million dollars. It is the intent of the Legislature

9 to fund the Property Tax Credit Act for tax years after tax year 2008

10 using available revenue. For tax year 2017, the amount of relief granted

11 under the act shall be two hundred twenty-four million dollars. For tax

12 year 2020, the amount of relief granted under the act shall be five

13 hundred million dollars. The relief shall be in the form of a property

14 tax credit which appears on the property tax statement.

15 (2)(a) For tax years prior to tax year 2017, to determine the amount

16 of the property tax credit, the county treasurer shall multiply the

17 amount disbursed to the county under subdivision (4)(a) of this section

18 by the ratio of the real property valuation of the parcel to the total

19 real property valuation in the county. The amount determined shall be the

20 property tax credit for the property.

21 (b) Beginning with tax year 2017, to determine the amount of the

22 property tax credit, the county treasurer shall multiply the amount

23 disbursed to the county under subdivision (4)(b) of this section by the

24 ratio of the credit allocation valuation of the parcel to the total

25 credit allocation valuation in the county. The amount determined shall be

26 the property tax credit for the property.

1 (3) If the real property owner qualifies for a homestead exemption

2 under sections 77-3501 to 77-3529, the owner shall also be qualified for

3 the relief provided in the act to the extent of any remaining liability

4 after calculation of the relief provided by the homestead exemption. If

5 the credit results in a property tax liability on the homestead that is

6 less than zero, the amount of the credit which cannot be used by the

7 taxpayer shall be returned to the State Treasurer by July 1 of the year

8 the amount disbursed to the county was disbursed. The State Treasurer

9 shall immediately credit any funds returned under this subsection to the

10 Property Tax Credit Cash Fund. Upon the return of any funds under this

11 subsection, the county treasurer shall electronically file a report with

12 the Property Tax Administrator, on a form prescribed by the Tax

13 Commissioner, indicating the amount of funds distributed to each taxing

14 unit in the county in the year the funds were returned, any collection

15 fee retained by the county in such year, and the amount of unused credits

16 returned.

17 (4)(a) For tax years prior to tax year 2017, the amount disbursed to

18 each county shall be equal to the amount available for disbursement
19 determined under subsection (1) of this section multiplied by the ratio
20 of the real property valuation in the county to the real property
21 valuation in the state. By September 15, the Property Tax Administrator
22 shall determine the amount to be disbursed under this subdivision to each
23 county and certify such amounts to the State Treasurer and to each
24 county. The disbursements to the counties shall occur in two equal
25 payments, the first on or before January 31 and the second on or before
26 April 1. After retaining one percent of the receipts for costs, the
27 county treasurer shall allocate the remaining receipts to each taxing
28 unit levying taxes on taxable property in the tax district in which the
29 real property is located in the same proportion that the levy of such
30 taxing unit bears to the total levy on taxable property of all the taxing
31 units in the tax district in which the real property is located.

1 (b) Beginning with tax year 2017, the amount disbursed to each
2 county shall be equal to the amount available for disbursement determined
3 under subsection (1) of this section multiplied by the ratio of the
4 credit allocation valuation in the county to the credit allocation
5 valuation in the state. By September 15, the Property Tax Administrator
6 shall determine the amount to be disbursed under this subdivision to each
7 county and certify such amounts to the State Treasurer and to each
8 county. The disbursements to the counties shall occur in two equal
9 payments, the first on or before January 31 and the second on or before
10 April 1. After retaining one percent of the receipts for costs, the
11 county treasurer shall allocate the remaining receipts to each taxing
12 unit based on its share of the credits granted to all taxpayers in the
13 taxing unit.

14 (5) For purposes of this section, credit allocation valuation means
15 the taxable value for all real property except agricultural land and
16 horticultural land, one hundred twenty percent of taxable value for
17 agricultural land and horticultural land that is not subject to special
18 valuation, and one hundred twenty percent of taxable value for
19 agricultural land and horticultural land that is subject to special
20 valuation.

21 (6) The State Treasurer shall transfer from the General Fund to the
22 Property Tax Credit Cash Fund one hundred five million dollars by August
23 1, 2007, and one hundred fifteen million dollars by August 1, 2008.

24 (7) The Legislature shall have the power to transfer funds from the
25 Property Tax Credit Cash Fund to the General Fund.

26 Sec. 2. Section 84-612, Revised Statutes Supplement, 2019, is
27 amended to read:

28 84-612 (1) There is hereby created within the state treasury a fund
29 known as the Cash Reserve Fund which shall be under the direction of the
30 State Treasurer. The fund shall only be used pursuant to this section.

31 (2) The State Treasurer shall transfer funds from the Cash Reserve
1 Fund to the General Fund upon certification by the Director of
2 Administrative Services that the current cash balance in the General Fund
3 is inadequate to meet current obligations. Such certification shall
4 include the dollar amount to be transferred. Any transfers made pursuant
5 to this subsection shall be reversed upon notification by the Director of
6 Administrative Services that sufficient funds are available.

7 (3) In addition to receiving transfers from other funds, the Cash
8 Reserve Fund shall receive federal funds received by the State of
9 Nebraska for undesignated general government purposes, federal revenue
10 sharing, or general fiscal relief of the state.

11 (4) The State Treasurer, at the direction of the budget
12 administrator of the budget division of the Department of Administrative
13 Services, shall transfer not to exceed forty million seven hundred
14 fifteen thousand four hundred fifty-nine dollars in total from the Cash
15 Reserve Fund to the Nebraska Capital Construction Fund between July 1,

16 2013, and June 30, 2018.

17 (5) The State Treasurer shall transfer the following amounts from
18 the Cash Reserve Fund to the Nebraska Capital Construction Fund on such
19 dates as directed by the budget administrator of the budget division of
20 the Department of Administrative Services:

21 (a) Seven million eight hundred four thousand two hundred ninety-two
22 dollars on or after June 15, 2016, but before June 30, 2016;

23 (b) Five million fifty-eight thousand four hundred five dollars on
24 or after July 1, 2018, but before June 30, 2019, on such dates and in
25 such amounts as directed by the budget administrator of the budget
26 division of the Department of Administrative Services;

27 (c) Fifteen million three hundred seventy-eight thousand three
28 hundred nine dollars on or after January 1, 2019, but before June 30,
29 2019, on such dates and in such amounts as directed by the budget
30 administrator of the budget division of the Department of Administrative
31 Services; and

1 (d) Fifty-four million seven hundred thousand dollars on or after
2 July 1, 2019, but before June 15, 2021, on such dates and in such amounts
3 as directed by the budget administrator of the budget division of the
4 Department of Administrative Services.

5 (6) The State Treasurer shall transfer seventy-five million two
6 hundred fifteen thousand three hundred thirteen dollars from the Cash
7 Reserve Fund to the Nebraska Capital Construction Fund on or before July
8 31, 2017, on such date as directed by the budget administrator of the
9 budget division of the Department of Administrative Services.

10 (7) The State Treasurer shall transfer thirty-one million dollars
11 from the Cash Reserve Fund to the General Fund after July 1, 2017, but
12 before July 15, 2017, on such date as directed by the budget
13 administrator of the budget division of the Department of Administrative
14 Services.

15 (8) The State Treasurer shall transfer thirty-one million dollars
16 from the Cash Reserve Fund to the General Fund after October 1, 2017, but
17 before October 15, 2017, on such date as directed by the budget
18 administrator of the budget division of the Department of Administrative
19 Services.

20 (9) The State Treasurer shall transfer thirty-one million dollars
21 from the Cash Reserve Fund to the General Fund after January 1, 2018, but
22 before January 15, 2018, on such date as directed by the budget
23 administrator of the budget division of the Department of Administrative
24 Services.

25 (10) The State Treasurer shall transfer thirty-two million dollars
26 from the Cash Reserve Fund to the General Fund after April 1, 2018, but
27 before April 15, 2018, on such date as directed by the budget
28 administrator of the budget division of the Department of Administrative
29 Services.

30 (11) The State Treasurer shall transfer one hundred million dollars
31 from the Cash Reserve Fund to the General Fund on or before June 30,
1 2018, on such dates and in such amounts as directed by the budget
2 administrator of the budget division of the Department of Administrative
3 Services.

4 (12) The State Treasurer shall transfer forty-eight million dollars
5 from the Cash Reserve Fund to the General Fund after March 1, 2019, but
6 before March 15, 2019, on such date as directed by the budget
7 administrator of the budget division of the Department of Administrative
8 Services.

9 (13) The State Treasurer shall transfer one hundred twenty-five
10 million dollars from the Cash Reserve Fund to the Property Tax Credit
11 Cash Fund after September 1, 2020, but before September 15, 2020, on such
12 date as directed by the budget administrator of the budget division of
13 the Department of Administrative Services.

14 Sec. 3. Original section 77-4212, Reissue Revised Statutes of
 15 Nebraska, and section 84-612, Revised Statutes Supplement, 2019, are
 16 repealed.
 17 Sec. 4. Since an emergency exists, this act takes effect when
 18 passed and approved according to law.

RECESS

At 5:38 p.m., on a motion by Senator Quick, the Legislature recessed until
 6:45 p.m.

AFTER RECESS

The Legislature reconvened at 6:45 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Blood
 and Wayne who were excused; and Senator Bolz who was excused until she
 arrives.

GENERAL FILE

LEGISLATIVE BILL 920. Title read. Considered.

Committee [AM2388](#), found on page 586, was offered.

Senator Groene offered the following amendment to the committee
 amendment:

[AM2907](#)

(Amendments to Standing Committee amendments, AM2388)

- 1 1. On page 4, strike beginning with "The" in line 15 through the
 2 period in line 25 and show the old matter as stricken.
- 3 2. On page 5, line 3, strike "(c)" and insert "(b)"; in line 8
 4 strike "(d)" and insert "(c)"; in line 16 strike "(i)", show as stricken,
 5 and insert "(A)"; in line 17 strike "(ii)", show as stricken, and insert
 6 "(B)"; and in line 29 strike "(e)" and insert "(d)".
- 7 3. On page 6, line 1, strike "(f)" and insert "(e)"; after line 2
 8 insert the following new subsection:
 9 "(8) A portion of each transfer pursuant to subdivisions (5)(b),
 10 (c), (d), (e), (f), (g), and (i) of this section may be retained by the
 11 agency administering the fund to which such transfer is made for actual
 12 and necessary expenses incurred by such agency for administration,
 13 evaluation, and technical assistance related to the purposes of the
 14 transfer."; in lines 3 and 15 strike "(8)(a)" and insert "(9)(a)"; and in
 15 line 27 strike "(9)" and insert "(10)".
- 16 4. On page 7, line 2, strike "(10)" and insert "(11)"; and in line 8
 17 strike "(11)" and insert "(12)".
- 18 5. On page 43, line 9, strike "(8)" and insert "(9)".

The Groene amendment was adopted with 41 ayes, 0 nays, 5 present and not
 voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 43 ayes, 0 nays, 3 present and not voting, and 3 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.

LEGISLATIVE BILL 1064. Title read. Considered.

Senator Briese offered the following amendment:

[AM3062](#)

1 1. On page 6, line 10, strike "June" and insert "October".

The Briese amendment was adopted with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

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

LEGISLATIVE BILL 1052. Title read. Considered.

Committee [AM2645](#), found on page 834, was offered.

Pending.

MOTION(S) - Place LB814 on General File

Senator Geist offered her motion, [MO165](#), found on page 903, to place LB814 on General File pursuant to Rule 3, Sec. 20(b).

Pending.

AMENDMENT(S) - Print in Journal

Senator Howard filed the following amendment to [LB1124](#):

[AM3127](#)

1 1. Strike original section 6 and insert the following new section:
2 Sec. 6. (1) The Nebraska Opioid Recovery Fund is created. The fund
3 shall include all recoveries received on behalf of the state by the
4 Department of Justice pursuant to the Consumer Protection Act or the
5 Uniform Deceptive Trade Practices Act related to the advertising of
6 opioids. The fund shall include any money, payments, or other things of
7 value in the nature of civil damages or other payment, except criminal
8 penalties, whether such recovery is by way of verdict, judgment,
9 compromise, or settlement in or out of court, of any case or controversy
10 pursuant to such acts. The Department of Justice shall remit any such
11 revenue to the State Treasurer for credit to the Nebraska Opioid Recovery
12 Fund.
13 (2) Any funds appropriated, expended, or distributed from the
14 Nebraska Opioid Recovery Fund shall be spent in accordance with the terms
15 of any verdict, judgment, compromise, or settlement in or out of court,
16 of any case or controversy brought by the Attorney General pursuant to
17 the Consumer Protection Act or the Uniform Deceptive Trade Practices Act.

18 (3) The fund shall exclude funds held in a trust capacity where
 19 specific benefits accrue to specific individuals, organizations,
 20 political subdivisions, or governments. Such excluded funds shall be
 21 deposited in the State Settlement Trust Fund pursuant to section
 22 59-1608.05.

23 (4) Any money in the Nebraska Opioid Recovery Fund available for
 24 investment shall be invested by the state investment officer pursuant to
 25 the Nebraska Capital Expansion Act and the Nebraska State Funds
 26 Investment Act.

Senator Brewer filed the following amendment to LB781:
AM2693

(Amendments to Standing Committee amendments, AM2445)

1 1. Strike amendment 1 and insert the following new amendments:

2 1. Strike original section 8 and insert the following new sections:

3 Sec. 7. Section 23-1605, Revised Statutes Cumulative Supplement,
 4 2018, is amended to read:

5 23-1605 (1)(a) During the months of January and July of each year,
 6 the county treasurer shall cause a tabulated statement of the affairs of
 7 the county treasurer's office to be published in a legal newspaper
 8 published in the county. In counties having more than two hundred fifty
 9 thousand inhabitants, the statement shall be published in a daily legal
 10 newspaper published in the county.

11 (b) If no legal newspaper is published in the county, the statement
 12 shall be published in a legal newspaper of general circulation within the
 13 county.

14 (c) The county shall pay the newspaper reasonable compensation for
 15 the publication of such statement.

16 (d) The statement shall show the receipts and disbursements of the
 17 county treasurer's office for the last preceding six months ending June
 18 30 and December 31, including (i) the amount of money received and for
 19 what fund category, (ii) the amount of disbursements and from what fund
 20 category, (iii) the ending fund balance in each fund category, (iv) the
 21 amount of outstanding warrants or orders registered and unpaid, (v) the
 22 total balance, and (vi) the total amount of unpaid claims of the county
 23 as of June 30 and December 31 of each year, as certified to the county
 24 treasurer by the county clerk.

25 (2) The county treasurer may also publish the statement on a web
 26 site maintained by the county.

1 (3) If a newspaper cannot publish the statement in a timely manner,
 2 publication on a county's web site shall be considered compliance with
 3 subsection (1) of this section.

4 The county treasurer shall, during the months of July and January of
 5 each year, cause to be published in a legal newspaper, and in counties
 6 having more than two hundred fifty thousand inhabitants in a daily legal
 7 newspaper printed in the county, or if there is no legal newspaper
 8 published in the county, in a legal newspaper of general circulation
 9 within the county, a tabulated statement of the affairs of the county
 10 treasurer's office, showing the receipts and disbursements of the office
 11 for the last preceding six months ending June 30 and December 31.

12 Sec. 9. Sections 1, 2, 3, 4, 5, 6, 7, 10, and 12 of this act become
 13 operative three calendar months after the adjournment of this legislative
 14 session. The other sections of this act become operative on their
 15 effective date.

16 Sec. 10. Original sections 14-553, 15-317, and 23-1601, Reissue
 17 Revised Statutes of Nebraska, sections 17-605, 17-606, and 23-1605,
 18 Revised Statutes Cumulative Supplement, 2018, and section 16-318, Revised
 19 Statutes Supplement, 2019, are repealed.

20 Sec. 11. Original section 84-304, Revised Statutes Supplement,
 21 2019, is repealed.

22 Sec. 12. The following sections are outright repealed: Sections
23 23-1606 and 23-1607, Reissue Revised Statutes of Nebraska.
24 Sec. 13. Since an emergency exists, this act takes effect when
25 passed and approved according to law.
26 4. Renumber the remaining sections accordingly.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1140. Placed on Final Reading.

[ST53](#)

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

1. In the Howard amendment, AM3035:
 - a. On page 2, line 27, "be" has been struck; and
 - b. On page 9, line 22, "Service" has been struck and "Services" inserted.
2. In the E&R amendments, ER214, on page 1, lines 4 and 5, "operations requirements for youth rehabilitation and treatment centers" has been struck and "requirements for operating a youth rehabilitation and treatment center" inserted; and in line 8 "require" has been struck and "authorize" inserted.

LEGISLATIVE BILL 1144. Placed on Final Reading.

LEGISLATIVE BILL 1188. Placed on Final Reading.

[ST62](#)

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

1. In the E&R amendments, ER212, on page 23, line 7, "and the Department of Health and Human Services" has been inserted after "Services"; the matter beginning with "to" in line 9 through the semicolon in line 12 has been struck; and in line 17 "and provide and change duties of the department" has been struck.

(Signed) Julie Slama, Chairperson

MOTION(S) - Place LB814 on General File

Senator Geist renewed her motion, [MO165](#), found on page 903 and considered in this day's Journal, to place LB814 on General File pursuant to Rule 3, Sec. 20(b).

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

Senator Slama moved for a call of the house. The motion prevailed with 33 ayes, 1 nay, and 15 not voting.

Senator Slama requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 27:

Albrecht	Clements	Groene	La Grone	Murman
Arch	Dorn	Halloran	Lindstrom	Scheer
Bostelman	Erdman	Hansen, B.	Linehan	Slama
Brandt	Friesen	Hilgers	Lowe	
Brewer	Geist	Hilkemann	McDonnell	
Briese	Gragert	Hughes	Moser	

Voting in the negative, 12:

Cavanaugh	DeBoer	Hunt	Morfeld
Chambers	Hansen, M.	Lathrop	Pansing Brooks
Crawford	Howard	McCollister	Vargas

Present and not voting, 6:

Kolterman	Stinner	Williams
Quick	Walz	Wishart

Excused and not voting, 4:

Blood	Bolz	Kolowski	Wayne
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The motion to cease debate prevailed with 27 ayes, 12 nays, 6 present and not voting, and 4 excused and not voting.

The Geist motion to place LB814 on General File prevailed with 30 ayes, 8 nays, 7 present and not voting, and 4 excused and not voting.

MOTION(S) - Print in Journal

Senator Cavanaugh filed the following motion to [LB901](#):

[MO182](#)

Place on General File pursuant to Rule 3, Section 20(b).

Senator Cavanaugh filed the following motion to [LB1039](#):

[MO183](#)

Place on General File pursuant to Rule 3, Section 20(b).

Senator Cavanaugh filed the following motion to [LB1170](#):

[MO184](#)

Place on General File pursuant to Rule 3, Section 20(b).

Senator Cavanaugh filed the following motion to [LB1171](#):

[MO185](#)

Place on General File pursuant to Rule 3, Section 20(b).

ADJOURNMENT

At 9:16 p.m., on a motion by Senator Hilgers, the Legislature adjourned until 9:00 a.m., Wednesday, July 22, 2020.

Patrick J. O'Donnell
Clerk of the Legislature

