

FIFTY-SIXTH DAY - AUGUST 5, 2020

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION**

FIFTY-SIXTH DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, August 5, 2020

PRAYER

The prayer was offered by Senator Geist.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Groene, Lathrop, McCollister, and Stinner who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-fifth day was approved.

PRESENTED TO THE GOVERNOR

Presented to the Governor on August 4, 2020, at 4:53 p.m. were the following: LBs 681, 783, 956, 1158e, and 1160e.

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

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 460 and 461 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 460 and 461.

GENERAL FILE

LEGISLATIVE BILL 814. Pending.

MOTION - Recess

Senator M. Hansen moved to recess until 10:00 a.m. today.

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

The M. Hansen motion to recess until 10:00 a.m. today failed with 8 ayes, 29 nays, 9 present and not voting, and 3 excused and not voting.

MOTION - Overrule Speaker's Agenda

Senator Wayne moved to change the Speaker's agenda by moving the 1:30 p.m. agenda item to 9:30 a.m.

Senator Wayne moved for a call of the house. The motion prevailed with 20 ayes, 5 nays, and 24 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to overrule the Speaker's agenda.

Voting in the affirmative, 9:

Bolz	Chambers	Kolowski	Pansing Brooks	Wayne
Cavanaugh	Hansen, M.	Morfeld	Walz	

Voting in the negative, 31:

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

Present and not voting, 8:

Blood	DeBoer	Hunt	Vargas
Crawford	Howard	Quick	Wishart

Excused and not voting, 1:

Groene

The Wayne motion to overrule the Speaker's agenda failed with 9 ayes, 31 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**MOTION - Reconsider Action on Motion
To Overrule the Speaker's Agenda**

Senator Hunt moved to reconsider the action on the motion to overrule the Speaker's agenda.

Pending.

GENERAL FILE

LEGISLATIVE BILL 814. Senator Geist offered the following motion:

[MO216](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Geist moved for a call of the house. The motion prevailed with 34 ayes, 1 nay, and 14 not voting.

Senator Geist requested a roll call vote on the motion to invoke cloture.

Voting in the affirmative, 34:

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

Voting in the negative, 11:

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

Present and not voting, 4:

Bolz	Lathrop	Wayne	Wishart
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The Geist motion to invoke cloture prevailed with 34 ayes, 11 nays, and 4 present and not voting.

The Hunt motion to reconsider the action on the motion to overrule the Speaker's agenda failed with 6 ayes, 34 nays, and 9 present and not voting.

The Hunt motion, [MO200](#), found on page 1234, to indefinitely postpone prior to the bill being read, pursuant to Rule 6, Section 3(f), failed with 6 ayes, 32 nays, and 11 present and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 9 nays, and 6 present and not voting.

The Chair declared the call raised.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 468. Introduced by Hilkemann, 4.

WHEREAS, Rose White is retiring after a forty-seven year career with the American Automobile Association (AAA); and

WHEREAS, Rose served as the Director of Public Affairs, Government Affairs, and Traffic Safety for the Heartland Region of AAA - The Auto Club Group, which includes Nebraska, Iowa, Minnesota, and North Dakota; and

WHEREAS, Rose has been an advocate for travel safety in the state for countless years; and

WHEREAS, Rose has served on many boards and committees including the Governor's Highway Traffic Safety Committee, the Metro Area Motorist Assist Steering Committee, the City of Omaha Traffic Safety Board, the Nebraska Energy Task Force, the ServeNebraska Commission, and the Boy Scouts of Mid-America Executive Committee; and

WHEREAS, Rose represented AAA on state legislative issues and participated in thousands of news interviews; and

WHEREAS, in 1994, Rose was named Executive Director of the Cornhusker Motor Club Foundation, which supports tourism, safety, education, and crime prevention efforts in Nebraska; and

WHEREAS, Rose earned several awards and distinctions during her tenure at AAA, including the National Safety Council's Public Servant Award, the 2014 Linda Woolwine Leadership Award, and the 2017 Lifesaver's Public Service Safety Award from the National Highway Traffic Safety Administration.

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

1. That the Legislature congratulates Rose White on her retirement and thanks her for her work and advocacy in the state of Nebraska.

2. That copies of this resolution be sent to Rose White and AAA - The Auto Club Group.

Laid over.

LEGISLATIVE RESOLUTION 469. Introduced by Hilkemann, 4; Blood, 3; Bolz, 29; Briese, 41; Cavanaugh, 6; Crawford, 45; DeBoer, 10; Dorn, 30; Geist, 25; Gragert, 40; Hansen, B., 16; Hansen, M., 26; Hilgers, 21;

Howard, 9; Hunt, 8; Kolowski, 31; Kolterman, 24; Lathrop, 12; Lindstrom, 18; McCollister, 20; McDonnell, 5; Morfeld, 46; Pansing Brooks, 28; Quick, 35; Stinner, 48; Vargas, 7; Walz, 15; Williams, 36.

WHEREAS, the safest way for children to be transported to and from school is in a school bus; and

WHEREAS, Dr. Mark R. Rosekind, former Administrator of the National Highway Traffic Safety Administration (NHTSA), stated in November 2015 that, "...NHTSA's policy is that every child on every school bus should have a three-point seat belt."; and

WHEREAS, on May, 22, 2018, as a result of a special investigation report concerning school bus transportation safety, the National Transportation Safety Board (NTSB) issued a recommendation that Nebraska enact legislation to require that all new large school buses be equipped with lap and shoulder belts for all passenger seating positions in accordance with Federal Motor Vehicle Safety Standard 222; and

WHEREAS, in May of 2019, in response to the NTSB recommendation, the Lincoln Board of Education approved a policy to purchase new school buses equipped with lap and shoulder seat belts; and

WHEREAS, in October 2001, a school bus accident involving students and parents from Seward Public Schools resulted in the deaths of fourteen-year-old students, Benjamin Prescott and Ian E. Koehler, seventeen-year-old student Eric Bader, and one parent, forty-year-old Tracy A. Kohlmeier and injured twenty eight more passengers; and

WHEREAS, the mother of Benjamin Prescott, Dawn Prescott, has been a tireless advocate for over eight years in the effort to pass legislation requiring school buses to be equipped with lap and shoulder seat belts.

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

1. That the Legislature thanks the members of the Lincoln Board of Education for their commitment to the safety of students being transported in school buses.

2. That the Legislature thanks Dawn Prescott for her tireless advocacy for school bus safety in memory of her beloved son, Benjamin Prescott.

3. That a copy of this resolution be sent to the members of the Lincoln Board of Education; Dr. Steve Joel, Superintendent of Lincoln Public Schools; and Dawn Prescott.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB1107](#):
[AM3346](#) is available in the Bill Room.

Senator Geist filed the following amendment to [LB814](#):
[AM3311](#)

1.1. 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
 23 defendant or from attorneys for the defendant.
 24 2. On page 5, strike lines 25 and 26, and insert the following new
 25 subsection:
 26 "(3) A cause of action may not be maintained by a plaintiff whose
 27 act of rape caused the pregnancy.".
 1 3. On page 6, lines 1 and 2, strike ", if married to the woman at
 2 the time the dismemberment abortion was performed"; and strike lines 6
 3 and 7 and insert the following new subsection:
 4 "(2) No damages may be awarded to a plaintiff whose act of rape
 5 caused the pregnancy.".

Senator Geist filed the following amendment to [LB814](#):
[AM3345](#)

(Amendments to Final Reading copy)

1 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
 23 defendant or from attorneys for the defendant.
 24 2. On page 5, strike lines 25 and 26, and insert the following new
 25 subsection:

26 "(3) A cause of action may not be maintained by a plaintiff whose
 1 act of rape caused the pregnancy."
 2 3. On page 6, lines 1 and 2, strike ", if married to the woman at
 3 the time the dismemberment abortion was performed"; and strike lines 6
 4 and 7 and insert the following new subsection:
 5 "(2) No damages may be awarded to a plaintiff whose act of rape
 6 caused the pregnancy."

Senator Geist filed the following amendment to [LB814](#):
[AM3344](#)

1 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
 23 defendant or from attorneys for the defendant.
 24 2. On page 5, strike lines 25 and 26, and insert the following new
 25 subsection:
 26 "(3) A cause of action may not be maintained by a plaintiff whose
 27 act of rape caused the pregnancy."
 1 3. On page 6, lines 1 and 2, strike ", if married to the woman at
 2 the time the dismemberment abortion was performed"; and strike lines 6
 3 and 7 and insert the following new subsection:
 4 "(2) No damages may be awarded to a plaintiff whose act of rape
 5 caused the pregnancy."

Senator Wayne filed the following amendment to [LB1107](#):
[AM3342](#) is available in the Bill Room.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 1004. Placed on Select File with amendment.

[ER238](#)

1 1. On page 1, strike beginning with "the" in line 1 through line 4
 2 and insert "law; to amend section 83-1,110, Reissue Revised Statutes of
 3 Nebraska, section 83-1,102, Revised Statutes Cumulative Supplement, 2018,
 4 and section 43-2101, Revised Statutes Supplement, 2019; to change
 5 provisions relating to age of majority; to provide powers and duties with
 6 respect to the administration and supervision of parole; to change
 7 provisions relating to eligibility for parole and provide for
 8 applicability; and to repeal the original sections."

LEGISLATIVE BILL 1004A. Placed on Select File.

(Signed) Julie Slama, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Slama name added to LB1107.

RECESS

At 12:26 p.m., on a motion by Senator Lowe, the Legislature recessed until 1:45 p.m.

AFTER RECESS

The Legislature reconvened at 1:45 p.m., President Foley presiding.

ROLL CALL

The roll was called and all members were present except Senators Groene and Hunt who were excused until they arrive.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1089. Placed on Select File with amendment.

ER240

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 79-729, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 79-729 (1) The Legislature recognizes the importance of assuring
 6 that all persons who graduate from Nebraska high schools possess certain
 7 minimum levels of knowledge, skills, and understanding.
 8 (2) Beginning in school year 1987-88, each high school student shall
 9 complete a minimum of two hundred high school credit hours prior to
 10 graduation. At least eighty percent of such credit hours shall be core
 11 curriculum courses prescribed by the State Board of Education.
 12 (3)(a) Beginning with the 2021-22 school year, each public high
 13 school student shall complete and submit to the United States Department
 14 of Education a Free Application for Federal Student Aid prior to
 15 graduating from such high school except as otherwise provided in this
 16 subsection.
 17 (b) A public high school student shall not be required to comply
 18 with subdivision (3)(a) of this section if:
 19 (i) A parent or legal guardian of or a person standing in loco
 20 parentis to such student signs and submits the appropriate form
 21 prescribed by the Commissioner of Education pursuant to subdivision (3)
 22 (c) of this section indicating that such parent, legal guardian, or
 23 person standing in loco parentis authorizes such student to decline to

24 complete and submit a Free Application for Federal Student Aid;

25 (ii) The school principal or the school principal's designee signs
26 and submits the appropriate form prescribed by the Commissioner of
27 Education pursuant to subdivision (3)(c) of this section authorizing such
1 student to decline to complete and submit a Free Application for Federal
2 Student Aid for good cause as determined by the school principal or the
3 school principal's designee; or

4 (iii) A student who is nineteen years of age or older or is an
5 emancipated minor signs and submits the appropriate form prescribed by
6 the Commissioner of Education pursuant to subdivision (3)(c) of this
7 section stating that such student declines to complete and submit a Free
8 Application for Federal Student Aid.

9 (c) The Commissioner of Education shall prescribe the forms to be
10 used by each public high school for purposes of subdivision (3)(b) of
11 this section. Such forms shall be made available:

12 (i) By each public high school to students, parents and legal
13 guardians of students, and persons standing in loco parentis to students;
14 and

15 (ii) In English, Spanish, and any other language spoken by a
16 majority of the students enrolled in any English learner program at such
17 public high school.

18 (d) The school principal or the school principal's designee of each
19 public high school shall provide such compliance information to the
20 school district or governing authority for such public high school and to
21 the State Department of Education without disclosing, for any student who
22 has complied with the requirements of this subsection, personally
23 identifiable information distinguishing whether such compliance was
24 pursuant to subdivision (3)(a) of this section or subdivision (3)(b) of
25 this section. Such school principal or school principal's designee shall
26 provide separately the aggregate number of students who have not complied
27 with this subsection, who complied pursuant to subdivision (3)(a) of this
28 section, and who complied pursuant to subdivision (3)(b) of this section,
29 unless otherwise prohibited by federal or state law regarding the
30 confidentiality of student educational information.

31 (e) On or before December 31, 2022, and on or before December 31 of
1 each year thereafter, the Commissioner of Education shall electronically
2 submit a report with the information received by the State Department of
3 Education pursuant to subdivision (3)(d) of this section to the Clerk of
4 the Legislature.

5 (4) The State Board of Education may establish recommended statewide
6 graduation guidelines. This section does not prohibit the governing board
7 of any high school from prescribing specific graduation guidelines as
8 long as such guidelines do not conflict with this section.

9 (5) This section does not apply to high school students whose
10 individualized education plans prescribe a different course of
11 instruction. This section does not prohibit the governing board of any
12 high school from prescribing specific graduation guidelines as long as
13 such guidelines do not conflict with this section.

14 (6) For purposes of this section, high school means grades nine
15 through twelve and credit hour shall be defined by appropriate rules and
16 regulations of the State Board of Education but shall not be less than
17 the amount of credit given for successful completion of a course which
18 meets at least one period per week for at least one semester.

19 (7) The State Department of Education shall adopt and promulgate
20 rules and regulations as necessary to implement this section. Such rules
21 and regulations shall include, but not be limited to:

22 (a) A timeline for the distribution of the Free Application for
23 Federal Student Aid and the forms prescribed pursuant to subdivision (3)
24 (c) of this section by public high schools and for the submission of the
25 Free Application for Federal Student Aid and the forms prescribed

26 pursuant to subdivision (3)(c) of this section by students;
 27 (b) Standards regarding the information that a public high school
 28 must provide to students regarding;
 29 (i) Instructions for filling out the Free Application for Federal
 30 Student Aid;
 31 (ii) The options available to a student under subdivision (3)(b) of
 1 this section if a student wishes to decline to complete and submit a Free
 2 Application for Federal Student Aid; and
 3 (iii) The method by which a student shall provide proof to the
 4 public high school that such student has completed and submitted the Free
 5 Application for Federal Student Aid or a form prescribed pursuant to
 6 subdivision (3)(c) of this section; and
 7 (c) A requirement for each public high school to report the number
 8 of students who completed and submitted a Free Application for Federal
 9 Student Aid and the number of students who instead submitted a form
 10 prescribed pursuant to subdivision (3)(c) of this section.
 11 Sec. 2. Original section 79-729, Reissue Revised Statutes of
 12 Nebraska, is repealed.
 13 2. On page 1, line 2, after "a" insert "high school"; and in line 3
 14 strike "for waivers" and insert "an exception as prescribed; to provide a
 15 duty for schools to submit data to the State Department of Education; to
 16 provide duties for the Commissioner of Education and require an annual
 17 report to the Legislature; to provide for rules and regulations".

LEGISLATIVE BILL 1021. Placed on Select File with amendment.

[ER239](#)

1 1. On page 1, line 4, after "18-2117.01," insert "18-2117.02,".

(Signed) Julie Slama, Chairperson

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to [LB814](#):

[MO217](#)

Bracket until August 13, 2020.

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointment(s) be confirmed by the Legislature and suggests a record vote.

Donna Kush - Game and Parks Commission

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Dan Hughes, Chairperson

REQUEST FOR RULING ON MAJOR PROPOSAL

Senator Wayne requested a ruling of the Chair on whether LB1107 can be designated a major proposal, pursuant to Rule 1, Section 17.

The Chair ruled LB1107 has been designated a major proposal and is properly before the body.

Senator Wayne challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Wayne moved for a call of the house. The motion prevailed with 25 ayes, 7 nays, and 16 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to overrule the Chair.

Voting in the affirmative, 11:

Bolz	Hansen, M.	Pansing Brooks	Wayne
Cavanaugh	Hunt	Vargas	Wishart
Chambers	Morfeld	Walz	

Voting in the negative, 29:

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

Present and not voting, 8:

Blood	DeBoer	Howard	Lathrop
Crawford	Erdman	Kolowski	Quick

Excused and not voting, 1:

Groene

The Wayne motion to overrule the Chair failed with 11 ayes, 29 nays, 8 present and not voting, and 1 excused and not voting.

The Chair was sustained.

The Chair declared the call raised.

GENERAL FILE

LEGISLATIVE BILL 1107. Title read. Considered.

Committee [AM3316](#), found on page 1350, was offered.

Senator Linehan offered the following amendment to the committee amendment:

[AM3349](#)

(Amendments to Standing Committee amendments, AM3316)

1 1. Insert the following new section:

2 Sec. 139. Section 84-612, Revised Statutes Supplement, 2019, is
3 amended to read:

4 84-612 (1) There is hereby created within the state treasury a fund
5 known as the Cash Reserve Fund which shall be under the direction of the
6 State Treasurer. The fund shall only be used pursuant to this section.

7 (2) The State Treasurer shall transfer funds from the Cash Reserve
8 Fund to the General Fund upon certification by the Director of
9 Administrative Services that the current cash balance in the General Fund
10 is inadequate to meet current obligations. Such certification shall
11 include the dollar amount to be transferred. Any transfers made pursuant
12 to this subsection shall be reversed upon notification by the Director of
13 Administrative Services that sufficient funds are available.

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

18 (4) The State Treasurer, at the direction of the budget
19 administrator of the budget division of the Department of Administrative
20 Services, shall transfer not to exceed forty million seven hundred
21 fifteen thousand four hundred fifty-nine dollars in total from the Cash
22 Reserve Fund to the Nebraska Capital Construction Fund between July 1,
23 2013, and June 30, 2018.

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

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

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

8 (c) Fifteen million three hundred seventy-eight thousand three
9 hundred nine dollars on or after January 1, 2019, but before June 30,
10 2019, on such dates and in such amounts as directed by the budget
11 administrator of the budget division of the Department of Administrative
12 Services; and

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

17 (6) The State Treasurer shall transfer seventy-five million two
18 hundred fifteen thousand three hundred thirteen dollars from the Cash
19 Reserve Fund to the Nebraska Capital Construction Fund on or before July
20 31, 2017, on such date as directed by the budget administrator of the
21 budget division of the Department of Administrative Services.

22 (7) The State Treasurer shall transfer thirty-one million dollars

23 from the Cash Reserve Fund to the General Fund after July 1, 2017, but
 24 before July 15, 2017, on such date as directed by the budget
 25 administrator of the budget division of the Department of Administrative
 26 Services.
 27 (8) The State Treasurer shall transfer thirty-one million dollars
 28 from the Cash Reserve Fund to the General Fund after October 1, 2017, but
 29 before October 15, 2017, on such date as directed by the budget
 30 administrator of the budget division of the Department of Administrative
 31 Services.
 1 (9) The State Treasurer shall transfer thirty-one million dollars
 2 from the Cash Reserve Fund to the General Fund after January 1, 2018, but
 3 before January 15, 2018, on such date as directed by the budget
 4 administrator of the budget division of the Department of Administrative
 5 Services.
 6 (10) The State Treasurer shall transfer thirty-two million dollars
 7 from the Cash Reserve Fund to the General Fund after April 1, 2018, but
 8 before April 15, 2018, on such date as directed by the budget
 9 administrator of the budget division of the Department of Administrative
 10 Services.
 11 (11) The State Treasurer shall transfer one hundred million dollars
 12 from the Cash Reserve Fund to the General Fund on or before June 30,
 13 2018, on such dates and in such amounts as directed by the budget
 14 administrator of the budget division of the Department of Administrative
 15 Services.
 16 (12) The State Treasurer shall transfer forty-eight million dollars
 17 from the Cash Reserve Fund to the General Fund after March 1, 2019, but
 18 before March 15, 2019, on such date as directed by the budget
 19 administrator of the budget division of the Department of Administrative
 20 Services.
 21 (13) The State Treasurer shall transfer thirty million dollars from
 22 the Cash Reserve Fund to the General Fund after November 15, 2020, but
 23 before December 31, 2020, on such date as directed by the budget
 24 administrator of the budget division of the Department of Administrative
 25 Services. Except for the transfer authorized in this subsection, no funds
 26 shall be transferred from the Cash Reserve Fund to fulfill the
 27 obligations created under the Nebraska Property Tax Incentive Act until
 28 the balance in the Cash Reserve Fund is five hundred million dollars or
 29 more.
 30 2. On page 47, strike beginning with "unless" in line 2 through
 31 "request" in line 3; and strike lines 25 through 31.
 1 3. On page 48, strike lines 1 through 13.
 2 4. On page 81, strike lines 6 through 11 and insert the following
 3 new subdivision:
 4 "(1) Allowable growth percentage means the percentage increase, if
 5 any, in the total assessed value of all real property in the state from
 6 the prior year to the current year, as determined by the department;".
 7 5. On page 83, strike beginning with "three" in line 1 through line
 8 2 and insert "the maximum amount of credits allowed in the prior year
 9 increased by the allowable growth percentage."
 10 6. Renumber the remaining sections and correct internal references
 11 accordingly.
 12 7. Correct the operative date and repealer sections so that the
 13 section added by this amendment becomes operative on its effective date
 14 with the emergency clause.

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 470. Introduced by Slama, 1; Stinner, 48.

WHEREAS, Bruce Neemann served the City of Syracuse, its citizens, and the region for forty years as a volunteer firefighter, including the last thirty-two years as the Fire Chief for the City of Syracuse; and

WHEREAS, Bruce proudly succeeded his father, Vernon Neemann, as the Fire Chief of Syracuse, a position Vernon held for fourteen years with Bruce assuming the leadership position in 1988; and

WHEREAS, throughout Bruce's career as a volunteer firefighter and volunteer Fire Chief for the City of Syracuse, he received training and provided training to other volunteer firefighters so as to better educate himself in all facets of fire suppression, but perhaps most importantly, to train and assist volunteer firefighters to become better at their positions, always challenging them to perfect the techniques they were taught and to learn detailed components of fire safety and fire suppression; and

WHEREAS, Bruce's passion for fire safety and fire prevention was exhibited month after month, year after year, during countless visits to elementary classrooms, sharing his knowledge with school children and his experience with fire prevention and fire safety; and

WHEREAS, because of Bruce's knowledge, leadership, bravery, and demeanor under horrific fire conditions, he was able to direct the firefighters of the Syracuse Volunteer Fire Department and other members of the local Mutual Aid Association during several massive structural fires to bring about the best possible results from the potential devastation, which could have occurred absent his leadership skills; and

WHEREAS, Bruce served as a mentor for countless individuals who chose to be volunteer first responders; and

WHEREAS, Bruce retired as Fire Chief for the City of Syracuse on July 27, 2020, after a long and successful career in the fire service.

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

1. That the Legislature extends its congratulations to Bruce Neemann in recognition of his many years serving the City of Syracuse, Otoe County, and the state.

2. That a copy of this resolution be sent to Bruce Neemann.

Laid over.

LEGISLATIVE RESOLUTION 471. Introduced by Linehan, 39; Arch, 14; Hansen, B., 16; La Grone, 49; Scheer, 19; Slama, 1.

WHEREAS, Jack and Eldora Vetter are celebrating forty-five years as the proud founders of Vetter Senior Living; and

WHEREAS, Jack Vetter began his impressive career in 1965 as a nursing home administrator in Valentine, Nebraska; and

WHEREAS, Jack and Eldora Vetter began their successful business in 1975, now known as Vetter Senior Living, established on their beliefs and Jack's personable and compassionate manner of offering the best senior care services possible; and

WHEREAS, based in Elkhorn, Nebraska, Vetter Senior Living is made up of 31 rehabilitation and long-term care facilities and retirement communities in Iowa, Kansas, Missouri, Nebraska, and Wyoming; and

WHEREAS, Vetter Senior Living is honored to be identified as a national leader in providing outstanding quality of life and quality of care for seniors; and

WHEREAS, the cornerstone of Vetter Senior Living's mission is "Dignity in Life," with the simple practice: Treat everyone as the most important person in your life; and

WHEREAS, Vetter Senior Living facilities are home to 2,500 seniors; and

WHEREAS, Vetter Senior Living employs 3,800 compassionate team members; and

WHEREAS, since 2008, Vetter Health Services has been recognized locally as a Best Place to Work in Omaha, and nationally in the top 20 Best Workplaces for Aging Services; and

WHEREAS, Jack and Eldora Vetter's personal convictions guide them in supporting mission projects, benevolent works, charities, and philanthropic organizations around the world.

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

1. That the Legislature congratulates Jack and Eldora Vetter on forty-five years of managing Vetter Senior Living and offering superior care to Nebraska's seniors.
2. That the Legislature acknowledges Jack and Eldora Vetter for their humanitarian and charitable works.
3. That a copy of this resolution be sent to Jack and Eldora Vetter.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to [LB1107](#):

[FA134](#)

Amend AM3346.

Strike section 2. Renumber the remaining sections.

Senator Wayne filed the following amendment to [LB1107](#):

[FA135](#)

Amend AM3346.

Strike section 1. Renumber the remaining sections.

Senator Wayne filed the following amendment to [LB1107](#):

[FA136](#)

Strike the enacting clause.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 814. Placed on Select File with amendment.[ER241](#)1. On page 5, line 28, after "abortion" insert "in".

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 518. Placed on Final Reading Second.[ST74](#)

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

1. In the Linehan amendment, AM3023:
 - a. On page 1, lines 7 and 12, the last period has been struck and an underscored semicolon inserted; and
 - b. On page 4, line 3, "to" has been struck.

LEGISLATIVE BILL 992. Placed on Final Reading.**LEGISLATIVE BILL 1002.** Placed on Final Reading.[ST72](#)

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

1. In the E & R amendments, ER235, on page 1, lines 17 and 18, "to harmonize provisions;" has been struck; and in line 23 "to harmonize provisions;" has been inserted after the first semicolon.

LEGISLATIVE BILL 1053. Placed on Final Reading.[ST73](#)

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

1. On page 1, line 1, "the" has been struck.

LEGISLATIVE BILL 1056. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

GENERAL FILE**LEGISLATIVE BILL 1107.** The Linehan amendment, [AM3349](#), found in this day's Journal, to the committee amendment, was renewed.**SENATOR HILGERS PRESIDING****PRESIDENT FOLEY PRESIDING**

The Linehan amendment was adopted with 42 ayes, 0 nays, and 7 present and not voting.

Senator Wayne requested a division of the question on the committee amendment, as amended.

The Chair sustained the division of the question.

The first committee amendment, as amended, is as follows:
[AM3341](#) is available in the Bill Room.

The second committee amendment, as amended, is as follows:
[AM3339](#) is available in the Bill Room.

The third committee amendment, as amended, is as follows:
[AM3340](#) is available in the Bill Room.

The first committee amendment, [AM3341](#), found in this day's Journal, as amended, was offered.

Senator Scheer offered the following motion:

[MO219](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Chambers raised a point of order on whether the motion to invoke cloture is out of order because the bill had not received full and fair debate.

The Chair ruled the bill had received full and fair debate so the motion to invoke cloture is in order.

Senator Chambers challenged the ruling of the Chair. The question is, "Shall the Chair be overruled?"

Senator Wayne requested a record vote on the motion to overrule the Chair.

Voting in the affirmative, 8:

Cavanaugh	Hunt	Pansing Brooks	Walz
Chambers	Morfeld	Vargas	Wayne

Voting in the negative, 32:

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

Present and not voting, 9:

Bolz	DeBoer	Howard	Lathrop	Wishart
Crawford	Groene	Kolowski	Quick	

The Chambers motion to overrule the Chair failed with 8 ayes, 32 nays, and 9 present and not voting.

The Chair was sustained.

Senator Scheer moved for a call of the house. The motion prevailed with 37 ayes, 0 nays, and 12 not voting.

Senator Scheer requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 41:

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

Voting in the negative, 2:

Chambers	Hunt
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Present and not voting, 6:

Cavanaugh	Hansen, M.	Pansing Brooks
Erdman	Morfeld	Wayne

The Scheer motion to invoke cloture prevailed with 41 ayes, 2 nays, and 6 present and not voting.

The original committee amendment, [AM3316](#), as amended, was adopted with 44 ayes, 2 nays, and 3 present and not voting.

Advanced to Enrollment and Review Initial with 43 ayes, 2 nays, and 4 present and not voting.

The Chair declared the call raised.

AMENDMENT(S) - Print in Journal

Senator Vargas filed the following amendment to [LB1089](#):
[AM3348](#) is available in the Bill Room.

MOTION(S) - Print in Journal

Senator Hunt filed the following motion to [LB814](#):
[MO218](#)
Recommit to Judiciary Committee.

AMENDMENT(S) - Print in Journal

Senator Wishart filed the following amendment to [LB450](#):
[AM3057](#)

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 5. This act becomes operative on January 1, 2021.
- 3 2. Renumber the remaining section accordingly.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Hilkemann name added to LR471.

ADJOURNMENT

At 6:51 p.m., on a motion by Senator Erdman, the Legislature adjourned until 9:00 a.m., Thursday, August 6, 2020.

Patrick J. O'Donnell
Clerk of the Legislature

