

FIFTY-FIFTH DAY - APRIL 8, 2019
LEGISLATIVE JOURNAL
ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION
FIFTY-FIFTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, April 8, 2019

PRAYER

The prayer was offered by Pastor Jeff Peters, Christ the King Community Church, Ponca.

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 Stinner who was excused; and Senators Hunt, McCollister, Morfeld, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the fifty-fourth day was approved.

GENERAL FILE

LEGISLATIVE BILL 556. Title read. Considered.

Committee AM383, found on page 792, was adopted with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, 1 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 556A. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 2 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 570. Title read. Considered.

Committee AM470, found on page 792, was offered.

Senator Howard offered her amendment, AM1205, found on page 1070, to the committee amendment.

The Howard amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Senator Walz offered her amendment, AM970, found on page 1073, to the committee amendment.

The Walz amendment was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 570A. Title read. Considered.

Senator Howard offered her amendment, AM1206, found on page 1072.

The Howard amendment was adopted with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Lathrop filed the following amendment to LB538:
AM1229

(Amendments to Standing Committee amendments, AM900)

- 1 1. Strike section 4.
- 2 2. On page 4, line 16, strike "(1) The department" and insert "(1)
- 3 (a) The Tax Commissioner or his or her agents or employees, at the
- 4 direction of the Tax Commissioner, or any peace officer of this state",
- 5 and after "seize" insert "without a warrant"; in line 24 after the
- 6 period insert paragraphing and "(b)"; in line 26 strike "(a)" and insert
- 7 "(i)"; in line 27 strike "(b)" and insert "(ii)"; and after line 28
- 8 insert the following new subdivision:
- 9 "(c) This section does not apply to any device (i) used in any
- 10 bingo, lottery by the sale of pickle cards, or other lottery, raffle, or
- 11 gift enterprise conducted in accordance with the Nebraska Bingo Act,
- 12 Nebraska County and City Lottery Act, Nebraska Lottery and Raffle Act,
- 13 Nebraska Pickle Card Lottery Act, Nebraska Small Lottery and Raffle Act,
- 14 State Lottery Act, or section 9-701, (ii) used for a prize contest as
- 15 defined in section 28-1101, or (iii) specifically authorized by the laws
- 16 of this state."

17 3. On page 5, line 6, strike "seventy-five" and insert "two hundred
18 fifty".
19 4. On page 7, line 9, after "skill" insert "and not a game of
20 chance"; and in line 31 strike "occupation tax described in section
21 77-3004" and insert "application fee of two hundred fifty dollars".
22 5. On page 8, line 5, strike "payment of the occupation tax or";
23 after line 7 insert the following new subsection:
24 "(9) The owner or operator of a cash device shall pay an annual
25 renewal fee of two hundred fifty dollars to the department for each
26 device in operation in Nebraska. The renewal process shall be as
1 prescribed by rules and regulations adopted and promulgated by the
2 department. In addition to any other requirements under the Mechanical
3 Amusement Device Tax Act and such rules and regulations, after an initial
4 decal is issued, no renewal decal shall be issued for a cash device until
5 the annual renewal fee for such device has been paid."; in line 8 strike
6 "(9)" and insert "(10)"; and in lines 8 and 11 after "application" insert
7 "or renewal".
8 6. On page 10, line 9, strike the new matter and reinstate the
9 stricken matter.
10 7. Renumber the remaining sections and correct the repealer
11 accordingly.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 472. Placed on Select File with amendment.
ER66 is available in the Bill Room.

LEGISLATIVE BILL 268. Placed on Select File.

LEGISLATIVE BILL 352. Placed on Select File with amendment.
ER65

1 1. On page 1, line 3, strike "to state intent;"; and strike
2 beginning with the second "to" in line 5 through the second semicolon in
3 line 6.

(Signed) Julie Slama, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 31A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 31, One Hundred Sixth Legislature, First Session, 2019.

GENERAL FILE

LEGISLATIVE BILL 445. Title read. Considered.

Committee AM520, found on page 705, was offered.

Senator McDonnell offered his amendment, AM641, found on page 775, to the committee amendment.

The McDonnell amendment was adopted with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

The committee amendment, as amended, was adopted with 33 ayes, 0 nays, 12 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 222. Title read. Considered.

Committee AM424, found on page 570, was adopted with 29 ayes, 0 nays, 16 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 180. Title read. Considered.

Advanced to Enrollment and Review Initial with 43 ayes, 0 nays, 4 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 23. Title read. Considered.

SENATOR WILLIAMS PRESIDING

Committee AM795, found on page 928, was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 7 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 227. Title read. Considered.

Committee AM746, found on page 937, was offered.

Senator Hughes offered his amendment, AM1209, found on page 1084, to the committee amendment.

Pending.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Friesen name added to LB641.

VISITOR(S)

Visitors to the Chamber were members of the Nebraska Power Association; students and teacher from Meridian School, Daykin; students from Wilber-Clatonia Public Schools; students from Fredstrom Elementary School, Lincoln; and a group from the Cedars Pioneers Center.

RECESS

At 11:55 a.m., on a motion by Senator Hilkemann, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Stinner who was excused; and Senators Dorn, B. Hansen, Lindstrom, and Pansing Brooks who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 227. The Hughes amendment, AM1209, found on page 1084 and considered in this day's Journal, to the committee amendment, was renewed.

Senator Chambers offered the following motion:

MO58

Recommit to the Agriculture Committee.

Senator Chambers moved for a call of the house. The motion prevailed with 18 ayes, 6 nays, and 25 not voting.

Senator Chambers requested a roll call vote, in reverse order, on the motion to recommit to committee.

Voting in the affirmative, 8:

Chambers	Howard	Kolowski	McCollister
DeBoer	Hunt	Lathrop	Wishart

Voting in the negative, 28:

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

Present and not voting, 10:

Blood	Cavanaugh	Hilkemann	Quick	Walz
Bolz	Hansen, M.	Morfeld	Vargas	Wayne

Excused and not voting, 3:

Groene Pansing Brooks Stinner

The Chambers motion to recommit to committee failed with 8 ayes, 28 nays, 10 present and not voting, and 3 excused and not voting.

Pending.

The Chair declared the call raised.

LEGISLATIVE BILL 177. Title read. Considered.

Committee AM713, found on page 889, was offered.

SPEAKER SCHEER PRESIDING

The committee amendment was adopted with 26 ayes, 9 nays, 10 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 28 ayes, 9 nays, 8 present and not voting, and 4 excused and not voting.

LEGISLATIVE BILL 252. Title read. Considered.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 304. Title read. Considered.

Committee AM990, found on page 1001, was adopted with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present

and not voting, and 2 excused and not voting.

COMMITTEE REPORT(S)
Health and Human Services

LEGISLATIVE BILL 244. Placed on General File with amendment.
AM1214

1 1. Insert the following new section:
2 Sec. 16. Since an emergency exists, this act takes effect when
3 passed and approved according to law.
4 2. On page 3, line 6, after "sign" insert "placed on the outside of
5 the establishment which includes the establishment's license number".
6 3. On page 6, line 25, after "diseases" insert "other than the
7 practice of massage in mobile massage therapy establishments. The
8 department may, if it deems necessary, adopt and promulgate rules and
9 regulations related to mobile massage therapy establishments".

LEGISLATIVE BILL 460. Placed on General File with amendment.
AM1211

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 68-1206, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 68-1206 (1) The Department of Health and Human Services shall
6 administer the program of social services in this state. The department
7 may contract with other social agencies for the purchase of social
8 services at rates not to exceed those prevailing in the state or the cost
9 at which the department could provide those services. The statutory
10 maximum payments for the separate program of aid to dependent children
11 shall apply only to public assistance grants and shall not apply to
12 payments for social services. As part of the provision of social services
13 authorized by section 68-1202, the department shall participate in the
14 federal child care assistance program under 42 U.S.C. 618, as such
15 section existed on January 1, 2013, and provide child care assistance to
16 families with incomes up to one hundred twenty-five percent of the
17 federal poverty level for FY2013-14 and one hundred thirty percent of the
18 federal poverty level for FY2014-15 and each fiscal year thereafter.
19 (2) As part of the provision of social services authorized by this
20 section and section 68-1202, the department shall participate in the
21 federal Child Care Subsidy program. In determining ongoing eligibility
22 for this program, ten percent of a household's gross earned income shall
23 be disregarded after twelve continuous months on the program and at each
24 subsequent redetermination. In determining ongoing ~~At redetermination of~~
25 eligibility, if a family's income exceeds one hundred thirty percent of
26 the federal poverty level, the family shall ~~continue to receive~~
27 transitional child care assistance through the remainder of the family's
1 eligibility period or for up to twenty-four consecutive months or until
2 the family's family income exceeds one hundred eighty-five percent of the
3 state median income for a family of the same size as reported by the

4 United States Bureau of the Census, whichever occurs first. When the
5 family's eligibility period ends, the family shall continue to be
6 eligible for transitional child care assistance if the family's income is
7 below one hundred eighty-five percent of the federal poverty level. The
8 family shall receive transitional child care assistance through the
9 remainder of the transitional eligibility period or until the family's
10 income exceeds eighty-five percent of the state median income for a
11 family of the same size as reported by the United States Bureau of the
12 Census, whichever occurs first, federal poverty level. If a family's
13 income falls to one hundred thirty percent of the federal poverty level
14 or below, the twenty-four month time limit in this subsection shall cease
15 to apply until the family becomes eligible for transitional child care
16 assistance. The amount of such child care assistance shall be based on a
17 cost-shared plan between the recipient family and the state and shall be
18 based on a sliding-scale methodology. A recipient family may be required
19 to contribute a percentage of such family's gross income for child care
20 that is no more than the cost-sharing rates in the transitional child
21 care assistance program as of January 1, 2015, for those no longer
22 eligible for cash assistance as provided in section 68-1724. Initial
23 program eligibility standards shall not be impacted by the provisions of
24 this subsection.

25 (3) In determining the rate or rates to be paid by the department
26 for child care as defined in section 43-2605, the department shall adopt
27 a fixed-rate schedule for the state or a fixed-rate schedule for an area
28 of the state applicable to each child care program category of provider
29 as defined in section 71-1910 which may claim reimbursement for services
30 provided by the federal Child Care Subsidy program, except that the
31 department shall not pay a rate higher than that charged by an individual
1 provider to that provider's private clients. The schedule may provide
2 separate rates for care for infants, for children with special needs,
3 including disabilities or technological dependence, or for other
4 individual categories of children. The schedule may also provide tiered
5 rates based upon a quality scale rating of step three or higher under the
6 Step Up to Quality Child Care Act. The schedule shall be effective on
7 October 1 of every year and shall be revised annually by the department.
8 Sec. 2. Section 68-1724, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 68-1724 (1) Cash assistance shall be provided for a period or
11 periods of time not to exceed a total of sixty months for recipient
12 families with children subject to the following:

- 13 (a) If the state fails to meet the specific terms of the self-
14 sufficiency contract developed under section 68-1719, the sixty-month
15 time limit established in this section shall be extended;
- 16 (b) The sixty-month time period for cash assistance shall begin
17 within the first month of eligibility;
- 18 (c) When no longer eligible to receive cash assistance, assistance
19 shall be available to reimburse work-related child care expenses even if
20 the recipient family has not achieved economic self-sufficiency. The
21 amount of such assistance shall be based on a cost-shared plan between

22 the recipient family and the state which shall provide assistance up to
23 one hundred eighty-five percent of the federal poverty level ~~for up to~~
24 ~~twenty four months~~. A recipient family may be required to contribute up
25 to twenty percent of such family's gross income for child care. It is the
26 intent of the Legislature that transitional health care coverage be made
27 available on a sliding-scale basis to individuals and families with
28 incomes up to one hundred eighty-five percent of the federal poverty
29 level if other health care coverage is not available; and

30 (d) The self-sufficiency contract shall be revised and cash
31 assistance extended when there is no job available for adult members of
1 the recipient family. It is the intent of the Legislature that available
2 job shall mean a job which results in an income of at least equal to the
3 amount of cash assistance that would have been available if receiving
4 assistance minus unearned income available to the recipient family.
5 The department shall develop policy guidelines to allow for cash
6 assistance to persons who have received the maximum cash assistance
7 provided by this section and who face extreme hardship without additional
8 assistance. For purposes of this section, extreme hardship means a
9 recipient family does not have adequate cash resources to meet the costs
10 of the basic needs of food, clothing, and housing without continuing
11 assistance or the child or children are at risk of losing care by and
12 residence with their parent or parents.

13 (2) Cash assistance conditions under the Welfare Reform Act shall be
14 as follows:

15 (a) Adults in recipient families shall mean individuals at least
16 nineteen years of age living with and related to a child eighteen years
17 of age or younger and shall include parents, siblings, uncles, aunts,
18 cousins, or grandparents, whether the relationship is biological,
19 adoptive, or step;

20 (b) The payment standard shall be based upon family size;

21 (c) The adults in the recipient family shall ensure that the minor
22 children regularly attend school. Education is a valuable personal
23 resource. The cash assistance provided to the recipient family may be
24 reduced when the parent or parents have failed to take reasonable action
25 to encourage the minor children of the recipient family ages sixteen and
26 under to regularly attend school. No reduction of assistance shall be
27 such as may result in extreme hardship. It is the intent of the
28 Legislature that a process be developed to insure communication between
29 the case manager, the parent or parents, and the school to address issues
30 relating to school attendance;

31 (d) Two-parent families which would otherwise be eligible under
1 section 43-504 or a federally approved waiver shall receive cash
2 assistance under this section;

3 (e) For minor parents, the assistance payment shall be based on the
4 minor parent's income. If the minor parent lives with at least one
5 parent, the family's income shall be considered in determining
6 eligibility and cash assistance payment levels for the minor parent. If
7 the minor parent lives independently, support shall be pursued from the
8 parents of the minor parent. If the absent parent of the minor's child is

9 a minor, support from his or her parents shall be pursued. Support from
10 parents as allowed under this subdivision shall not be pursued when the
11 family income is less than three hundred percent of the federal poverty
12 guidelines; and

13 (f) For adults who are not biological or adoptive parents or
14 stepparents of the child or children in the family, if assistance is
15 requested for the entire family, including the adults, a self-sufficiency
16 contract shall be entered into as provided in section 68-1719. If
17 assistance is requested for only the child or children in such a family,
18 such children shall be eligible after consideration of the family's
19 income and if (i) the family cooperates in pursuing child support and
20 (ii) the minor children of the family regularly attend school.

21 Sec. 3. Section 71-1912, Reissue Revised Statutes of Nebraska, is
22 amended to read:

23 71-1912 (1) Before issuance of a license, the department shall
24 investigate or cause an investigation to be made, when it deems
25 necessary, to determine if the applicant or person in charge of the
26 program meets or is capable of meeting the physical well-being, safety,
27 and protection standards and the other rules and regulations of the
28 department adopted and promulgated under the Child Care Licensing Act.
29 The department may investigate the character of applicants and licensees,
30 any member of the applicant's or licensee's household, and the staff and
31 employees of programs ~~by making a national criminal history record~~
1 ~~information check.~~ The department may at any time inspect or cause an
2 inspection to be made of any place where a program is operating to
3 determine if such program is being properly conducted.

4 (2) All inspections by the department shall be unannounced except
5 for initial licensure visits and consultation visits. Initial licensure
6 visits are announced visits necessary for a provisional license to be
7 issued to a family child care home I, family child care home II, child
8 care center, or school-age-only or preschool program. Consultation visits
9 are announced visits made at the request of a licensee for the purpose of
10 consulting with a department specialist on ways of improving the program.

11 (3) An unannounced inspection of any place where a program is
12 operating shall be conducted by the department or the city, village, or
13 county pursuant to subsection (2) of section 71-1914 at least annually
14 for a program licensed to provide child care for fewer than thirty
15 children and at least twice every year for a program licensed to provide
16 child care for thirty or more children.

17 (4) Whenever an inspection is made, the findings shall be recorded
18 in a report designated by the department. The public shall have access to
19 the results of these inspections upon a written or oral request to the
20 department. The request must include the name and address of the program.
21 Additional unannounced inspections shall be performed as often as is
22 necessary for the efficient and effective enforcement of the Child Care
23 Licensing Act.

24 (5)(a) A person applying for a license as a child care provider or a
25 licensed child care provider under the Child Care Licensing Act shall
26 submit a request for a national criminal history record information check

27 for each child care staff member, including a prospective child care
28 staff member of the child care provider, at the applicant's or licensee's
29 expense, as set forth in this section. Beginning on September 1, 2019, a
30 prospective child care staff member shall submit to a national criminal
31 history record information check (i) prior to employment, except as
1 otherwise permitted under 45 C.F.R. 98.43, as such regulation existed on
2 January 1, 2019, or (ii) prior to residing in a family child care home. A
3 child care staff member who was employed by a child care provider prior
4 to September 1, 2019, or who resided in a family child care home prior to
5 September 1, 2019, shall submit to a national criminal history record
6 information check by September 1, 2021, unless the child care staff
7 member ceases to be a child care staff member prior to such date.
8 (b) A child care staff member shall be required to undergo a
9 national criminal history record information check not less than once
10 during each five-year period. A child care staff member shall submit a
11 complete set of his or her fingerprints to the Nebraska State Patrol. The
12 Nebraska State Patrol shall transmit a copy of the child care staff
13 member's fingerprints to the Federal Bureau of Investigation for a
14 national criminal history record information check. The national criminal
15 history record information check shall include information concerning
16 child care staff members from federal repositories of such information
17 and repositories of such information in other states, if authorized by
18 federal law for use by the Nebraska State Patrol. The Nebraska State
19 Patrol shall issue a report to the department that includes the
20 information collected from the national criminal history record
21 information check concerning child care staff members. A child care staff
22 member being screened shall pay the actual cost of the fingerprinting and
23 national criminal history record information check. The department and
24 the Nebraska State Patrol may adopt and promulgate rules and regulations
25 concerning the costs associated with the fingerprinting and the national
26 criminal history record information check. The department may adopt and
27 promulgate rules and regulations implementing national criminal history
28 record information check requirements for child care providers and child
29 care staff members.
30 (c) A child care staff member shall also submit to the following
31 background checks at his or her expense:
1 (i) A search of the National Crime Information Center's National Sex
2 Offender Registry; and
3 (ii) A search of the following registries, repositories, or data
4 bases in the state where the child care provider is located or where the
5 child care staff member resides and each state where the child care
6 provider was located or where the child care staff member resided during
7 the preceding five years:
8 (A) State criminal registries or repositories;
9 (B) State sex offender registries or repositories; and
10 (C) State-based child abuse and neglect registries and data bases.
11 (d) Any individual shall be ineligible for employment by a child
12 care provider if such individual:
13 (i) Refuses to consent to the national criminal history record

14 information check described in this subsection;
15 (ii) Knowingly makes a materially false statement in connection with
16 the national criminal history record information check;
17 (iii) Is registered, or required to be registered, on a state sex
18 offender registry or repository or the National Sex Offender Registry; or
19 (iv) Has been convicted of a crime of violence, a crime of moral
20 turpitude, or a crime of dishonesty.
21 (e) The department may adopt and promulgate rules and regulations
22 prohibiting the employment of any child care staff member with one or
23 more criminal convictions as the department deems necessary to protect
24 the health and safety of children receiving child care.
25 (f) A child care provider shall be ineligible for a license under
26 the Child Care Licensing Act and shall be ineligible to participate in
27 the child care subsidy program if the provider employs a child care staff
28 member who is ineligible for employment under subdivisions (d) or (e) of
29 this subsection.
30 (g) National criminal history record information subject to federal
31 confidentiality requirements may only be used for purposes of granting a
1 child care license or approving a child care provider for participation
2 in the child care subsidy program.
3 (h) For purposes of this subsection:
4 (i) Child care provider means a child care program other than a
5 family child care home I; and
6 (ii) Child care staff member means an individual who is not related
7 to all of the children for whom child care services are provided and:
8 (A) Who is employed by a child care provider for compensation,
9 including contract employees or self-employed individuals;
10 (B) Whose activities involve the care or supervision of children for
11 a child care provider or unsupervised access to children who are cared
12 for or supervised by a child care provider; or
13 (C) Who is residing in a family child care home and who is eighteen
14 years of age or older.
15 Sec. 4. Section 71-1924, Reissue Revised Statutes of Nebraska, is
16 amended to read:
17 71-1924 Sections 71-1924 to 71-1951 and section 5 of this act shall
18 be known and may be cited as the Children's Residential Facilities and
19 Placing Licensure Act.
20 Sec. 5. (1) Any individual eighteen years of age or older working in
21 a residential child-caring agency shall be required to undergo a national
22 criminal history record information check not less than once during each
23 five-year period that he or she is working in such an agency. The
24 individual shall submit a complete set of his or her fingerprints to the
25 Nebraska State Patrol. The Nebraska State Patrol shall transmit a copy of
26 the individual's fingerprints to the Federal Bureau of Investigation for
27 a national criminal history record information check. The national
28 criminal history record information check shall include information
29 concerning the individual from federal repositories of such information
30 and repositories of such information in other states, if authorized by
31 federal law for use by the Nebraska State Patrol. The Nebraska State

1 Patrol shall issue a report to the department that includes the
 2 information collected from the national criminal history record
 3 information check concerning the individual. The individual being
 4 screened shall pay the actual cost of the fingerprinting and national
 5 criminal history record information check, except that the department may
 6 pay all or part of the cost if funding becomes available. The department
 7 and the Nebraska State Patrol may adopt and promulgate rules and
 8 regulations concerning the costs associated with the fingerprinting and
 9 the national criminal history record information check. The department
 10 may adopt and promulgate rules and regulations implementing national
 11 criminal history record information check requirements for residential
 12 child-caring agencies.
 13 (2) An individual eighteen years of age or older working in a
 14 residential child-caring agency shall also submit to the following
 15 background checks:
 16 (a) A search of the National Crime Information Center's National Sex
 17 Offender Registry; and
 18 (b) A search of the following registries, repositories, or data
 19 bases in the state where the individual resides and each state where the
 20 individual resided during the preceding five years:
 21 (i) State criminal registries or repositories;
 22 (ii) State sex offender registries or repositories; and
 23 (iii) State-based child abuse and neglect registries and data bases.
 24 Sec. 6. Sections 1, 2, 3, and 7 of this act become operative three
 25 calendar months after the adjournment of this legislative session. The
 26 other sections of this act become operative on their effective date.
 27 Sec. 7. Original sections 68-1206, 68-1724, and 71-1912, Reissue
 28 Revised Statutes of Nebraska, are repealed.
 29 Sec. 8. Original section 71-1924, Reissue Revised Statutes of
 30 Nebraska, is repealed.
 31 Sec. 9. Since an emergency exists, this act takes effect when passed
 1 and approved according to law.

LEGISLATIVE BILL 540. Placed on General File with amendment.
 AM1182

1 1. On page 2, line 23, reinstate the stricken matter beginning with
 2 "(4)" through the comma, after the comma insert "2025", and reinstate the
 3 period.

(Signed) Sara Howard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB334:
 AM1220

(Amendments to Standing Committee amendments, AM801)

1 1. Strike section 7 and insert the following new section:
 2 Sec. 6. Section 81-829.33, Reissue Revised Statutes of Nebraska, is
 3 amended to read:

4 81-829.33 The Governor's Emergency Cash Fund is created. The fund
 5 shall consist of federal reimbursements received by the state for
 6 eligible state administrative costs incurred by the Nebraska Emergency
 7 Management Agency for administering federal emergency disaster
 8 declarations and revenue from all other nonfederal government sources.
 9 Except as provided in section 90-270, the fund shall be used to pay
 10 eligible costs related to state emergency disaster declarations. The fund
 11 shall be administered by the State Administrator of the Nebraska
 12 Emergency Management Agency. Any money in the fund available for
 13 investment shall be invested by the state investment officer pursuant to
 14 the Nebraska Capital Expansion Act and the Nebraska State Funds
 15 Investment Act. It is the intent of the Legislature that (1) the four
 16 million dollars saved due to the elimination of funding for the Angel
 17 Investment Tax Credit Act be used to increase the appropriation to the
 18 Governor's Emergency Cash Fund by four million dollars for fiscal year
 19 2020-21 and each fiscal year thereafter and (2) the one hundred thousand
 20 dollars saved due to the reduction in tax credits authorized under the
 21 Angel Investment Tax Credit Act for calendar year 2019 be used to
 22 increase the appropriation to the Department of Revenue by one hundred
 23 thousand dollars for fiscal year 2019-20 to offset the costs incurred by
 24 the Department of Revenue to implement this legislative bill.
 25 2. Renumber the remaining sections and correct the repealer
 26 accordingly.

Senator Friesen filed the following amendment to LB356:
 AM1167 is available in the Bill Room.

Senator Kolterman filed the following amendment to LB31:
 AM1247

(Amendments to Standing Committee amendments, AM1169)

- 1 1. On page 3, strike beginning with "(1)" in line 30 through line
 2 31.
- 3 2. On page 4, strike beginning with "specified" in line 1 through
 4 "(2)" in line 6; in line 16 strike "any such" and insert "each"; and in
 5 line 17 strike "the Class V School Employees Retirement Management Study
 6 Fund" and insert "such Class V school employees retirement system".

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Wayne name added to LB605.

VISITOR(S)

Visitors to the Chamber were professors from Pakistan participating in a UNO and US Department of State cultural exchange; students from

Washington Elementary School, Omaha; and students and sponsors from Future Career and Community Leaders of America from across the state.

ADJOURNMENT

At 4:44 p.m., on a motion by Senator Howard, the Legislature adjourned until 9:00 a.m., Tuesday, April 9, 2019.

Patrick J. O'Donnell
Clerk of the Legislature

