

**SEVENTY-SEVENTH DAY - MAY 15, 2019**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION**

**SEVENTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, May 15, 2019

**PRAYER**

The prayer was offered by Pastor Grant Hewitt, Southern Director for the Christian Medical and Dental Associations, Fort Worth, TX.

**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 Cavanaugh, DeBoer, Geist, Morfeld, Pansing Brooks, Stinner, Vargas, and Wayne who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the seventy-sixth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 299.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LRs 108, 109, and 110 were adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 108, 109, and 110.

**SELECT FILE**

**LEGISLATIVE BILL 464.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 675.** ER108, found on page 1451, was adopted.

Senator Groene offered his amendment, AM1675, found on page 1524.

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

Advanced to Enrollment and Review for Engrossment.

#### **GENERAL FILE**

**LEGISLATIVE BILL 720.** Title read. Considered.

Committee AM1614, found on page 1462, was offered.

Senator Kolterman withdrew his amendment, AM1198, found on page 1085.

Senator Kolterman asked unanimous consent to withdraw his amendment, AM1684, found on page 1512, to the committee amendment, and replace it with the Bolz substitute amendment, AM1795, found on page 1541. No objections. So ordered.

Pending.

#### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 464.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

#### **AMENDMENT(S) - Print in Journal**

Senator Bostelman filed the following amendment to LB583:  
AM1556

1 1. Insert the following new section:  
2 Section 1. Section 13-2914, Reissue Revised Statutes of Nebraska, is  
3 amended to read:  
4 13-2914 A political subdivision shall not use a design-build  
5 contract or construction management at risk contract under the Political  
6 Subdivisions Construction Alternatives Act for a project, in whole or in  
7 part, for road, street, highway, water, wastewater, utility, or sewer  
8 construction, except that a city of the metropolitan class may use a  
9 design-build contract or construction management at risk contract for the  
10 purpose of complying with state or federal requirements to control or  
11 minimize overflows from combined sewers.

- 12 2. On page 3, strike beginning with "with" in line 2 through  
 13 "Census" in line 5; and strike beginning with "described" in line 6  
 14 through the second "subdivision" in line 7.  
 15 3. On page 15, line 9, after "resolution" insert "or an ordinance";  
 16 and in line 10 after "sections" insert "13-2914,".  
 17 4. Renumber the remaining sections accordingly.

**NOTICE OF COMMITTEE HEARING(S)**  
 Transportation and Telecommunications

Room 1510

Tuesday, May 28, 2019 12:00 p.m.

Ann Richart - Division of Aeronautics-Department of Transportation

(Signed) Curt Friesen, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 720.** Senator Erdman offered the following motion:  
 MO92  
 Bracket until June 6, 2019.

Pending.

**COMMITTEE REPORT(S)**  
 Appropriations

**LEGISLATIVE BILL 481.** Placed on General File with amendment.  
 AM1815

- 1 1. Strike the original section and insert the following new  
 2 sections:  
 3 Section 1. Sections 1 to 6 of this act shall be known and may be  
 4 cited as the Brain Injury Trust Fund Act.  
 5 Sec. 2. For purposes of the Brain Injury Trust Fund Act:  
 6 (1) Brain injury has the definition found in section 81-654; and  
 7 (2) Committee means the Brain Injury Oversight Committee created in  
 8 section 3 of this act.  
 9 Sec. 3. (1) The Brain Injury Oversight Committee is created. The  
 10 committee shall consist of nine public members and the following  
 11 directors, or their designees: The Commissioner of Education; the  
 12 Director of Behavioral Health of the Department of Health and Human  
 13 Services; and the Director of Public Health of the Department of Health  
 14 and Human Services. The Governor shall appoint the nine public members  
 15 which shall include individuals with a brain injury or family members of  
 16 individuals with a brain injury, a representative of a public or private  
 17 health-related organization, a representative of a developmental  
 18 disability advisory or planning group within Nebraska, a representative

19 of service providers for individuals with a brain injury, and a  
20 representative of a nonprofit brain injury advocacy organization.  
21 (2) The Governor shall appoint the public members within ninety days  
22 after the operative date of this act. The Governor shall designate the  
23 initial terms so that three members serve one-year terms, three members  
24 serve two-year terms, and three members serve three-year terms. Their  
25 successors shall be appointed for four-year terms. Any vacancy shall be  
26 filled from the same category for the remainder of the unexpired term.  
27 Any member of the committee shall be eligible for reappointment. At least  
1 one member of the committee shall be appointed from each congressional  
2 district.

3 (3) The committee shall select a chairperson and such other officers  
4 as it deems necessary to perform its functions and shall establish  
5 policies to govern its procedures. The committee shall meet at least four  
6 times annually, and at any other time as the business of the committee  
7 requires, and shall meet at such place as may be established by the  
8 chairperson. The public members of the committee shall be reimbursed for  
9 their actual and necessary expenses as provided in sections 81-1174 to  
10 81-1177.

11 Sec. 4. The committee shall:

12 (1) Provide financial oversight and direction to the University of  
13 Nebraska Medical Center in the management of the Brain Injury Trust Fund;

14 (2) Develop criteria for expenditures from the Brain Injury Trust  
15 Fund; and

16 (3) Represent the interests of individuals with a brain injury and  
17 their families through advocacy, education, training, rehabilitation,  
18 research, and prevention.

19 Sec. 5. (1) The Brain Injury Trust Fund is created. The fund shall  
20 consist of appropriations from the Legislature, transfers authorized by  
21 the Legislature, grants, and any contributions designated for the purpose  
22 of the fund. Any money in the fund available for investment shall be  
23 invested by the state investment officer pursuant to the Nebraska Capital  
24 Expansion Act and the Nebraska State Funds Investment Act.

25 (2)(a) The fund shall be administered through a contract with the  
26 University of Nebraska Medical Center for administration, accounting, and  
27 budgeting purposes and used to pay for contracts for assistance for  
28 individuals with a brain injury with outside sources that specialize in  
29 the area of brain injury. Such outside sources shall operate, at a  
30 minimum, statewide, and also in targeted areas as defined and determined  
31 in the contract, with individuals with a brain injury; work to secure and  
1 develop community-based services for individuals with a brain injury;  
2 provide support groups and access to pertinent information, medical  
3 resources, and service referrals for individuals with a brain injury; and  
4 educate professionals who work with individuals with a brain injury.

5 (b) Expenditures from the fund may also include, but not be limited  
6 to:

7 (i) Resource facilitation. Resource facilitation shall be given  
8 priority and made available to provide ongoing support for individuals  
9 with a brain injury and their families for coping with brain injuries.

10 Resource facilitation may provide a linkage to existing services and  
11 increase the capacity of the state's providers of services to individuals  
12 with a brain injury by providing brain-injury-specific information,  
13 support, and resources and enhancing the usage of support commonly  
14 available in a community. Agencies providing resource facilitation shall  
15 specialize in providing services to individuals with a brain injury and  
16 their families;

17 (ii) Voluntary training for service providers in the appropriate  
18 provision of services to individuals with a brain injury;

19 (iii) Followup contact to provide information on brain injuries for  
20 individuals on the brain injury registry established in the Brain Injury  
21 Registry Act;

22 (iv) Activities to promote public awareness of brain injury and  
23 prevention methods;

24 (v) Supporting research in the field of brain injury;

25 (vi) Providing and monitoring quality improvement processes with  
26 standards of care among brain injury service providers; and

27 (vii) Collecting data and evaluating how the needs of individuals  
28 with a brain injury and their families are being met in this state.

29 (c) No more than ten percent of the fund shall be used for  
30 administration of the fund.

31 (d) Data collection and evaluation pursuant to this section shall  
1 not be a burden or unnecessary hardship to individuals with a brain  
2 injury or service providers.

3 (e) Nothing in this section shall require a professional, provider,  
4 caregiver, or individual to receive training as a condition of receiving  
5 or providing nonmedical services to individuals with a brain injury.

6 Sec. 6. It is the intent of the Legislature to appropriate five  
7 hundred thousand dollars from the Nebraska Health Care Cash Fund annually  
8 beginning in fiscal year 2020-21 to the Brain Injury Trust Fund for  
9 purposes of carrying out the Brain Injury Trust Fund Act.

10 Sec. 7. Section 71-7611, Reissue Revised Statutes of Nebraska, is  
11 amended to read:

12 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State  
13 Treasurer shall transfer (a) sixty million three hundred thousand dollars  
14 on or before July 15, 2014, (b) sixty million three hundred fifty  
15 thousand dollars on or before July 15, 2015, (c) sixty million three  
16 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty  
17 million seven hundred thousand dollars on or before July 15, 2017, (e)  
18 five hundred thousand dollars on or before May 15, 2018, (f) sixty-one  
19 million six hundred thousand dollars on or before July 15, 2018, (g)  
20 sixty-one million three hundred fifty thousand dollars on or before July  
21 15, 2019, and (h) sixty million ~~nine~~ ~~four~~ hundred fifty thousand dollars  
22 on or before every July 15 thereafter from the Nebraska Medicaid  
23 Intergovernmental Trust Fund and the Nebraska Tobacco Settlement Trust  
24 Fund to the Nebraska Health Care Cash Fund, except that such amount shall  
25 be reduced by the amount of the unobligated balance in the Nebraska  
26 Health Care Cash Fund at the time the transfer is made. The state  
27 investment officer shall advise the State Treasurer on the amounts to be

28 transferred first from the Nebraska Medicaid Intergovernmental Trust Fund  
29 until the fund balance is depleted and from the Nebraska Tobacco  
30 Settlement Trust Fund thereafter in order to sustain such transfers in  
31 perpetuity. The state investment officer shall report electronically to  
1 the Legislature on or before October 1 of every even-numbered year on the  
2 sustainability of such transfers. The Nebraska Health Care Cash Fund  
3 shall also include money received pursuant to section 77-2602. Except as  
4 otherwise provided by law, no more than the amounts specified in this  
5 subsection may be appropriated or transferred from the Nebraska Health  
6 Care Cash Fund in any fiscal year.

7 The State Treasurer shall transfer ten million dollars from the  
8 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on  
9 June 28, 2018, and June 28, 2019.

10 It is the intent of the Legislature that no additional programs are  
11 funded through the Nebraska Health Care Cash Fund until funding for all  
12 programs with an appropriation from the fund during FY2012-13 are  
13 restored to their FY2012-13 levels.

14 (2) Any money in the Nebraska Health Care Cash Fund available for  
15 investment shall be invested by the state investment officer pursuant to  
16 the Nebraska Capital Expansion Act and the Nebraska State Funds  
17 Investment Act.

18 (3) The University of Nebraska and postsecondary educational  
19 institutions having colleges of medicine in Nebraska and their affiliated  
20 research hospitals in Nebraska, as a condition of receiving any funds  
21 appropriated or transferred from the Nebraska Health Care Cash Fund,  
22 shall not discriminate against any person on the basis of sexual  
23 orientation.

24 (4) The State Treasurer shall transfer fifty thousand dollars on or  
25 before July 15, 2016, from the Nebraska Health Care Cash Fund to the  
26 Board of Regents of the University of Nebraska for the University of  
27 Nebraska Medical Center. It is the intent of the Legislature that these  
28 funds be used by the College of Public Health for workforce training.

29 (5) It is the intent of the Legislature that the cost of the staff  
30 and operating costs necessary to carry out the changes made by Laws 2018,  
31 LB439, and not covered by fees or federal funds shall be funded from the  
1 Nebraska Health Care Cash Fund for fiscal years 2018-19 and 2019-20.

2 Sec. 8. This act becomes operative on July 15, 2020.

3 Sec. 9. Original section 71-7611, Reissue Revised Statutes of  
4 Nebraska, is repealed.

(Signed) John Stinner, Chairperson

#### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 481A.** Introduced by Stinner, 48.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to

aid in carrying out the provisions of Legislative Bill 481, One Hundred Sixth Legislature, First Session, 2019.

### RESOLUTION(S)

#### **LEGISLATIVE RESOLUTION 136.** Introduced by Vargas, 7.

WHEREAS, Noah Fant was selected by the Denver Broncos as the twentieth overall pick in the 2019 National Football League Draft; and

WHEREAS, Noah Fant is the first Nebraskan to be selected in the first round of the National Football League draft since 1987; and

WHEREAS, Noah Fant is a graduate of Omaha South High School, class of 2016, where he played both basketball and football and was selected as a member of the 2015 Omaha World-Herald's Super Six team, which recognizes the top six high school football players in Nebraska; and

WHEREAS, Noah Fant finished his college football career at the University of Iowa with 78 catches for 1,082 yards and 19 touchdowns, breaking a school record for career touchdowns by a tight end; and

WHEREAS, Noah Fant earned a third team All-Big Ten selection in 2017 and a first team All-Big Ten selection in 2018; and

WHEREAS, Noah Fant embodies the work ethic, humility, and dedication of Nebraskans.

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

1. That the Legislature recognizes the outstanding achievements of Noah Fant and wishes him the best of luck in his career in the National Football League.

2. That a copy of this resolution be sent to Noah Fant and his family.

Laid over.

#### **LEGISLATIVE RESOLUTION 137.** Introduced by Lindstrom, 18.

PURPOSE: The purpose of this interim study is to examine the Nebraska Condominium Act, which was last updated in 1993. The issues addressed by this interim study shall include, but not be limited to:

(1) A statute of limitations on actions by a homeowners' association against a developer;

(2) The percentage of the homeowners' association required vote in favor prior to proceeding with litigation;

(3) The imposition of a mediation requirement prior to litigation;

(4) The imposition of a requirement that the homeowners' association adhere to preventative maintenance plans; and

(5) Selling units of real estate while the homeowners' association is involved in litigation.

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

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

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 138.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this interim study is to identify for adoption by the Legislature three to five infrastructure project opportunities in eastern Nebraska of sufficient size and scale to provide flood control, a stable and reliable drinking water supply, power generation, climate change mitigation, and recreation, and to attract and retain a workforce to foster regional and economic growth.

To identify such opportunities in eastern Nebraska, the study shall:

(1) Compile information regarding: (a) Hydrology and water supply, (b) geotechnical information, (c) existing infrastructure, (d) existing and future recreation and economic needs in the region, (e) existing and expected economic data for the region, (f) existing and expected demographic data for the region, (g) future land use master plans, (h) existing and planned transportation infrastructure, and (i) land ownership data;

(2) Develop threshold criteria regarding the size needed to be a viable project;

(3) Identify potential project locations, opportunities, and constraints including: (a) Proximity to urban areas and centers of economic development, (b) size, (c) water and land availability, (d) existing infrastructure, (e) socioeconomic considerations, (f) environmental impact, (g) public acceptance or opposition, (h) ability to obtain federal, state, and local permits, (i) relocation of communities, (j) public safety, and (k) long-term operation and maintenance needs; and

(4) Define project elements to maximize the benefits within physical constraints of the project, including concept-level definitions of infrastructure improvements, recreational amenities, and land requirements.

Such study shall be conducted by the Natural Resources Committee of the Legislature in consultation with the University of Nebraska, the Department of Economic Development, and the Department of Natural Resources.

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

1. That the Natural Resources Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 139.** Introduced by Lowe, 37; Howard, 9; Murman, 38; Williams, 36.

**PURPOSE:** The purpose of this interim study is to examine the feasibility of increasing the presence of the University of Nebraska Medical Center in central and western Nebraska by strengthening existing collaborations and creating new collaborations with the University of Nebraska at Kearney for education, research, and community outreach for health professionals. The issues addressed by this interim study shall include, but not be limited to:

- (1) Identification of priority health professions that are experiencing extreme shortages;
- (2) Current health professional training programs and the sustainability of such programs;
- (3) The current preceptorship pool available to provide clinical training to students;
- (4) Technology to assist in the provision of educational and care delivery opportunities;
- (5) The importance of public-private partnerships in providing educational and care delivery opportunities; and
- (6) Recommendations for potential strategies and funding sources to achieve priority opportunities.

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

1. That the Health and Human Services 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.

**AMENDMENT(S) - Print in Journal**

Senator Briese filed the following amendment to LB397:  
AM1828

- 1 1. On page 2, line 23, strike "(2)" and insert "(2)(a)"; and in line 2 30 strike "(a)" and insert "(b)".
- 3 2. On page 3, line 9, strike "or" and insert "and"; in line 12, 4 strike "containing" and insert "whether or not it contains"; strike 5 beginning with "the" in line 14 through "An" in line 16 and insert "an"; 6 in line 18 strike "federal" and insert "Federal"; and strike beginning 7 with the underscored semicolon in line 19 through "derivatives" in line 8 23.
- 9 3. On page 21, line 1, strike "as" and insert "in the form of" 10 ongoing litigation that has not reached a final order as reasonably" and

11 strike "the satisfaction of"; in line 9 after "years" insert ", unless  
 12 such removal is subject to a good faith dispute in the form of an ongoing  
 13 challenge under administrative procedure or litigation that has not  
 14 reached a final order as reasonably documented to the Attorney General";  
 15 in line 10 strike "litigation pending against, or"; in line 11 strike the  
 16 underscored comma; and in line 25 after "business" insert ", unless the  
 17 suspension or revocation is subject to a good faith dispute in the form  
 18 of an ongoing challenge under administrative procedure or litigation that  
 19 has not reached a final order as reasonably documented to the Attorney  
 20 General".  
 21 4. On page 22, line 3, after "Commissioner" insert ", unless such  
 22 failure is subject to a good faith dispute in the form of an ongoing  
 23 challenge under administrative procedure or litigation that has not  
 24 reached a final order as reasonably documented to the Attorney General".

### VISITOR(S)

Visitors to the Chamber were students from Plattsmouth Elementary School; and Senator DeBoer's parents, John and Elaine DeBoer, from Omaha, and Senator DeBoer's sister, nieces, and nephew, Johanna, Evy, Charlotte, and Ben Anderson, from Lincoln.

### RECESS

At 12:16 p.m., on a motion by Senator Geist, the Legislature recessed until 1:30 p.m.

### AFTER RECESS

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

### ROLL CALL

The roll was called and all members were present except Senators Groene, B. Hansen, Howard, Hughes, Hunt, Kolterman, Morfeld, and Murman who were excused until they arrive.

### AMENDMENT(S) - Print in Journal

Senator Groene filed the following amendment to LB720:  
 AM1767

(Amendments to Standing Committee amendments, AM1614)

1 1. On page 6, line 4, after the semicolon insert "or"; in line 5  
 2 strike "; or" and insert an underscored period; and strike lines 6  
 3 through 10.

Senator Chambers filed the following amendment to LB720:

FA78

Amend AM1614

Page 10, line 1 strike beginning with "violate" through "discrimination" in line 2 and insert "discriminate on the basis of race, color, creed, religion, ancestry, sex, marital status, national origin, familial status as defined in section 20-311, handicap as defined in section 20-313, age, disability, sexual orientation, or gender identity".

Senator Vargas filed the following amendment to LB720:

AM1491

(Amendments to Standing Committee amendments, AM1614)

1 1. Insert the following new section:

2 Sec. 45. (1) The Legislature finds and declares that:

3 (a) Nationwide and in Nebraska, women are paid significantly less  
4 than men. In addition to wage disparity, women make up a small share of  
5 top leadership positions in private businesses. In recent years, women  
6 have made some gains in leadership positions, and experience has shown  
7 that the increase of women in leadership is helping businesses thrive in  
8 unprecedented ways. For over fifty years, equal pay laws have sought to  
9 remedy persistent disparities based on sex and gender in the workplace.  
10 Nevertheless, gender-based disparities with regard to pay and leadership  
11 status persist and have created a wage gap in Nebraska negatively  
12 impacting working women, working families, our state budget, and our  
13 state and national economies;

14 (b) The persistent gender disparities illustrate that this state  
15 must do better and must modernize its equal pay laws with innovative and  
16 creative policy strategies. Research shows that if the state waits for a  
17 private market correction, Nebraska women will not realize equal pay for  
18 equal work until 2066. That pace is unacceptable. The state must be  
19 proactive and take additional steps to make equal pay a reality; and

20 (c) The ImagiNE Nebraska Act encourages and rewards employers that  
21 create new, quality jobs in Nebraska. Quality jobs are jobs provided by  
22 employers that (i) recognize that women are a significant portion of  
23 Nebraska's workforce and (ii) provide for pay and employment equity for  
24 women, including equity in leadership.

25 (2) For any taxpayer that is a domestic corporation with a board of  
26 directors, such taxpayer shall not qualify for any incentives under the  
1 ImagiNE Nebraska Act unless at least one-half of the members of the  
2 taxpayer's board of directors are female. Such requirement shall continue  
3 to apply to the taxpayer throughout the performance period. If a taxpayer  
4 fails to meet such requirement at any time during the performance period,  
5 such failure shall be treated in the same manner as a failure to maintain  
6 the required level of employment for purposes of any recapture and  
7 disallowance of incentives under section 34 of this act.

8 (3) For purposes of this section, female means an individual who  
9 self-identifies as a woman, without regard to the individual's designated  
10 sex at birth.

11 2. On page 1, line 3, strike "44" and insert "45".

12 3. On page 10, line 2, strike "and"; in line 5 strike the period and

13 insert "; and"; and after line 5 insert the following new subdivision:  
 14 "(i) If the taxpayer is a domestic corporation with a board of  
 15 directors, contain information regarding the gender of the members of the  
 16 board of directors at the time of application and, if necessary, a  
 17 timetable showing the year the taxpayer expects to meet the requirements  
 18 in section 45 of this act with respect to its board of directors."  
 19 4. On page 38, line 7, strike the second "and"; and in line 10 after  
 20 "wages" insert ", and (v) the percentage of female members on the boards  
 21 of directors of such taxpayers".  
 22 5. Renumber the remaining sections and correct internal references  
 23 accordingly.

Senator M. Hansen filed the following amendment to LB720:  
 AM1826

(Amendments to Standing Committee amendments, AM1614)

1 1. Strike section 10 and insert the following new sections:  
 2 Sec. 10. Employer-sponsored health insurance means a plan (1) that  
 3 offers minimum essential coverage under an eligible employer-sponsored  
 4 plan, as those terms are defined and described in section 5000A of the  
 5 Internal Revenue Code of 1986, as amended, and the regulations for such  
 6 section as they existed on the effective date of this act and (2) the  
 7 entire cost of which is paid by the employer.  
 8 Sec. 11. Employer-sponsored retirement account means any retirement  
 9 account to which the employer contributes at least five percent of the  
 10 employee's wages per month.  
 11 Sec. 12. (1) Full-time employees means the number of employees who,  
 12 for a calendar month, are (a) employed on average at least thirty hours  
 13 per week and (b) provided with employer-sponsored health insurance, paid  
 14 family and medical leave, employer-sponsored retirement accounts, health  
 15 savings accounts, and dependent care flexible spending accounts.  
 16 (2) Hours worked by part-time employees shall not be considered for  
 17 purposes of determining the number of full-time employees.  
 18 Sec. 13. Health savings account means an account as defined in 26  
 19 U.S.C. 223, as such section existed on the effective date of this act.  
 20 Sec. 20. Paid family and medical leave means six weeks of paid leave  
 21 eligible for leave under the federal Family and Medical Leave Act of  
 22 1993, 29 U.S.C. 2601 et seq., as such act existed on the effective date  
 23 of this act.  
 24 2. On page 1, line 3, strike "44" and insert "48".  
 25 3. On page 3, lines 18, 19, 20, 26, 28, and 29, strike "equivalent"  
 26 and insert "full-time"; strike beginning with the comma in line 21  
 1 through the comma in line 22; and strike beginning with the comma in line  
 2 30 through the comma in line 31.  
 3 4. On page 4, lines 5, 6, and 7, strike "equivalent" and insert  
 4 "full-time"; strike beginning with the comma in line 8 through the comma  
 5 in line 9; and strike lines 20 through 29.  
 6 5. On page 17, strike lines 7 through 20 and insert "subdivision,  
 7 the average wage of the taxpayer's employees at the qualified location or  
 8 locations for each year of the performance period must equal at least one  
 9 hundred fifty percent of the Nebraska statewide average hourly wage for  
 10 the year of application."

- 11 6. On page 19, line 27; page 20, lines 4 and 5, 8 and 9, 12 and 13,  
 12 16 and 17, 26, and 29 and 30; and page 21, lines 2 and 3, 6 and 7, 16 and  
 13 17, 20 and 21, and 24 and 25, strike "if the average wage of the new  
 14 employees equals" and insert "who are paid wages of".  
 15 7. On page 23, strike beginning with "and" in line 21 through "act"  
 16 in line 30.  
 17 8. On page 33, strike beginning with "and" in line 4 through "act"  
 18 in line 5 and insert "requirement of subdivision (1)(c) of section 32 of  
 19 this act and the requirement to provide the benefits described in  
 20 subdivision (1)(b) of section 12 of this act".  
 21 9. On page 53, strike the new matter in lines 30 and 31 and insert  
 22 "and sections 10, 14, 19, 24, 26, 27, 36, 39, and 47 of this act".  
 23 10. Renumber the remaining sections and correct internal references  
 24 accordingly.

Senator Scheer filed the following amendment to LB720:  
 AM1836

(Amendments to Standing Committee amendments, AM1614)

- 1 1. Insert the following new sections:  
 2 Sec. 56. Sections 56 to 63 of this act shall be known and may be  
 3 cited as the Community Economic Opportunities Act.  
 4 Sec. 57. The purpose of the Community Economic Opportunities Act is  
 5 to provide capital for economic development projects in areas of the  
 6 state that are underserved by Nebraska's employment and investment  
 7 incentive programs.  
 8 Sec. 58. For purposes of the Community Economic Opportunities Act:  
 9 (1) Board means the Community Economic Opportunities Board  
 10 established in section 59 of this act;  
 11 (2) Department means the Department of Economic Development;  
 12 (3) Eligible community means a county in Nebraska with fewer than  
 13 forty thousand residents as determined by the most recent federal  
 14 decennial census; and  
 15 (4) Eligible project means an economic development project proposed  
 16 by a private business that:  
 17 (a) By its terms is not eligible to receive incentives under the  
 18 ImagiNE Nebraska Act;  
 19 (b) Will provide employment, investment, or both, to an eligible  
 20 community; and  
 21 (c) Is determined by the department to have a likelihood of  
 22 resulting in a high rate of return on investment.  
 23 Sec. 59. (1) The Community Economic Opportunities Board is  
 24 established. The board shall be comprised of two persons representing  
 25 economic developers, two persons representing counties or municipalities,  
 26 and one person representing business. Members shall be appointed by the  
 1 Governor and approved by the Legislature with at least one member  
 2 residing in each of Nebraska's congressional districts. Additionally, the  
 3 Speaker of the Legislature, the chairperson of the Appropriations  
 4 Committee of the Legislature, and the chairperson of the Revenue  
 5 Committee of the Legislature shall serve as nonvoting members on the

6 board. Members shall serve two-year terms except that the terms of one  
7 person representing economic developers and one person representing  
8 counties or municipalities appointed upon the creation of the board shall  
9 be for three years. The board shall select a chairperson from among its  
10 members. Members shall serve without compensation but shall be reimbursed  
11 for their actual and necessary expenses as provided in sections 81-1174  
12 to 81-1177. Board meetings may be conducted by telephone or  
13 teleconference.

14 (2) The board shall meet subject to the call of the chair to select  
15 projects for funding under the Community Economic Opportunities Act from  
16 recommendations by the department. The board may approve up to two  
17 million dollars each year to fund eligible projects.

18 Sec. 60. The department shall develop procedures for applying for  
19 funding under the Community Economic Opportunities Act and shall develop  
20 guidelines and parameters for rating and selecting projects for  
21 submission to the board.

22 Sec. 61. The Community Economic Opportunities Fund is created. The  
23 fund shall be administered by the department to provide funding for  
24 eligible projects approved by the board under section 59 of this act. The  
25 fund shall consist of transfers and appropriations authorized by the  
26 Legislature and any gifts, grants, bequests, or donations to the fund.  
27 Any money in the fund available for investment shall be invested by the  
28 state investment officer pursuant to the Nebraska Capital Expansion Act  
29 and the Nebraska State Funds Investment Act.

30 Sec. 62. (1) On or before October 31, 2020, and each October 31  
31 thereafter, the Director of Economic Development shall electronically  
1 submit to the Legislature a report on the Community Economic  
2 Opportunities Act for the previous fiscal year.

3 (2) The report shall list projects that were approved for funding by  
4 the board and shall include the location of the project, the entity  
5 receiving funding, and a description of the project.

6 Sec. 63. (1) On or before July 1, 2020, the State Treasurer shall,  
7 on such date as directed by the budget administrator of the budget  
8 division of the Department of Administrative Services, transfer two  
9 million dollars from the General Fund to the Community Economic  
10 Opportunities Fund.

11 (2) On or before July 1, 2021, the State Treasurer shall, on such  
12 date as directed by the budget administrator of the budget division of  
13 the Department of Administrative Services, transfer two million dollars  
14 from the General Fund to the Community Economic Opportunities Fund.

15 (3) It is the intent of the Legislature to appropriate two million  
16 dollars to the Community Economic Opportunities Fund annually for  
17 purposes of carrying out the Community Economic Opportunities Act.

18 2. Renumber the remaining sections accordingly.

Senator Friesen filed the following amendment to LB720:  
AM1845 is available in the Bill Room.

**GENERAL FILE**

**LEGISLATIVE BILL 686.** Title read. Considered.

Committee AM1737, found on page 1522, was offered.

Senator Friesen offered the following amendment to the committee amendment:

AM1859 is available in the Bill Room.

Senator Friesen withdrew his amendment.

The committee amendment was adopted with 42 ayes, 0 nays, 5 present and not voting, and 2 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.

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 720A.** 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 720, One Hundred Sixth Legislature, First Session, 2019; and to declare an emergency.

**NOTICE OF COMMITTEE HEARING(S)**  
Nebraska Retirement Systems

Room 1510

Thursday, May 23, 2019 8:00 a.m.

Allen Simpson - Public Employees Retirement Board  
Janis Elliott - Public Employees Retirement Board  
Michael D. Jahnke - Public Employees Retirement Board

(Signed) Mark Kolterman, Chairperson

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB719:  
AM1820

(Amendments to Standing Committee amendments, AM258)

1 1. Insert the following new section:  
2 Sec. 2. Section 60-6,190, Revised Statutes Cumulative Supplement,

3 2018, is amended to read:

4 60-6,190 (1) Whenever the Department of Transportation determines,  
5 upon the basis of an engineering and traffic investigation, that any  
6 maximum speed limit is greater or less than is reasonable or safe under  
7 the conditions found to exist at any intersection, place, or part of the  
8 state highway system outside of the corporate limits of cities and  
9 villages as well as inside the corporate limits of cities and villages on  
10 freeways which are part of the state highway system, it may determine and  
11 set a reasonable and safe maximum speed limit for such intersection,  
12 place, or part of such highway which shall be the lawful speed limit when  
13 appropriate signs giving notice thereof are erected at such intersection,  
14 place, or part of the highway, except that the maximum rural and freeway  
15 limits shall not be exceeded. Such a maximum speed limit may be set to be  
16 effective at all times or at such times as are indicated upon such signs.

17 (2) The speed limits set by the department shall not be a  
18 departmental rule, regulation, or order subject to the statutory  
19 procedures for such rules, regulations, or orders but shall be an  
20 authorization over the signature of the Director-State Engineer and shall  
21 be maintained on permanent file at the headquarters of the department.  
22 Certified copies of such authorizations shall be available from the  
23 department at a reasonable cost for duplication. Any change to such an  
24 authorization shall be made by a new authorization which cancels the  
25 previous authorization and establishes the new limit, but the new limit  
26 shall not become effective until signs showing the new limit are erected  
1 as provided in subsection (1) of this section.

2 (3) On county highways which are not part of the state highway  
3 system or within the limits of any state institution or any area under  
4 control of the Game and Parks Commission or a natural resources district  
5 and which are outside of the corporate limits of cities and villages,  
6 county boards shall have the same power and duty to alter the maximum  
7 speed limits as the department if the change is based on an engineering  
8 and traffic investigation comparable to that made by the department. The  
9 limit outside of a business or residential district shall not be  
10 decreased to less than thirty-five miles per hour.

11 (4) On all highways within their corporate limits, except on state-  
12 maintained freeways which are part of the state highway system,  
13 incorporated cities and villages shall have the same power and duty to  
14 alter the maximum speed limits as the department ~~if the change is based~~  
15 ~~on engineering and traffic investigation~~, except that no imposition of  
16 speed limits on highways which are part of the state highway system in  
17 cities and villages under eight hundred forty thousand inhabitants as  
18 determined by the most recent federal decennial census or the most recent  
19 revised certified count by the United States Bureau of the Census shall  
20 be effective without the approval of the department.

21 (5) The director of any state institution, the Game and Parks  
22 Commission, or a natural resources district, with regard to highways  
23 which are not a part of the state highway system, which are within the  
24 limits of such institution or area under Game and Parks Commission or  
25 natural resources district control, and which are outside the limits of

26 any incorporated city or village, shall have the same power and duty to  
27 alter the maximum speed limits as the department if the change is based  
28 on an engineering and traffic investigation comparable to that made by  
29 the department.

30 (6) Not more than six such speed limits shall be set per mile along  
31 a highway, except in the case of reduced limits at intersections. The  
1 difference between adjacent speed limits along a highway shall not be  
2 reduced by more than twenty miles per hour, and there shall be no limit  
3 on the difference between adjacent speed limits for increasing speed  
4 limits along a highway.

5 (7) When the department or a local authority determines by an  
6 investigation that certain vehicles in addition to those specified in  
7 sections 60-6,187, 60-6,305, and 60-6,313 cannot with safety travel at  
8 the speeds provided in sections 60-6,186, 60-6,187, 60-6,189, 60-6,305,  
9 and 60-6,313 or set pursuant to this section or section 60-6,188 or  
10 60-6,189, the department or local authority may restrict the speed limit  
11 for such vehicles on highways under its respective jurisdiction and post  
12 proper and adequate signs.

13 2. Renumber the remaining section and correct the repealer  
14 accordingly.

Senator Stinner filed the following amendment to LB4A:  
AM1863

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 2. Since an emergency exists, this act takes effect when passed  
3 and approved according to law.
- 4 2. On page 1, line 3, after "2019" insert "; and to declare an  
5 emergency".

Senator B. Hansen filed the following amendment to LB511:  
AM1843

(Amendments to E and R amendments, ER56)

- 1 1. Strike sections 2 to 149.

### GENERAL FILE

**LEGISLATIVE BILL 592.** Senator Wayne withdrew his motion, MO37,  
found on page 1006, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Title read. Considered.

Committee AM1359, found on page 1333, was offered.

Senator Slama offered her amendment, AM1587, found on page 1526, to the  
committee amendment.

The Slama amendment lost with 11 ayes, 21 nays, 12 present and not voting,  
and 5 excused and not voting.

The committee amendment was adopted with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

#### SELECT FILE

**LEGISLATIVE BILL 300.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 300A.** ER110, found on page 1467, was offered.

ER110 was adopted.

Advanced to Enrollment and Review for Engrossment.

#### MOTION(S) - Print in Journal

Senator Groene filed the following motion to LB147:

MO93

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

#### BILL ON FIRST READING

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

**LEGISLATIVE BILL 686A.** Introduced by Lathrop, 12.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 686, One Hundred Sixth Legislature, First Session, 2019.

#### AMENDMENT(S) - Print in Journal

Senator La Grone filed the following amendment to LB470:

AM1849

(Amendments to AM1461)

- 1 1. On page 16, line 21, strike the new matter and reinstate the
- 2 stricken matter.
- 3 2. On page 17, strike lines 4 through 11 and insert the following
- 4 new subdivision:
- 5 "(c) For taxable years beginning or deemed to begin on or after
- 6 January 1, 2020, under the Internal Revenue Code of 1986, as amended,
- 7 federal adjusted gross income shall be reduced, to the extent included in
- 8 the adjusted gross income of an individual, by the amount of any
- 9 contribution made by the individual's employer into an account under the

10 Nebraska educational savings plan trust owned by the individual, not to  
11 exceed five thousand dollars per married filing separate return or ten  
12 thousand dollars for any other return. The costs incurred by the  
13 Department of Revenue to implement this subdivision shall be paid from  
14 the College Savings Plan Expense Fund."

Senator Groene filed the following amendment to LB147:

AM1750

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

3 Section 1. Section 79-254, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 79-254 Sections 79-254 to 79-294 and sections 4 and 5 of this act  
6 shall be known and may be cited as the Student Discipline Act.

7 Sec. 2. Section 79-258, Reissue Revised Statutes of Nebraska, is  
8 amended to read:

9 79-258 Administrative and teaching personnel may take actions  
10 regarding student behavior, other than those specifically provided in the  
11 Student Discipline Act, which are reasonably necessary to aid the  
12 student, further school purposes, or prevent interference with the  
13 educational process. Such actions may include, but need not be limited  
14 to, physical contact, counseling of students, parent conferences,  
15 rearrangement of schedules, requirements that a student remain in school  
16 after regular hours to do additional work, restriction of extracurricular  
17 activity, or requirements that a student receive counseling,  
18 psychological evaluation, or psychiatric evaluation upon the written  
19 consent of a parent or guardian to such counseling or evaluation.

20 Sec. 3. Section 79-259, Reissue Revised Statutes of Nebraska, is  
21 amended to read:

22 79-259 If a student is removed, suspended, expelled, or excluded  
23 from school or from any educational function pursuant to the Student  
24 Discipline Act, such absence from school shall not be deemed a violation  
25 on the part of any person under any compulsory school attendance  
26 statutes. Any suspension or expulsion under the act shall comply with the  
27 requirements of the Special Education Act and the requirements of the  
1 federal Individuals with Disabilities Education Act, 20 U.S.C. 1400 ~~1401~~  
2 et seq.

3 Sec. 4. (1) Administrative, teaching, and other school personnel  
4 may use reasonable physical contact to protect a student, school  
5 personnel, or another person from imminent physical injury.

6 (2) Reasonable physical contact shall only be used for as long as  
7 necessary to protect the student, school personnel, or other person from  
8 imminent physical injury. Reasonable physical contact does not include  
9 physical contact that:

10 (a) Is intended to cause pain;

11 (b) Places a student in a prone restraint, which means restraint in  
12 which a student is placed on the ground in a face-down position; or

13 (c) Involves any mechanical restraint.

14 (3) Each school district shall adopt a policy regarding the use of

15 physical contact pursuant to this section, including training  
16 requirements relating to the use of reasonable physical contact.  
17 (4) Within twenty-four hours following the use of any physical  
18 contact pursuant to this section, school personnel shall contact the  
19 parent or guardian of the student and notify the parent or guardian of  
20 the use of such physical contact.  
21 (5)(a) No administrative, teaching, or other school personnel shall  
22 be subject to professional or administrative discipline or be held liable  
23 for harm caused by an act or omission of any administrative, teaching, or  
24 other school personnel relating to the use of reasonable physical contact  
25 pursuant to this section unless the harm was caused by (i) gross  
26 negligence, (ii) a conscious, flagrant indifference to the rights or  
27 safety of the individual who was harmed, or (iii) willful, criminal, or  
28 reckless misconduct, including misconduct (A) that constitutes a crime of  
29 violence, as defined by 18 U.S.C. 16, as such section existed on January  
30 1, 2019, (B) that involves a sexual offense listed in subdivision (1)(a)  
31 (i) of section 29-4003, (C) for which the defendant has been found to  
1 have violated a federal or state civil rights law, or (D) that occurred  
2 while the defendant was under the influence of alcoholic liquor or drugs.  
3 (b) Nothing in this section shall be construed to limit any defense  
4 that may be available under any other provision of law, including, but  
5 not limited to, any defense relating to self-protection or the protection  
6 of others.  
7 Sec. 5. (1) An administrator or administrator's designee shall  
8 immediately remove a student from a class upon request by a teacher or  
9 other school personnel if such teacher or other school personnel has (a)  
10 followed school policy in requesting the removal of such student and (b)  
11 such student's behavior is so unruly, disruptive, or abusive that it  
12 seriously interferes with the learning environment and the opportunity  
13 for other students in the class to learn.  
14 (2) Removal shall mean the exclusion of a student from a class for a  
15 period not to extend beyond the end of the school day during which such  
16 exclusion occurred, unless such student is otherwise suspended, expelled,  
17 or excluded from school or any educational function pursuant to the  
18 Student Discipline Act.  
19 (3) Any removal pursuant to this section shall comply with the  
20 requirements of the federal Individuals with Disabilities Education Act,  
21 20 U.S.C. 1400 et seq., any applicable Individualized Education Plan  
22 established pursuant to the Individuals with Disabilities Education Act,  
23 and section 504 of the Rehabilitation Act of 1973, 29 U.S.C. 794, as such  
24 acts existed on January 1, 2019, and any other applicable state or  
25 federal law.  
26 (4) When a student is removed from a class, the goal shall be to  
27 return the student to the class as soon as possible after appropriate  
28 instructional or behavioral interventions or supports have been  
29 implemented to increase the likelihood the student will be successful.  
30 For students with patterns of disruptive behavior, schools shall provide  
31 additional interventions or supports. After a student has been removed  
1 for a cumulative amount of time equivalent to five school days in a

2 school year, the due process protections for long-term suspensions shall  
3 apply.  
4 (5) Each school district shall adopt a policy that describes the  
5 process for removing a student from a class and for returning a student  
6 to a class. Such policy shall: (a) Describe how and when a student may be  
7 removed from a class and returned to a class; (b) use a discipline  
8 process that is proactive, instructive, and restorative; (c) require  
9 appropriate communication between administrators, teachers, students, and  
10 parents or guardians, including notification of a parent or guardian  
11 following the removal of a student from a class; and (d) allow a teacher  
12 to have, upon request, a conference with the principal and a parent or  
13 guardian of a student who was removed from class at the request of such  
14 teacher. Such policy shall be made available to the public.  
15 (6) Administrative, teaching, and other school personnel shall not  
16 be subject to professional or administrative discipline for having a  
17 student removed from a class pursuant to this section if such  
18 administrative, teaching, or other school personnel acted in accordance  
19 with the policy adopted pursuant to subsection (5) of this section.  
20 Sec. 6. This act becomes operative on January 1, 2020.  
21 Sec. 7. Original sections 79-254, 79-258, and 79-259, Reissue  
22 Revised Statutes of Nebraska, are repealed.

### SELECT FILE

**LEGISLATIVE BILL 294.** Senator Clements withdrew his amendment, FA73, found on page 1557.

Senator Stinner renewed the Bolz amendment, AM1746, found on page 1513 and considered on page 1555.

Senator Clements offered the following amendment to the Bolz amendment:  
FA79  
Amend AM1746  
Strike Section 6.

### SPEAKER SCHEER PRESIDING

Pending.

### BILL ON FIRST READING

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

**LEGISLATIVE BILL 470A.** Introduced by La Grone, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 470, One Hundred Sixth Legislature, First Session, 2019.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 140.** Introduced by Kolowski, 31.

**PURPOSE:** The purpose of this interim study is to examine the roles and guidelines of homeowner's associations and tools used to carry out their purpose.

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

- (1) Existing and potential policies of homeowner's associations;
- (2) Structures of governance and bylaws of existing homeowner's associations;
- (3) Incorporation or prohibition of renewable energy systems within homeowner's association policies;
- (4) The interactions of homeowner's associations with municipalities and sanitary improvement districts; and
- (5) Other issues facing homeowner's associations and homeowners who live within the jurisdiction of a homeowner's association.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, FIRST 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.

**RECESS**

At 4:47 p.m., on a motion by Senator Erdman, the Legislature recessed until 5:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 5:30 p.m., Speaker Scheer presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Lathrop, Lindstrom, McDonnell, and Pansing Brooks who were excused until they arrive.

**SENATOR WILLIAMS PRESIDING**

**SELECT FILE**

**LEGISLATIVE BILL 294.** The Clements amendment, FA79, found in this day's Journal, to the Bolz amendment, AM1746, was renewed.

**PRESIDENT FOLEY PRESIDING****SPEAKER SCHEER PRESIDING****PRESIDENT FOLEY PRESIDING**

Senator Stinner offered the following motion:

MO95

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Stinner moved for a call of the house. The motion prevailed with 33 ayes, 4 nays, and 12 not voting.

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

Voting in the affirmative, 47:

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

Voting in the negative, 2:

Bostelman Erdman

Not voting, 0.

The Stinner motion to invoke cloture prevailed with 47 ayes, 2 nays, and 0 not voting.

Senator Clements requested a roll call vote on his amendment, FA79.

Voting in the affirmative, 21:

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

Voting in the negative, 28:

Blood	Dorn	Kolowski	Morfeld	Walz
Bolz	Gragert	Kolterman	Pansing Brooks	Wayne
Cavanaugh	Hansen, M.	Lathrop	Quick	Williams
Chambers	Hilkemann	Lindstrom	Scheer	Wishart
Crawford	Howard	McCollister	Stinner	
DeBoer	Hunt	McDonnell	Vargas	

Not voting, 0.

The Clements amendment lost with 21 ayes, 28 nays, and 0 not voting.

The Bolz amendment, AM1746, was adopted with 40 ayes, 7 nays, and 2 present and not voting.

Advanced to Enrollment and Review for Engrossment with 40 ayes, 7 nays, and 2 present and not voting.

The Chair declared the call raised.

#### **BILLS ON FIRST READING**

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

**LEGISLATIVE BILL 311A.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 311, One Hundred Sixth Legislature, First Session, 2019.

**LEGISLATIVE BILL 607A.** 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 607, One Hundred Sixth Legislature, First Session, 2019.

**LEGISLATIVE BILL 205A.** 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 205, One Hundred Sixth Legislature, First Session, 2019.

**LEGISLATIVE BILL 733A.** Introduced by Kolowski, 31.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 733, One Hundred Sixth Legislature, First Session, 2019.

**LEGISLATIVE BILL 323A.** Introduced by Crawford, 45.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 323, One Hundred Sixth Legislature, First Session, 2019.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 300.** Placed on Final Reading.

**LEGISLATIVE BILL 300A.** Placed on Final Reading.

**LEGISLATIVE BILL 675.** Placed on Final Reading.

ST26

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

1. In the E & R amendments, ER108:
  - a. On page 28, line 18, "demonstrating" has been struck and shown as stricken and "demonstrates" inserted.
  - b. On page 50, line 25, "and" has been struck;
  - c. On page 50, line 26; and page 51, line 13, "79-1022," has been struck;
  - d. On page 50, line 27; and page 51, line 13, ", and section 79-1022, Revised Statutes Cumulative Supplement, 2018, as amended by section 1, Legislative Bill 430, One Hundred Sixth Legislature, First Session, 2019" has been inserted after "2018"; and
  - e. On page 51, line 11, the last "and" has been struck.

(Signed) Julie Slama, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 110.** Title read. Considered.

Committee AM1680, found on page 1462, was offered.

Senator Crawford offered the following amendment to the committee amendment:

AM1865

(Amendments to Standing Committee amendments, AM1680)

- 1 1. On page 2, lines 9 and 10, strike "an edible cannabis product.";
- 2 and in line 11 after the period insert "Cannabis product does not include
- 3 an edible cannabis product.".

Pending.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 294.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 141.** Introduced by Williams, 36; Hilgers, 21; Howard, 9; Kolterman, 24; Lindstrom, 18; McCollister, 20; Quick, 35.

**PURPOSE:** The purpose of this interim study is to examine ways to enhance financial literacy programs, training, and general competencies and problem-solving skills in Nebraska, with the objective of increasing long-term financial stability for all Nebraskans. Financial decisions improved by financial literacy include those related to insurance products and analysis, and banking products and decisions. The issues addressed by this interim study shall include, but not be limited to:

- (1) Financial challenges affecting consumers of all ages that arise from a lack of basic knowledge of financial decisionmaking;
- (2) Best practices and relevant academic research regarding enhanced financial literacy training; and
- (3) Existing financial literacy programs and awareness campaigns available to Nebraskans of all ages.

The study committee shall seek the input of the Department of Banking and Finance and the Department of Insurance.

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

1. That the Banking, Commerce and Insurance 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.

**AMENDMENT(S) - Print in Journal**

Senator Erdman filed the following amendment to LB294:  
AM1866

(Amendments to Standing Committee amendments, AM1329)

- 1 1. On page 80, strike lines 12 and 13 and insert "GENERAL FUND
- 2 589,706,928 609,042,931 PROGRAM TOTAL 589,706,928 609,042,931".

**GENERAL FILE**

**LEGISLATIVE BILL 110.** Senator Morfeld offered the following motion:  
MO96

Recommit to the Judiciary Committee.

Senator Morfeld withdrew his motion to recommit to committee.

Senator Chambers offered the following motion:

MO97

Bracket until June 6, 2019.

Senator Chambers withdrew his motion to bracket.

The Crawford amendment, AM1865, found in this day's Journal, to the committee amendment, was renewed.

Pending.

**VISITOR(S)**

Visitors to the Chamber were students from Anselmo-Merna Elementary School; Senator Walz's husband and daughter, Chris and Emma Walz, from Fremont; and Senator Wishart's mom, Sarah Disbrow, from Lincoln, and Denise Manton, Margaret Odgers, and Sydney Lynch from Lincoln.

The Doctor of the Day was Dr. Pat Hotovy from York.

**ADJOURNMENT**

At 9:39 p.m., on a motion by Senator Hilgers, the Legislature adjourned until 9:00 a.m., Thursday, May 16, 2019.

Patrick J. O'Donnell  
Clerk of the Legislature

