

FORTY-FIRST DAY - MARCH 23, 2020**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION****FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska
Monday, March 23, 2020

PRAYER

The prayer was offered by Senator Williams.

ROLL CALL

Pursuant to adjournment, the Legislature met at 1:30 p.m., President Foley presiding.

The roll was called and all members were present except Senators Halloran, Hilkemann, Kolowski, McCollister, and Pansing Brooks who were excused.

CORRECTIONS FOR THE JOURNAL

The Journal for the fortieth day was approved.

AMENDMENT(S) - Refile in Journal

Senator Slama refiled her amendment, [AM2842](#), found on page 883 and withdrawn on page 906, to [LB1198](#).

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 344. Placed on Final Reading.

[ST51](#)

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

1. In the Standing Committee amendments, AM2486:
 - a. On page 6, line 21, the period has been struck and "and" inserted;
 - b. On page 7, line 14, "enable" has been struck and "ensure" inserted;
 - c. On page 8, line 16, "flock," has been struck and "or flock" inserted;
 - d. On page 9, line 27, an underscored comma has been inserted after "destroyed" and "thereof";
 - e. On page 11, line 17; page 21, line 15; page 40, lines 19 and 31; and page 42, line 11, "Act" has been struck;
 - f. On page 16, line 1, the comma has been struck;
 - g. On page 17, line 5, the second "or" has been struck; and in line 6 an underscored comma has been inserted after "acts";

h. On page 20, lines 15 and 16, "order" has been inserted after "movement"; and in line 24 "for" has been struck;

i. On page 26, line 4, the matter beginning with "sections" through "and" has been struck, the old matter shown as stricken, and "section 21 of this act and section" inserted;

j. On page 44, line 5, the semicolon has been struck and a comma inserted.

LEGISLATIVE BILL 870. Placed on Final Reading.

LEGISLATIVE BILL 963. Placed on Final Reading.

ST47

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

1. In the Standing Committee amendment, AM2523, on page 5, line 22, "and" has been struck; and in line 23 "and section 48-122, Revised Statutes Supplement, 2019," has been inserted after the comma.

2. On page 1, the matter beginning with "and" in line 2 through line 10 and all amendments thereto have been struck and "section 48-101.01, Revised Statutes Cumulative Supplement, 2018, and section 48-122, Revised Statutes Supplement, 2019; to state intent; to change provisions relating to personal injuries of first responders and frontline state employees; to provide a means of demonstrating a prima facie case of personal injury; to provide duties for the Critical Incident Stress Management Program and the Department of Health and Human Services; to require reimbursement for training as prescribed; to change provisions relating to compensation paid for burial expenses; to define and redefine terms; and to repeal the original sections." inserted.

LEGISLATIVE BILL 963A. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1198. Placed on Select File.

LEGISLATIVE BILL 1008. Placed on Select File with amendment.

ER210

1 l. In the Standing Committee amendments, AM2737:

2 a. On page 6, line 13, strike "Behavioral" and insert "Mental";

3 b. On page 9, line 15, strike the second "Program" and insert "Aid";

4 c. On page 11, line 11, strike "of" and insert "or"; and in lines 14

5 and 20 after "NEBRASKA" insert "STATE";

6 d. On page 13, line 5, after "DISCLOSURE" insert "COMMISSION";

7 e. On page 27, line 4, strike "fund" and insert "Homeless Shelter

8 Assistance Trust Fund";

9 f. On page 29, line 17, strike the comma;

10 g. On page 38, line 24, strike "for" and insert "of"; and in line 31

11 strike "(1)" and insert "(i)";

12 h. On page 39, line 3, strike "(2)" and insert "(ii)"; in line 5

13 strike "(3)" and insert "(iii)"; in line 7 strike "(4)" and insert

14 "(iv)"; in line 9 strike "(5)" and insert "(v)"; in line 13 strike "(6)"

15 and insert "(vi)"; in line 16 strike "(7)" and insert "(vii)"; and in

16 line 18 strike "(8)" and insert "(viii)";

17 i. On page 41, line 6, after "the" insert "Robert B.";

18 j. On page 44, line 31, strike "(1)" and insert "(i)";

19 k. On page 45, line 3, strike "(2)" and insert "(ii)"; in line 5

20 strike "(3)" and insert "(iii)"; in line 7 strike "(4)" and insert

21 "(iv)"; in line 9 strike "(5)" and insert "(v)"; in line 13 strike "(6)"

22 and insert "(vi)"; in line 16 strike "(7)" and insert "(vii)"; and in

23 line 18 strike "(8)" and insert "(viii)";
 24 l. On page 49, line 29, after "(2)" insert "of this section"; and
 25 m. On page 56, line 10, after "Committee" insert "of the
 26 Legislature".
 27 2. On page 1, strike lines 2 through 8 and insert "sections 24, 49,
 1 50, 92, 98, 99, 100, 102, 105, 110, 130, 147, 165, 169, 170, 200, 207,
 2 215, 216, 217, 237, and 244, and Laws 2019, LB297, sections 31, 43, and
 3 45; to define terms; to provide, change, and eliminate appropriations for
 4 operation of state government, state aid, postsecondary education, and
 5 capital construction; to provide for scholarships as prescribed; to
 6 provide for transfers of funds; to require reports; to repeal the
 7 original sections; and to declare an emergency."

LEGISLATIVE BILL 1009. Placed on Select File with amendment.
[ER204](#)

1 1. On page 1, strike beginning with "section" in line 2 through line
 2 3 and insert "sections 9-1,101 and 13-2704, Revised Statutes Supplement,
 3 2019; to provide for, change, and eliminate fund transfers; to change
 4 authorized uses".

LEGISLATIVE BILL 774. Placed on Select File with amendment.
[ER200](#)

1 1. In the Standing Committee amendments, AM2558:
 2 a. On page 16, lines 1 and 2; and page 25, lines 16 and 17, strike
 3 "effective date of this act" and insert "operative date of this section";
 4 and
 5 b. On page 30, line 10, after "size" insert an underscored comma and
 6 in line 26 after "exceptions" insert an underscored comma.
 7 2. On page 1, strike beginning with "44-416.06" in line 1 through
 8 line 4 and insert "44-3520 and 44-3523, Reissue Revised Statutes of
 9 Nebraska, and sections 44-416.06, 44-416.09, and 44-3521, Revised
 10 Statutes Cumulative Supplement, 2018; to change requirements regarding
 11 credit for reinsurance as prescribed; to change provisions relating to
 12 fees for dental services; to change provisions relating to motor vehicle
 13 service contract reimbursement insurance policies and motor vehicle
 14 service contract providers; to prohibit certain activities by facilities
 15 as prescribed; to harmonize provisions; to provide a duty for the Revisor
 16 of Statutes; to provide operative dates; and to repeal the original
 17 sections."

LEGISLATIVE BILL 705. Placed on Select File.

LEGISLATIVE BILL 1028. Placed on Select File with amendment.
[ER201](#)

1 1. On page 1, strike beginning with "small" in line 1 through line 4
 2 and insert "courts; to amend sections 24-1004, 24-1005, 25-2804, and
 3 29-2702, Reissue Revised Statutes of Nebraska, and sections 25-1301 and
 4 25-1301.01, Revised Statutes Cumulative Supplement, 2018; to change
 5 provisions relating to records, judgments, and orders; to change
 6 provisions relating to actions in Small Claims Court; to change
 7 provisions relating to disposition of money received; and to repeal the
 8 original sections."

LEGISLATIVE BILL 1130. Placed on Select File.

LEGISLATIVE BILL 911. Placed on Select File with amendment.ER202

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 12-1301, Revised Statutes Cumulative Supplement,
 4 2018, is amended to read:
 5 12-1301 ~~(1)(a)~~ (1) The Director of Veterans' Affairs shall ~~may~~
 6 establish and operate a state veteran cemetery system. ~~The system shall~~
 7 consist of a facility in the city of Grand Island, subject to subdivision
 8 (b) of this subsection, and may include ~~consisting of a facility in Box~~
 9 ~~Butte County, a facility in Sarpy County, and the Nebraska Veterans'~~
 10 ~~Memorial Cemetery in Hall County.~~ The director may seek and expend
 11 private, state, and federal funds for the establishment, construction,
 12 maintenance, administration, and operation of the cemetery system as
 13 provided in this section. Any gift, bequest, or devise of real property
 14 and any acquisition of real property with the proceeds of a donation,
 15 gift, bequest, devise, or grant from an individual, an organization, a
 16 corporation, a foundation, or a similar entity or from a nonfederal
 17 governmental agency for the cemetery system shall be subject to the
 18 approval requirements of section 81-1108.33 notwithstanding the value of
 19 the real property. All funds received for the construction of the
 20 cemetery system shall be remitted to the State Treasurer for credit to
 21 the Veteran Cemetery Construction Fund. Any funds remaining in the
 22 Veteran Cemetery Construction Fund following the completion of
 23 construction of the ~~three~~ facilities comprising the state veteran
 24 cemetery system shall upon such completion be transferred to the Nebraska
 25 Veteran Cemetery System Endowment Fund, and the Veteran Cemetery
 26 Construction Fund shall thereafter terminate.
 27 (b) ~~Beginning on the effective date of this act, the Director of~~
 1 ~~Veterans' Affairs shall negotiate with the city of Grand Island to~~
 2 ~~acquire an exclusive option for the transfer of title to the former~~
 3 ~~Nebraska Veterans' Memorial Cemetery in the city of Grand Island and land~~
 4 ~~adjacent to the cemetery, as identified in the required program~~
 5 ~~statement, owned by the city of Grand Island. After being granted funding~~
 6 ~~assistance from the National Cemetery Administration, the director shall~~
 7 ~~accept from the city of Grand Island, at no cost, title to the real~~
 8 ~~estate described in this subdivision in order to establish a state~~
 9 ~~cemetery for veterans. The director shall prepare an initial program~~
 10 ~~statement and make a request to the Legislature for funding as required~~
 11 ~~by section 81-1108.41. The expenses of the initial program statement~~
 12 ~~shall be paid from the Nebraska Veteran Cemetery System Operation Fund.~~
 13 (2)(a) A trust fund to be known as the Nebraska Veteran Cemetery
 14 System Endowment Fund is hereby created. The fund shall consist of:
 15 (i) Gifts, bequests, grants, or contributions from private or public
 16 sources designated for the maintenance, administration, or operation of
 17 the state veteran cemetery system;
 18 (ii) Any funds transferred from the Veteran Cemetery Construction
 19 Fund following the completion of construction of the three facilities
 20 comprising the state veteran cemetery system; and
 21 (iii) Following the termination of the Veteran Cemetery Construction
 22 Fund, any funds received by the state from any source for the state
 23 veteran cemetery system.
 24 (b) No revenue from the General Fund shall be remitted to the
 25 Nebraska Veteran Cemetery System Endowment Fund. The Legislature shall
 26 not appropriate or transfer money from the Nebraska Veteran Cemetery
 27 System Endowment Fund for any purpose other than as provided in this
 28 section. Any money in the Nebraska Veteran Cemetery System Endowment Fund
 29 available for investment shall be invested by the state investment
 30 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska
 31 State Funds Investment Act. No portion of the principal of the Nebraska

1 Veteran Cemetery System Endowment Fund shall be expended for any purpose
2 except investment pursuant to this subdivision. All investment earnings
3 from the Nebraska Veteran Cemetery System Endowment Fund shall be
4 credited on a quarterly basis to the Nebraska Veteran Cemetery System
5 Operation Fund.

6 (3) There is hereby created the Nebraska Veteran Cemetery System
7 Operation Fund. Money in the fund shall be used for the operation,
8 administration, and maintenance of the state veteran cemetery system. The
9 fund may be used for the expenses of the initial program statement under
10 subdivision (1)(b) of this section. Any money in the fund available for
11 investment shall be invested by the state investment officer pursuant to
12 the Nebraska Capital Expansion Act and the Nebraska State Funds
13 Investment Act.

14 (4) The Director of Veterans' Affairs ~~director~~ may make formal
15 application to the federal government regarding federal financial
16 assistance for the construction of any of the facilities comprising the
17 state veteran cemetery system which is located in a county with a
18 population of less than one hundred thousand persons when he or she
19 determines that the requirements for such assistance have been met.

20 (5) The director may make formal application to the federal
21 government regarding financial assistance for the construction of any
22 facility comprising a portion of the state veteran cemetery system
23 located in a county with a population of more than one hundred thousand
24 persons when sufficient funds have been remitted to the Nebraska Veteran
25 Cemetery System Endowment Fund such that (a) the projected annual
26 earnings from such fund available for transfer to the Nebraska Veteran
27 Cemetery System Operation Fund plus (b) the projected annual value of
28 formal agreements that have been entered into between the state and any
29 political subdivisions or private entities to subsidize or undertake the
30 operation, administration, or maintenance of any of the facilities within
31 the state veteran cemetery system, has a value that is sufficient to fund
1 the operation, administration, and maintenance of any cemetery created
2 pursuant to this subsection.

3 (6) The director may expend such funds as may be available for any
4 of the purposes authorized in this section.

5 (7) The director, with the approval of the Governor, may enter into
6 agreements for cemetery construction, administration, operation, or
7 maintenance with qualified persons, political subdivisions, or business
8 entities. The director shall provide lots in the cemetery system for the
9 interment of deceased veterans as defined by the National Cemetery
10 Administration of the United States Department of Veterans Affairs. The
11 director shall provide lots for the interment of those veterans' spouses,
12 minor children, and unmarried adult children who were physically or
13 mentally disabled and incapable of self-support. Section 12-501 does not
14 apply to the state veteran cemetery system.

15 (8) The Veteran Cemetery Construction Fund is created. Any money in
16 the fund available for investment shall be invested by the state
17 investment officer pursuant to the Nebraska Capital Expansion Act and the
18 Nebraska State Funds Investment Act. ~~The balance in the Veteran Cemetery~~
19 ~~Construction Fund shall be transferred to the General Fund on or before~~
20 ~~June 30, 2018, as directed by the budget administrator of the budget~~
21 ~~division of the Department of Administrative Services.~~

22 (9) The director may adopt and promulgate rules and regulations to
23 carry out this section. The rules and regulations shall include
24 requirements for proof of residency, cost of burial if any, and standards
25 for cemeteries, including decorations and headstones.

26 Sec. 2. Section 16-201, Reissue Revised Statutes of Nebraska, is
27 amended to read:

28 16-201 Each city of the first class shall be a body corporate and
29 politic and shall have power (1) to sue and be sued, (2) to purchase,

30 lease, lease with option to buy, or acquire by gift or devise and to hold
31 real and personal property within or without the limits of the city and
1 real estate sold for taxes for the use of the city in such manner and
2 upon such terms and conditions as may be deemed in the best interests of
3 the city, (3) to sell and convey, exchange, or lease any real or personal
4 property owned by the city, including park land, in such manner and upon
5 such terms and conditions as may be deemed in the best interests of the
6 city, except that real estate owned by the city may be conveyed without
7 consideration to the State of Nebraska for state veterans' cemetery sites
8 or state armory sites or, if acquired for state armory sites, shall be
9 conveyed in the manner strictly as provided in sections 18-1001 to
10 18-1006, (4) to make all contracts and do all other acts in relation to
11 the property and concerns of the city necessary to the exercise of its
12 corporate powers, and (5) to exercise such other and further powers as
13 may be conferred by law.

14 Sec. 3. Section 16-202, Revised Statutes Cumulative Supplement,
15 2018, is amended to read:

16 16-202 (1) ~~Except as otherwise provided in subsection (4) of this~~
17 ~~section, the~~ The power to sell and convey any real estate owned by a city
18 of the first class, including park land, ~~except real estate used in the~~
19 ~~operation of public utilities and except real estate for state armory~~
20 ~~sites for the use of the State of Nebraska as expressly provided in~~
21 ~~section 16-201,~~ shall be exercised by ordinance directing the conveyance
22 of such real estate and the manner and terms thereof. Notice of such sale
23 and the terms thereof shall be published for three consecutive weeks in a
24 legal newspaper in or of general circulation in such city immediately
25 after the passage and publication of such ordinance.
26 (2) If within thirty days after the passage and publication of such
27 ordinance a remonstrance petition against such sale is signed by
28 registered voters of the city equal in number to thirty percent of the
29 registered voters of the city voting at the last regular city election
30 held therein and is filed with the city council, the property shall not
31 then, nor within one year thereafter, be sold. If the date for filing the
1 petition falls upon a Saturday, Sunday, or legal holiday, the signatures
2 shall be collected within the thirty-day period, but the filing shall be
3 considered timely if filed or postmarked on or before the next business
4 day. Upon the receipt of the petition, the city council, with the aid and
5 assistance of the election commissioner or county clerk, shall determine
6 the validity and sufficiency of signatures on the petition. The city
7 council shall deliver the petition to the election commissioner or county
8 clerk by hand carrier, by use of law enforcement officials, or by
9 certified mail, return receipt requested. Upon receipt of the petition,
10 the election commissioner or county clerk shall issue to the city council
11 a written receipt that the petition is in the custody of the election
12 commissioner or county clerk. The election commissioner or county clerk
13 shall compare the signature of each person signing the petition with the
14 voter registration records to determine if each signer was a registered
15 voter on or before the date on which the petition was filed with the city
16 council. The election commissioner or county clerk shall also compare the
17 signer's printed name, street and number or voting precinct, and city,
18 village, or post office address with the voter registration records to
19 determine whether the signer was a registered voter. The signature and
20 address shall be presumed to be valid only if the election commissioner
21 or county clerk determines that the printed name, street and number or
22 voting precinct, and city, village, or post office address matches the
23 registration records and that the registration was received on or before
24 the date on which the petition was filed with the city council. The
25 determinations of the election commissioner or county clerk may be
26 rebutted by any credible evidence which the city council finds
27 sufficient. The express purpose of the comparison of names and addresses

28 with the voter registration records, in addition to helping to determine
 29 the validity of the petition, the sufficiency of the petition, and the
 30 qualifications of the signer, shall be to prevent fraud, deception, and
 31 misrepresentation in the petition process. Upon completion of the
 1 comparison of names and addresses with the voter registration records,
 2 the election commissioner or county clerk shall prepare in writing a
 3 certification under seal setting forth the name and address of each
 4 signer found not to be a registered voter and the signature page number
 5 and line number where the name is found, and if the reason for the
 6 invalidity of the signature or address is other than the nonregistration
 7 of the signer, the election commissioner or county clerk shall set forth
 8 the reason for the invalidity of the signature. If the election
 9 commissioner or county clerk determines that a signer has affixed his or
 10 her signature more than once to the petition and that only one person is
 11 registered by that name, the election commissioner or county clerk shall
 12 prepare in writing a certification under seal setting forth the name of
 13 the duplicate signature and shall count only the earliest dated
 14 signature. The election commissioner or county clerk shall certify to the
 15 city council the number of valid signatures necessary to constitute a
 16 valid petition. The election commissioner or county clerk shall deliver
 17 the petition and the certifications to the city council within forty days
 18 after the receipt of the petition from the city council. The delivery
 19 shall be by hand carrier, by use of law enforcement officials, or by
 20 certified mail, return receipt requested. Not more than twenty signatures
 21 on one signature page shall be counted.
 22 (3) The city council shall, within thirty days after the receipt of
 23 the petition and certifications from the election commissioner or county
 24 clerk, hold a public hearing to review the petition and certifications
 25 and receive testimony regarding them. The city council shall, following
 26 the hearing, vote on whether or not the petition is valid and shall
 27 uphold the petition if sufficient valid signatures have been received.
 28 (4) This section does not apply to (a) real estate used in the
 29 operation of public utilities, (b) real estate for state armory sites for
 30 the use of the State of Nebraska as expressly provided in section 16-201,
 31 or (c) real estate for state veterans' cemetery sites for the use of the
 1 State of Nebraska as expressly provided in section 12-1301.
 2 Sec. 4. Original section 16-201, Reissue Revised Statutes of
 3 Nebraska, and sections 12-1301 and 16-202, Revised Statutes Cumulative
 4 Supplement, 2018, are repealed.
 5 Sec. 5. Since an emergency exists, this act takes effect when passed
 6 and approved according to law.
 7 2. On page 1, line 7, strike "and" and after "sections" insert "
 8 and to declare an emergency".

LEGISLATIVE BILL 889. Placed on Select File.

LEGISLATIVE BILL 1166. Placed on Select File with amendment.

[ER203](#)

1 1. On page 1, line 3, strike "and"; and in line 4 after "section"
 2 insert "; and to declare an emergency".

LEGISLATIVE BILL 1080. Placed on Select File with amendment.

[ER207](#)

1 1. On page 2, line 1, strike "the".
 2 2. On page 3, line 11, strike "this" and insert "such".

LEGISLATIVE BILL 1185. Placed on Select File with amendment.**ER211**

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

2 insert the following new sections:

3 Section 1. Section 68-1206, Revised Statutes Supplement, 2019, 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. A child care provider seeking to
22 participate in the federal Child Care Subsidy program shall comply with
23 the criminal history record information check requirements of the Child
24 Care Licensing Act. In determining ongoing eligibility for this program,
25 ten percent of a household's gross earned income shall be disregarded
26 after twelve continuous months on the program and at each subsequent
27 redetermination. In determining ongoing eligibility, if a family's income
1 exceeds one hundred thirty percent of the federal poverty level, the
2 family shall receive transitional child care assistance through the
3 remainder of the family's eligibility period or until the family's income
4 exceeds eighty-five percent of the state median income for a family of
5 the same size as reported by the United States Bureau of the Census,
6 whichever occurs first. When the family's eligibility period ends, the
7 family shall continue to be eligible for transitional child care
8 assistance if the family's income is below one hundred eighty-five
9 percent of the federal poverty level. The family shall receive
10 transitional child care assistance through the remainder of the
11 transitional eligibility period or until the family's income exceeds
12 eighty-five percent of the state median income for a family of the same
13 size as reported by the United States Bureau of the Census, whichever
14 occurs first. The amount of such child care assistance shall be based on
15 a cost-shared plan between the recipient family and the state and shall
16 be based on a sliding-scale methodology. A recipient family may be
17 required to contribute a percentage of such family's gross income for
18 child care that is no more than the cost-sharing rates in the
19 transitional child care assistance program as of January 1, 2015, for
20 those no longer eligible for cash assistance as provided in section
21 68-1724. Initial program eligibility standards shall not be impacted by
22 the provisions of this subsection.

23 (3) In determining the rate or rates to be paid by the department
24 for child care as defined in section 43-2605, the department shall adopt
25 a fixed-rate schedule for the state or a fixed-rate schedule for an area
26 of the state applicable to each child care program category of provider
27 as defined in section 71-1910 which may claim reimbursement for services
28 provided by the federal Child Care Subsidy program, except that the
29 department shall not pay a rate higher than that charged by an individual
30 provider to that provider's private clients. The schedule may provide
31 separate rates for care for infants, for children with special needs,

1 including disabilities or technological dependence, or for other
2 individual categories of children. The schedule may also provide tiered
3 rates based upon a quality scale rating of step three or higher under the
4 Step Up to Quality Child Care Act. The schedule shall be effective on
5 October 1 of every year and shall be revised annually by the department.
6 Sec. 2. Section 71-1908, Reissue Revised Statutes of Nebraska, is
7 amended to read:

8 71-1908 (1) Sections 71-1908 to 71-1923 and section 4 of this act
9 shall be known and may be cited as the Child Care Licensing Act.
10 (2) The Legislature finds that there is a present and growing need
11 for quality child care programs and facilities. There is a need to
12 establish and maintain licensure of persons providing such programs to
13 ensure that such persons are competent and are using safe and adequate
14 facilities. The Legislature further finds and declares that the
15 development and supervision of programs are a matter of statewide concern
16 and should be dealt with uniformly on the state and local levels. There
17 is a need for cooperation among the various state and local agencies
18 which impose standards on licensees, and there should be one agency which
19 coordinates the enforcement of such standards and informs the Legislature
20 about cooperation among the various agencies.

21 Sec. 3. Section 71-1912, Revised Statutes Supplement, 2019, 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. The department may at any time inspect or cause an
1 inspection to be made of any place where a program is operating to
2 determine if such program is being properly conducted.

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

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

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

23 (5)(a) A person applying for a license as a child care provider or a
24 licensed child care provider under the Child Care Licensing Act shall
25 submit a request for a national criminal history record information check
26 for each child care staff member, including a prospective child care
27 staff member of the child care provider, at the applicant's or licensee's
28 expense, as set forth in this section. Beginning on October 1, 2019, a
29 prospective child care staff member shall submit to a national criminal

30 history record information check (i) prior to employment, except as
31 otherwise permitted under 45 C.F.R. 98.43, as such regulation existed on
1 January 1, 2019, or (ii) prior to residing in a family child care home. A
2 child care staff member who was employed by a child care provider prior
3 to October 1, 2019, or who resided in a family child care home prior to
4 October 1, 2019, shall submit to a national criminal history record
5 information check by October 1, 2021, unless the child care staff member
6 ceases to be a child care staff member prior to such date.

7 (b) A child care staff member shall be required to undergo a
8 national criminal history record information check not less than once
9 during each five-year period. A child care staff member shall submit a
10 complete set of his or her fingerprints to the Nebraska State Patrol. The
11 Nebraska State Patrol shall transmit a copy of the child care staff
12 member's fingerprints to the Federal Bureau of Investigation for a
13 national criminal history record information check. The national criminal
14 history record information check shall include information concerning
15 child care staff members from federal repositories of such information
16 and repositories of such information in other states, if authorized by
17 federal law for use by the Nebraska State Patrol. The Nebraska State
18 Patrol shall issue a report to the department that includes the
19 information collected from the national criminal history record
20 information check concerning child care staff members. The department
21 shall seek federal funds, if available, to assist child care providers
22 and child care staff members with the costs of the fingerprinting and
23 national criminal history record information check. If the department
24 does not receive sufficient federal funds to assist child care providers
25 and staff members with such costs, then the A child care staff member
26 being screened, applicant for a license, or licensee shall pay the actual
27 cost of the fingerprinting and national criminal history record
28 information check, except that the department may pay all or part of the
29 cost if funding becomes available. The department and the Nebraska State
30 Patrol may adopt and promulgate rules and regulations concerning the
31 costs associated with the fingerprinting and the national criminal
1 history record information check. The department may adopt and promulgate
2 rules and regulations implementing national criminal history record
3 information check requirements for child care providers and child care
4 staff members.

5 (c) A child care staff member shall also submit to the following
6 background checks at his or her expense not less than once during each
7 five-year period:

8 (i) A search of the National Crime Information Center's National Sex
9 Offender Registry; and

10 (ii) A search of the following registries, repositories, or data
11 bases in the state where the child care provider is located or where the
12 child care staff member resides and each state where the child care
13 provider was located or where the child care staff member resided during
14 the preceding five years:

15 (A) State criminal registries or repositories;
16 (B) State sex offender registries or repositories; and
17 (C) State-based child abuse and neglect registries and data bases.

18 (d) Any individual shall be ineligible for employment by a child
19 care provider if such individual:

20 (i) Refuses to consent to the national criminal history record
21 information check or a background check described in this subsection;
22 (ii) Knowingly makes a materially false statement in connection with
23 the national criminal history record information check or a background
24 check described in this subsection;
25 (iii) Is registered, or required to be registered, on a state sex
26 offender registry or repository or the National Sex Offender Registry; or
27 (iv) Has been convicted of a crime of violence, a crime of moral

28 turpitude, or a crime of dishonesty.

29 (e) The department may adopt and promulgate rules and regulations
30 for purposes of this section ~~prohibiting the employment of any child care~~
31 ~~staff member with one or more criminal convictions as the department~~
1 ~~deems necessary to protect the health and safety of children receiving~~
2 ~~child care.~~

3 (f) A child care provider shall be ineligible for a license under
4 the Child Care Licensing Act and shall be ineligible to participate in
5 the child care subsidy program if the provider employs a child care staff
6 member who is ineligible for employment under subdivisions (d) or (e) of
7 this subsection.

8 (g) National criminal history record information and information
9 from background checks described in this subsection subject to state or
10 federal confidentiality requirements may only be used for purposes of
11 granting a child care license or approving a child care provider for
12 participation in the child care subsidy program.

13 (h) For purposes of this subsection:

14 (i) Child care provider means a child care program required to be
15 licensed under the Child Care Licensing Act; and

16 (ii) Child care staff member means an individual who is not related
17 to all of the children for whom child care services are provided and:

18 (A) Who is employed by a child care provider for compensation,
19 including contract employees or self-employed individuals;

20 (B) Whose activities involve the care or supervision of children for
21 a child care provider or unsupervised access to children who are cared
22 for or supervised by a child care provider; or

23 (C) Who is residing in a family child care home and who is eighteen
24 years of age or older.

25 Sec. 4. (1) For purposes of this section, child care staff member
26 means an individual who is not related to all of the children for whom
27 child care services are provided and:

28 (a) Who is employed for compensation by a child care provider not
29 required to be licensed under the Child Care Licensing Act, including
30 contract employees or self-employed individuals;

31 (b) Whose activities involve the care or supervision of children for
1 a child care provider or unsupervised access to children who are cared
2 for or supervised by a child care provider; or

3 (c) Who is residing in a family child care home and who is eighteen
4 years of age or older.

5 (2) Beginning on October 1, 2020, an individual who is not required
6 to be licensed under the Child Care Licensing Act but seeks to
7 participate as a provider in the federal Child Care Subsidy program shall
8 submit a request for a national criminal history record information check
9 for each child care staff member, including a prospective child care
10 staff member of the child care provider, (a) prior to the child care
11 provider being approved to participate as a child care provider in the
12 federal Child Care Subsidy program, except as otherwise permitted under
13 45 C.F.R. 98.43, as such regulation existed on January 1, 2020, or (b)
14 prior to residing in a family child care home. A child care staff member
15 who was a provider in the federal Child Care Subsidy program prior to
16 October 1, 2020, or who resided in a family child care home prior to
17 October 1, 2020, shall submit to a national criminal history record
18 information check by October 1, 2021, unless the child care staff member
19 ceases to be a child care staff member prior to such date. The child care
20 staff member or the child care provider seeking to participate in the
21 subsidy program shall pay the cost of such national criminal history
22 record information check. A person who undergoes a national criminal
23 history record information check to obtain a license under the Child Care
24 Licensing Act or work as a child care staff member and is in good
25 standing with the department shall not be required to undergo an

26 additional national criminal history record information check to become a
 27 child care provider in the federal Child Care Subsidy program if the
 28 person has not been separated from employment from a child care provider
 29 within the state for a period of not more than one hundred eighty
 30 consecutive days.

31 (3) Any individual, entity, or provider shall be ineligible to
 1 participate in the federal Child Care Subsidy program if such individual,
 2 entity, or provider:

3 (a) Refuses to consent to the national criminal history record
 4 information check described in this section;

5 (b) Knowingly makes a materially false statement in connection with
 6 the national criminal history record information check described in this
 7 section;

8 (c) Is registered, or required to be registered, on a state sex
 9 offender registry or repository or the National Sex Offender Registry; or
 10 (d) Has been convicted of a crime of violence, a crime of moral

11 turpitude, or a crime of dishonesty.
 12 Sec. 5. Section 71-1928.01, Revised Statutes Supplement, 2019, is

13 amended to read:
 14 71-1928.01 (1) Any individual eighteen years of age or older working
 15 in a residential child-caring agency shall be required to undergo a
 16 national criminal history record information check not less than once
 17 during each five-year period that he or she is working in such an agency.
 18 The individual shall submit a complete set of his or her fingerprints to
 19 the Nebraska State Patrol. The Nebraska State Patrol shall transmit a
 20 copy of the individual's fingerprints to the Federal Bureau of
 21 Investigation for a national criminal history record information check.
 22 The national criminal history record information check shall include
 23 information concerning the individual from federal repositories of such
 24 information and repositories of such information in other states, if
 25 authorized by federal law for use by the Nebraska State Patrol. The
 26 Nebraska State Patrol shall issue a report to the department that
 27 includes the information collected from the national criminal history
 28 record information check concerning the individual. The department shall
 29 seek federal funds, if available, to assist residential child-caring
 30 agencies and individuals working in a residential child-caring agency
 31 with the costs of the fingerprinting and national criminal history record
 1 information check. If the department does not receive sufficient federal
 2 funds to assist residential child-caring agencies and individuals working
 3 in a residential child-caring agency with such costs, then the ~~The~~
 4 individual being screened or the residential child-caring agency shall
 5 pay the actual cost of the fingerprinting and national criminal history
 6 record information check, except that the department may pay all or part
 7 of the cost if funding becomes available. The department and the Nebraska
 8 State Patrol may adopt and promulgate rules and regulations concerning
 9 the costs associated with the fingerprinting and the national criminal
 10 history record information check. The department may adopt and promulgate
 11 rules and regulations implementing national criminal history record
 12 information check requirements for residential 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 not less than once during each five-year period: A
 16 search of the following registries, repositories, or data bases in the
 17 state where the individual resides and each state where the individual
 18 resided during the preceding five years:
 19 (a) State criminal registries or repositories;
 20 (b) State sex offender registries or repositories; and
 21 (c) State-based child abuse and neglect registries and data bases.
 22 Sec. 6. Original section 71-1908, Reissue Revised Statutes of
 23 Nebraska, and sections 68-1206, 71-1912, and 71-1928.01, Revised Statutes

24 Supplement, 2019, are repealed.
 25 2. On page 1, line 3, strike "and 71-1912" and insert ", 71-1912,
 26 and 71-1928.01"; and strike beginning with the first "to" in line 4
 27 through line 9 and insert "to change provisions relating to participation
 28 in the federal Child Care Subsidy program and criminal history record
 29 information checks for child care staff members and child care providers;
 30 to provide for reimbursement for criminal history record information
 31 checks as prescribed; to define a term; to provide for criminal history
 1 record information checks for unlicensed providers of child care
 2 participating in the federal Child Care Subsidy program; to harmonize
 3 provisions; and to repeal the original sections."

LEGISLATIVE BILL 1060. Placed on Select File with amendment.

[ER208](#)

1 1. On page 1, line 3, strike "define a term" and insert "change
 2 provisions relating to racial discrimination".

LEGISLATIVE BILL 1183. Placed on Select File with amendment.

[ER205](#)

1 1. On page 1, line 3, after the semicolon insert "to adopt the
 2 Population Health Information Act;"; and in line 5 after "system" insert
 3 "and the statewide health information exchange".

LEGISLATIVE BILL 912. Placed on Select File with amendment.

[ER206](#) is available in the Bill Room.

LEGISLATIVE BILL 1140. Placed on Select File with amendment.

[ER214](#)

1 1. On page 1, strike beginning with "youth" in line 1 through line 3
 2 and insert "juveniles; to amend sections 43-401 and 43-403, Reissue
 3 Revised Statutes of Nebraska, and section 43-251.01, Revised Statutes
 4 Cumulative Supplement, 2018; to provide operations requirements for youth
 5 rehabilitation and treatment centers; to require youth rehabilitation and
 6 treatment center operations plans and emergency placement plans from the
 7 Department of Health and Human Services under the Health and Human
 8 Services, Office of Juvenile Services Act; to require a needs assessment
 9 and cost analysis for an inpatient adolescent psychiatric unit; to change
 10 provisions relating to transportation to youth rehabilitation and
 11 treatment centers; to provide a duty for the Revisor of Statutes; to
 12 harmonize provisions; to provide operative dates; to repeal the original
 13 sections; and to declare an emergency."

LEGISLATIVE BILL 1144. Placed on Select File with amendment.

[ER209](#)

1 1. In the Standing Committee amendments, AM2785:
 2 a. On page 1, line 13, strike "(3)", show as stricken, and insert
 3 "(5)"; and
 4 b. On page 10, line 10, strike "17" and insert "15".
 5 2. On page 1, strike beginning with "the" in line 1 through line 7
 6 and insert "state institutions; to amend sections 81-8,242, 81-8,243,
 7 81-8,246, 81-8,247, 81-8,249, 81-8,250, 81-8,251, 81-8,252, 81-8,253, and
 8 81-8,254, Reissue Revised Statutes of Nebraska, and section 43-4318,
 9 Revised Statutes Cumulative Supplement, 2018; to provide for notice and
 10 reporting to the office of Inspector General of Nebraska Child Welfare;
 11 to create the Youth Rehabilitation and Treatment Center Special Oversight
 12 Committee of the Legislature; to eliminate obsolete language relating to

13 the Public Counsel; to require an annual review and physical inspection
 14 of and a staffing report on certain state institutions by the Public
 15 Counsel; and to repeal the original sections."

LEGISLATIVE BILL 1188. Placed on Select File with amendment.
[ER212](#) is available in the Bill Room.

LEGISLATIVE BILL 1148. Placed on Select File with amendment.
[ER215](#) is available in the Bill Room.

LEGISLATIVE BILL 835. Placed on Select File with amendment.
[ER216](#) is available in the Bill Room.

LEGISLATIVE BILL 918. Placed on Select File.
LEGISLATIVE BILL 918A. Placed on Select File.

LEGISLATIVE BILL 780. Placed on Select File with amendment.
[ER213](#)

1 1. Strike the original sections and all amendments thereto and
 2 insert the following new sections:
 3 Section 1. Section 82-312, Reissue Revised Statutes of Nebraska, is
 4 amended to read:
 5 82-312 The duties of the council shall be:
 6 (1) To stimulate and encourage throughout the state the study and
 7 presentation of the performing and fine arts and public interest and
 8 participation therein;
 9 (2) To make such surveys as may be deemed advisable of public and
 10 private institutions within the state engaged in artistic and cultural
 11 activities, including, but not limited to, music, theatre, dance,
 12 painting, sculpture, architecture, and allied arts and crafts, and to
 13 make recommendations concerning appropriate methods to encourage
 14 participation in and appreciation of the arts to meet the legitimate
 15 needs and aspirations of persons in all parts of the state;
 16 (3) To take such steps as may be necessary and appropriate to
 17 encourage public interest in the cultural heritage of our state and to
 18 expand the state's cultural resources; ~~and~~
 19 (4) To encourage and assist freedom of artistic expression essential
 20 for the well-being of the arts; ~~and~~ ~~;~~
 21 (5) To recommend to the Legislature a plan to divide the state into
 22 creative districts and certify them based on geographically contiguous
 23 area, artistic or cultural activities or facilities, promotion and
 24 preservation of artistic or cultural sites or events, educational uses of
 25 artistic or cultural activities or sites, and unique or niche areas,
 26 activities, events, facilities, or sites.
 27 Sec. 2. Section 82-313, Reissue Revised Statutes of Nebraska, is
 1 amended to read:
 2 82-313 (1) The Nebraska Arts Council may:
 3 (a) ~~Hold (1) hold~~ public and private hearings; ~~;~~
 4 (b) ~~Enter (2) enter~~ into contracts, within the limit of funds
 5 available therefor, with individuals, organizations, and institutions for
 6 services furthering the educational objectives of the council's
 7 programs; ~~;~~
 8 (c) ~~Enter (3) enter~~ into contracts, within the limit of funds
 9 available therefor, with local and regional associations for cooperative
 10 endeavors furthering the educational objectives of the council's
 11 programs; ~~;~~

12 (d) ~~Accept~~ (4) ~~accept~~ gifts, contributions, and bequests of
 13 unrestricted funds from individuals, foundations, corporations, and other
 14 organizations or institutions for the purpose of furthering the
 15 educational objectives of the council's programs; ~~;~~

16 (e) ~~Distribute~~ (5) ~~distribute~~ funds appropriated by the Legislature
 17 to any organization which has been designated as the state affiliate of
 18 the National Endowment for the Humanities for the period covered by the
 19 appropriation; ~~;~~

20 (f) ~~Make~~ (6) ~~make~~ and sign any agreements and do and perform any
 21 acts that may be necessary to carry out the purposes of sections 82-309
 22 to 82-316; ~~;~~

23 (g) ~~Enter~~ (7) ~~enter~~ into contracts, make and sign any agreements,
 24 and perform any acts that may be necessary to stabilize funding for the
 25 arts and humanities and to carry out the intent of sections 82-330 to
 26 82-333; ~~;~~

27 (h) ~~Prepare a plan that would permit, to the extent that funds are~~
 28 ~~available, the establishment of a competitive grant program to award a~~
 29 ~~grant to any creative district that is certified pursuant to the plan~~
 30 ~~adopted by the Legislature under subdivision (5) of section 82-312 and~~
 31 ~~that meets the criteria for the competitive grant, including eligibility~~
 1 ~~criteria, application and appeal processes, conditions on receipt of a~~
 2 ~~grant, and consequences of failure to meet the conditions; and~~

3 (i) ~~Adopt and~~ (8) ~~adopt~~ and promulgate rules and regulations to
 4 carry out its powers and duties.

5 (2) The council may request from any department, division, board,
 6 bureau, commission, or agency of the state such assistance and data as
 7 will enable it properly to carry out its powers and duties.

8 Sec. 3. Section 82-332, Reissue Revised Statutes of Nebraska, is
 9 amended to read:

10 82-332 (1) The Nebraska Arts and Humanities Cash Fund is created.
 11 The fund shall consist of all funds credited from the Nebraska Cultural
 12 Preservation Endowment Fund pursuant to section 82-331. The Nebraska Arts
 13 Council shall administer and distribute the Nebraska Arts and Humanities
 14 Cash Fund. The Nebraska Arts Council and may, through the end of fiscal
 15 year 2019-20, use up to thirty thousand dollars annually to defray costs
 16 directly related to the administration of sections 82-330 to 82-333.
 17 Beginning in fiscal year 2020-21 and each fiscal year thereafter, the
 18 Nebraska Arts Council may use from the Nebraska Arts and Humanities Cash
 19 Fund an amount equivalent to one-half of one percent of the balance of
 20 the Nebraska Cultural Preservation Endowment Fund to defray costs
 21 directly related to the administration of sections 82-330 to 82-333. The
 22 annual calculation of the administrative-costs limit shall be carried out
 23 in conjunction with the budget division of the Department of
 24 Administrative Services. The calculation shall be carried out no later
 25 than September 10 of each fiscal year and shall be based upon the balance
 26 of the Nebraska Cultural Preservation Endowment Fund as it existed on
 27 June 30 of the previous year. Expenditures designated as administrative
 28 costs shall not be subject to the private matching fund requirements set
 29 forth in subsection (2) of this section.

30 (2) All disbursements from the Nebraska Arts and Humanities Cash
 31 Fund that are to support arts and humanities projects, endowments, or
 1 programs shall be matched dollar-for-dollar by sources other than state
 2 funds. The match funds shall be new money generated for endowments
 3 established by the Nebraska Arts Council or Nebraska Humanities Council
 4 or qualified endowments of their constituent organizations, new money
 5 generated as a result of seed grants to recipients, or new money
 6 generated by the Nebraska Arts Council or Nebraska Humanities Council for
 7 arts or humanities education. Matching funds shall also include earnings
 8 generated by qualified private endowments formed in accordance with this
 9 section. For purposes of this section, new money means a contribution to

10 a qualified endowment generated after July 1, 2011. Contributions not
 11 fully matched by state funds shall be carried forward to succeeding years
 12 and remain available to provide a dollar-for-dollar match for state
 13 funds. For an endowment to be a qualified endowment (a) the endowment
 14 must meet the standards set by the Nebraska Arts Council or Nebraska
 15 Humanities Council, (b) the endowment must be intended for long-term
 16 stabilization of the organization, and (c) the funds of the endowment
 17 must be endowed and only the earnings thereon expended. An organization
 18 is a constituent organization if it receives funding from the Nebraska
 19 Arts Council or Nebraska Humanities Council and is tax exempt under
 20 section 501 of the Internal Revenue Code. The match funds required by
 21 this section shall not include in-kind contributions. The budget division
 22 of the Department of Administrative Services shall approve allotment and
 23 disbursement of funds from the Nebraska Arts and Humanities Cash Fund
 24 that are governed by this subsection only to the extent the Nebraska Arts
 25 Council has provided documentation of the dollar-for-dollar match
 26 required by this section. Funds from the Nebraska Arts and Humanities
 27 Cash Fund may be used for the purpose of obtaining challenge grants from
 28 the National Endowment for the Humanities or the National Endowment for
 29 the Arts.

30 (3) Rules and regulations of the Nebraska Arts Council shall provide
 31 that the ultimate use of disbursements from the Nebraska Arts and
 1 Humanities Cash Fund authorized under subsection (2) of this section
 2 shall be in a ratio of seventy percent to projects, endowments, or
 3 programs designated by the Nebraska Arts Council and thirty percent to
 4 projects, endowments, or programs designated by the Nebraska Humanities
 5 Council.

6 (4) Any money in the fund available for investment shall be invested
 7 by the state investment officer pursuant to the Nebraska Capital
 8 Expansion Act and the Nebraska State Funds Investment Act.
 9 Sec. 4. Sections 1, 2, and 5 of this act become operative three
 10 calendar months after the adjournment of this legislative session. The
 11 other sections of this act become operative on their effective date.

12 Sec. 5. Original sections 82-312 and 82-313, Reissue Revised
 13 Statutes of Nebraska, are repealed.

14 Sec. 6. Original section 82-332, Reissue Revised Statutes of
 15 Nebraska, is repealed.

16 Sec. 7. Since an emergency exists, this act takes effect when
 17 passed and approved according to law.

18 2. On page 1, strike beginning with "section" in line 1 through
 19 "section" in line 4 and insert "sections 82-312, 82-313, and 82-332,
 20 Reissue Revised Statutes of Nebraska; to provide powers and duties
 21 relating to establishment and certification of creative districts and
 22 funding competitive grants; to change provisions relating to expenditures
 23 for administrative costs for cultural preservation activities; to
 24 harmonize provisions; to provide operative dates; to repeal the original
 25 sections".

LEGISLATIVE BILL 780A. Placed on Select File.

LEGISLATIVE BILL 1003. Placed on Select File with amendment.

ER217

1 1. On page 1, strike beginning with "cities" in line 1 through line
 2 5 and insert "cities and villages; to amend sections 13-2102, 14-1813,
 3 15-103, 15-104, 15-105, 15-106, 15-106.01, 15-106.02, 15-108, 15-110,
 4 15-111, 15-112, 15-113, 15-115, 15-116, 15-117, 15-118, 15-201,
 5 15-201.01, 15-204, 15-205, 15-207, 15-208, 15-209, 15-210, 15-212,
 6 15-215, 15-216, 15-217, 15-218, 15-219, 15-220, 15-221, 15-222, 15-223,
 7 15-224, 15-225, 15-228, 15-229, 15-229.01, 15-229.02, 15-230, 15-231,

8 15-234, 15-235, 15-235.01, 15-235.03, 15-236, 15-237, 15-238, 15-239,
 9 15-240, 15-242, 15-243, 15-244, 15-247, 15-250, 15-252, 15-254, 15-255,
 10 15-256, 15-257, 15-258, 15-259, 15-261, 15-262, 15-263, 15-264, 15-265,
 11 15-266, 15-268.01, 15-269, 15-270, 15-271, 15-272, 15-273, 15-274,
 12 15-307, 15-308, 15-309, 15-309.01, 15-310, 15-311, 15-314, 15-315,
 13 15-316, 15-317, 15-322, 15-326, 15-332, 15-401, 15-402, 15-403, 15-406,
 14 15-501, 15-502, 15-701, 15-701.01, 15-701.02, 15-702.01, 15-702.02,
 15 15-702.03, 15-702.04, 15-708, 15-717, 15-720, 15-724, 15-725, 15-726,
 16 15-727, 15-728, 15-729, 15-734, 15-735, 15-751, 15-752, 15-753, 15-754,
 17 15-807, 15-808, 15-809, 15-810, 15-811, 15-812, 15-813, 15-814, 15-816,
 18 15-817, 15-818, 15-819, 15-821, 15-822, 15-823, 15-824, 15-834, 15-835,
 19 15-840, 15-841, 15-842.01, 15-845, 15-848, 15-901, 15-902, 15-1101,
 20 15-1102, 15-1103, 15-1104, 15-1105, 15-1106, 15-1201, 15-1204, 15-1205,
 21 15-1305, and 71-1599, Reissue Revised Statutes of Nebraska, sections
 22 3-502, 15-102, 15-202, 15-211, 15-241, 15-268, 15-404, 15-709, 15-713,
 23 15-718, 15-905, 15-1017, 15-1202, 15-1203, 17-105, 17-405.01, 18-2109,
 24 18-2115, 18-2117.02, 18-2117.03, 18-2142.05, 19-5205, and 19-5305,
 25 Revised Statutes Cumulative Supplement, 2018, and sections 13-2705,
 26 16-401, 18-2101.02, 18-2103, 18-2115.01, 19-612, 19-927, 32-538, and
 27 84-304, Revised Statutes Supplement, 2019; to provide deadlines for
 1 filling vacancies on certain boards, authorities, and agencies as
 2 prescribed; to change provisions relating to enterprise zones under the
 3 Enterprise Zone Act; to change requirements for grant of assistance
 4 applications; to change and eliminate provisions relating to cities and
 5 villages; to change provisions relating to quorum requirements for the
 6 city council; to define and redefine terms; to provide annexation powers
 7 for purposes of relocation due to catastrophic flooding; to change and
 8 eliminate provisions of the Community Development Law; to change
 9 provisions relating to elections and numbers of city council members and
 10 planning commission meetings; to eliminate provisions relating to street
 11 railways; to harmonize provisions; to provide operative dates; to repeal
 12 the original sections; to outright repeal sections 15-730, 15-731,
 13 15-732, and 15-733, Reissue Revised Statutes of Nebraska; and to declare
 14 an emergency.".

(Signed) Julie Slama, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB1008:
AM2951

(Amendments to Standing Committee amendments, AM2737)

- 1 1. Insert the following new section:
- 2 Sec. 46. It is the intent of the Legislature to appropriate
- 3 \$130,000,000 in FY2020-21 for property tax relief and state aid to
- 4 education.
- 5 2. Renumber the remaining sections accordingly.

NOTICE OF COMMITTEE HEARING(S)
Nebraska Retirement Systems
Room 1525

Wednesday, April 8, 2020 12:00 p.m.

Presentation of the Nebraska Investment Council Annual Report to the Nebraska Retirement Systems Committee pursuant to section 72-1243(2). (cancel)

Presentation of the Nebraska Public Employees Retirement Systems Annual Report to the Nebraska Retirement Systems Committee pursuant to section 84-1503(3). (cancel)

(Signed) Mark Kolterman, Chairperson

SELECT FILE

LEGISLATIVE BILL 1198. Senator Slama withdrew her amendment, [AM2842](#), found on page 883, considered and withdrawn on page 906, and refiled in this day's Journal.

Senator Stinner offered the following amendment:

[AM2976](#)

1 1. Strike the original section and insert the following new

2 sections:

3 Section 1. There is hereby appropriated \$83,619,600 from the
4 Governor's Emergency Cash Fund for FY2019-20 to the Military Department,
5 for Program 191 - Governor's Emergency Program - COVID-19, to aid in
6 carrying out the goals of the Governor's Emergency Program.
7 There is no salary limitation for this program.

8 Cash Fund expenditures shall not be limited to the amount shown.

9 The unexpended Cash Fund appropriation balance existing on June 30,
10 2020, is hereby reappropriated.

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

13 84-612 (1) There is hereby created within the state treasury a fund
14 known as the Cash Reserve Fund which shall be under the direction of the
15 State Treasurer. The fund shall only be used pursuant to this section.

16 (2) The State Treasurer shall transfer funds from the Cash Reserve
17 Fund to the General Fund upon certification by the Director of
18 Administrative Services that the current cash balance in the General Fund
19 is inadequate to meet current obligations. Such certification shall
20 include the dollar amount to be transferred. Any transfers made pursuant
21 to this subsection shall be reversed upon notification by the Director of
22 Administrative Services that sufficient funds are available.

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

27 (4) The State Treasurer, at the direction of the budget
1 administrator of the budget division of the Department of Administrative
2 Services, shall transfer not to exceed forty million seven hundred
3 fifteen thousand four hundred fifty-nine dollars in total from the Cash
4 Reserve Fund to the Nebraska Capital Construction Fund between July 1,
5 2013, and June 30, 2018.

6 (5) The State Treasurer shall transfer the following amounts from

7 the Cash Reserve Fund to the Nebraska Capital Construction Fund on such
8 dates as directed by the budget administrator of the budget division of
9 the Department of Administrative Services:
10 (a) Seven million eight hundred four thousand two hundred ninety-two
11 dollars on or after June 15, 2016, but before June 30, 2016;
12 (b) Five million fifty-eight thousand four hundred five dollars on
13 or after July 1, 2018, but before June 30, 2019, on such dates and in
14 such amounts as directed by the budget administrator of the budget
15 division of the Department of Administrative Services;
16 (c) Fifteen million three hundred seventy-eight thousand three
17 hundred nine dollars on or after January 1, 2019, but before June 30,
18 2019, on such dates and in such amounts as directed by the budget
19 administrator of the budget division of the Department of Administrative
20 Services; and
21 (d) Fifty-four million seven hundred thousand dollars on or after
22 July 1, 2019, but before June 15, 2021, on such dates and in such amounts
23 as directed by the budget administrator of the budget division of the
24 Department of Administrative Services.
25 (6) The State Treasurer shall transfer seventy-five million two
26 hundred fifteen thousand three hundred thirteen dollars from the Cash
27 Reserve Fund to the Nebraska Capital Construction Fund on or before July
28 31, 2017, on such date as directed by the budget administrator of the
29 budget division of the Department of Administrative Services.
30 (7) The State Treasurer shall transfer thirty-one million dollars
31 from the Cash Reserve Fund to the General Fund after July 1, 2017, but
1 before July 15, 2017, on such date as directed by the budget
2 administrator of the budget division of the Department of Administrative
3 Services.
4 (8) The State Treasurer shall transfer thirty-one million dollars
5 from the Cash Reserve Fund to the General Fund after October 1, 2017, but
6 before October 15, 2017, on such date as directed by the budget
7 administrator of the budget division of the Department of Administrative
8 Services.
9 (9) The State Treasurer shall transfer thirty-one million dollars
10 from the Cash Reserve Fund to the General Fund after January 1, 2018, but
11 before January 15, 2018, on such date as directed by the budget
12 administrator of the budget division of the Department of Administrative
13 Services.
14 (10) The State Treasurer shall transfer thirty-two million dollars
15 from the Cash Reserve Fund to the General Fund after April 1, 2018, but
16 before April 15, 2018, on such date as directed by the budget
17 administrator of the budget division of the Department of Administrative
18 Services.
19 (11) The State Treasurer shall transfer one hundred million dollars
20 from the Cash Reserve Fund to the General Fund on or before June 30,
21 2018, on such dates and in such amounts as directed by the budget
22 administrator of the budget division of the Department of Administrative
23 Services.
24 (12) The State Treasurer shall transfer forty-eight million dollars
25 from the Cash Reserve Fund to the General Fund after March 1, 2019, but
26 before March 15, 2019, on such date as directed by the budget
27 administrator of the budget division of the Department of Administrative
28 Services.
29 (13) The State Treasurer shall transfer eighty-three million six
30 hundred nineteen thousand six hundred dollars from the Cash Reserve Fund
31 to the Governor's Emergency Cash Fund on or before June 30, 2020, on such
1 dates and in such amounts as directed by the budget administrator of the
2 budget division of the Department of Administrative Services.
3 Sec. 3. Original section 84-612, Revised Statutes Supplement, 2019,
4 is repealed.
5 Sec. 4. Since an emergency exists, this act takes effect when passed
6 and approved according to law.

The Stinner amendment was adopted with 44 ayes, 0 nays, and 5 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

EASE

The Legislature was at ease from 1:49 p.m. until 2:57 p.m.

SPEAKER SCHEER PRESIDING

BILL ON FIRST READING

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

LEGISLATIVE BILL 944A. Introduced by Geist, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 944, One Hundred Sixth Legislature, Second Session, 2020; and to declare an emergency.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1198. Placed on Final Reading.

[ST52](#)

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

1. On page 1, the matter beginning with "appropriate" in line 1 through line 2 has been struck and "amend section 84-612, Revised Statutes Supplement, 2019; to appropriate funds for the Governor's Emergency Program - COVID-19; to transfer funds from the Cash Reserve Fund; to repeal the original section; and to declare an emergency." inserted.

(Signed) Julie Slama, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator M. Hansen name added to LB1003.

Senator Vargas name added to LB1003.

ADJOURNMENT

At 2:58 p.m., on a motion by Senator Geist, the Legislature adjourned until 9:00 a.m., Tuesday, March 24, 2020.

Patrick J. O'Donnell
Clerk of the Legislature