

SEVENTY-NINTH DAY - MAY 21, 2019

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION**

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 21, 2019

PRAYER

The prayer was offered by Reverend Michael Davis, retired clergy member of the Great Plains Conference of the United Methodist Church, Gretna.

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, Morfeld, and Pansing Brooks who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventy-eighth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 323A. Placed on Select File.

LEGISLATIVE BILL 470A. Placed on Select File.

LEGISLATIVE BILL 686A. Placed on Select File.

LEGISLATIVE BILL 630. Placed on Select File with amendment.

ER126

1 1. On page 1, strike lines 2 through 11 and insert "28-311.08,
2 28-513, 28-813.01, 28-1463.03, 28-1463.05, and 29-4003, Reissue Revised
3 Statutes of Nebraska, and section 28-1310, Revised Statutes Cumulative
4 Supplement, 2018; to change elements of, penalty provisions for, and
5 defenses to offenses involving unlawful intrusion and sexually explicit
6 conduct; to change provisions relating to theft and extortion and
7 intimidation by telephone call or electronic communication; to change
8 applicability of certain provisions of the Sex Offender Registration Act;
9 to provide and change penalties; to harmonize provisions; and to repeal

10 the original sections."

LEGISLATIVE BILL 519. Placed on Select File with amendment.
ER129 is available in the Bill Room.

LEGISLATIVE BILL 462. Placed on Select File with amendment.
ER127

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

3 Section 1. Section 76-2301, Reissue Revised Statutes of Nebraska, is
4 amended to read:

5 76-2301 Sections 76-2301 to 76-2331 and sections 4, 6, 8, 9, 10, 14,
6 and 15 of this act shall be known and may be cited as the One-Call
7 Notification System Act.

8 Sec. 2. Section 76-2303, Reissue Revised Statutes of Nebraska, is
9 amended to read:

10 76-2303 For purposes of the One-Call Notification System Act, the
11 definitions found in sections 76-2303.01 to 76-2317 and sections 4 and 6
12 of this act shall be used.

13 Sec. 3. Section 76-2305, Reissue Revised Statutes of Nebraska, is
14 amended to read:

15 76-2305 Center means a call ~~shall mean the statewide one-call~~
16 ~~notification center which shall have as its principal purpose the~~
17 statewide receipt and dissemination to participating operators of
18 information on a fair and uniform basis concerning intended excavations
19 by excavators in areas where operators have underground facilities.

20 Sec. 4. Locator means a person who identifies and marks underground
21 facilities for an operator, including a contractor who performs such
22 location services for an operator.

23 Sec. 5. Section 76-2315, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 76-2315 Person means ~~shall mean~~ an individual, partnership, limited
26 liability company, association, municipality, state, county, political
27 subdivision, utility, joint venture, or corporation and shall include the
1 employer, employee, or contractor of an individual.

2 Sec. 6. Ticket means the compilation of data received by the center
3 in the notice of excavation and the facility locations provided to the
4 center and which is assigned a unique identifying number.

5 Sec. 7. Section 76-2319, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 76-2319 (1) The center shall be governed by a board of directors who
8 shall oversee operation of the center pursuant to rules and regulations
9 adopted and promulgated by the State Fire Marshal to carry out the One-
10 Call Notification System Act. The board of directors shall have the
11 authority to propose rules and regulations which may be adopted and
12 promulgated pursuant to this section and have such other authority as
13 provided by rules and regulations adopted and promulgated by the State

14 Fire Marshal that are not inconsistent with the One-Call Notification
15 System Act.

16 (2) The board of directors shall also establish a competitive
17 bidding procedure to select a vendor to provide the notification service,
18 establish a procedure by which members of the center share the costs of
19 the center on a fair, reasonable, and nondiscriminatory basis, and do all
20 other things necessary to implement the purpose of the center. Any
21 agreement between the center and a vendor for the notification service
22 may be modified from time to time by the board of directors, and any
23 agreement shall be reviewed by the board of directors at least once every
24 three years, with an opportunity to receive new bids if desired by the
25 board of directors.

26 (3) ~~(2)~~ The rules and regulations adopted and promulgated by the
27 State Fire Marshal to carry out subsection (2) of this section may
28 provide for:

29 (a) Any requirements necessary to comply with United States
30 Department of Transportation programs;

31 (b) The qualifications, appointment, retention, and composition of
1 the board of directors; and

2 (c) Best practices for the marking, location, and notification of
3 proposed excavations which shall govern the center, excavators, and
4 operators of underground facilities.

5 (4) ~~(3)~~ Any rule or regulation adopted and promulgated by the State
6 Fire Marshal pursuant to subdivision (3)(c) ~~(2)(e)~~ of this section shall
7 originate with the board of directors.

8 Sec. 8. Any locator acting as a contractor for an operator to
9 perform location services shall be trained in locator standards and
10 practices applicable to the industry. The board of directors may review
11 locator training materials provided by operators, locators, and
12 excavators and may make recommendations regarding best practices for
13 locators, if deemed appropriate.

14 Sec. 9. Notwithstanding any other provision of the One-Call
15 Notification System Act, any plastic or nonmetallic underground
16 facilities installed underground on or after January 1, 2021, shall be
17 installed in such a manner as to be locatable, either by mapping or by
18 use of tracer wire, by the operator for purposes of the act.

19 Sec. 10. The board of directors shall assess the effectiveness of
20 enforcement programs, enforcement actions, and its damage prevention and
21 public awareness programs and make a report to the Governor and the
22 Legislature no later than December 1, 2021, and by December 1 every odd-
23 numbered year thereafter. The report to the Legislature shall be made
24 electronically.

25 Sec. 11. Section 76-2322, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 76-2322 An excavator shall serve notice of intent to excavate upon
28 the center by submitting a locate request using a method provided by the
29 center. The center shall inform the excavator of all operators to whom

30 such notice will be transmitted and shall promptly transmit such notice
 31 to every operator having an underground facility in the area of intended
 1 excavation. The notice shall be transmitted to operators and excavators
 2 as a ticket. The center shall assign an identification number to each
 3 notice received, which number shall be evidenced on the ticket.

4 Sec. 12. Section 76-2323, Reissue Revised Statutes of Nebraska, is
 5 amended to read:

6 76-2323 (1) Upon receipt of the information contained in the notice
 7 pursuant to section 76-2321, an operator shall advise the excavator of
 8 the approximate location of underground facilities in the area of the
 9 proposed excavation by marking or identifying the location of the
 10 underground facilities with stakes, flags, paint, or any other clearly
 11 identifiable marking or reference point and shall indicate if the
 12 underground facilities are subject to section 76-2331. The location of
 13 the underground facility given by the operator shall be within a strip of
 14 land eighteen inches on either side of the marking or identification plus
 15 one-half of the width of the underground facility. If in the opinion of
 16 the operator the precise location of a facility cannot be determined and
 17 marked as required, the operator shall provide all pertinent information
 18 and field locating assistance to the excavator at a mutually agreed to
 19 time. The location shall be marked or identified using color standards
 20 prescribed by the center. The operator shall respond no later than two
 21 business days after receipt of the information in the notice or at a time
 22 mutually agreed to by the parties.

23 (2) The marking or identification shall be done in a manner that
 24 will last for a minimum of five business days on any nonpermanent surface
 25 and a minimum of ten business days on any permanent surface. If the
 26 excavation will continue for longer than five business days, the operator
 27 shall remark or reidentify the location of the underground facility upon
 28 the request of the excavator. The request for remarking or
 29 reidentification shall be made through the center.

30 (3) An operator who determines that ~~such operator~~ # does not have
 31 any underground facility located in the area of the proposed excavation
 1 shall notify the ~~center excavator~~ of the determination prior to the date
 2 of commencement of the excavation, or prior to two full business days
 3 after transmittal of the ticket, whichever occurs sooner. All ticket
 4 responses made under this subsection shall be transmitted to the operator
 5 and excavator by the center.

6 Sec. 13. Section 76-2325, Reissue Revised Statutes of Nebraska, is
 7 amended to read:

8 76-2325 ~~(1)~~ Any person who violates ~~the provisions of~~ section
 9 76-2320, 76-2321, 76-2322, 76-2323, 76-2326, 76-2330, ~~or~~ 76-2331 or
 10 section 8 or 9 of this act shall be subject to a civil penalty as
 11 follows:

12 (a) ~~(+)~~ For a violation by an excavator or an operator related to a
 13 gas or hazardous liquid underground pipeline facility or a fiber optic
 14 telecommunications facility, an amount not to exceed ten thousand dollars

15 for each violation for each day the violation persists, up to a maximum
16 of five hundred thousand dollars; and

17 ~~(b)~~ For a violation by an excavator or an operator related to
18 any other underground facility, an amount not to exceed five thousand
19 dollars for each day the violation persists, up to a maximum of fifty
20 thousand dollars.

21 (2) An action to recover a civil penalty shall be brought by the
22 Attorney General or a prosecuting attorney on behalf of the State of
23 Nebraska in any court of competent jurisdiction of this state. The trial
24 shall be before the court, which shall consider the nature,
25 circumstances, and gravity of the violation and, with respect to the
26 person found to have committed the violation, the degree of culpability,
27 the absence or existence of prior violations, whether the violation was a
28 willful act, any good faith attempt to achieve compliance, and such other
29 matters as justice may require in determining the amount of penalty
30 imposed. All penalties shall be remitted to the State Treasurer for
31 distribution in accordance with Article VII, section 5, of the
1 Constitution of Nebraska.

2 Sec. 14. The Attorney General shall make an annual report to the
3 Legislature, the State Fire Marshal, and the board of directors by each
4 March 15 on the number of complaints filed and the number of such
5 complaints prosecuted under section 76-2325 during the previous calendar
6 year. The report to the Legislature shall be made electronically.

7 Sec. 15. The State Fire Marshal may, by rule and regulation, define
8 occurrences relating to damage of an underground facility that creates an
9 emergency condition that requires an excavator to immediately notify an
10 operator or a locator, if applicable, and the center regarding the
11 location and extent of damage to an underground facility.

12 Sec. 16. Section 86-101, Reissue Revised Statutes of Nebraska, is
13 amended to read:

14 86-101 Sections 86-101 to 86-165 and sections 18 and 19 of this act
15 shall be known and may be cited as the Nebraska Telecommunications
16 Regulation Act.

17 Sec. 17. Section 86-103, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 86-103 For purposes of the Nebraska Telecommunications Regulation
20 Act, unless the context otherwise requires, the definitions found in
21 sections 86-103.01 to 86-121 and sections 18 and 19 of this act apply.

22 Sec. 18. Internet-protocol-enabled service or IP-enabled service
23 means any service, capability, functionality, or application provided
24 using Internet protocol, or any successor protocol, that enables a
25 service user to send or receive a communication in Internet protocol
26 format, including, but not limited to, voice, data, or video.

27 Sec. 19. Voice over Internet protocol service means an
28 interconnected voice over Internet protocol service as defined in 47
29 C.F.R. part 9, as such regulations existed on January 1, 2019.

30 Sec. 20. Section 86-124, Reissue Revised Statutes of Nebraska, is

31 amended to read:

1 86-124 (1) The commission shall not regulate the following:

2 (a) ~~(1)~~ One-way broadcast or cable television transmission of

3 television or radio signals; ~~and~~

4 (b) ~~(2)~~ Mobile radio services, radio paging services, and wireless

5 telecommunications service; -

6 (c) Interexchange services; and

7 (d) Internet-protocol-enabled service and voice over Internet

8 protocol service, including rates, service or contract terms, conditions,

9 or requirements for entry for such service.

10 (2) This section shall not affect or modify:

11 (a) The enforcement of criminal or civil laws, including, but not

12 limited to, laws concerning consumer protection and unfair or deceptive

13 trade practices which apply generally to the conduct of business;

14 (b)(i) Any entity's obligations or rights or commission authority

15 under section 86-122 and under 47 U.S.C. 251 and 252, as such sections

16 existed on January 1, 2019, and (ii) any carrier-to-carrier tariff rates,

17 service quality standards, interconnection agreements, or other

18 obligations for which the commission has jurisdiction under state or

19 federal law;

20 (c) Any requirement to contribute to any fund administered by the

21 commission authorized by the Enhanced Wireless 911 Services Act or the

22 Nebraska Telecommunications Universal Service Fund Act;

23 (d) Any commission jurisdiction over intrastate switched access

24 rates, terms, and conditions, including the resolution of disputes

25 arising from, and implementation of federal and state law with respect

26 to, intercarrier compensation;

27 (e) The eligibility and requirements for the receipt of funds from

28 the Nebraska Telecommunications Universal Service Fund and the rules,

29 regulations, and orders under the Nebraska Telecommunications Universal

30 Service Fund Act or the receipt of funds from the federal universal

31 service fund, regardless of the unregulated status of the provider's

1 service under this section; and

2 (f) Any entity's rights and obligations with respect to (i)

3 registration under section 86-125, (ii) the use of public streets, roads,

4 highways, and rights-of-way, or (iii) a certificate of public convenience

5 and necessity or a permit.

6 Sec. 21. Section 86-144, Reissue Revised Statutes of Nebraska, is

7 amended to read:

8 86-144 Telecommunications ~~(1)(a)~~ Except as provided in subdivision

9 ~~(b)~~ of this subsection, in an exchange in which local competition does

10 not exist, telecommunications companies shall file rate lists which, for

11 all telecommunications service. The rate lists except for basic local

12 exchange rates, shall be effective after (1) ten days' notice to the

13 commission or (2) for all rate increases, at least sixty days' notice to

14 the commission and all impacted subscribers. (b) Notwithstanding any other

15 provision of Chapter 86, a telecommunications company shall not be

16 required to file rate lists, tariffs, or contracts for any
 17 telecommunications service, including local exchange and interexchange
 18 services, provided as a business service. Upon written notice to the
 19 commission, a telecommunications company may withdraw any rate list,
 20 tariff, or contract not required to be filed under this section
 21 subdivision if the telecommunications company posts the rates, terms, and
 22 conditions of its telecommunications service on the company's web site.
 23 ~~(2) In an exchange in which local competition does not exist, basic~~
 24 ~~local exchange rates may be increased by a telecommunications company~~
 25 ~~only after ninety days' notice to all affected subscribers. Such notice~~
 26 ~~of increase shall include (a) the reasons for the rate increase, (b) a~~
 27 ~~description of the affected telecommunications service, (c) an~~
 28 ~~explanation of the right of the subscriber to petition the commission for~~
 29 ~~a public hearing on the rate increase, (d) a list of exchanges which are~~
 30 ~~affected by the proposed rate increase, and (e) the dates, times, and~~
 31 ~~places for the public informational meetings required by this section.~~
 1 ~~(3) A telecommunications company which proposes to increase its~~
 2 ~~basic local exchange rates shall hold at least one public informational~~
 3 ~~meeting in each public service commissioner district as established by~~
 4 ~~section 75-101.01 in which there is an exchange affected by the proposed~~
 5 ~~rate increase.~~
 6 Sec. 22. Original sections 76-2301, 76-2303, 76-2305, 76-2315,
 7 76-2319, 76-2322, 76-2323, 76-2325, 86-101, 86-103, 86-124, and 86-144,
 8 Reissue Revised Statutes of Nebraska, are repealed.
 9 Sec. 23. The following section is outright repealed: Section
 10 76-2316, Reissue Revised Statutes of Nebraska.
 11 2. On page 1, strike beginning with "the" in line 1 through line 10
 12 and insert "telecommunications; to amend sections 76-2301, 76-2303,
 13 76-2305, 76-2315, 76-2319, 76-2322, 76-2323, 76-2325, 86-101, 86-103,
 14 86-124, and 86-144, Reissue Revised Statutes of Nebraska; to define,
 15 redefine, and eliminate terms; to change the One-Call Notification System
 16 Act and the Nebraska Telecommunications Regulation Act as prescribed; to
 17 harmonize provisions; to repeal the original sections; and to outright
 18 repeal section 76-2316, Reissue Revised Statutes of Nebraska."

LEGISLATIVE BILL 680. Placed on Select File with amendment.
 ER128

1 1. In the Standing Committee amendments, AM1537, on page 2, line 30,
 2 strike "this act" and insert "the Uniform Civil Remedies for Unauthorized
 3 Disclosure of Intimate Images Act".
 4 2. On page 1, line 1, after the semicolon insert "to amend section
 5 25-213, Reissue Revised Statutes of Nebraska;"; in line 3 strike "and
 6 construction; and" and insert ", construction, and tolling of statutes of
 7 limitation;"; and in line 4 after "severability" insert "; and to repeal
 8 the original section".

(Signed) Julie Slama, Chairperson

MESSAGE(S) FROM THE GOVERNOR

May 17, 2019

Patrick J. O'Donnell
Clerk of the Legislature
State Capitol, Room 2018
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 96, 155, 179, 184, 375, 411e, 418, 478e, 560, 570e, 570Ae, and 595 were received in my office on May 13, 2019.

These bills were signed and delivered to the Secretary of State on May 17, 2019.

Sincerely,
(Signed) Pete Ricketts
Governor

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Gragert has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 150. Introduced by Albrecht, 17.

WHEREAS, May 24, 2019, is National Poppy Day; and

WHEREAS, National Poppy Day is celebrated in memory of all veterans who have given their lives, the ultimate sacrifice; and

WHEREAS, red crepe paper poppies have been made, worn, displayed, and distributed for fundraising efforts by veterans' groups such as the American Legion Family and American Legion Auxiliary, for decades to observe both Memorial Day and Veterans Day; and

WHEREAS, each year veteran poppy makers across Nebraska, including Dennis Otte of Wayne, make thousands of memorial poppies each year to fundraise and remember; and

WHEREAS, National Poppy Day serves as a strong renewal of our nation's commitment to a powerful reminder of the cost of our freedom.

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

1. That the Legislature remembers the lives lost in World War I and appreciates the work of veteran poppy makers that help us celebrate Memorial Day, Veterans Day, and National Poppy Day.

2. That copies of this resolution be sent to the American Legion Auxiliary for Nebraska and Dennis Otte.

Laid over.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 120, 121, 122, 125, and 133 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 120, 121, 122, 125, and 133.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB293 with 33 ayes, 6 nays, 7 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 293. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2018, LB944, sections 27, 43, 53, 66, 67, 68, 69, 70, 94, and 109; and section 48-1,116, Revised Statutes Cumulative Supplement, 2018; to define terms; to provide, change, and eliminate appropriations for operation of state government; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 45:

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

Voting in the negative, 2:

Brewer Erdman

Excused and not voting, 2:

Cavanaugh Morfeld

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

WITHDRAW - Amendments to LB294

Senator La Grone withdrew his amendments, AM308, AM309, and AM1638, found on pages 516 and 1557, to LB294.

MOTION(S) - Return LB294 to Select File

Senator Erdman moved to return LB294 to Select File for his specific amendment, AM1866, found on page 1584.

Senator Stinner offered the following motion:

MO98

Invoke cloture pursuant to Rule 7, Sec. 10.

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

Voting in the affirmative, 39:

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

Voting in the negative, 8:

Albrecht	Brewer	Clements	Halloran
Bostelman	Briese	Erdman	Murman

Present and not voting, 2:

Friesen Lowe

The Stinner motion to invoke cloture prevailed with 39 ayes, 8 nays, and 2 present and not voting.

Senator Erdman requested a roll call vote on his motion to return to Select File.

Voting in the affirmative, 13:

Albrecht	Briese	Friesen	Hansen, B.	Murman
Bostelman	Clements	Groene	Hughes	
Brewer	Erdman	Halloran	Lowe	

Voting in the negative, 34:

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

Present and not voting, 2:

Arch	Linehan
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The Erdman motion to return failed with 13 ayes, 34 nays, and 2 present and not voting.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB294 with 35 ayes, 10 nays, and 4 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 294. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to state intent; to define terms; to make appropriations for the expenses of Nebraska State Government for the biennium ending June 30, 2021; to transfer funds; to provide duties; to provide an operative date; and to declare an emergency.

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

Voting in the affirmative, 35:

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

Voting in the negative, 12:

Albrecht	Clements	Halloran	Moser
Bostelman	Erdman	Hansen, B.	Murman
Brewer	Friesen	Lowe	Slama

Present and not voting, 2:

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

The following bills were read and put upon final passage:

LEGISLATIVE BILL 295. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of salaries of members of the Nebraska Legislature and payments to be made as provided by Chapter 68, article 6, for FY2019-20 and FY2020-21; to provide an operative date; and to declare an emergency.

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

Voting in the affirmative, 43:

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

Voting in the negative, 4:

Bostelman Brewer Erdman Halloran

Present and not voting, 2:

Clements Linehan

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

LEGISLATIVE BILL 296. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds for the payment of the salaries and benefits of certain state officers for FY2019-20 and FY2020-21; to define terms; to provide an operative date; and to declare an emergency.

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

Voting in the affirmative, 47:

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

Voting in the negative, 0.

Present and not voting, 2:

Geist Halloran

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

MOTION(S) - Return LB297 to Select File

Senator Erdman moved to return LB297 to Select File for the following specific amendment:

AM1868

(Amendments to Final Reading copy)

1 1. Strike section 17.

2 2. Renumber the remaining sections accordingly.

PRESIDENT FOLEY PRESIDING

Senator Erdman requested a roll call vote on his motion to return to Select File.

Voting in the affirmative, 17:

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

Voting in the negative, 30:

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

Present and not voting, 1:

Briese

Excused and not voting, 1:

Scheer

The Erdman motion to return failed with 17 ayes, 30 nays, 1 present and not voting, and 1 excused and not voting.

BILLS ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB297 with 33 ayes, 9 nays, 6 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 297. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to define terms; to appropriate funds for capital construction and property acquisition as

prescribed; to state intent; to require program statements and a request for funding; to provide an operative date; and to declare an emergency.

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

Voting in the affirmative, 38:

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

Voting in the negative, 9:

Albrecht	Brewer	Erdman	Halloran	Murman
Bostelman	Clements	Friesen	Lowe	

Present and not voting, 1:

Vargas

Excused and not voting, 1:

Scheer

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

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB298 with 35 ayes, 11 nays, 2 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 298. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to amend sections 2-4018, 61-218, 66-1334, 71-7611, and 86-563, Reissue Revised Statutes of Nebraska, and sections 9-1,101, 45-621, 81-1426.01, 81-15,175, and 84-1227, Revised Statutes Cumulative Supplement, 2018; to provide, change, and eliminate sources, uses, and transfers of funds; to create and

repeal funds; to harmonize provisions; to repeal the original sections; to outright repeal sections 81-1327 and 86-566, Reissue Revised Statutes of Nebraska; and to declare an emergency.

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

Voting in the affirmative, 46:

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

Voting in the negative, 2:

Brewer Erdman

Excused and not voting, 1:

Scheer

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

LEGISLATIVE BILL 299. With Emergency Clause.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2018; to authorize a transfer; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 43:

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

Voting in the negative, 4:

Bostelman	Brewer	Halloran	Low
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Present and not voting, 1:

Erdman

Excused and not voting, 1:

Scheer

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

LEGISLATIVE BILL 464. With Emergency Clause.

A BILL FOR AN ACT relating to claims against the state; to appropriate funds for the payment of certain claims; to provide for payment of the claims; to authorize agencies to write off certain claims as prescribed; and to declare an emergency.

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

Voting in the affirmative, 46:

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

Voting in the negative, 1:

Moser

Present and not voting, 1:

Lowe

Excused and not voting, 1:

Scheer

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 293, 294, 295, 296, 297, 298, 299, and 464.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 62. Placed on Final Reading.
LEGISLATIVE BILL 123. Placed on Final Reading.
LEGISLATIVE BILL 135. Placed on Final Reading.
LEGISLATIVE BILL 220. Placed on Final Reading.
LEGISLATIVE BILL 244. Placed on Final Reading.
LEGISLATIVE BILL 248. Placed on Final Reading.
LEGISLATIVE BILL 260. Placed on Final Reading.
LEGISLATIVE BILL 281. Placed on Final Reading.
LEGISLATIVE BILL 308. Placed on Final Reading.
LEGISLATIVE BILL 315. Placed on Final Reading.
LEGISLATIVE BILL 374. Placed on Final Reading.
LEGISLATIVE BILL 392. Placed on Final Reading.
LEGISLATIVE BILL 414. Placed on Final Reading.
LEGISLATIVE BILL 427. Placed on Final Reading.
LEGISLATIVE BILL 447. Placed on Final Reading.
LEGISLATIVE BILL 447A. Placed on Final Reading.
LEGISLATIVE BILL 454. Placed on Final Reading.
LEGISLATIVE BILL 476. Placed on Final Reading.
LEGISLATIVE BILL 505. Placed on Final Reading.
LEGISLATIVE BILL 525. Placed on Final Reading.
LEGISLATIVE BILL 533. Placed on Final Reading.
LEGISLATIVE BILL 559. Placed on Final Reading.
LEGISLATIVE BILL 561. Placed on Final Reading.
LEGISLATIVE BILL 564. Placed on Final Reading.
LEGISLATIVE BILL 571. Placed on Final Reading.

LEGISLATIVE BILL 571A. Placed on Final Reading.
LEGISLATIVE BILL 609. Placed on Final Reading.
LEGISLATIVE BILL 719. Placed on Final Reading.
LEGISLATIVE BILL 719A. Placed on Final Reading.
LEGISLATIVE BILL 726. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

COMMITTEE REPORT(S)
Education

LEGISLATIVE BILL 515. Placed on General File with amendment.
AM1673 is available in the Bill Room.

(Signed) Mike Groene, Chairperson

SPEAKER'S MAJOR PROPOSAL

May 21, 2019

Patrick O'Donnell
Clerk of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. O'Donnell:

Please be advised that pursuant to Rule 1, Section 17, the Executive Board has approved Speaker Scheer's request that LB720 be designated as a 2019 Speaker's Major Proposal.

Respectfully,
(Signed) Senator Mike Hilgers
Chair, Executive Board

C: Speaker Jim Scheer
Senator Mark Kolterman

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB657A:
AM1883

(Amendments to Final Reading copy)

- 1 1. Strike original section 1 and insert the following new section:
- 2 Section 1. There is hereby appropriated (1) \$50,000 from the
- 3 Nebraska Hemp Program Fund for FY2019-20 and (2) \$110,000 from the
- 4 Nebraska Hemp Program Fund for FY2020-21 to the Department of
- 5 Agriculture, for Program 78, to aid in carrying out the provisions of
- 6 Legislative Bill 657, One Hundred Sixth Legislature, First Session, 2019.

7 Total expenditures for permanent and temporary salaries and per
 8 diems from funds appropriated in this section shall not exceed \$50,000
 9 for FY2019-20 or \$75,000 for FY2020-21.
 10 It is the intent of the Legislature that the Department of
 11 Agriculture shall provide a report to the Appropriations Committee of the
 12 Legislature no later than January 15, 2020, detailing: (1) Expenses
 13 incurred to date related to Legislative Bill 657, One Hundred Sixth
 14 Legislature, First Session, 2019, including costs paid from the Noxious
 15 Weed Cash Fund; (2) license applications received from cultivators,
 16 processor-handlers, and brokers; (3) the number of approved license
 17 applications for growers, processor-handlers, and brokers; (4) the
 18 projected fee revenue resulting from the approved applications; (5) the
 19 geographic location of the approved licensees; and (6) estimated program
 20 funding needs for the remainder of FY2019-20 and for FY2020-21.

Senator Friesen filed the following amendment to LB462:

AM1909

(Amendments to E&R amendments, ER127)

1 1. Insert the following new section:
 2 Sec. 7. Section 76-2318, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 76-2318 Operators of underground facilities shall become members of
 5 and participate in the ~~statewide one-call notification~~ center.
 6 2. On page 8, line 13, strike "all" and insert "basic local
 7 exchange".
 8 3. On page 9, line 6, after the last comma insert "76-2318," and in
 9 line 13 after the second comma insert "76-2318,".
 10 4. Renumber the remaining sections and correct internal references
 11 accordingly.

Senator Lindstrom filed the following amendment to LB186:

AM1823

(Amendments to Final Reading copy)

1 1. Strike section 26 and insert the following new sections:
 2 Sec. 24. Section 84-618, Revised Statutes Cumulative Supplement,
 3 2018, is amended to read:
 4 84-618 (1) The Treasury Management Cash Fund is created. A pro rata
 5 share of the budget appropriated for the treasury management functions of
 6 the State Treasurer and for the administration of the achieving a better
 7 life experience program as provided in sections 77-1401 to 77-1409 shall
 8 be charged to the income of each fund held in invested cash, and such
 9 charges shall be transferred to the Treasury Management Cash Fund. The
 10 allocation of charges may be made by any method determined to be
 11 reasonably related to actual costs incurred by the State Treasurer in
 12 carrying out the treasury management functions under section 84-602 and
 13 in carrying out the achieving a better life experience program as
 14 provided in sections 77-1401 to 77-1409. Approval of the agencies,
 15 boards, and commissions administering these funds shall not be required.
 16 (2) It is the intent of this section to have funds held in invested

17 cash be charged a pro rata share of such expenses when this is not
 18 prohibited by statute or the Constitution of Nebraska.
 19 (3) The Treasury Management Cash Fund shall be used for the treasury
 20 management functions of the State Treasurer and for the administration of
 21 the achieving a better life experience program as provided in sections
 22 77-1401 to 77-1409. To the extent permitted by section 529A as defined in
 23 section 77-1401, the fund may receive gifts for administration,
 24 operation, and maintenance of a program established under sections
 25 77-1403 to 77-1409.
 26 (4) Transfers may be made from the Treasury Management Cash Fund to
 1 the General Fund and to the Administration Cash Fund created in section
 2 33-102 at the direction of the Legislature. Any money in the Treasury
 3 Management Cash Fund available for investment shall be invested by the
 4 state investment officer pursuant to the Nebraska Capital Expansion Act
 5 and the Nebraska State Funds Investment Act.
 6 (5) On or before July 5, 2019, or as soon thereafter as possible,
 7 the State Treasurer shall transfer eighty-two thousand one hundred sixty-
 8 seven dollars from the Treasury Management Cash Fund to the
 9 Administration Cash Fund. On or before July 1, 2020, the State Treasurer
 10 shall transfer twenty-seven thousand six hundred eighty-two dollars from
 11 the Treasury Management Cash Fund to the Administration Cash Fund.
 12 Sec. 27. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 13 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, and 29 of this act become
 14 operative on July 1, 2020. The other sections of this act become
 15 operative on their effective date.
 16 Sec. 28. Original section 84-618, Revised Statutes Cumulative
 17 Supplement, 2018, is repealed.
 18 Sec. 30. Since an emergency exists, this act takes effect when
 19 passed and approved according to law.
 20 2. On page 1, line 3, strike "section 23-1503.01" and insert
 21 "sections 23-1503.01 and 84-618"; in line 5 after the semicolon insert
 22 "to provide for transfers of funds;"; in line 8 strike "an operative
 23 date" and insert "operative dates", strike "and", and after "sections"
 24 insert "; and to declare an emergency".
 25 3. Renumber the remaining sections accordingly.

Senator Lindstrom filed the following amendment to LB186A:
 AM1814

(Amendments to Final Reading copy)

1 1. Insert the following new section:
 2 Sec. 2. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.
 4 2. On page 1, line 3, before the period insert "; and to declare an
 5 emergency".
 6 3. On page 2, line 2, strike both occurrences of "General" and
 7 insert "Administration Cash"; and strike beginning with the second "and"
 8 in line 2 through "Fund" in line 3.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 151.** Introduced by Groene, 42.

PURPOSE: The purpose of this resolution is to examine the financing of public education and develop recommendations for improving school funding in Nebraska. The study committee shall examine school finance policy in other states and relevant studies and literature with a focus on the mix of taxable resources used to support education.

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

1. That the Education 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 152. Introduced by Groene, 42.

PURPOSE: The purpose of this resolution is to examine any issues within the jurisdiction of the Education Committee of the Legislature that may arise during the interim.

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

1. That the Education 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 153. Introduced by Groene, 42.

PURPOSE: The purpose of this interim study is to:

- (1) Examine the administrative costs of local systems and school districts, including, but not limited to, the definition of what constitutes an administrative cost and the portion of total authorized expenditures that are budgeted for such costs; and
- (2) Investigate methods for reducing such costs.

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

1. That the Education 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 154. Introduced by Groene, 42.

PURPOSE: The purpose of this interim study is to:

(1) Examine statutes related to augmentation projects in relationship to the Nebraska Cooperative Republican Platte Enhancement (N-CORPE) interlocal project in Lincoln County, Nebraska;

(2) Examine existing statutes pertaining to integrated management plans and augmentation plans related to ground water; and

(3) Examine statutes and opinions of the Nebraska Supreme Court and Nebraska Court of Appeals in reference to the relationship between land ownership and ground water use for augmentation or transfer, including the decisions in *Estermann v. Bose*, 296 Neb. 228 (2017), *Olson v. City of Wahoo*, 124 Neb. 802 (1933), *Sorensen v. Lower Niobrara Natural Resources District*, 221 Neb. 180 (1985), and *Upper Republican Natural Resources District v. Dundy County Board of Equalization*, 300 Neb. 256 (2018).

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 155. Introduced by Wayne, 13.

PURPOSE: The purpose of this interim study is to examine issues related to municipalities that border another state. The interim study shall include, but not be limited to:

(1) A review of municipalities that border one or more neighboring states;

(2) A review of the percentage of Nebraska's population that resides in municipalities that border one or more neighboring states; and

(3) An examination of the impact of policy changes in neighboring states on Nebraska municipalities that border such states.

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.

LEGISLATIVE RESOLUTION 156. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to examine strategies to prevent suicide by youth involved in the Nebraska juvenile justice system.

Involvement with the juvenile justice system has been linked to an increased suicide risk among youth. Factors that may increase suicide risk in this population include mental health or substance use disorders, the loss of a friend or family member to suicide or another cause of death, social isolation, relationship problems, and separation from family.

Administrators, staff, and others in the juvenile justice system can play an important role in suicide prevention. Adopting suicide prevention protocols, guidelines, and tools will help improve the Nebraska juvenile justice system's intervention standards and mental health care, thereby contributing to suicide prevention and to the overall health and well-being of justice-involved youth.

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

- (1) Best practices for suicide prevention in the juvenile justice system;
- (2) Collaboration between agencies involved in the Nebraska juvenile justice system to identify and provide services to youth who are at-risk of suicide;
- (3) Availability of appropriate services for youth in the Nebraska juvenile justice system who are at-risk of suicide; and
- (4) Effective data collection and information-sharing practices for the purposes of law, policy, and program development, for the purposes of individual case planning and decisionmaking, and for program evaluation and performance measurement relating to youth who are at-risk of suicide.

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

1. That the Judiciary 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 157. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to conduct an indepth review of the financing of the public elementary and secondary schools. The issues addressed by this interim study shall include, but not be limited to:

- (1) The methods of financing public elementary and secondary schools, including financing methods used in other states, which would provide equitable educational opportunities across the state and offer alternatives to heavy reliance on property taxes;
- (2) The option of using income tax as a component in the financing of public elementary and secondary schools;
- (3) The option of using sales tax as a component in the financing of public elementary and secondary schools, including, but not limited to, an examination of the experience of any other states with such option;
- (4) Financing issues as they relate to the quality and performance of public elementary and secondary schools;
- (5) Options for funding expanded public prekindergarten services;
- (6) Options for funding college-readiness and career-readiness programs, including, but not limited to, programs of excellence, dual-enrollment courses, and career academies;
- (7) The costs and resources necessary to meet the diverse and growing needs of students across the state, including, but not limited to, the needs of poverty students and limited English proficiency students;
- (8) Methods used by other states to fund public elementary and secondary school infrastructure needs; and
- (9) Other issues related to public elementary and secondary school financing as necessary.

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

1. That the Education 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 158. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to examine matters related to adoption procedures in Nebraska. The interim study shall include, but not be limited to a review of:

- (1) Adoption and stepparent adoption statutes and relevant case law in Nebraska, including the criteria a child must meet in order to be eligible for adoption;
- (2) Practices of the Department of Health and Human Services related to the foster and adoption processes, including, but not limited to, placement

criteria, home visit requirements, and the timeline for adoption finalization; and

(3) Adoption statutes from other states, including how other states have modernized and adapted their adoption law to address changes in cultural and medical practices.

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

1. That the Judiciary 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 159. Introduced by Crawford, 45.

PURPOSE: The purpose of this interim study is to examine the rules of the Legislature regarding information required to be included in records of the committees of the Legislature. The issues addressed by this interim study shall include, but not be limited to, the requisite information for a committee statement and how written testimony provided for a public hearing is recorded and reported by a committee.

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

1. That a select interim committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. The select interim committee shall be composed of the members of the Rules Committee of the Legislature.

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 160. Introduced by Howard, 9.

PURPOSE: The purpose of this interim study is to assess the mental and behavioral health needs of Nebraskans and the current shortages of services and resources needed to ensure a robust behavioral health service delivery system. The issues addressed by this interim study shall include, but not be limited to:

(1) Nebraska's current system of care and adherence to the Behavioral Health Strategic Plan for 2017-2020;

(2) Behavioral health programs and services administered by the Department of Health and Human Services and the behavioral health regions;

(3) Funding sources for behavioral health assessment, treatment, and community support;

(4) Model policies and programs used by behavioral health groups to ensure community mental health and behavioral health needs are met; and

(5) Emergency protective custody and steps the Department of Health and Human Services takes to ensure a safe and appropriate environment for individuals placed in such custody.

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.

LEGISLATIVE RESOLUTION 161. Introduced by Legislative Performance Audit Committee: Geist, 25, Chairperson; Friesen, 34; Scheer, 19; Stinner, 48.

PURPOSE: The purpose of this interim study is to examine policy issues revealed during a performance audit of the Nebraska Advantage Microenterprise Tax Credit Act. The Legislative Performance Audit Committee recommended the introduction of an interim study to fully explore, and propose solutions to, administrative and compliance difficulties caused by design and definitional issues.

The office of Legislative Audit reported that, according to the Department of Revenue, compared to other incentive programs administered by the Department of Revenue, aspects of the Nebraska Advantage Microenterprise Tax Credit Act increase the risk that participants receive credit for activities not intended by the Legislature, make the program more difficult to administer, and make it difficult to comply with program requirements.

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

(1) Potential limitations of transactions that generate credit under the act but were not intended by the Legislature to do so;

(2) Difficulties for taxpayers and department staff raised by terms within the act that are not clearly defined; and

(3) Taxpayer compliance burdens.

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

1. That the Revenue 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 162. Introduced by Bostelman, 23.

PURPOSE: The purpose of this interim study is to examine issues impacting volunteer emergency medical personnel and to continue the work done through Legislative Resolution 395, One Hundred Fifth Legislature, Second Session, 2018. Nebraska's volunteer emergency medical service providers offer significant assistance throughout the state, especially where the cost of tax-supported services is prohibitive.

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

(1) The use of the electronic Nebraska Ambulance Rescue Service Information System for the collection and analysis of patient care data, including a history of the system, and the use of data by volunteer emergency medical services;

(2) Recommended improvements to such data system;

(3) The education and training of applicants to become volunteer emergency medical technicians; and

(4) The billing and collection methods for services provided by volunteer emergency medical departments.

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.

LEGISLATIVE RESOLUTION 163. Introduced by Howard, 9.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the Health and Human Services Committee of the Legislature that may arise during the interim.

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.

LEGISLATIVE RESOLUTION 164. Introduced by Williams, 36; Kolterman, 24; Lindstrom, 18.

PURPOSE: The purpose of this interim study is to examine the need to update the insurance laws of Nebraska in response to technology advancement and innovation, also known as insurtech, in the insurance industry. The interim study shall include, but not be limited to, a review of the interaction of insurance regulation and artificial intelligence, blockchain, autonomous vehicles, and the Internet of things. In order to carry out the purposes of this interim study, the committee should seek the assistance of the Department of Insurance and should consider the input of interested parties, as the committee deems necessary and appropriate.

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 165. Introduced by McDonnell, 5.

PURPOSE: The purpose of this interim study is to examine issues related to municipal firefighting and emergency medical services. The interim study shall examine:

(1) Which municipalities employ paid firefighters and emergency medical technicians, which municipalities utilize volunteer firefighters and emergency medical technicians, and which municipalities utilize a hybrid of paid and volunteer firefighters and emergency medical technicians;

(2) Municipal fire and emergency medical service response times and standards and how such response times and standards are defined;

(3) The effect of municipal fire and emergency medical service response times and standards on municipal bond ratings and insurance ratings; and

(4) The population thresholds at which municipal fire and emergency medical services are considered essential services.

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.

LEGISLATIVE RESOLUTION 166. Introduced by Friesen, 34; Bostelman, 23; Brandt, 32; Walz, 15.

PURPOSE: The purpose of this interim study is to review the report of the Rural Broadband Task Force that was created by Laws 2018, LB994. The task force is charged with studying issues relating to broadband availability, quality, and affordability in rural areas and comparability to broadband services in urban areas. According to section 86-1102, the task force is required to present its findings in a report to the Executive Board of the Legislative Council by November 1, 2019, and the task force is to examine issues relating to availability, adoption, and affordability of broadband services in rural Nebraska. This interim study shall review the report of the task force and invite testimony from stakeholders regarding the recommendations of the task force.

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

1. That the Transportation and Telecommunications 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 167. Introduced by Friesen, 34; Bostelman, 23.

PURPOSE: The purpose of this interim study is to review the current model of collecting taxes to build and repair roads. In Nebraska, state and local governments rely primarily on fuel taxes to fund highway construction and repair. Legislative Bill 366, One Hundred Sixth Legislature, First Session, 2019, proposed an increased registration fee on electric-powered vehicles which do not pay fuel tax. As electric-powered vehicles and hybrid vehicles continue to increase in market share and gasoline-powered vehicles continue to drive more miles per gallon, fewer dollars are available for road repair and construction.

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

1. That the Transportation and Telecommunications 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 168. Introduced by Friesen, 34.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the Transportation and Telecommunications Committee of the Legislature that may arise during the interim.

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

1. That the Transportation and Telecommunications 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 169. Introduced by Friesen, 34.

PURPOSE: The purpose of this interim study is to examine issues raised during the hearing and debate on Legislative Bill 462, One Hundred Sixth Legislature, First Session, 2019, and examine potential improvements to the enforcement of the One-Call Notification System Act. The issues addressed by this interim study shall include, but not be limited to:

(1) The creation of a dispute resolution board to hear complaints of violations of the One-Call Notification System Act and make recommendations on the final determination of such complaints;

(2) The composition of such dispute resolution board, the powers of and limitations on such dispute resolution board, and the processes that should be employed by such dispute resolution board;

(3) How the expenses of such a dispute resolution board may be funded without creating a General Fund impact;

(4) The appropriate state agency to have authority over the dispute resolution board; and

(5) Alternatives to a dispute resolution board that would increase the enforcement efficiency and effectiveness under the One-Call Notification System Act.

In order to carry out the purposes of this resolution, the assistance and input of the underground construction industry, operators of underground utility facilities, the board of directors of the statewide one-call notification center, the State Fire Marshal, the Attorney General, and other parties, agencies, or political subdivisions impacted by such issues shall be sought.

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

1. That the Transportation and Telecommunications 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 170. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to study the Department of Health and Human Services' plan to submit a demonstration project waiver for the medical assistance program under section 1115 of the Social Security Act.

In November 2018, the people of Nebraska voted to expand access to the medical assistance program through Initiative No. 427. On April 1, 2019, the Division of Medicaid and Long-Term Care of the Department of Health and Human Services submitted three state plan amendments to the federal Centers for Medicaid and Medicare Services, which are necessary to implement medicaid expansion. Approval of those state plan amendments would allow implementation and coverage to begin. However, the department does not plan to begin coverage until October 1, 2020, nearly two years after Nebraskans voted for such coverage, because the department is tying expansion to an optional 1115 waiver, which is not necessary for expansion, and that will make significant changes to Nebraska's current medical assistance program.

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

(1) The detailed substance of the 1115 waiver and application submitted by the Department of Health and Human Services to the Centers for Medicaid and Medicare Services, including work requirements and benefit limitations;

(2) Any challenges to beneficiaries, providers, contractors, or the department in implementing these significant policy changes to Nebraska's medical assistance program;

(3) The additional fiscal impact of the 1115 waiver, including the increased cost of the 1115 waiver compared to the expansion of the medical assistance program contemplated by Initiative No. 427 and completed through the submission of state plan amendments; and

(4) Whether significant policy changes to the structure, benefits, and administration of the medical assistance program should be made or approved by the state's policymaking body.

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.

LEGISLATIVE RESOLUTION 171. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine the impact of lowering the age of majority from 19 years of age to 18 years of age for making health care decisions.

This interim study shall include, but not be limited to, an examination of:

- (1) The age of majority for health care decisions in other states;
- (2) Any states that have an age of majority for health care decisions of 18 years of age or younger;
- (3) The potential economic impacts of changing the age of majority for health care decisions; and
- (4) The impact the age of majority for health care decisions has on health care providers and insurers.

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

1. That the Judiciary 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 172. Introduced by Williams, 36; Howard, 9.

PURPOSE: The purpose of this resolution is to study and analyze state and local policy and initiatives to retain and incent health care providers and health-related businesses in the state to remain and expand in Nebraska. This interim study shall further examine the potential advantages of combining employee incentives of existing loan forgiveness programs with federal and state benefits from federally designated Opportunity Zones to stimulate private investment by health-related industries and health

professions to address economic development and workforce development in high-need areas across Nebraska.

The interim study shall include, but not be limited to, an examination of the following:

(1) The creation of Health Enterprise Zones to incent licensed medical clinics and providers to expand or establish a presence in a designated health care service shortage area;

(2) Potentially eligible census tracts across Nebraska with defined health care disparities that have also been designated by the U.S. Department of Treasury as an Opportunity Zone;

(3) The potential economic impact and historic data on health care businesses or entities within a federally designated Opportunity Zone and the potential impact of additional state incentives and regulatory flexibility through a state-established Health Opportunity Zone;

(4) The potential benefits and outcomes of establishing a state and local fund to award matching grants to attract health care practitioners to state-designated health provider shortage areas;

(5) Current state programs that assist health care, biomedical, and pharmaceutical businesses expand investment and the workforce in Nebraska; and

(6) Opportunities to align or improve systems that support Nebraska's health care workforce in underserved and high-need communities across the state.

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.

LEGISLATIVE RESOLUTION 173. Introduced by Quick, 35; Albrecht, 17; Pansing Brooks, 28.

PURPOSE: The purpose of this interim study is to examine health concerns related to the public use of and secondhand exposure to electronic nicotine delivery systems and other products including, but not limited to, e-cigarettes and vaping devices.

The interim study shall include, but not be limited to, an examination of:

(1) The chemicals, nicotine, particulate matter, heavy metals, and pollutants found in such devices;

(2) The health concerns of people who are involuntarily exposed to toxins, chemicals, particulate matter, heavy metals, and pollutants;

(3) The health problems also associated with secondhand smoke, vapor, fog, mist, gas, or aerosol products because of exposure to toxins, chemicals, particulate matter, heavy metals, and pollutants; and

(4) Potential statutory changes necessary to prevent exposure to secondhand nicotine vapor to protect population health and environmental health.

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.

LEGISLATIVE RESOLUTION 174. Introduced by Cavanaugh, 6.

PURPOSE: The purpose of this interim study is to examine the Highway Trust Fund and ways it can be used to increase transit infrastructure in areas with limited access. The issues addressed by this interim study shall include, but not be limited to:

(1) Transit access to job centers, educational opportunities, and training opportunities;

(2) Transit access to healthcare and other human services;

(3) Transit access to grocery stores, farmers markets, and food sources that alleviate food deserts;

(4) The availability of infrastructure to support low-cost travel such as sidewalks, bicycle facilities, and public transit;

(5) The availability of sidewalks and bicycle infrastructure near schools and along transit lines;

(6) The air quality impacts of transportation infrastructure; and

(7) A state-level funding formula for transit in Nebraska and how it can be flexible to avoid unfair distribution of funds among rural and urban interests.

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

1. That the Transportation and Telecommunications 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 175. Introduced by Cavanaugh, 6.

PURPOSE: The purpose of this interim study is to ensure accelerated broadband deployment statewide. The issues addressed by this interim study shall include, but not be limited to:

- (1) Whether the Nebraska Public Service Commission has sufficient authority to effectuate the withholding and redistribution of Universal Service Fund support called for by the Rural Broadband Task Force;
- (2) Changes needed to carry out the recommendations of the Rural Broadband Task Force;
- (3) The need for improved mapping of areas of the state unserved and underserved by broadband;
- (4) Changes needed to facilitate public-private partnerships in the deployment of broadband;
- (5) Any impediments placed by the government that should be removed or modified to ensure accelerated broadband deployment;
- (6) Federal agencies or officials needed to secure more telecommunications infrastructure support for Nebraska; and
- (7) How to best distribute financial support to ensure accelerated broadband deployment.

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

1. That the Transportation and Telecommunications 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 176. Introduced by Cavanaugh, 6; Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine the metrics used in the juvenile justice system to track outcomes for youth who are under system supervision and after contact with the juvenile justice system. National juvenile justice best practices encourage policymakers to accurately measure recidivism rates and other youth outcomes and analyze, report, and use such data to promote accountability and a more effective juvenile justice system.

The interim study shall include, but not be limited to:

- (1) An examination of how the juvenile justice system measures recidivism for youth involved in the juvenile justice system, considering the multiple ways they may have subsequent contact with such system;
- (2) An analysis of recidivism data in Nebraska's juvenile justice system to account for risk levels and other key youth characteristics and variables;

- (3) An examination of the infrastructure of the juvenile justice system to collect, analyze, and report recidivism data;
- (4) An examination of how the juvenile justice system makes recidivism data accessible to key constituents and the general public;
- (5) An examination of how the juvenile justice system uses recidivism data to inform juvenile justice policy, practice, and resource allocation; and
- (6) An examination of how the juvenile justice system tracks outcomes for youth, including educational attainment, behavioral health improvements, skill development, employment, or other metrics to assess whether youth are transitioning to a crime-free and productive adulthood.

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

1. That the Judiciary 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 177. Introduced by Cavanaugh, 6.

PURPOSE: The purpose of this interim study is to examine issues faced by youth in the child welfare system who are pregnant or parenting. The issues addressed by this interim study shall include, but not be limited to:

- (1) The number of youth in the child welfare system who are pregnant and who are parenting;
- (2) The availability of private and public support services for such youth;
- (3) The use of private and public support services for such youth by the Department of Health and Human Services;
- (4) Initiatives, programs, administrative policies, and legislative policies implemented in other states that have improved outcomes for pregnant or parenting youth;
- (5) The impacts of the federal Family First Prevention Services Act of 2017 on the delivery and availability of services for pregnant and parenting youth;
- (6) The perspectives and experiences of youth who are or who have been part of Nebraska's child welfare system; and
- (7) Intergenerational strategies to stop the cycle of involvement in the child welfare system, including, but not limited to, addressing the cliff effect in public benefit programs and access to quality early childhood education, health care, postsecondary educational opportunities, and workforce training.

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.

LEGISLATIVE RESOLUTION 178. Introduced by Cavanaugh, 6; Wayne, 13.

PURPOSE: The purpose of this interim study is to examine the distribution of affordable housing across the state and how the lack of available affordable housing can impact the workforce. The issues addressed by this interim study shall include, but not be limited to:

(1) The prevalence of unfilled jobs across the state and the industries and communities that are most severely hampered from growing their workforce due to a lack of available housing;

(2) The distribution of housing vacancies across the state;

(3) The distribution and allocation of housing development subsidies across the state;

(4) The number of jobs that are currently unfilled because of a lack of adequate housing for the workforce and the overall economic impact that a lack of adequate housing has on the State of Nebraska; and

(5) The overall need for increased investment in housing development, rental assistance, and home-buyer assistance.

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

1. That the Business and Labor 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 179. Introduced by Cavanaugh, 6; Dorn, 30; Wishart, 27.

PURPOSE: The purpose of this interim study is to examine the fiscal impact of the Supplemental Nutrition Assistance Program and childcare subsidies.

The interim study shall examine:

(1) The fiscal impact of the Supplemental Nutrition Assistance Program;

(2) The fiscal impact of increasing or expanding the availability of benefits under the Supplemental Nutrition Assistance Program;

(3) The fiscal impact of the child care subsidy program; and

(4) The fiscal impact of increasing or expanding the availability of benefits under the child care subsidy program.

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

1. That the Appropriations 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 180. Introduced by Cavanaugh, 6; Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine the practice of mindfulness to reduce the number of children and adults in crisis. The Legislature is concerned about suicide, school safety, and behavioral health. In Nebraska, health systems have recognized increases in children dealing with behavioral health issues. Incidences of children dealing with anxiety, depression, and social-emotional issues have placed increased strain on our public health system, schools, and medical infrastructure.

Adverse Childhood Experiences (ACEs) and the impact of such experiences on the brain of a child have been identified as risk factors in the long-term physical and emotional health of people. The impacts of ACEs have created heavy demands on public resources and created challenges to workforce development.

Studies have shown that mindfulness techniques teach children and adults to heighten their awareness of the present moment, including what they are hearing, seeing, feeling, or smelling. These few brief moments of focused attention can interrupt impulsive behaviors or negative thoughts and are calming for children and adults. Mindfulness strategies have been taught by many different educational and mental health professionals. Mindfulness techniques can be used as a preventative program to lower demands on mental health resources.

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

- (1) Best practices for mindfulness strategies;
- (2) How mindfulness techniques can be helpful in assisting children with ACEs;
- (3) Ways to provide mindfulness strategies to more people;
- (4) How the public health infrastructure and mental health professionals can align to provide preventative programs of mindfulness; and
- (5) How the elementary, secondary, and postsecondary educational systems can engage the health care system to provide more preventative support through mindfulness.

To carry out the interim study, professionals in mental health, public health, wellness, and insurance, the Department of Health and Human Services, the State Department of Education, teachers, administrators, school board members, and others may be consulted to share data, develop strategies and make recommendations to develop a long-term vision on how to address behavioral health needs through mindfulness.

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.

WITHDRAW - Cointroducer(s)

Senator Wayne name withdrawn from LB605.

VISITOR(S)

Visitors to the Chamber were members of the Monument Prevention Youth Advisory Board from Scotts Bluff County; students from Gates Elementary School, Grand Island; Senator Lowe's wife, son, and daughter-in-law, Kim, Rob, and Shelby Lowe, from Kearney; students from Swanson Elementary School, Omaha; Senator Hilgers' wife, daughters, and son, Heather, Elsie, Clara Jane, and "Little" Mike Hilgers, and Senator Hilgers' brother-in-law, Clint Hicks; and students from Pawnee Elementary School, Omaha.

RECESS

At 11:58 a.m., on a motion by Senator Howard, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senators Bolz, Friesen, Hilkemann, Scheer, Stinner, and Wishart who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 181. Introduced by Dorn, 30; Stinner, 48.

PURPOSE: The purpose of this interim study is to examine new funding streams for financial stability of the simulation-in-motion Nebraska program. Legislative Bill 666, One Hundred Sixth Legislature, First Session, 2019, would transfer funds to the University of Nebraska Medical Center to purchase a simulation-in-motion program to train first responders and emergency medical technicians in rural areas.

Simulation-in-motion vehicles are mobile trucks that provide hands-on training with high-fidelity, life-like mannequins. These trucks travel across the state and provide invaluable training to emergency care providers, including doctors, emergency medical responders, emergency medical technicians, nurses, paramedics, and other emergency health care personnel.

The initial investment in the simulation-in-motion program in Nebraska was made possible through a grant by the Leona M. and Harry B. Helmsley Charitable Trust and other donors to the program. A sustainable funding stream is needed to financially support the program.

The interim study shall include, but not be limited to, input from the following:

- (1) One representative of the "50 cents for Life" program administered by the Department of Health and Human Services;
- (2) One representative of the University of Nebraska with knowledge of the simulation-in-motion Nebraska program;
- (3) Three representatives in the emergency medical field, which may include an emergency medical technician, a doctor, or a nurse who provides emergency medical care in hospitals; and
- (4) Other individuals with expertise in the program or emergency medical issues.

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

1. That the Appropriations 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 182. Introduced by Kolterman, 24.

PURPOSE: The purpose of this interim study is to examine methods for the early screening of melanoma and modernization of reimbursement for telehealth for such screening due to the rising incidents of melanoma and other skin cancers in Nebraska. The issues addressed by this interim study shall include, but not be limited to:

- (1) The impact of melanoma and other skin cancers in Nebraska;
- (2) The distribution of dermatologists in Nebraska and provider shortage areas;
- (3) Methods to improve access to cancer screening including teledermatology;
- (4) Minimum photograph and video resolution needed to diagnose skin lesions remotely; and
- (5) Modern regulations and provider reimbursement models.

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.

LEGISLATIVE RESOLUTION 183. Introduced by Geist, 25.

PURPOSE: The purpose of this interim study is to examine whether continuity of care and safety for individuals and the public can be enhanced by allowing mental health providers to coordinate with law enforcement. The study shall include, but not be limited to, a review of mental health records without violating state or federal law.

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

1. That the Judiciary 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.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 21, 2019, at 12:00 p.m. were the following: LBs 293e, 294e, 295e, 296e, 297e, 298e, 299e, and 464e.

(Signed) Laura Gerkin
Clerk of the Legislature's Office

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB86:
AM1912

(Amendments to Final Reading copy)

- 1 1. Insert the following new section:
- 2 Sec. 6. Section 58-703, Revised Statutes Cumulative Supplement,
- 3 2018, is amended to read:
- 4 58-703 The Affordable Housing Trust Fund is created. The fund shall
- 5 receive money pursuant to section 76-903 and may include revenue from
- 6 sources recommended by the housing advisory committee established in
- 7 section 58-704, appropriations from the Legislature, transfers authorized
- 8 by the Legislature, grants, private contributions, repayment of loans,
- 9 and all other sources. The Department of Economic Development as part of
- 10 its comprehensive housing affordability strategy shall administer the
- 11 Affordable Housing Trust Fund.
- 12 Transfers may be made from the Affordable Housing Trust Fund to the
- 13 General Fund, the Behavioral Health Services Fund, the Lead-Based Paint
- 14 Hazard Control Cash Fund, the Rural Workforce Housing Investment Fund,
- 15 and the Site and Building Development Fund at the direction of the
- 16 Legislature.
- 17 The State Treasurer shall transfer fifty-eight thousand one hundred
- 18 eighty-eight dollars from the Affordable Housing Trust Fund to the
- 19 General Fund on or before September 15, 2019, on such date as directed by
- 20 the budget administrator of the budget division of the Department of
- 21 Administrative Services.
- 22 2. On page 1, line 3, after "18-2117.04," insert "58-703,"; and in
- 23 line 11, after the semicolon insert "to transfer funds;".
- 24 3. On page 20, line 10, after "18-2117.04," insert "58-703,".
- 25 4. Renumber the remaining sections accordingly.

MOTION(S) - Place LB147 on General File

Senator Groene offered his motion, MO93, found on page 1576, to place LB147 on General File pursuant to Rule 3, Sec. 20(b).

SPEAKER SCHEER PRESIDING

Pending.

GENERAL FILE

LEGISLATIVE BILL 397. Senator Chambers renewed his motion, MO75, found on page 1360, to bracket until June 6, 2019.

PRESIDENT FOLEY PRESIDING

Senator Chambers withdrew his motion to bracket.

Senator Briese offered his amendment, AM1828, found on page 1567.

The Briese amendment was adopted with 37 ayes, 1 nay, 10 present and not voting, and 1 excused and not voting.

Senator Cavanaugh offered her amendment, AM1569, found on page 1366.

Senator Cavanaugh withdrew her amendment.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB657:
AM1913

(Amendments to Final Reading copy)

1 1. Insert the following new sections:

2 Sec. 20. Section 2-958, Reissue Revised Statutes of Nebraska, is
3 amended to read:

4 2-958 (1) A noxious weed control fund may be established for each
5 control authority, which fund shall be available for expenses authorized
6 to be paid from such fund, including necessary expenses of the control
7 authority in carrying out its duties and responsibilities under the
8 Noxious Weed Control Act. The weed control superintendent within the
9 county shall (a) ascertain and tabulate each year the approximate amount
10 of land infested with noxious weeds and its location in the county, (b)
11 ascertain and prepare all information required by the county board in the
12 preparation of the county budget, including actual and expected revenue
13 from all sources, cash balances, expenditures, amounts proposed to be
14 expended during the year, and working capital, and (c) transmit such
15 information tabulated by the control authority to the county board not
16 later than June 1 of each year.

17 (2) The Noxious Weed Cash Fund is created. The fund shall consist of
18 proceeds raised from fees imposed for the registration of pesticides and
19 earmarked for the fund pursuant to section 2-2634, funds credited or
20 transferred pursuant to sections 81-201 and 81-201.05, any gifts, grants,
21 or donations from any source, and any reimbursement funds for control
22 work done pursuant to subdivision (1)(b)(vi) of section 2-954. An amount
23 from the General Fund may be appropriated annually for the Noxious Weed
24 Control Act. The fund shall be administered and used by the director to
25 maintain the noxious weed control program and for expenses directly
26 related to the program. Until January 1, 2020, the fund may also be used
1 to defray all reasonable and necessary costs related to the
2 implementation of the Nebraska Hemp Farming Act. The Department of
3 Agriculture shall document all costs incurred for such purpose. The
4 budget administrator of the budget division of the Department of
5 Administrative Services may transfer a like amount from the Nebraska Hemp

6 Program Fund to the Noxious Weed Cash Fund no later than October 1, 2022.

7 (3) Any money in the fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.

10 Sec. 23. Sections 17, 18, and 19 of this act become operative on
11 July 1, 2021. The other sections become operative on their effective
12 date.

13 2. On page 1, line 1, after "amend" insert "section 2-958, Reissue
14 Revised Statutes of Nebraska, and"; in line 3 after the semicolon insert
15 "to provide a use for the Noxious Weed Cash Fund and provide for powers
16 and duties;"; and in line 6 after the first semicolon insert "to provide
17 operative dates;".

18 3. On page 2, line 17, strike "and" and insert the following new
19 subdivision:

20 "(6) Facilitate interstate commerce by not impeding the shipment of
21 hemp into and out of this state; and"; and in line 18 strike "(6)" and
22 insert "(7)".

23 4. On page 5, line 16, after "cultivators" insert "and processor-
24 handlers" and after "cultivated" insert ", processed, or handled"; and in
25 line 18 after "act" insert ". The department may, at its discretion,
26 conduct other inspections of a cultivator's or processor-handler's
27 operation, including all sites registered with the department".

28 5. On page 12, line 8, after the period insert "Transfers from the
29 fund to the Noxious Weed Cash Fund may be made as provided in section
30 2-958."

31 6. On page 17, strike lines 9 through 19 and insert the following
1 new subsections:

2 "(3) Any person other than a cultivator or processor-handler who is
3 transporting hemp shall carry with such hemp being transported (a) a bill
4 of lading indicating the owner of the hemp, the point of origin of the
5 hemp, and the destination of the hemp and (b) either a copy of the test
6 results pertaining to such hemp or other documentation affirming that the
7 hemp was produced in compliance with section 10113 of the federal
8 Agriculture Improvement Act of 2018, Public Law 115-334, as such section
9 existed on January 1, 2019.

10 (4)(a) The department may develop a form bill of lading for use by a
11 person other than a cultivator or processor-handler transporting hemp
12 pursuant to subsection (3) of this section for hemp originating in this
13 state. Such bill of lading shall, at a minimum, identify the transporting
14 person and indicate the owner, point of origin, and destination of the
15 hemp.

16 (b) The department, in consultation with the Nebraska State Patrol,
17 may adopt and promulgate rules and regulations regulating the carrying or
18 transporting of hemp in this state to ensure that marijuana or any other
19 controlled substance is not disguised as hemp and carried or transported
20 into, within, or through this state.

21 (c) No person shall carry or transport hemp in this state unless
22 such hemp is:

23 (i) Produced in compliance with:

24 (A) For hemp originating in this state, the requirements of section
 25 10113 of the federal Agriculture Improvement Act of 2018, Public Law
 26 115-334, as such section existed on January 1, 2019, and the Nebraska
 27 Hemp Farming Act and any rules and regulations adopted and promulgated
 28 thereunder; or
 29 (B) For hemp originating outside this state, the requirements of
 30 section 10113 of the federal Agriculture Improvement Act of 2018, Public
 31 Law 115-334, as such section existed on January 1, 2019; and
 1 (ii) Carried or transported:
 2 (A) By a cultivator or processor-handler as provided in subsections
 3 (1) and (2) of this section; or
 4 (B) By a person other than a cultivator or processor-handler as
 5 provided in subsection (3) of this section.
 6 (d) No person shall transport hemp in this state concurrently with
 7 any other plant material that is not hemp.
 8 (5)(a) A peace officer may detain any person carrying or
 9 transporting hemp in this state if such person does not provide the
 10 documentation required by this section. Unless the peace officer has
 11 probable cause to believe the hemp is, or is being carried or transported
 12 with, marijuana or any other controlled substance, the peace officer
 13 shall immediately release the hemp and the person carrying or
 14 transporting such hemp upon production of such documentation.
 15 (b) The failure of a person detained as described in this subsection
 16 to produce documentation required by this section shall constitute
 17 probable cause to believe the hemp may be marijuana or any other
 18 controlled substance. In such case, a peace officer may collect such hemp
 19 for testing to determine the delta-9 tetrahydrocannabinol concentration
 20 in the hemp, and, if the peace officer has probable cause to believe the
 21 person detained is carrying or transporting marijuana or any other
 22 controlled substance in violation of state or federal law, the peace
 23 officer may seize and impound the hemp or marijuana or other controlled
 24 substance and arrest such person.
 25 (c) This subsection does not limit or restrict in any way the power
 26 of a peace officer to enforce violations of the Uniform Controlled
 27 Substances Act and federal law regulating marijuana and other controlled
 28 substances.
 29 (6) In addition to any other penalties provided by law, including
 30 those imposed under the Nebraska Hemp Farming Act, any person who
 31 intentionally violates this section shall be guilty of a Class IV
 1 misdemeanor and fined not more than one thousand dollars."
 2 7. Renumber the remaining sections and correct the repealer
 3 accordingly.

Senator Linehan filed the following amendment to LB288:
 AM1929

(Amendments to Standing Committee amendments, AM1594)

- 1 1. On page 5, line 16, strike "2019" and insert "2021"; and strike
- 2 lines 24 through 31.
- 3 2. On page 6, strike lines 1 through 11; in line 12 strike "(c)" and

4 insert "(b)"; and in line 13 strike "2020" and insert "2021".
 5 3. On page 7, line 26, strike "2020" and insert "2021"; and in line
 6 31 strike "2020" and insert "2021" and strike "2021" and insert "2022".
 7 4. On page 8, line 5, strike "2021" and insert "2022" and strike
 8 "2022" and insert "2023"; in line 10 strike "2022" and insert "2023" and
 9 strike "2023" and insert "2024"; and in line 15 strike "2023" and insert
 10 "2024".

COMMITTEE REPORT(S)

General Affairs

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

George Morrissey - State Electrical Board

Aye: 7 Arch, Blood, Brandt, Briese, Hunt, Lowe, Moser. Nay: 0. Absent: 1 Wayne. Present and not voting: 0.

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

Susan Lutz - Nebraska Commission on Problem Gambling

Aye: 7 Arch, Blood, Brandt, Briese, Hunt, Lowe, Moser. Nay: 0. Absent: 1 Wayne. Present and not voting: 0.

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

Amy Haddad - Nebraska Arts Council
 Walter Seiler - Nebraska Arts Council

Aye: 7 Arch, Blood, Brandt, Briese, Hunt, Lowe, Moser. Nay: 0. Absent: 1 Wayne. Present and not voting: 0.

(Signed) Tom Briese, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 184. Introduced by Quick, 35; Howard, 9; Walz, 15.

PURPOSE: The purpose of this interim study is to examine how to provide a sustainable and adequate stream of state funds to local public health departments to ensure the departments are able to meet their core

responsibilities and functions as set forth in statute. The study shall include, but not be limited to, the following:

- (1) The history of the formation and funding of local public health departments;
- (2) An examination of current and future public health threats;
- (3) An examination of health care cost-containment strategies that can slow the growth of overall health care spending by instituting strategic chronic disease management programs and prevention strategies;
- (4) A review of public health readiness programs, current public health detection programs, and disease prevention efforts;
- (5) A review of the core public health functions and essential elements set forth in section 71-1628.04 and the necessary revenue streams available to local public health departments to fulfill core public health functions;
- (6) Identification of additional health-related funding streams that have a nexus with core public health functions; and
- (7) A strategic plan for investments in local public health departments to properly equip them to respond to a critical public health crisis within their community.

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

1. That the Appropriations 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 185. Introduced by Crawford, 45; Blood, 3.

WHEREAS, Bellevue became home to Nebraska's first school system in 1833, founded by Baptist missionaries, Moses Merrill and his wife Eliza Wilcox Merrill; and

WHEREAS, Bellevue's first public school, known as Bellevue School District #1, renamed Main School in 1911, was constructed in 1869 on the site of what is now Mission Middle School; and

WHEREAS, the Main School site served as an elementary, junior high, and high school until 1966 when its name was changed to Mission; and

WHEREAS, Bellevue has operated a school on the site of the Mission Middle School from 1869 through 2019; and

WHEREAS, Mission Middle School is a "Community of Learners Achieving Success Safely", shaping the future through engagement, innovation, and a culture of belonging; and

WHEREAS, Mission Middle School has educated thousands of students, including multiple generations of Bellevue families who have lived, worked, and prospered in the Bellevue community; and

WHEREAS, Mission Middle School, Bellevue Public Schools, the community of Bellevue, and the State of Nebraska are celebrating the 150th year of education at this site with events involving students, alumni, and the community during the month of August in 2019.

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

1. That the Legislature recognizes Mission Middle School's 150th anniversary.
2. That a copy of this resolution be sent to Mission Middle School.

Laid over.

LEGISLATIVE RESOLUTION 186. Introduced by McDonnell, 5.

PURPOSE: The purpose of this interim study is to examine the potential elimination of exemptions for goods and services under sales and use tax laws. The study shall identify and evaluate:

- (1) The relative tax burdens of property taxes, income taxes, and sales taxes by income level and geographic location in the state;
- (2) Sales tax exemptions for which there is an identifiable tax expenditure;
- (3) Sales tax exemption categories that are important to avoid double taxation of inputs, such as exemptions for business and production inputs, as well as exemptions for the trade-in value of personal property in new sales;
- (4) Sales tax exemption categories that are important to retain a competitive position with the six states bordering Nebraska and with the Midwest region;
- (5) Sales tax exemption categories that are strategically important to our state economy including retention of highly mobile businesses that can relocate easily;
- (6) Transactions that involve small businesses or a small number of sales where the compliance burdens are potentially excessive in relation to the tax collected;
- (7) Historical trends and shifts in the state, regional, and national economies with respect to the sale of goods and services; and
- (8) Structural tax reforms appropriate for modernizing the state tax system in the changing global economy while promoting state competitiveness and growth.

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

1. That the Revenue 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 187. Introduced by Lowe, 37; Brewer, 43.

PURPOSE: The purpose of this study is to determine the feasibility and fiscal impact of hiring outside consultants to perform an efficiency review of state agencies. The people of this state expect that their government will efficiently provide services and will responsibly and effectively spend tax dollars. With the great fiscal challenges facing the state, these expectations and challenges require occasional review of the ways state agencies conduct business.

An efficiency review means a study to identify:

- (1) Areas of state agency operations that can be improved to make the delivery of services more cost-effective;
- (2) Outdated practices that can be eliminated;
- (3) Increased statewide efficiencies;
- (4) Potential new sources of nontax funding; and
- (5) Methods to make state agencies more accountable to the people of the state.

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

1. That the Government, Military and Veterans 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.

LEGISLATIVE RESOLUTION 188. Introduced by Hansen, M., 26.

PURPOSE: The purpose of this interim study is to review the policy of operating trains of increasing length and the effects on worker safety and on the operations of businesses near railroad crossings. The issues addressed by this interim study shall include, but not be limited to:

- (1) The safety of rail workers and the general public;
- (2) Whether the size and contents of the load of the train matters for the safety of operating trains of greater lengths; and
- (3) The effects of longer trains on businesses located near crossings that could adversely impact customers, and whether operating with a crew of less than two persons impacts such delays.

The interim study shall seek input from affected stakeholders, including rail worker labor unions.

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

1. That the Business and Labor 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 189. Introduced by Hansen, M., 26.

PURPOSE: The purpose of this interim study is to examine the effectiveness of 24/7 sobriety programs and determine potential standards for statewide implementation. The study committee shall consider testimony received on Legislative Bill 335, One Hundred Sixth Legislature, First Session, 2019.

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

1. That the Judiciary 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 190. Introduced by Quick, 35; McDonnell, 5; Walz, 15.

PURPOSE: The purpose of this interim study is to examine Nebraska's history of involvement in the Midwest Interstate Passenger Rail Compact. The Midwest Interstate Passenger Rail Compact brings together nine states to coordinate and advocate for development and implementation of improvements to intercity passenger rail service in the midwest.

This interim study shall include, but not be limited to, an examination of:

(1) Legislation introduced and enacted regarding the Midwest Interstate Passenger Rail Compact in Nebraska;

(2) The history of involvement in the Midwest Interstate Passenger Rail Compact;

(3) Advantages of participation to member states and the region; and

(4) Action needed by the Legislature to reenter the Midwest Interstate Passenger Rail Compact, including the passage of Legislative Bill 401 of the One Hundred Sixth Legislature, 2019.

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

1. That the Transportation and Telecommunications 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 191. Introduced by Arch, 14.

PURPOSE: The purpose of this resolution is to study and evaluate the potential use of Physician Orders for Life-Sustaining Treatment (POLST) and the potential use of out-of-hospital Do Not Resuscitate (DNR) protocols.

POLST are used to convert patients' medical treatment preferences into medical orders. It is completed based upon conversations among health care professionals with the patient, or with a designated proxy decision maker if identified in an advance medical directive. One of the main components of POLST is the development and use of a standardized form that provides specific medical treatment orders for cardiopulmonary resuscitation, medical intervention, artificial nutrition, and antibiotics. The standard form is designed to transfer across treatment settings so it is readily available to medical personnel, including emergency medical technicians, emergency physicians and nurses, and nursing facility staff.

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.

LEGISLATIVE RESOLUTION 192. Introduced by Bolz, 29; Hansen, M., 26.

PURPOSE: The purpose of this interim study is to examine workforce development initiatives with emphasis on hearing the perspectives of employees across industries. Studies, including the Legislature's "Economic Development Task Force Report", the Department of Economic Development's "Nebraska's Next Economy Report", and Accelerate Nebraska's "Nebraska Statewide Story", identify the need for additional skilled workers. Long-term industry projections indicate that employment in all industries is expected to grow statewide, specifically in health care, social services, professional, scientific, and technical services industries.

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

- (1) Nationwide best practices for promoting career training leading to workforce development for high-quality jobs;
- (2) Innovative processes and programs for workforce training opportunities and educational programs established and fostered in other states;
- (3) What is needed to produce individuals with career-ready skills for skilled jobs;
- (4) Opportunities to meet the needs of Nebraska's workforce;
- (5) Barriers faced by underrepresented communities, underemployed workers, young workers, and returning workers who are needed as a part of the solution to our workforce challenges; and
- (6) Opportunities for public and private partnership and investment, such as job training.

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

1. That the Business and Labor 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 193. Introduced by Bolz, 29.

PURPOSE: The purpose of this interim study is to assess implementation of the federal Family First Prevention Services Act in Nebraska and identify opportunities for children and families in Nebraska. The Family First Prevention Services Act is a historic federal law that permits states the option to use federal Title IV-E funding for prevention services, including mental health and substance abuse treatment, for children at imminent risk of entering foster care and their parents or kin caregivers and for pregnant and parenting youth. The interim study shall include, but not be limited to, a review of:

- (1) Opportunities to maximize federal funding;
- (2) Best practices for implementing prevention services, specifically evidence-based services;
- (3) Strategies for appropriate oversight of child welfare services, including prevention services;
- (4) Kinship navigator programs to assist families accessing services and supports leading to family success; and
- (5) The adequacy of provider networks for prevention services and supports.

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.

LEGISLATIVE RESOLUTION 194. Introduced by Hilgers, 21.

PURPOSE: The purpose of this interim study is to examine the benefits of employee stock ownership programs and strategies to promote the implementation of such programs. The issues addressed by this interim study shall include, but not be limited to:

(1) Tax and finance questions raised by employee stock ownership programs, including bank financing and accessibility;

(2) Legislation passed at the federal and state level to foster such programs;

(3) The benefits of such programs for companies, employees, and the economy;

(4) The number of such programs in the state and the effects of the programs on their companies and communities, including workforce satisfaction and productivity; and

(5) The ability of employee-owned companies to remain in their local communities and to retain workers during an economic downturn.

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 195. Introduced by Hilgers, 21.

WHEREAS, Diffuse Intrinsic Pontine Glioma (DIPG) affects between 200 and 400 children in the United States each year; and

WHEREAS, brain tumors are the leading cause of cancer-related deaths in children; and

WHEREAS, DIPG is the second most common malignant brain tumor found in children and the leading cause of childhood death due to brain tumors; and

WHEREAS, the prognosis has not improved for children with DIPG in more than 35 years, but new medical technology and research are offering hope for treatments for children afflicted with this disease; and

WHEREAS, May 17, 2019, has been declared Diffuse Intrinsic Pontine Glioma Awareness Day to increase public awareness of this deadly childhood cancer.

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

1. That the Legislature recognizes May 17, 2019, as Diffuse Intrinsic Pontine Glioma Awareness Day.
2. That the Legislature encourages the residents of Nebraska to learn about DIPG and support DIPG research.

Laid over.

LEGISLATIVE RESOLUTION 196. Introduced by Vargas, 7.

WHEREAS, the Omaha South High Magnet School boys' soccer team, under the leadership of Coach Joe Maass, won the 2019 Class A Boys State Soccer Championship; and

WHEREAS, the Omaha South Packers defeated the Creighton Prep Junior Jays in a 2-1 shootout; and

WHEREAS, Omaha South senior, Jeramiah Gonzales, stopped three attempts and watched another attempt sail over the net to keep Creighton Prep from scoring in four of five rounds in the shootout; and

WHEREAS, Omaha South has won three of the last seven Class A Boys State Soccer Championships; and

WHEREAS, Omaha South freshman, Edwin Cisneros-Garcia, scored the tying goal with less than five minutes remaining to force overtime; and

WHEREAS, the Legislature recognizes the hard work and dedication of the student-athletes, coaches, and parents of the Omaha South Packers boys' soccer team; and

WHEREAS, the Legislature recognizes the time and effort of Omaha South Principal Ruben Cano and athletic director Dennis Mitchell; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Omaha South boys' soccer team and Coach Joe Maass on winning the 2019 Class A Boys State Soccer Championship.
2. That a copy of this resolution be sent to Omaha South High Magnet School and Coach Joe Maass.

Laid over.

LEGISLATIVE RESOLUTION 197. Introduced by Vargas, 7; Lathrop, 12.

PURPOSE: The purpose of this resolution is to conduct a comprehensive study of due process for inmates in restrictive housing and to make recommendations to support and improve due process for such population in Nebraska. The study shall include, but not be limited to, an examination of the following:

- (1) Best practices regarding due process for inmates in restrictive housing;
- (2) The length of time between when an inmate is placed in immediate segregation and when a determination is made regarding whether or not such inmate is to remain in long-term restrictive housing;
- (3) The best system for due process in such circumstances, including examining the appropriate jurisdiction to hear such due process cases;
- (4) The definition of restrictive housing;
- (5) The definition of general population;
- (6) The amount of structured and unstructured out-of-cell time an inmate is allowed, including the possibility of requirements that inmates placed on restrictive housing from fifteen days up to six months be allowed two hours of out-of-cell time, inmates placed on restrictive housing from six months to twelve months be allowed four hours of out-of-cell time, and after twelve months on restrictive housing, an inmate be allowed six hours of out-of-cell time each day;
- (7) The rate at which minority populations are placed in restrictive housing compared to other populations;
- (8) The extent to which restrictive housing is achieving the goal of rehabilitation;
- (9) Best practices to train corrections staff to work with the population in restrictive housing; and
- (10) The programming available for inmates in restrictive housing.

The study committee shall seek input from interested stakeholders, including the Department of Corrections.

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

1. That the Judiciary 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 198. Introduced by Wishart, 27.

PURPOSE: The purpose of this interim study is to examine the implementation of a statewide registry for Alzheimer's disease and related

dementias. The registry should collect and disseminate usable data to inform the development of public policy, programs, and services related to the aging population, identify epidemiological trends, and provide nonidentifying data to support research on Alzheimer's disease and related disorders. The Nebraska State Plan for Alzheimer's and Related Dementias identified the establishment of an Alzheimer's disease and related dementia registry as one of 31 recommended actions.

The study shall include, but not be limited to, examination of:

- (1) The costs associated with implementation and federal funding opportunities through the Centers for Disease Control and Prevention, National Institute on Aging, and other sources;
- (2) Opportunities for public and private partnership in the recording of data and dissemination of information;
- (3) The development and maintenance of a secure data system capable of accurate and secure collection and storage of health information pertaining to Alzheimer's disease and related dementias;
- (4) Methods for safeguarding the confidentiality of health information contained in the registry;
- (5) The methods for case identification and the core data elements to be collected for cases of Alzheimer's disease and related dementias;
- (6) Methods for raising public awareness of and participation in a registry for Alzheimer's disease and related dementias; and
- (7) The best methods for transmitting the collected information to health departments, research institutions, health systems, and the public in a timely and appropriate manner.

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.

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

LEGISLATIVE BILL 436. Placed on General File with amendment.

AM1601

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

2 sections:

3 Section 1. (1) The Legislature gives the Nebraska State Data Center

4 program the authority to form Nebraska's official Complete Count

5 Committee on behalf of the State of Nebraska.

6 (2) The program may solicit and spend private funds to carry out the

7 duties of the committee.

8 (3) This section terminates on January 1, 2021.

9 Sec. 2. Since an emergency exists, this act takes effect when passed
10 and approved according to law.

(Signed) Tom Brewer, Chairperson

COMMITTEE REPORT(S)

Government, Military and Veterans Affairs

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Sharon Rues - State Personnel Board
Christopher Waddle - State Personnel Board

Aye: 8 Blood, Brewer, Hansen, M., Hilgers, Hunt, Kolowski, La Grone, Lowe. Nay: 0. Absent: 0. Present and not voting: 0.

The Government, Military and Veterans Affairs Committee desires to report favorably upon the appointment(s) listed below. The Committee suggests the appointments(s) be confirmed by the Legislature and suggests a record vote.

Roger L. Jasnoch - Nebraska Tourism Commission
Starr Lehl - Nebraska Tourism Commission
Debra Nelson-Loseke - Nebraska Tourism Commission

Aye: 8 Blood, Brewer, Hansen, M., Hilgers, Hunt, Kolowski, La Grone, Lowe. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Tom Brewer, Chairperson

BILLS ON FINAL READING

The following bills were read and put upon final passage:

LEGISLATIVE BILL 300. With Emergency Clause.

A BILL FOR AN ACT relating to judges' salaries; to amend section 24-201.01, Revised Statutes Cumulative Supplement, 2018; to change judges' salaries; to provide an operative date; to repeal the original section; and to declare an emergency.

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

Voting in the affirmative, 43:

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

Voting in the negative, 0.

Present and not voting, 4:

Bolz	Erdman	Lindstrom	Morfeld
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Excused and not voting, 2:

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

LEGISLATIVE BILL 300A. With Emergency Clause.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 300, One Hundred Sixth Legislature, First Session, 2019; to provide an operative date; and to declare an emergency.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Present and not voting, 3:

Bolz Erdman Lindstrom

Excused and not voting, 2:

Stinner Wayne

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

MOTION(S) - Return LB460 to Select File

Senator Howard moved to return LB460 to Select File for the following specific amendment:

AM1891

(Amendments to Final Reading copy)

- 1 1. On page 11, strike lines 10 through 20 and insert the following
- 2 new subsection:
- 3 "(2) An individual eighteen years of age or older working in a
- 4 residential child-caring agency shall also submit to the following
- 5 background checks not less than once during each five-year period: A
- 6 search of the following registries, repositories, or data bases in the
- 7 state where the individual resides and each state where the individual
- 8 resided during the preceding five years:
- 9 (a) State criminal registries or repositories;
- 10 (b) State sex offender registries or repositories; and
- 11 (c) State-based child abuse and neglect registries and data bases."

The Howard motion to return prevailed with 42 ayes, 0 nays, 6 present and not voting, and 1 excused and not voting.

SELECT FILE

LEGISLATIVE BILL 460. The Howard specific amendment, AM1891, found in this day's Journal, was adopted with 44 ayes, 0 nays, 4 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Reengrossment.

BILL ON FINAL READING

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB675 with 31 ayes, 10 nays, 7 present and not voting, and 1 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 675. With Emergency Clause.

A BILL FOR AN ACT relating to education; to amend sections 77-3446, 79-515, 79-807, 79-1110, 79-1113, 79-1115, 79-1115.01, 79-1117, 79-1119, 79-1119.01, 79-1124, 79-1125.01, 79-1126, 79-1127, 79-1128, 79-1129, 79-1130, 79-1132, 79-1135, 79-1136, 79-1138, 79-1139, 79-1142, 79-1145, 79-1147, 79-1148, 79-1149, 79-1154, 79-1155, 79-1156, 79-1157, 79-1158, 79-1159, 79-1159.01, 79-1160, 79-1161, 79-1162, 79-1163, 79-1164, 79-1167, 79-1302, 79-1304, 79-2202, 83-121, and 83-1225, Reissue Revised Statutes of Nebraska, sections 79-318, 79-1003, 79-1005.01, 79-1007.07, 79-1007.09, 79-1008.01, 79-1017.01, and 79-1144, Revised Statutes Cumulative Supplement, 2018, and section 79-1022, Revised Statutes Cumulative Supplement, 2018, as amended by section 1, Legislative Bill 430, One Hundred Sixth Legislature, First Session, 2019; to change the base limitation for school districts; to change the authorized length for specified contracts; to change basic skills competency requirements as prescribed; to define and redefine terms; to change provisions of the Tax Equity and Educational Opportunities Support Act; to clarify state aid calculations; to change provisions relating to the certification and distribution of state aid; to change provisions of the Special Education Act as prescribed; to eliminate obsolete provisions relating to special education; to adopt updated federal laws and regulations; to change grant provisions as prescribed; to change duties as prescribed; to change distance education and technology terminology; to eliminate a reporting requirement, expired state aid provisions, residential care placement requirements, special education waiver provisions, an outdated duty regarding the Education Innovation Fund, and funding provisions for the Interstate Compact on Educational Opportunity for Military Children; to harmonize provisions; to repeal the original sections; to outright repeal sections 79-527, 79-1007.04, 79-1007.17, 79-1007.23, 79-1007.25, 79-1028.03, 79-1152, 79-1153, 79-1188, and 79-2206, Reissue Revised Statutes of Nebraska, and section 79-1008.02, Revised Statutes Cumulative Supplement, 2018; and to declare an emergency.

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

Voting in the affirmative, 48:

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

Voting in the negative, 0.

Excused and not voting, 1:

Stinner

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 300, 300A, and 675.

SELECT FILE

LEGISLATIVE BILL 492. ER111, found on page 1508, was adopted.

Senator La Grone requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 29 ayes, 7 nays, 11 present and not voting, and 2 excused and not voting.

LEGISLATIVE BILL 592. ER124, found on page 1595, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 323. ER85, found on page 1197, was adopted.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 323A. Advanced to Enrollment and Review for Engrossment.

GENERAL FILE

LEGISLATIVE BILL 481. Title read. Considered.

Committee AM1815, found on page 1561, was offered.

Senator Bolz moved for a call of the house. The motion prevailed with 20 ayes, 6 nays, and 23 not voting.

Senator Bolz requested a roll call vote on the committee amendment.

Voting in the affirmative, 23:

Bolz	DeBoer	Kolterman	Morfeld	Wayne
Brandt	Dorn	Lathrop	Pansing Brooks	Williams
Brewer	Groene	Lindstrom	Scheer	Wishart
Cavanaugh	Hilkemann	McCollister	Vargas	
Crawford	Kolowski	McDonnell	Walz	

Voting in the negative, 15:

Albrecht	Friesen	Halloran	Hughes	Moser
Chambers	Geist	Hansen, B.	Hunt	Murman
Erdman	Gragert	Howard	Lowe	Slama

Present and not voting, 10:

Arch	Bostelman	Clements	Hilgers	Linehan
Blood	Briese	Hansen, M.	La Grone	Quick

Excused and not voting, 1:

Stinner

The committee amendment lost with 23 ayes, 15 nays, 10 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Senator M. Hansen offered the following motion:

MO99

Reconsider the vote taken on AM1815.

The M. Hansen motion to reconsider prevailed with 26 ayes, 7 nays, and 16 present and not voting.

Committee AM1815, found on page 1561, was reconsidered.

The committee amendment was adopted with 26 ayes, 7 nays, and 16 present and not voting.

Senator Bolz withdrew her amendment, AM614, found on page 738.

Senator Stinner withdrew his amendment, AM1125, found on page 1031.

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

LEGISLATIVE BILL 481A. Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 2 nays, and 16 present and not voting.

LEGISLATIVE BILL 593. Senator Wayne withdrew his motion, MO41, found on page 1006, to indefinitely postpone pursuant to Rule 6, Sec. 3(f).

Title read. Considered.

Committee AM996, found on page 1521, was adopted with 39 ayes, 0 nays, and 10 present and not voting.

Advanced to Enrollment and Review Initial with 44 ayes, 0 nays, and 5 present and not voting.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 21, 2019, at 4:00 p.m. were the following: LBs 300e, 300Ae, and 675e.

(Signed) Laura Gerkin
Clerk of the Legislature's Office

MESSAGE(S) FROM THE GOVERNOR

May 21, 2019

Mr. President, Speaker Scheer
and Members of the Legislature
State Capitol
Lincoln, NE 68509

Dear Mr. President, Speaker Scheer and Members of the Legislature:

This letter is to inform you that the request for confirmation of the appointment of Trent D. Kleinow as a member of the State Emergency Response Commission is respectfully withdrawn.

Sincerely,
(Signed) Pete Ricketts
Governor

RESOLUTION(S)

LEGISLATIVE RESOLUTION 199. Introduced by DeBoer, 10; Hilgers, 21; McCollister, 20.

PURPOSE: The purpose of this interim study is to examine Nebraska's redistricting process. The interim study shall include, but not be limited to:

(1) A review of the federal and state constitutional and statutory provisions relating to reapportionment and redistricting;

(2) A review of applicable United States Supreme Court and Nebraska Supreme Court decisions relating to redistricting;

(3) A review of the redistricting process used in Nebraska in 1991, 2001, and 2011. The review shall include an in-depth examination of the (a) substantive, administrative, and procedural guidelines used during each of those decades, including the redistricting criteria used during each of those decades, (b) computer software used and the process of creating and merging databases with such software, (c) the role of staff in the process during those previous decades, (d) process timeline, (e) legal challenges, if any, (f) public confidence in the redistricting process, and (g) all other issues necessary to understand the redistricting process;

(4) An examination of the redistricting processes used in other states including, but not limited to, (a) best practices for apportioning districts between changing rural and urban populations, (b) demographic criteria considered in the redistricting process, (c) the role of staff or non-legislative personnel in the process, and (d) public confidence in the redistricting process in other states; and

(5) Any recommendations for the 2021 redistricting process.

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

1. That the Executive Board of the Legislative Council 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 200. Introduced by Quick, 35; Howard, 9; Lathrop, 12; McDonnell, 5; Pansing Brooks, 28; Walz, 15; Wishart, 27.

PURPOSE: The purpose of this interim study is to examine programming provided at the Youth Rehabilitation and Treatment Center-Geneva and the Youth Rehabilitation and Treatment Center-Kearney and the needs for

additional programming. The interim study shall include, but not be limited to, an examination of the following:

- (1) Staff-to-youth ratios at each center;
- (2) Programming available to youth at each center including the use of evidence-based programming;
- (3) Mental health treatment options and programming available for youth in each center;
- (4) The effectiveness of reentry planning and transition supports and services provided to youth exiting the centers;
- (5) Educational programming available and provided to the youth at each center; and
- (6) Potential statutory and regulatory changes necessary to best support the staff and youth at the treatment centers.

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.

LEGISLATIVE RESOLUTION 201. Introduced by Vargas, 7.

PURPOSE: The purpose of this interim study is to examine the role truancy plays in the school-to-prison pipeline and explore possible alternatives to reduce truancy and ensure students are educationally successful. The study shall include, but not be limited to, an examination of the following:

- (1) State policy and services regarding truancy;
- (2) National best practices relating to truancy;
- (3) Exploring pathways, such as alternative programs, that could be available for youth;
- (4) Factors that contribute to youth truancy;
- (5) Best practices in assessing the risks and needs of youth and implementing policies that reflect the desire to help youth succeed;
- (6) The extent to which truancy contributes to the school-to-prison pipeline; and
- (7) Other issues pertinent to truant students.

The interim study shall seek input from interested stakeholders.

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

1. That the Judiciary 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 202. Introduced by McCollister, 20; Bolz, 29; Briese, 41; Crawford, 45; Friesen, 34; Hansen, M., 26; Kolterman, 24; Lathrop, 12; Vargas, 7; Wayne, 13; Williams, 36.

PURPOSE: The purpose of this interim study is to examine the use and administration of the Nebraska affordable housing tax credit and ensure it is being fully utilized to leverage available federal funding and maximize the development of workforce housing in Nebraska.

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

(1) The feasibility of workforce housing projects funded by four-percent low-income housing tax credits and bonds in the State of Nebraska;

(2) The flexibility of the Nebraska affordable housing tax credit to provide gap financing to four-percent low-income housing tax credit and bond projects and legislative or administrative changes required to expand such opportunities; and

(3) An examination of other states and their affordable housing tax credit programs, including how they leverage state credits to maximize federal low-income housing tax credits and the development of workforce housing.

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

1. That the Revenue 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 203. Introduced by Bostelman, 23; Albrecht, 17; Arch, 14; Blood, 3; Bolz, 29; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, 6; Chambers, 11; Clements, 2; Crawford, 45; DeBoer, 10; Dorn, 30; Erdman, 47; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilke, 4; Howard, 9; Hughes, 44; Hunt, 8; Kolowski, 31; Kolterman, 24; La Grone, 49; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Moser, 22; Murman, 38; Pansing Brooks, 28; Quick, 35; Scheer, 19; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, during March, 2019, the region experienced a powerful bomb cyclone with a rare combination of extreme rain and snow causing flooding and blizzard conditions throughout the state; and

WHEREAS, this natural disaster caused significant loss of life, homes, businesses, and livestock, causing damages in excess of two billion dollars; and

WHEREAS, on March 12th Governor Ricketts declared a state of emergency for Nebraska and on March 21st President Trump approved a disaster declaration for the state enabling federal assistance; and

WHEREAS, Nebraskans have shown tremendous resiliency in the wake of this natural disaster; and

WHEREAS, many individuals, non-profits, and businesses across the state joined in with rescue operations, recovery, and fundraising; and

WHEREAS, many Nebraskans and the Federal Emergency Management Agency assisted in flood relief, including the Nebraska Emergency Management Agency, emergency managers, the Nebraska National Guard, fire and rescue crews, law enforcement, volunteers, medical staff, local contractors, neighbors, friends, and countless others who took part in the disaster response and recovery relief efforts.

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

1. That the Legislature thanks the Federal Emergency Management Agency, the Nebraska Emergency Management Agency, and the emergency managers for their outstanding leadership and support during the flooding and recovery.

2. That the Legislature recognizes first responders, law enforcement personnel, the Nebraska National Guard, public power, the Department of Transportation, and the local businesses, churches, organizations, and countless volunteers for all their efforts during the flooding and recovery.

3. That the Legislature recognizes the extraordinary contributions by fellow Nebraska residents and residents of other states who selflessly gave of their own time and resources to assist their neighbors in need during this disaster.

4. That copies of this resolution be sent to the Federal Emergency Management Agency and the Nebraska Emergency Management Agency.

Laid over.

LEGISLATIVE RESOLUTION 204. Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the Judiciary Committee of the Legislature that may arise during the interim.

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

1. That the Judiciary 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 205. Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to examine issues related to child custody proceedings and parenting time determinations for families of divorce. The issues addressed by this interim study shall include, but not be limited to:

- (1) How custody and parenting time decisions affect outcomes for children; and
- (2) Ways to better promote custody or parenting plans that reflect contemporary views on parenthood and child-rearing.

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

1. That the Judiciary 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 206. Introduced by Lathrop, 12.

PURPOSE: The purpose of this interim study is to examine options for the elimination of cash bail, appearance bonds, and related provisions, and examine risk assessment tools for pretrial release, post-conviction custody, and supervision status determinations. The issues addressed by this interim study shall include, but not be limited to:

- (1) Available assessment tools to determine the risk that a defendant awaiting trial will fail to appear or presents an ongoing threat to the community, or the risk that a person convicted of a crime will reoffend;
- (2) Whether the state could improve efficiency and efficacy of risk assessments by reducing the number of tools it uses;
- (3) How elimination of cash bail would impact county jail populations; and
- (4) How the judicial branch, state agencies, and local governments could accommodate elimination of cash bail, including required administrative support, supervision, and potential fiscal impacts.

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

1. That the Judiciary 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 207. Introduced by Briese, 41.

PURPOSE: The purpose of this resolution is to examine the possible elimination of various exemptions of goods and exclusions of services under Nebraska's sales and use tax laws. The study shall include, but not be limited to, identifying and evaluating:

(1) Criteria to consider when evaluating the feasibility of eliminating specific exemptions and exclusions;

(2) How other states treat goods and services in their sales and use tax base, and specifically, the six states bordering Nebraska;

(3) The tax expenditures associated with specific Nebraska sales and use tax exemptions and exclusions;

(4) Historical trends and shifts in the economies of goods and services; and

(5) Nebraska's current tax structure relative to its reliance on income, sales and use, and property taxes.

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

1. That the Revenue 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 208. Introduced by Pansing Brooks, 28; Arch, 14; Blood, 3; Bolz, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, 6; Crawford, 45; DeBoer, 10; Dorn, 30; Friesen, 34; Geist, 25; Gragert, 40; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Howard, 9; Hunt, 8; Kolowski, 31; Kolterman, 24; La Grone, 49; Lathrop, 12; Lindstrom, 18; Linehan, 39; McCollister, 20; McDonnell, 5; Morfeld, 46; Murman, 38; Quick, 35; Scheer, 19; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

PURPOSE: The purpose of this interim study is to examine state and school district policies that relate to maintaining a safe and positive school learning environment.

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

(1) Best practices for school personnel to address disruptions in the classroom;

- (2) Best practices for school personnel to intervene during student conflict and physical altercations;
- (3) Best practices for the State Department of Education and school districts to adopt and implement that support and maintain safe and positive school learning environments;
- (4) Best practices for training school personnel to support and maintain safe and positive school learning environments, including conflict de-escalation and interventions; and
- (5) Mental and behavioral health support and resources available in schools.

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

1. That the Education 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 209. Introduced by Bolz, 29; Stinner, 48.

PURPOSE: The purpose of this resolution is to study state and federal funding options for existing and potential research by the University of Nebraska on local, state, and global water management systems, water quality, water sustainability technology and infrastructure, and sustainable production agriculture.

The interim study shall include, but not be limited to, an examination of the following:

- (1) State and federal research by the University of Nebraska on Nebraska's water management systems with corresponding historical appropriations;
- (2) State and federal research by the University of Nebraska on Nebraska's water quality and health impacts with corresponding historical appropriations;
- (3) State and federal research by the University of Nebraska on water sustainability technology and infrastructure with corresponding historical appropriations;
- (4) Best practices, model initiatives, and funding mechanisms that seek to increase state and federal funding to academic research on water sustainability, technology, and quality;
- (5) Past state appropriations and initiatives that expanded research capabilities at the University of Nebraska in water sustainability, water quality, water management systems, and sustainable production agriculture; and
- (6) Opportunities to align or improve systems supporting Nebraska's university-led research and commercialization.

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

1. That the Appropriations 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.

SELECT FILE

LEGISLATIVE BILL 511. ER56, found on page 956, was adopted.

Senator Brewer withdrew his amendment, AM1113, found on page 1160.

Senator B. Hansen offered his amendment, AM1843, found on page 1575.

The B. Hansen amendment was adopted with 35 ayes, 1 nay, and 13 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 334. ER72, found on page 1157, was adopted.

Senator Linehan offered her amendment, AM1283, found on page 1350.

The Linehan amendment was adopted with 37 ayes, 0 nays, and 12 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 334A. Senator Linehan offered her amendment, AM1281, found on page 1352.

The Linehan amendment was adopted with 33 ayes, 0 nays, and 16 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 468. ER96, found on page 1342, was adopted.

Senator Bolz offered her amendment, AM1678, found on page 1513.

The Bolz amendment was adopted with 35 ayes, 0 nays, and 14 present and not voting.

Senator Crawford offered the following amendment:

AM1855

(Amendments to Standing Committee amendments, AM1166)

1 1. Insert the following new sections:

2 Sec. 8. The Department of Health and Human Services shall notify the
3 chairperson and members of the Health and Human Services Committee of the
4 Legislature prior to submitting any request or application to the Centers
5 for Medicare and Medicaid Services of the United States Department of
6 Health and Human Services for a demonstration project waiver under
7 section 1115 of the Social Security Act, 42 U.S.C. 1315. Such
8 notification shall be made electronically and shall include a copy of any
9 documentation presented to the public related to the waiver. The Health
10 and Human Services Committee of the Legislature shall hold a public
11 hearing on such waiver application during the period for public comment
12 required under 42 C.F.R. 431.408.

13 Sec. 9. The Department of Insurance shall notify the chairperson and
14 members of the Banking, Commerce and Insurance Committee of the
15 Legislature prior to submitting any request or application to the Centers
16 for Medicare and Medicaid Services of the United States Department of
17 Health and Human Services for a state innovation waiver under section
18 1332 of the federal Patient Protection and Affordable Care Act. Such
19 notification shall be made electronically and shall include a copy of the
20 application for the federal waiver. The Banking, Commerce and Insurance
21 Committee of the Legislature shall hold a public hearing on such waiver
22 application.

23 2. Renumber the remaining sections accordingly.

The Crawford amendment was adopted with 31 ayes, 0 nays, and 18 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 686. ER125, found on page 1594, was adopted.

Senator Lathrop offered the following amendment:

AM1902 is available in the Bill Room.

The Lathrop amendment was adopted with 35 ayes, 0 nays, and 14 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 686A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 690. ER112, found on page 1509, was adopted.

Senator Cavanaugh offered the following amendment:

AM1919

(Amendments to Standing Committee amendments, AM1488)

1 1. On page 4, after line 2 insert the following new subsection:

2 "(4) If a prisoner or detainee known to be pregnant is transported
3 to a medical facility or birthing center and restraints are used, the
4 administrator of the detention facility shall inform the relevant staff
5 at the medical facility or birthing center of the risks and dangers of
6 removing the restraints from the specific prisoner or detainee."; and in
7 line 3 strike "(4)" and insert "(5)".

The Cavanaugh amendment was adopted with 31 ayes, 0 nays, and 18 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 512. ER76, found on page 1157, was adopted.

Senator Erdman offered his amendment, AM1755, found on page 1529.

The Erdman amendment was adopted with 34 ayes, 0 nays, and 15 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 610. ER90, found on page 1258, was adopted.

Senator Wishart withdrew her amendment, AM1554, found on page 1380.

Senator Wishart offered her amendment, AM1771, found on page 1525.

The Wishart amendment was adopted with 45 ayes, 0 nays, and 4 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 610A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 433. ER100, found on page 1343, was offered.

ER100 was adopted.

Senator M. Hansen offered his amendment, AM1729, found on page 1467.

The M. Hansen amendment was adopted with 43 ayes, 1 nay, and 5 present

and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 470. ER102, found on page 1354, was offered.

ER102 was adopted.

Senator La Grone withdrew his amendment, AM1849, found on page 1576.

Senator La Grone offered the following amendment:
AM1932

(Amendments to AM1461)

1 1. Strike section 13 and insert the following new sections:
2 Sec. 5. Section 77-3,110, Reissue Revised Statutes of Nebraska, is
3 amended to read:
4 77-3,110 (1) All funds received pursuant to sections 77-3,109 and
5 77-3,118 shall be remitted to the State Treasurer for credit to the
6 Department of Revenue Miscellaneous Receipts Fund which is hereby
7 created.
8 (2) On or before July 15, 2019, the State Treasurer shall transfer
9 fifty-nine thousand one hundred eighty-eight dollars from the College
10 Savings Plan Expense Fund to the Department of Revenue Miscellaneous
11 Receipts Fund.
12 (3) All money in the Department of Revenue Miscellaneous Receipts
13 Fund ~~fund~~ shall be administered by the Department of Revenue and shall be
14 used as follows:
15 (a) Any money transferred to the fund under subsection (2) of this
16 section shall be used by the Department of Revenue to defray the costs
17 incurred to implement this legislative bill; and
18 (b) All other funds shall be used to defray the cost of production
19 of the publications listed in section 77-3,109 or of the listings
20 described in section 77-3,118 and to carry out any administrative
21 responsibilities of the department.
22 (2) Transfers, ~~except that transfers~~ may be made from the fund to
23 the General Fund at the direction of the Legislature. Any money in the
24 Department of Revenue Miscellaneous Receipts Fund available for
25 investment shall be invested by the state investment officer pursuant to
26 the Nebraska Capital Expansion Act and the Nebraska State Funds
1 Investment Act.
2 Sec. 14. Sections 8, 10, 11, 12, and 16 of this act become
3 operative on January 1, 2020. The other sections of this act become
4 operative on their effective date.
5 Sec. 17. Since an emergency exists, this act takes effect when
6 passed and approved according to law.
7 2. On page 16, line 21, strike the new matter and reinstate the
8 stricken matter.
9 3. On page 17, strike lines 4 through 11 and insert the following
10 new subdivision:

11 "(c) For taxable years beginning or deemed to begin on or after
 12 January 1, 2020, under the Internal Revenue Code of 1986, as amended,
 13 federal adjusted gross income shall be reduced, to the extent included in
 14 the adjusted gross income of an individual, by the amount of any
 15 contribution made by the individual's employer into an account under the
 16 Nebraska educational savings plan trust owned by the individual, not to
 17 exceed five thousand dollars per married filing separate return or ten
 18 thousand dollars for any other return."
 19 4. On page 24, line 9, after "Fund" insert "and the Department of
 20 Revenue Miscellaneous Receipts Fund".
 21 5. On page 26, line 21, after "77-202," insert "77-3,110".
 22 6. Renumber the remaining sections accordingly.

The La Grone amendment was adopted with 40 ayes, 0 nays, and 9 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 470A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 583. ER103, found on page 1366, was adopted.

Senator Bolz withdrew her amendment, AM1454, found on page 1477.

Senator Bostelman offered his amendment, AM1556, found on page 1560.

The Bostelman amendment was adopted with 38 ayes, 0 nays, and 11 present and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 149. ER104, found on page 1400, was adopted.

Senator Quick offered his amendment, AM1679, found on page 1472.

Senator Quick moved for a call of the house. The motion prevailed with 20 ayes, 8 nays, and 21 not voting.

Senator Quick requested a roll call vote on his amendment.

Voting in the affirmative, 23:

Albrecht	Cavanaugh	Hunt	Morfeld	Stinner
Bolz	Crawford	Kolowski	Moser	Walz
Bostelman	DeBoer	Kolterman	Murman	Williams
Brandt	Hansen, M.	Lathrop	Pansing Brooks	
Briese	Howard	McCollister	Quick	

Voting in the negative, 4:

Groene La Grone Scheer Slama

Present and not voting, 20:

Arch	Clements	Gragert	Hilkemann	McDonnell
Blood	Dorn	Halloran	Lindstrom	Vargas
Brewer	Erdman	Hansen, B.	Linehan	Wayne
Chambers	Geist	Hilgers	Lowe	Wishart

Excused and not voting, 2:

Friesen Hughes

The Quick amendment lost with 23 ayes, 4 nays, 20 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

SPEAKER SCHEER PRESIDING

Senator M. Hansen offered the following amendment:

AM965

(Amendments to Standing Committee amendments, AM901)

- 1 1. On page 7, line 9, after "sections" insert "28-1419", reinstate
- 2 the stricken comma, and strike "or"; and in line 10 strike the new matter
- 3 and reinstate the stricken matter.
- 4 2. On page 8, lines 15 and 17, after "tobacco" insert "and
- 5 electronic nicotine delivery systems".

PRESIDENT FOLEY PRESIDING

The M. Hansen amendment was adopted with 31 ayes, 0 nays, 14 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 210. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to study and analyze programs and agencies that are active in addressing workforce and talent shortages and identify options for increasing postsecondary degrees and credentials to assist in filling vacant high-wage, high-demand, high-skill jobs.

The study will include, but is not limited to, an examination of the following:

- (1) State and federal programs that provide talent and skill building or workforce training with corresponding historical appropriations;
- (2) Agency initiatives that seek to address the workforce and talent shortage in high-wage, high-demand, high-skill occupations with corresponding historical appropriations;
- (3) Workforce demand, income, education, and demographic projections through 2030, including high-wage, high-demand, high-skill occupations;
- (4) Best practices, model initiatives, and funding mechanisms that seek to increase the number of adults with a bachelor's or associate degree;
- (5) Degree completion initiatives that seek to assist adults who have postsecondary education credits, but who have not earned a certificate or degree;
- (6) Resources necessary to remove barriers to public postsecondary institutions to increase the college-going rate to further support Nebraska's workforce and talent development;
- (7) State and federal internship and apprenticeship programs with corresponding historical appropriations; and
- (8) Opportunities to align or improve systems supporting workforce and talent development.

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

1. That the Appropriations 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 211. Introduced by Stinner, 48.

PURPOSE: The purpose of this resolution is to examine alternatives for funding the Nebraska Tree Recovery Program, which is administered by the Nebraska Forest Service at the University of Nebraska. The Tree Recovery Program is a matching grant program that funds tree removal, disposal, and replacement costs for municipalities, counties, state agencies, civic groups, tree advisory boards, and other entities that are responsible for the upkeep of government-owned real property.

Due to severe weather conditions, diseases, and invasive species, the state's political subdivisions are experiencing a rise in tree mortality. Most subdivisions have been unable to act decisively due to insufficient funds to remove, dispose of, and replace trees situated on public land, presenting a liability and safety problem.

The interim study shall identify the availability of and eligibility requirements for funds through the federal Emergency Management Agency's Resilience Administration and strategies to leverage additional financial resources for the Tree Recovery Program.

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

1. That the Appropriations 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 212. Introduced by Stinner, 48.

PURPOSE: The purpose of this study is to assess the financial position of the Nebraska Brand Committee and to identify core operational needs and opportunities for efficiency improvement. To improve operational efficiencies and facilitate the coordination of core agency objectives, the financial stability of the brand committee must be maintained through the responsible management of budgetary stresses, infrastructure modernization, and resource utilization.

To manage the long-term goals of the brand committee, the interim study shall review the financial positioning of the brand committee, along with key operational objectives and other needs as assessed. The study shall make recommendations for any necessary statutory, policy, structural, or other changes. The study shall include a review of the following:

(1) The financial position of the brand committee to assess its long-term viability as a sustainable state agency. Such analysis may include its sources of funding and budgetary challenges, including information derived from audit reports issued by the Auditor of Public Accounts;

(2) The relevance of the responsibilities of the brand committee as a public benefit, including input from constituencies of the brand committee, a historical narrative on the establishment of the brand committee, and the current challenges that necessitate the services provided by the brand committee;

(3) The operational needs of the brand committee, including field equipment, information technology infrastructure, and other operational support; and

(4) Other responsibilities and objectives of the brand committee.

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

1. That the Appropriations 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 213. Introduced by Vargas, 7; Hansen, M., 26.

PURPOSE: The purpose of this interim study is to examine potential solutions and approaches to benefits traditionally enjoyed by workers in an employer-employee relationship, including, but not limited to, health insurance, workers' compensation, and retirement savings, for the growing population of independent contractors and self-employed workers.

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

1. That the Business and Labor 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 214. Introduced by Wishart, 27.

PURPOSE: The purpose of this interim study is to examine issues that surround the engagement, attraction, and retention of youth in Nebraska. This interim study shall include, but not be limited to, an examination of the following:

(1) The creation of youth-led town halls to identify policy areas of importance to youth across Nebraska; and

(2) Why the youth population is declining in Nebraska. By 2030, there will be more Nebraskans 65 years of age and older in comparison to those 18 years of age and younger.

The study committee shall collaborate with the University of Nebraska and other postsecondary institutions to conduct a statewide survey regarding youth opportunity, personal development, and community inclusivity.

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

1. That the Education 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 215. Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine the Nebraska Lottery and Raffle Act. The issues addressed by this interim study shall include, but not be limited to, changes required to modernize the Nebraska Lottery and Raffle Act, including the following:

- (1) Updating the threshold amounts that require a 501(c)(3) organization to obtain a license under the act;
- (2) Updating the requirements for applying for a special permit required under the act; and
- (3) Updating the allowable methods for 501(c)(3) organizations to conduct sales and activities under the act using available technologies.

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

1. That the General 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.

LEGISLATIVE RESOLUTION 216. Introduced by Walz, 15.

PURPOSE: The purpose of this interim study is to examine funding priorities for the medicaid home and community-based services waivers under the Developmental Disabilities Services Act and recommend changes to the waiver program to best serve Nebraska families.

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

- (1) The impact of changes in the current day service programs for youth under the home and community-based services waiver program;
- (2) Options to better serve state wards who have developmental disabilities;
- (3) The impact of waiting lists in developmental disabilities programs for families and the options available to serve all families who are eligible for services and better leverage available federal dollars;
- (4) The impact of reduced federal funding on developmental disability programming for youth;
- (5) Options to strengthen communication and outreach to families with children served by an individualized education program in school regarding services and programs available as children transition to adulthood;
- (6) Gaps in service between waivers, specifically the developmental disabilities waivers, aged and disabled waiver, autism waiver, and waivers for rare conditions; and
- (7) The impact of decreased transition services.

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.

LEGISLATIVE RESOLUTION 217. Introduced by Vargas, 7.

PURPOSE: The purpose of this interim study is to examine the feasibility of developing a process for the preparation and consideration of racial impact statements. The issues examined in this study shall include, but not be limited to:

- (1) The definition or understanding of the term racial impact statement;
- (2) Whether the use of racial impact statements should be limited to a particular category of legislation or whether such statements should be considered for all legislation;
- (3) The agency, division, or department that should be tasked with the creation of racial impact statements;
- (4) The effect that a racial impact statement may have on legislation and the legislative process;
- (5) The fiscal impact that the use of racial impact statements may have; and
- (6) The processes and mechanisms used by other states for preparing, creating, and considering racial impact statements.

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

1. That a select interim committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution. The select interim committee shall be composed of the members of the Rules Committee of the Legislature.

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 218. Introduced by Halloran, 33.

PURPOSE: The purpose of this interim study is to review the resources of the Department of Agriculture and state government to respond to natural disasters and catastrophic weather events with respect to the loss of agricultural assets and infrastructure serving the agricultural sector. The

study shall examine the catastrophic flooding and winter weather events occurring in March of 2019 as a case study to identify potential means of increasing preparedness and response capabilities and shall identify regulatory or statutory provisions that may impose unnecessary costs or restrictions that impede the resiliency of agriculture to recover from catastrophic events.

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

1. That the Agriculture 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 219. Introduced by Halloran, 33.

PURPOSE: The purpose of this interim study is to identify constraints on agricultural processing, production, and marketing investment. The study shall examine opportunities for future growth in agricultural development, identify regulatory barriers to growth opportunities, and explore means to enable the state and local communities to be prepared to recruit and realize opportunities for agricultural development.

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

1. That the Agriculture 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 220. Introduced by Halloran, 33.

PURPOSE: The purpose of this interim study is to review provisions governing carcass disposal requirements and options under Chapter 54, article 7 of the Nebraska statutes. The study shall compile a reference of duties for livestock owners, local governments, and the Department of Agriculture under state statutory provisions and federal regulations on livestock disease prevention. The study shall further examine any overlapping or contradictory jurisdiction regarding livestock mortality disposal with the Department of Environment and Energy or other agencies. Goals of the study are to identify useful or necessary updates to livestock disposal requirements to facilitate proper disposal in the aftermath of catastrophic natural disaster or disease events, to incorporate improved

technologies or methodologies for animal carcass disposal and management, and to remove outdated, unnecessary, and inconsistent provisions.

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

1. That the Agriculture 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 221. Introduced by Halloran, 33.

PURPOSE: The purpose of this interim study is to review the resources and authorities of the Department of Agriculture regarding livestock disease prevention and response. The study shall examine:

(1) The status of the various livestock disease eradication programs and the need to update statutory authorities to reflect current veterinary science and practice;

(2) The need to coordinate with federal leadership; and

(3) Enforcement needed to prevent future outbreaks of livestock diseases in conjunction with, and under the guidance of, the United States Department of Agriculture, Animal and Plant Health Inspection Service, Veterinary Services.

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

1. That the Agriculture 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 222. Introduced by Halloran, 33; Brewer, 43; Erdman, 47; Stinner, 48.

PURPOSE: The purpose of this interim study is to review the status of the implementation of the electronic brand document and reporting system by the Nebraska Brand Committee. The study shall seek to identify components of the system that are in place and the remaining system components, including acquisition and deployment of associated devices, software, training, personnel, and any other requirements to achieve a fully functioning system, and the anticipated costs and timetable for completion. It is a further goal of this study to identify opportunities such system may provide for leveraging the Nebraska Brand Committee's enhanced

information management to provide additional services of value to the livestock industry.

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

1. That the Agriculture 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 La Grone filed the following amendment to LB470A:

AM1896

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

2 Section 1. There is hereby appropriated \$59,188 from the Department

3 of Revenue Miscellaneous Receipts Fund for FY2019-20 to the Department of

4 Revenue, for Program 102, to aid in carrying out the provisions of

5 Legislative Bill 470, One Hundred Sixth Legislature, First Session, 2019.

6 No expenditures for permanent and temporary salaries and per diems

7 for state employees shall be made from funds appropriated in this

8 section.

9 Sec. 2. Since an emergency exists, this act takes effect when

10 passed and approved according to law.

Senator Lindstrom filed the following amendment to LB186:

AM1937

(Amendments to Final Reading copy)

1 1. Strike section 26 and insert the following new sections:

2 Sec. 24. Section 84-618, Revised Statutes Cumulative Supplement,

3 2018, is amended to read:

4 84-618 (1) The Treasury Management Cash Fund is created. A pro rata

5 share of the budget appropriated for the treasury management functions of

6 the State Treasurer and for the administration of the achieving a better

7 life experience program as provided in sections 77-1401 to 77-1409 shall

8 be charged to the income of each fund held in invested cash, and such

9 charges shall be transferred to the Treasury Management Cash Fund. The

10 allocation of charges may be made by any method determined to be

11 reasonably related to actual costs incurred by the State Treasurer in

12 carrying out the treasury management functions under section 84-602 and

13 in carrying out the achieving a better life experience program as

14 provided in sections 77-1401 to 77-1409. Approval of the agencies,

15 boards, and commissions administering these funds shall not be required.

16 (2) It is the intent of this section to have funds held in invested

17 cash be charged a pro rata share of such expenses when this is not

18 prohibited by statute or the Constitution of Nebraska.

19 (3) The Treasury Management Cash Fund shall be used for the treasury
 20 management functions of the State Treasurer and for the administration of
 21 the achieving a better life experience program as provided in sections
 22 77-1401 to 77-1409. To the extent permitted by section 529A as defined in
 23 section 77-1401, the fund may receive gifts for administration,
 24 operation, and maintenance of a program established under sections
 25 77-1403 to 77-1409.

26 (4) Transfers may be made from the Treasury Management Cash Fund to
 1 the General Fund at the direction of the Legislature. Any money in the
 2 Treasury Management Cash Fund available for investment shall be invested
 3 by the state investment officer pursuant to the Nebraska Capital
 4 Expansion Act and the Nebraska State Funds Investment Act.

5 (5) On or before July 5, 2019, or as soon thereafter as possible,
 6 the State Treasurer shall transfer eighty-two thousand one hundred sixty-
 7 seven dollars from the Treasury Management Cash Fund to the General Fund.
 8 On or before July 1, 2020, the State Treasurer shall transfer twenty-
 9 seven thousand six hundred eighty-two dollars from the Treasury
 10 Management Cash Fund to the General Fund.

11 Sec. 27. Sections 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14,
 12 15, 16, 17, 18, 19, 20, 21, 22, 23, 25, 26, and 29 of this act become
 13 operative on July 1, 2020. The other sections of this act become
 14 operative on their effective date.

15 Sec. 28. Original section 84-618, Revised Statutes Cumulative
 16 Supplement, 2018, is repealed.

17 Sec. 30. Since an emergency exists, this act takes effect when
 18 passed and approved according to law.

19 2. On page 1, line 3, strike "section 23-1503.01" and insert
 20 "sections 23-1503.01 and 84-618"; in line 5 after the semicolon insert
 21 "to provide for transfers of funds;"; in line 8 strike "an operative
 22 date" and insert "operative dates", strike "and", and after "sections"
 23 insert "; and to declare an emergency".

24 3. Renumber the remaining sections accordingly.

Senator Lindstrom filed the following amendment to LB186A:
 AM1938

(Amendments to Final Reading copy)

1 1. Insert the following new section:

2 Sec. 2. Since an emergency exists, this act takes effect when
 3 passed and approved according to law.

4 2. On page 1, line 3, before the period insert "; and to declare an
 5 emergency".

6 3. On page 2, strike beginning with the second "and" in line 2
 7 through "Fund" in line 3.

Senator Wayne filed the following amendment to LB657:
 AM1941

(Amendments to Final Reading copy)

1 1. Insert the following new sections:

2 Sec. 20. Section 2-958, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 2-958 (1) A noxious weed control fund may be established for each
5 control authority, which fund shall be available for expenses authorized
6 to be paid from such fund, including necessary expenses of the control
7 authority in carrying out its duties and responsibilities under the
8 Noxious Weed Control Act. The weed control superintendent within the
9 county shall (a) ascertain and tabulate each year the approximate amount
10 of land infested with noxious weeds and its location in the county, (b)
11 ascertain and prepare all information required by the county board in the
12 preparation of the county budget, including actual and expected revenue
13 from all sources, cash balances, expenditures, amounts proposed to be
14 expended during the year, and working capital, and (c) transmit such
15 information tabulated by the control authority to the county board not
16 later than June 1 of each year.

17 (2) The Noxious Weed Cash Fund is created. The fund shall consist of
18 proceeds raised from fees imposed for the registration of pesticides and
19 earmarked for the fund pursuant to section 2-2634, funds credited or
20 transferred pursuant to sections 81-201 and 81-201.05, any gifts, grants,
21 or donations from any source, and any reimbursement funds for control
22 work done pursuant to subdivision (1)(b)(vi) of section 2-954. An amount
23 from the General Fund may be appropriated annually for the Noxious Weed
24 Control Act. The fund shall be administered and used by the director to
25 maintain the noxious weed control program and for expenses directly
26 related to the program. Until January 1, 2020, the fund may also be used

1 to defray all reasonable and necessary costs related to the
2 implementation of the Nebraska Hemp Farming Act. The Department of
3 Agriculture shall document all costs incurred for such purpose. The
4 budget administrator of the budget division of the Department of
5 Administrative Services may transfer a like amount from the Nebraska Hemp
6 Program Fund to the Noxious Weed Cash Fund no later than October 1, 2022.

7 (3) Any money in the fund available for investment shall be invested
8 by the state investment officer pursuant to the Nebraska Capital
9 Expansion Act and the Nebraska State Funds Investment Act.
10 Sec. 23. Section 81-2,162.27, Revised Statutes Cumulative
11 Supplement, 2018, is amended to read:

12 81-2,162.27 (1) All money received under the Nebraska Commercial
13 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials
14 Act shall be remitted to the State Treasurer for credit to the
15 Fertilizers and Soil Conditioners Administrative Fund, which fund is
16 hereby created. All money so received shall be used by the department for
17 defraying the expenses of administering the Nebraska Commercial
18 Fertilizer and Soil Conditioner Act and the Agricultural Liming Materials
19 Act. Until January 1, 2020, the fund may also be used to defray all
20 reasonable and necessary costs related to the implementation of the
21 Nebraska Hemp Farming Act. The Department of Agriculture shall document
22 all costs incurred for such purpose. The budget administrator of the
23 budget division of the Department of Administrative Services may transfer
24 a like amount from the Nebraska Hemp Program Fund to the Fertilizers and
25 Soil Conditioners Administrative Fund no later than October 1, 2022.

26 Transfers may be made from the fund to the General Fund at the direction
 27 of the Legislature. The State Treasurer shall transfer two hundred
 28 seventy-five thousand dollars from the Fertilizers and Soil Conditioners
 29 Administrative Fund to the General Fund on or before June 30, 2019, on
 30 such dates and in such amounts as directed by the budget administrator of
 31 the budget division of the Department of Administrative Services.

1 (2) Any unexpended balance in the Fertilizers and Soil Conditioners
 2 Administrative Fund at the close of any biennium shall, when
 3 reappropriated, be available for the uses and purposes of the fund for
 4 the succeeding biennium. Any money in the fund available for investment
 5 shall be invested by the state investment officer pursuant to the
 6 Nebraska Capital Expansion Act and the Nebraska State Funds Investment
 7 Act.

8 Sec. 24. Sections 17, 18, and 19 of this act become operative on
 9 July 1, 2021. The other sections become operative on their effective
 10 date.

11 2. On page 1, line 1, strike "sections 2-5701 and" and insert
 12 "section 2-958, Reissue Revised Statutes of Nebraska, and sections
 13 2-5701,"; in line 2 after the first comma insert "and 81-2,162.27,"; in
 14 line 3 after the semicolon insert "to provide a use for the Noxious Weed
 15 Cash Fund and the Fertilizers and Soil Conditioners Administrative Fund
 16 and provide for powers and duties,"; and in line 6 after the first
 17 semicolon insert "to provide operative dates,".

18 3. On page 2, line 17, strike "and" and insert the following new
 19 subdivision:

20 "(6) Facilitate interstate commerce by not impeding the shipment of
 21 hemp into and out of this state; and"; and in line 18 strike "(6)" and
 22 insert "(7)".

23 4. On page 4, line 27; page 7, line 20; and page 9, line 25, strike
 24 "Agricultural" and insert "Agriculture".

25 5. On page 5, line 16, after "cultivators" insert "and processor-
 26 handlers" and after "cultivated" insert ", processed, or handled"; and in
 27 line 18 after "act" insert ". The department may, at its discretion,
 28 conduct other inspections of a cultivator's or processor-handler's
 29 operation, including all sites registered with the department".

30 6. On page 12, line 8, after the period insert "Transfers from the
 31 Nebraska Hemp Program Fund to the Noxious Weed Cash Fund may be made as
 1 provided in section 2-958. Transfers from the Nebraska Hemp Program Fund
 2 to the Fertilizers and Soil Conditioners Administrative Fund may be made
 3 as provided in section 81-2,162.27".

4 7. On page 17, strike lines 9 through 19 and insert the following
 5 new subsections:

6 "(3) Any person other than a cultivator or processor-handler who is
 7 transporting hemp shall carry with such hemp being transported (a) a bill
 8 of lading indicating the owner of the hemp, the point of origin of the
 9 hemp, and the destination of the hemp and (b) either a copy of the test
 10 results pertaining to such hemp or other documentation affirming that the
 11 hemp was produced in compliance with section 10113 of the federal
 12 Agriculture Improvement Act of 2018, Public Law 115-334, as such section

13 existed on January 1, 2019.

14 (4)(a) The department may develop a form bill of lading for use by a
15 person transporting hemp pursuant to subsection (3) of this section for
16 hemp originating in this state. Such bill of lading shall, at a minimum,
17 identify the transporting person and indicate the owner, point of origin,
18 and destination of the hemp.

19 (b) The department, in consultation with the Nebraska State Patrol,
20 may adopt and promulgate rules and regulations regulating the carrying or
21 transporting of hemp in this state to ensure that marijuana or any other
22 controlled substance is not disguised as hemp and carried or transported
23 into, within, or through this state.

24 (c) No person shall carry or transport hemp in this state unless
25 such hemp is:

26 (i) Produced in compliance with:

27 (A) For hemp originating in this state, the requirements of section
28 10113 of the federal Agriculture Improvement Act of 2018, Public Law
29 115-334, as such section existed on January 1, 2019, and the Nebraska
30 Hemp Farming Act and any rules and regulations adopted and promulgated
31 thereunder; or

1 (B) For hemp originating outside this state, the requirements of
2 section 10113 of the federal Agriculture Improvement Act of 2018, Public
3 Law 115-334, as such section existed on January 1, 2019; and

4 (ii) Carried or transported as provided in subsection (1), (2), or
5 (3) of this section.

6 (d) No person shall transport hemp in this state concurrently with
7 any other plant material that is not hemp.

8 (5)(a) A peace officer may detain any person carrying or
9 transporting hemp in this state if such person does not provide the
10 documentation required by this section. Unless the peace officer has
11 probable cause to believe the hemp is, or is being carried or transported
12 with, marijuana or any other controlled substance, the peace officer
13 shall immediately release the hemp and the person carrying or
14 transporting such hemp upon production of such documentation.

15 (b) The failure of a person detained as described in this subsection
16 to produce documentation required by this section shall constitute
17 probable cause to believe the hemp may be marijuana or any other
18 controlled substance. In such case, a peace officer may collect such hemp
19 for testing to determine the delta-9 tetrahydrocannabinol concentration
20 in the hemp, and, if the peace officer has probable cause to believe the
21 person detained is carrying or transporting marijuana or any other
22 controlled substance in violation of state or federal law, the peace
23 officer may seize and impound the hemp or marijuana or other controlled
24 substance and arrest such person.

25 (c) This subsection does not limit or restrict in any way the power
26 of a peace officer to enforce violations of the Uniform Controlled
27 Substances Act and federal law regulating marijuana and other controlled
28 substances.

29 (6) In addition to any other penalties provided by law, including
30 those imposed under the Nebraska Hemp Farming Act, any person who

31 intentionally violates this section shall be guilty of a Class IV
1 misdemeanor and fined not more than one thousand dollars."
2 8. Renumber the remaining sections and correct the repealer
3 accordingly.

SELECT FILE

LEGISLATIVE BILL 532. Senator Cavanaugh offered the Hilgers amendment, AM1596, found on page 1472.

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

Senator Cavanaugh offered her amendment, AM1773, found on page 1525.

The Cavanaugh amendment was adopted with 40 ayes, 0 nays, 5 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 532A. Considered.

Advanced to Enrollment and Review for Engrossment.

MOTION(S) - Place LB147 on General File

Senator Groene renewed his motion, MO93, found on page 1576 and considered in this day's Journal, to place LB147 on General File pursuant to Rule 3, Section 20(b).

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

Senator Groene moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 25 ayes, 10 nays, and 14 not voting.

Senator Groene moved for a call of the house. The motion prevailed with 31 ayes, 2 nays, and 16 not voting.

Senator Chambers requested a roll call vote on the motion to place LB147 on General File.

Senator Groene requested the roll call vote be taken in regular order.

Voting in the affirmative, 25:

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

Voting in the negative, 14:

Bolz	Crawford	Howard	Lathrop	Pansing Brooks
Brandt	DeBoer	Hunt	McCollister	Williams
Chambers	Hansen, M.	Kolterman	Morfeld	

Present and not voting, 8:

Blood	Friesen	Quick	Walz
Cavanaugh	Hughes	Vargas	Wishart

Excused and not voting, 2:

Kolowski Stinner

The Groene motion to place LB147 on General File prevailed with 25 ayes, 14 nays, 8 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S) Executive Board

LEGISLATIVE RESOLUTION 104. Reported to the Legislature for further consideration with the following amendment:

AM1884

1 1. Strike the original provisions and insert the following new
2 provisions:
3 WHEREAS, an individual residing at Life Quest at the Coolidge
4 Center, a state-licensed care facility in Palmer, died on September 3,
5 2017, after three days of life-threatening symptoms; and
6 WHEREAS, the Department of Health and Human Services produced an
7 eighty-one page report of violations found during inspections in June and
8 July of 2017 and another six-page report after a visit in September of
9 2017. These reports were not released until officials revoked the
10 facility's mental health care license on October 5, 2017, a month after
11 the incident occurred. The revocation took effect fifteen days later; and
12 WHEREAS, the report indicates that the Department of Health and
13 Human Services knew of multiple violations in the months preceding the
14 closure of this facility. If more immediate action had been taken to
15 remedy these violations or draw attention to the inequities in quality of
16 care standards, a life could have been saved; and
17 WHEREAS, the circumstances surrounding this event have garnered

18 media attention throughout Nebraska, along with scrutiny from the public.
19 This care facility, as well as multiple others in the past few years,
20 including Hotel Pawnee in North Platte and Park View Villa in Gothenburg,
21 have been shut down due to violations regarding maintenance, cleanliness,
22 and personnel issues; and
23 WHEREAS, the individuals affected by these policies are some of the
24 most vulnerable in our community. The citizens of Nebraska have a right
25 to know the standard of care to which our governmental organizations are
26 held, including, but not limited to, policies, procedures, and
27 regulations regarding oversight of assisted-living facilities and mental
1 health centers; and
2 WHEREAS, under Title II of the Americans with Disabilities Act (ADA)
3 it is illegal for public entities, namely state and local governments, to
4 deny the benefits of programs, services, or activities to qualified
5 individuals with disabilities; and
6 WHEREAS, the regulations which implement Title II mandate that state
7 governments administer services "in the most integrated settings
8 appropriate to the needs of qualified individuals with disabilities"; and
9 WHEREAS, the integration mandate in the ADA is implicated when a
10 public entity administers its programs in a manner that results in
11 unjustified segregation of persons with disabilities; and
12 WHEREAS, a public entity may violate the integration mandate in the
13 ADA when it: (1) Directly or indirectly operates facilities or programs
14 that segregate individuals with disabilities; (2) finances the
15 segregation of individuals with disabilities in private facilities; or
16 (3) through planning, service system design, funding choices, or service
17 implementation practices, promotes or relies upon the segregation of
18 individuals with disabilities in private facilities or programs.
19 NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED
20 SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:
21 1. That the Legislature hereby calls for the Executive Board of the
22 Legislative Council to meet forthwith and appoint a special committee of
23 the Legislature to be known as the State-Licensed Care Facilities
24 Oversight Committee of the Legislature. The committee shall consist of
25 seven members of the Legislature appointed by the Executive Board. The
26 committee shall elect a chairperson and vice-chairperson from the
27 membership of the committee. The Executive Board is hereby authorized to
28 provide the committee with a legal counsel, committee clerk, and other
29 staff as required by the committee from existing legislative staff.
30 2. The State-Licensed Care Facilities Oversight Committee shall
31 limit the scope of its inquiry to assisted-living facilities where many
1 of the residents are diagnosed with a mental illness. The oversight
2 committee shall also examine the recent closures of the mental health
3 centers known as Life Quest, located in Palmer and Blue Hill.
4 3. The State-Licensed Care Facilities Oversight Committee of the
5 Legislature is hereby authorized to study the lack of adequate conditions
6 of state-licensed care facilities, the treatment of individuals residing
7 in such facilities, the effectiveness of regulation and licensure by the
8 Division of Public Health of the Department of Health and Human Services

9 in providing oversight, and how the Department of Health and Human
10 Services implements and administers its behavioral health services
11 through the behavioral health regions to address the needs of this
12 vulnerable population. The committee shall also investigate what steps
13 the department has taken to advance the recommendations proposed by the
14 Technical Assistance Collaborative as a consultant to the department,
15 namely, the reasons that assisted-living facilities are the primary
16 residential options for individuals with severe and persistent mental
17 illness and alternatives, such as permanent supportive housing and
18 services, do not exist. The committee shall also investigate whether the
19 department is taking adequate steps to ensure behavioral health services
20 are administered in the most integrated setting pursuant to the ADA. The
21 committee shall utilize existing studies, reports, and legislation
22 developed to address the current conditions. The committee shall not be
23 limited to such studies, reports, or legislation.
24 4. The State-Licensed Care Facilities Oversight Committee of the
25 Legislature shall issue a report with its findings and recommendations to
26 the Legislature on or before December 15, 2019.

(Signed) Mike Hilgers, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 223. Introduced by Cavanaugh, 6;
Chambers, 11; DeBoer, 10; Pansing Brooks, 28; Wayne, 13.

PURPOSE: The purpose of this resolution is to carry out a comprehensive study of incarceration and mental health services in Nebraska, specifically including the operations of the Department of Correctional Services and the Lincoln Regional Center, as well as an examination of potential reforms to incarceration and mental health services. The study shall include, but not be limited to, an examination of the following:

(1) The feasibility of authorizing the Board of Parole to operate a community corrections program for the placement of parole-eligible inmates in work release programs distributed throughout the state;

(2) Whether reforms are needed with regard to the practices of the Lincoln Regional Center in providing psychological evaluations for inmates housed in county jails, for purposes of both civil commitment and evaluations to determine competency to stand trial;

(3) Whether it is appropriate for juveniles to be placed at the main campus of the Lincoln Regional Center either for treatment purposes or for psychological diagnosis purposes while awaiting trial and whether there should be specific criteria or standards relating to such placements;

(4) Whether the number of patient beds at the Lincoln Regional Center is adequate for the needs of the state;

(5) Whether legislation should be enacted eliminating or limiting mandatory minimum sentencing in Nebraska;

(6) Whether changes should be made to the policies and practices of the Department of Correctional Services regarding the placement of department inmates in county jails;

(7) Whether legislation is needed to reform the management and operation of restrictive housing by the Department of Correctional Services;

(8) Whether the Department of Correctional Services should alter its practices concerning the forfeiture of good time credits;

(9) Whether legislation is needed relating to the obligation of the Department of Correctional Services to disclose certain records and information to the Public Counsel and the Inspector General of the Nebraska Correctional System;

(10) Whether legislation is needed relating to the placement of county safekeeping prisoners with the Department of Correctional Services;

(11) Whether legislative or funding changes are needed to improve the quality of medical and behavioral health services within the Department of Correctional Services;

(12) Whether pay increases are needed for nurses employed by the Department of Correctional Services based on their time-in-service;

(13) Whether additional funding should be provided to the Department of Correctional Services for the improvement of programming provided to its inmates; and

(14) Whether the Nebraska State Patrol should be designated as the sole agency tasked with investigating criminal activities that occur in facilities operated by the Department of Correctional Services.

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

1. That the Executive Board of the Legislative Council shall appoint a select interim committee to conduct an interim study to carry out the purpose of this resolution. The select interim committee shall be composed of at least two members from each of the Judiciary, Health and Human Services, and Appropriations Committees of the Legislature.

2. That the select interim committee may seek assistance and input from the Public Counsel and the Inspector General of the Nebraska Correctional System.

3. That the select interim committee may obtain input from other experts and interested parties, including, but not limited to, the Department of Health and Human Services, the Department of Correctional Services, the Board of Parole, and the Nebraska State Patrol.

4. That the select interim committee shall on or before December 15, 2019, make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 224. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine the civil legal service needs of low-income residents. The interim study shall include, but not be limited to, an examination of the following:

- (1) Public and private funding available for civil legal service for low-income residents;
- (2) Gaps in civil legal service available to Nebraskans;
- (3) Gaps in civil legal service funding available to Nebraska lawyers;
- (4) The practice areas with the highest needs for civil legal service;
- (5) The civil legal service needs of Nebraskans due to the significant flooding in 2019; and
- (6) The provision of civil legal service for low-income residents of similarly situated states.

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

1. That the Judiciary 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.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator McDonnell name added to LB481.
Senator McDonnell name added to LB481A.

VISITOR(S)

Visitors to the Chamber were students from Adams Elementary School, Omaha; and Amber and Annabelle Bogle from Bennet.

ADJOURNMENT

At 9:05 p.m., on a motion by Senator Lindstrom, the Legislature adjourned until 9:00 a.m., Wednesday, May 22, 2019.

Patrick J. O'Donnell
Clerk of the Legislature

