

**FIFTIETH DAY - JULY 28, 2020****LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE  
SECOND SESSION****FIFTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, July 28, 2020

**PRAYER**

The prayer was offered by Senator Blood.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Senator Hughes presiding.

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

**CORRECTIONS FOR THE JOURNAL**

The Journal for the forty-ninth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 927.** Placed on Final Reading.

(Signed) Julie Slama, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 1008.** Senator Cavanaugh renewed her amendment, [AM3205](#), found on page 1189.

Senator Kolterman moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 27 ayes, 9 nays, and 13 not voting.

Senator Cavanaugh moved for a call of the house. The motion prevailed with 32 ayes, 8 nays, and 9 not voting.

Senator Cavanaugh requested a roll call vote, in reverse order, on her amendment.

Voting in the affirmative, 16:

Blood	DeBoer	Kolowski	Pansing Brooks
Cavanaugh	Hansen, M.	Lathrop	Quick
Chambers	Howard	McCollister	Walz
Crawford	Hunt	Morfeld	Wayne

Voting in the negative, 28:

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

Present and not voting, 4:

Bolz	Halloran	Vargas	Wishart
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Excused and not voting, 1:

Briese

The Cavanaugh amendment lost with 16 ayes, 28 nays, 4 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Pending.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 431.** Introduced by Bostelman, 23; Clements, 2; McDonnell, 5.

WHEREAS, Mike Meyer joined the Ashland Rescue Squad in 1984 and has served Ashland in that capacity for thirty-six years; and

WHEREAS, Mike joined the Ashland Volunteer Fire Department in 1985 and has served Ashland in that capacity for thirty-five years; and

WHEREAS, Mike joined Lincoln Fire and Rescue in 1990 and served the city of Lincoln for thirty years; and

WHEREAS, Mike was a founding member of the Nebraska Task Force 1, Urban Search and Rescue Team, and has served as a Hazmat Specialist since 1993 and provided search and rescue services during large-scale

national disasters, including terrorist attacks, tornadoes, hurricanes, and other events; and

WHEREAS, Mike has volunteered to teach fire prevention to youth and conducted educational fire and rescue events to educate the public on fire safety and preventions; and

WHEREAS, throughout his career, Mike has served as a teacher and mentor to hundreds of young first responders, which in turn will save the lives of thousands of Nebraskans for years to come; and

WHEREAS, Mike Meyer recently retired from a career with Lincoln Fire and Rescue as a firefighter and Captain of Engine 10.

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

1. That the Legislature recognizes that a hero is someone who has given his or her life to something bigger than themselves.
2. That the Legislature thanks Mike Meyer for his past and continued service to Ashland, Lincoln, and Nebraska.
3. That the Legislature congratulates Mike Meyer on his retirement from Lincoln Fire and Rescue after thirty years of service to his community.
4. That a copy of this resolution be sent to Mike Meyer.

Laid over.

**LEGISLATIVE RESOLUTION 432.** Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the General Affairs 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, SECOND 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 433.** Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine the State Racing Commission and review occupational licenses and regulations for jockeys and horse trainers. The study shall be conducted to fulfill the requirements of section 84-948 and the Occupational Board Reform Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 434.** Introduced by Hansen, M., 26.

PURPOSE: The purpose of this study is to analyze housing throughout Nebraska. The Blueprint Nebraska report, Growing the Good Life (July 2019) prepared by a panel of housing experts, chronicles the status of Nebraska's housing conditions in 2019. The report indicates the state has a 30,000 to 50,000 unit deficit of affordable housing units. The report suggests that stimulating production, addressing the affordability gap, and increasing the tenure of affordability are all important steps to reduce the state's housing deficit. The study shall include, but not be limited to, the following:

(1) An analysis of how additional housing production is required to produce residences for new job seekers;

(2) A determination of ways to replace deteriorating housing stock and to replace housing damaged in flooding and natural disasters;

(3) The development of ways to speed up production in detached housing and the best use of tax credit financed residential rental housing in the lowest income quartile;

(4) A review of the state Affordable Housing Tax Credit and how it extends the utility of the federal Low-Income Housing Tax Credit in meeting housing challenges; and

(5) Recommendations to address specific housing deficits and needs in the housing infrastructure.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 435.** Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to examine and document the economic impacts of the COVID-19 pandemic emergency on the agricultural sector of Nebraska. The study shall examine means to support

increased resiliency in the processing, distribution, and retail sectors of the food system and to avoid disruptions due to pandemic or other public health emergencies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 436.** Introduced by Walz, 15.

**PURPOSE:** The purpose of this study is to determine whether elementary and secondary students in Nebraska have adequate access to clean drinking water throughout the school day.

The study shall include, but not be limited to:

(1) An identification of consensus recommendations for access to and consumption of drinking water by elementary and secondary students during the school day;

(2) An assessment of recommendations against current practices in select school buildings across the state;

(3) An examination of applicable building codes and other laws or regulations governing access to drinking water in school buildings;

(4) A determination of whether building codes or other governing laws or regulations should be modified to comply with the consensus recommendations; and

(5) The development of proposed revisions to the state building code or other governing laws or regulations to bring Nebraska's K-12 school buildings into compliance with consensus recommendations.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 437.** Introduced by Friesen, 34.

**PURPOSE:** The purpose of this interim study is to review the current model of collecting revenue to build and repair roads. In Nebraska, state and local

governments rely primarily on fuel taxes to fund highway construction and repair.

As electric-powered and hybrid passenger and commercial vehicles continue to increase in market share and gasoline and diesel-powered vehicles continue to drive more miles per gallon, fewer dollars may be available for road repair and construction in the future.

Certain states have explored funding highway construction and maintenance from road charges based on the number of miles driven. Issues that need to be resolved in order for road charges to provide a dependable and reliable source of revenue include enforcement and compliance, including administrative costs, privacy, data security, equity, motor vehicle operator satisfaction, vehicle manufacturer cooperation and coordination, technology needs, and other issues.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 438.** Introduced by Friesen, 34.

PURPOSE: The purpose of this interim study is to continue to monitor the activities 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. The task force presented initial findings and recommendations in a report to the Executive Board of the Legislative Council in 2019, and the task force continues to examine issues relating to availability, adoption, and affordability of broadband services in rural Nebraska.

In addition, the study committee shall review:

(1) Actions of the Governor and the Department of Economic Development in providing money from the federal Coronavirus Aid, Relief and Economic Security (CARES) Act for broadband development in Nebraska; and

(2) The progress of the Rural Digital Opportunity Fund (RDOF) Phase I Auction Procedures in Nebraska. The study committee shall determine whether the RDOF method that weights bids for services with faster speeds and lower latency more heavily in an auction would be appropriate for Nebraska law relating to reverse auctions.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 439.** 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, SECOND 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 440.** Introduced by Friesen, 34.

PURPOSE: The purpose of this interim study is to explore existing laws, rules, and regulations related to excavation, in particular excavation regarding underground facilities, and consider policy changes which may decrease instances of excavation-related damage to underground facilities.

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

(1) Existing laws, rules, regulations, and best practices related to notice of excavation, locating and marking underground facilities, excavation, notice of damage to underground facilities, and repair of underground facilities, including the provisions of the One-Call Notification Systems Act;

(2) Codification of best practices, including excavation methodologies and limitations on the scope of a single location ticket;

(3) Opportunities to increase clarity regarding the scope of an upcoming excavation in order to improve the locating and marking of underground facilities, including physically marking the scope of an excavation project;

(4) Whether the time afforded to operators to locate and mark underground facilities upon receiving notice of excavation is sufficient or whether such time should be extended; and

(5) Requirements for requesting subsequent locating and marking of underground facilities following initial notice of excavation.

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

### SELECT FILE

**LEGISLATIVE BILL 1008.** Senator Friesen offered his amendment, [AM3185](#), found on page 1193.

Senator Friesen asked unanimous consent to withdraw his amendment, [AM3185](#), found on page 1193, and replace it with his substitute amendment, [AM3212](#).

(Amendments to AM3008)

- 1 1. Strike sections 19, 24, 25, 34, 37, 46, 59, and 67.
- 2 2. On page 7, in lines 10 and 11 strike "[12,362,347](#)" and insert
- 3 "[8,632,198](#)"; and strike lines 12 through 16.
- 4 3. On page 19, line 17, strike "[145,782,020](#)" and insert
- 5 "[145,693,093](#)"; in line 21 strike "[488,989,103](#)" and insert "[488,900,176](#)";
- 6 and in line 22 strike "[166,258,216](#)" and insert "[166,204,143](#)".
- 7 4. On page 20, strike lines 10 through 14.
- 8 5. On page 25, line 5, strike "[23,778,754](#)" and insert "[23,527,244](#)";
- 9 in line 8, strike "[93,898,774](#)" and insert "[93,333,162](#)"; in line 10 strike
- 10 "[124,763,228](#)" and insert "[123,946,106](#)"; in line 18 strike "[23,778,754](#)"
- 11 and insert "[23,527,244](#)"; and in line 19 strike "[93,898,774](#)" and insert
- 12 "[93,333,162](#)"; and strike lines 26 through 30.
- 13 6. On page 26, strike lines 1 through 8.
- 14 7. On page 27, strike line 30.
- 15 8. On page 28, reinstate line 1; in line 3 strike "[1,708,752,389](#)"
- 16 and insert "[1,703,520,431](#)"; in line 4 strike "[2,676,854,192](#)" and insert
- 17 "[2,667,516,148](#)"; in line 16 strike the new matter and reinstate the
- 18 stricken matter; and in line 17 strike "[1,708,752,389](#)" and insert
- 19 "[1,703,520,431](#)".
- 20 9. On page 30, strike lines 6 through 22.
- 21 10. On page 32, line 22, strike "[172,174,830](#)" and insert
- 22 "[171,924,830](#)"; and in line 26 strike "[207,120,423](#)" and insert
- 23 "[206,870,423](#)".
- 24 11. On page 33, line 5, strike "[172,174,830](#)" and insert
- 25 "[171,924,830](#)".
- 26 12. On page 40, in lines 28 and 29 strike "[616,435,633](#)" and insert
- 1 "[615,935,633](#)".
- 2 13. On page 42, strike lines 3 through 7.
- 3 14. On page 48, line 18, strike "[969,005](#)" and insert "[739,005](#)"; in
- 4 line 19 strike "[27,454,611](#)" and insert "[17,454,611](#)"; and in line 23
- 5 strike "[52,219,944](#)" and insert "[41,989,944](#)".
- 6 15. On page 49, line 1, strike "[700,000](#)" and insert "[470,000](#)" and
- 7 strike "[26,563,965](#)" and insert "[16,563,965](#)"; and in line 7 strike
- 8 "[700,000](#)" and insert "[470,000](#)".
- 9 16. On page 52, in lines 25 and 26 strike "[103,558,339](#)" and insert



10 "[102,558,339](#)".

11 17. On page 53, strike the new matter in lines 1 through 22.

12 18. Renumber the remaining sections accordingly.

Senator Bolz objected.

Senator Friesen offered the following motion:

[MO192](#)

Withdraw [AM3185](#) and substitute [AM3212](#).

#### **SENATOR LINDSTROM PRESIDING**

Senator Friesen withdrew his motion, [MO192](#), to withdraw [AM3185](#) and substitute [AM3212](#).

Senator Friesen withdrew his amendment, [AM3185](#).

Senator Scheer offered the following motion:

[MO193](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Scheer moved for a call of the house. The motion prevailed with 30 ayes, 1 nay, and 18 not voting.

The Scheer motion to invoke cloture prevailed with 40 ayes, 7 nays, and 2 present and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

#### **COMMITTEE REPORT(S)** Health and Human Services

The Health and Human Services 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.

Daniel J. Rosenthal - State Board of Health

Aye: 7. Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Stephanie Beasley - Director - Division of Children and Family Services

Aye: 7. Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

April J. Dexter - Nebraska Rural Health Advisory Commission  
Martin L. Fattig - Nebraska Rural Health Advisory Commission  
Jessye A. Goertz - Nebraska Rural Health Advisory Commission  
Benjamin R. Iske - Nebraska Rural Health Advisory Commission  
Lynette Kramer - Nebraska Rural Health Advisory Commission  
Sandra Torres - Nebraska Rural Health Advisory Commission

Aye: 7. Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Rui Yi - Stem Cell Research Advisory Committee

Aye: 7. Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

The Health and Human Services 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.

Carolyn Petersen - Board of Emergency Medical Services

Aye: 7. Arch, Cavanaugh, Hansen, B., Howard, Murman, Walz, Williams.  
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Sara Howard, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 441.** Introduced by Cavanaugh, 6.

**PURPOSE:** The purpose of this interim study is to examine issues related to paid family and medical leave, access to such leave in Nebraska, the need for such leave, and the impact of such leave on workforce development.

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

(1) Access to and the need for parental leave for new parents to care for and bond with a new child that has joined the family through birth, adoption, or foster care placement;

- (2) Access to and the need for caregiver leave for employees to care for a family member with a serious health condition;
- (3) Access to and the need for medical leave for employees to respond to their own serious health condition;
- (4) Access to and the need for bereavement leave for employees after the death of a family member;
- (5) Access to and the need for military family leave;
- (6) The impact a lack of access to leave has for workforce development and competition for talent in Nebraska;
- (7) The impact Nebraska's aging population has on caregiving responsibilities for the state's younger workforce, the need for leave, and the retention of millennial workers;
- (8) Gender disparities in caregiving roles and time dedicated to shared caregiving;
- (9) Racial disparities in access to leave and the impacts a lack of leave has on racial equity;
- (10) Economic disparities in access to and the need for leave policies;
- (11) Public health concerns resulting from a lack of leave policies;
- (12) The economic impacts of denying workers leave, including, but not limited to, the cost of employee turnover, lost productivity, higher costs associated with delayed medical care, and the costs of lost wages;
- (13) Public opinion and support for paid family and medical leave; and
- (14) Potential statutory changes needed to expand access to paid family and medical leave for Nebraska workers and possible avenues for such statutory change.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 442.** Introduced by Vargas, 7; Wayne, 13.

WHEREAS, Nebraska's teachers, administrators, and support staff have worked tirelessly to continue to provide quality educational services to students during the spread of COVID-19; and

WHEREAS, Nebraska's teachers, administrators, and support staff have spent countless hours preparing new materials and resources; and

WHEREAS, Nebraska's teachers, administrators, and support staff have successfully worked to adjust to student needs during the spread of COVID-19; and

WHEREAS, Nebraska's teachers, administrators, and support staff have worked diligently to adjust practices for the 2020-2021 school year due to the spread of COVID-19.

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

1. That the Legislature recognizes the significant and important work being done by Nebraska's teachers, administrators, and support staff during the spread of COVID-19.

2. That the Legislature extends its appreciation to teachers, administrators, and support staff for their many hours of service and dedication to serving students in Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 443.** Introduced by Vargas, 7.

WHEREAS, Nebraska's doctors, nurses, and first responders have worked tirelessly to fight the spread of COVID-19; and

WHEREAS, Nebraska's doctors, nurses, and first responders have spent countless hours away from their families and homes; and

WHEREAS, Nebraska's doctors, nurses, and first responders have risked their lives to serve and protect the people of this state; and

WHEREAS, Nebraska's doctors, nurses, and first responders have provided excellent care to those who have suffered and continue to suffer with complications related to COVID-19; and

WHEREAS, Nebraska's doctors, nurses, and first responders continue to provide essential services as the virus continues to spread.

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

1. That the Legislature recognizes the hundreds of doctors and nurses in Nebraska who risk their lives to care for others during the spread of COVID-19.

2. That the Legislature recognizes the significant and important work being done by Nebraska's first responders who also risk their lives to care for others during the spread of COVID-19.

3. That the Legislature extends its appreciation to these doctors, nurses, and first responders for their many hours of service and dedication to serving the people of Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 444.** Introduced by Vargas, 7.

WHEREAS, the Sons of Italy hall was opened in 1926 and was forced to close due to damages resulting from a fire in 2017; and

WHEREAS, the Sons of Italy dining hall reopened in February of 2020; and

WHEREAS, the annual Santa Lucia Festival was founded in 1925 to give Italian immigrants a strong connection with their former country; and

WHEREAS, the 2020 Santa Lucia Festival has been modified to accommodate the changes necessary to protect the health and well-being of attendees during COVID-19; and

WHEREAS, the 96th Annual Santa Lucia Festival will take place on August 22 and 23, 2020.

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

1. The Legislature recognizes the cultural impact of the Santa Lucia Festival and Sons of Italy.
2. The Legislature extends congratulations on the reopening of the Sons of Italy hall and celebrates the 96th Annual Santa Lucia Festival.

Laid over.

**LEGISLATIVE RESOLUTION 445.** Introduced by Stinner, 48.

**PURPOSE:** The purpose of this interim study is to update data and review the potential impact on the state behavioral health system by expanding access to prescribing psychologists.

Nebraska has a documented shortage of adequately trained prescribers of psychotropic medication across the state. This leaves consumers of all ages underserved, with particularly adverse effects on consumers in rural areas and on children and adolescents. Clinical psychologists have the same number of years of education and doctoral level clinical experience as physicians who attend medical school, but clinical psychologists are focused on mental health diagnosis and treatment. Specially trained prescribing psychologists would also have additional post-doctoral training in prescriptive authority for psychotropic medication, including three years of physician-supervised practice and continuing competency requirements.

Prescribing psychologists that currently practice in the United States Public Health Services, Indian Health Service, and United States military have had an excellent safety record for more than 20 years. Other states have passed legislation allowing specially trained psychologists to prescribe and there is significant data on the positive effects and outcomes of adding another category of highly trained prescribers to serve constituents.

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

- (1) The status of behavioral health access in the state, including the availability of prescribers, continuity of care, and integration of behavioral and physical healthcare services;
- (2) The training and education of prescribing psychologists who provide assessments, psychotherapies, and management of psychotropic medications; and
- (3) How prescribing psychologists work with other health care professionals to serve patients safely and effectively.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 446.** Introduced by Hughes, 44; Erdman, 47.

**PURPOSE:** The purpose of this interim study is to review the rulemaking process, implementation, and impact of the most recent rule and policy changes considered or implemented by the Game and Parks Commission in relation to the Lake McConaughy and Lake Ogallala state recreation areas. The study shall be completed in collaboration with the Game and Parks Commission, affected political subdivisions, local taxing authorities, local businesses, and other interested entities.

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

(1) The history of public access to, and permitted recreational activities at, Lake McConaughy and Lake Ogallala;

(2) The purpose of public access to, and need for recreational use of, Lake McConaughy and Lake Ogallala, including the economic impact of recreational activities at such lakes on the City of Ogallala, Keith County, and the State of Nebraska;

(3) Compliance and enforcement of laws, rules, and regulations applicable to visitors to the Lake McConaughy and Lake Ogallala state recreation areas;

(4) The role of public input and the rulemaking process used by the Game and Parks Commission in relation to the Lake McConaughy and Lake Ogallala state recreation areas;

(5) The processes used by the Game and Parks Commission to evaluate management of the Lake McConaughy and Lake Ogallala state recreation areas and compliance with the Lake McConaughy/Lake Ogallala 2017-2037 Master Plan, the weaknesses and solutions identified following such evaluation, and the efficacy of implemented solutions, including the rules and regulations implemented for the 2020 season; and

(6) The record of collaboration and information sharing between the Game and Parks Commission, affected political subdivisions, local taxing authorities, local businesses, and other interested entities with regard to evaluating and addressing management, future planning, needed resources, and other issues affecting the Lake McConaughy and Lake Ogallala state recreation areas.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 447.** Introduced by Vargas, 7.

WHEREAS, Hispanic Heritage Month was started in 1988 by President Ronald Reagan after he expanded National Hispanic Heritage Week, first signed into law by President Lyndon Johnson in 1968, into a full 30 days; and

WHEREAS, Hispanic Heritage Month is observed from September 15 through October 15 and covers the independence days of Costa Rica, Nicaragua, Chile, Mexico, Honduras, Guatemala, and El Salvador; and

WHEREAS, Hispanic Heritage Month is a celebration and commemoration of Latin-American history and culture honoring how Hispanic culture has enriched American society; and

WHEREAS, the Hispanic population has grown over the past several decades along with Hispanic contributions to American culture; and

WHEREAS, Hispanic individuals play an integral role in American society, and it is vitally important that we honor and celebrate their contributions to our culture and to the State of Nebraska.

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

1. That the Legislature designates September 15 through October 15, 2020, as Hispanic Heritage Month in the State of Nebraska.

2. That during that time, Nebraskans are encouraged to come together to recognize, commemorate, and celebrate the Hispanic men and women of Nebraska, past and present, who have worked tirelessly to overcome obstacles of language, culture, and tradition to positively impact American society and become an integral part of our local communities.

3. That Nebraskans are also encouraged to study Hispanic culture and history, recognize Hispanic contributions in their communities, and strive for appreciation and equality year-round in order to celebrate our past and brighten our future in the State of Nebraska.

Laid over.

**LEGISLATIVE RESOLUTION 448.** Introduced by Vargas, 7; Wishart, 27.

WHEREAS, the federal Americans with Disabilities Act of 1990 was signed into law on July 26, 1990; and

WHEREAS, the Americans with Disabilities Act is a civil rights law that prohibits discrimination based on disabilities; and

WHEREAS, the Americans with Disabilities Act serves as one of our nation's most comprehensive pieces of civil rights legislation; and

WHEREAS, the Americans with Disabilities Act recognizes and guarantees that the people with disabilities will be entitled to the same opportunities as those without disabilities; and

WHEREAS, July 26, 2020, marks the 30th anniversary of the Americans with Disabilities Act.

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

1. That the Legislature recognizes the significance of the Americans with Disabilities Act.

2. That the Legislature recognizes the impact that the Americans with Disabilities Act has had on the lives of those living with disabilities in Nebraska and beyond.

3. That the Legislature recognizes the anniversary of this important piece of civil rights legislation.

Laid over.

**LEGISLATIVE RESOLUTION 449.** Introduced by Vargas, 7.

PURPOSE: The purpose of this resolution is to conduct a comprehensive interim study on systemic and institutional racism in Nebraska and make recommendations that will improve and modernize Nebraska systems and institutions and make them more equitable for Nebraskans who are biracial, interracial, and people of color.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 obtain input from the public and impacted individuals regarding the subject matter of this resolution.

3. 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 450.** Introduced by Vargas, 7; Wishart, 27.



PURPOSE: In March 2020, as part of the response to the COVID-19 pandemic, the Governor issued Executive Order No. 20-19, dated March 26, 2020, which temporarily waived certain restrictions in the Nebraska Liquor Control Act on alcohol sales by bars and restaurants holding Class C licenses. Specifically, the executive order waives the requirement, under Neb. Rev. Stat. 53-124(6)(a)(iii), that sales of alcohol for off-premises consumption be in the original packaging only. The executive order permits alcoholic beverages to be sold by bars and restaurants so long as the beverages are in containers sealed with a lid or other method of securing the product and are not partially consumed. The purpose of this study is to examine whether the law should be amended to make permanent this temporary waiver.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 451.** Introduced by Vargas, 7; Moser, 22.

WHEREAS, twenty-three thousand Nebraskans, and counting, have suffered from complications related to COVID-19; and

WHEREAS, three hundred thirteen Nebraskans, and counting, have tragically succumbed to complications related to COVID-19; and

WHEREAS, doctors, nurses, and first responders in Nebraska have risked their lives and continue to serve and protect the people of Nebraska during the spread of COVID-19; and

WHEREAS, businesses, nonprofit organizations, and service providers all across the state have been impacted by the spread of COVID-19; and

WHEREAS, Antonio Vargas, the father of Senator Tony Vargas, was diagnosed with COVID-19, spent 31 days on a ventilator in an intensive care unit, and succumbed to the virus on April 29, 2020; and

WHEREAS, Senator Mike Moser was diagnosed with COVID-19, spent five weeks admitted as a patient at the University of Nebraska Medical Center, and continues to recover from the virus.

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

1. That the Legislature recognizes and extends heartfelt sympathy to all who have been affected by COVID-19.

Laid over.

**LEGISLATIVE RESOLUTION 452.** Introduced by Vargas, 7.

PURPOSE: The purpose of this resolution is to conduct an interim study to examine career and technical education programs and opportunities. The study shall align with the state plan under the federal Strengthening Career and Technical Education for the 21st Century Act, otherwise known as Perkins V. The study shall include, but not be limited to, an examination of:

(1) Existing efforts that align with Nebraska's workforce, economic, and educational goals;

(2) Existing state and local partners and identification of potential new partners;

(3) Funding models in other states that leverage federal Perkins plans; and

(4) Approaches to leveraged funding opportunities that will strengthen career and technical education opportunities in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 453.** Introduced by Geist, 25.

PURPOSE: This study shall examine barriers to obtaining state identification that may exist for inmates in county correctional facilities who are in the process of being released or who have recently been released. The study shall also explore possible avenues for easing any such barriers to obtaining state identification, which is essential for the inmates to rejoin their communities.

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

**SELECT FILE**

**LEGISLATIVE BILL 1009.** [ER204](#), found on page 953, was adopted.

Senator Stinner offered his amendment, [AM3120](#), found on page 1192.

Pending.

### AMENDMENT(S) - Print in Journal

Senator Brewer filed the following amendment to [LB781](#):  
[AM3177](#)

(Amendments to E & R amendments, ER222)

1 1. On page 9, line 19, strike "2011", show as stricken, and insert  
2 "2018".

Senator Linehan filed the following amendment to [LB518](#):  
[AM3023](#)

(Amendments to Final Reading copy)

1 1. Strike the original sections and all amendments thereto and  
2 insert the following new sections:  
3 Section 1. (1) For purposes of this section:  
4 (a) Certifying agency means a state or local law enforcement agency,  
5 prosecutor, or other authority that has responsibility for the  
6 investigation or prosecution of qualifying criminal activity, as  
7 described in 8 C.F.R. 214.14(a)(2).  
8 (b) Certifying official means the head of the certifying agency or  
9 any person in a supervisory role who has been specifically designated by  
10 the head of the certifying agency to issue U nonimmigrant status  
11 certifications on behalf of that agency, as described in 8 C.F.R.  
12 214.14(a)(3).  
13 (c) Form I-914B means Form I-914, Supplement B, Declaration of Law  
14 Enforcement Officer for Victim of Trafficking in Persons, of the  
15 Department of Homeland Security, United States Citizenship and  
16 Immigration Services;  
17 (d) Form I-918B means Form I-918, Supplement B, U Nonimmigrant  
18 Status Certification, of the Department of Homeland Security, United  
19 States Citizenship and Immigration Services;  
20 (e) Investigation or prosecution has the same meaning as in 8 C.F.R.  
21 214.14;  
22 (f) Law enforcement agency means a state or local law enforcement  
23 agency, prosecutor, or other authority that has responsibility for the  
24 investigation or prosecution of severe forms of trafficking in persons,  
25 as described in 8 C.F.R. 214.11(a);  
26 (g) Qualifying criminal activity has the same meaning as in 8 C.F.R.  
1 214.14;  
2 (h) Victim of qualifying criminal activity has the same meaning as  
3 in 8 C.F.R. 214.14;  
4 (i) Victim of a severe form of trafficking in persons has the same  
5 meaning as in 8 C.F.R. 214.11; and  
6 (j) All references to federal statutes and regulations refer to such  
7 statutes and regulations as they existed on January 1, 2020.  
8 (2)(a) On request from an individual whom a law enforcement agency  
9 reasonably believes to be a victim of a severe form of trafficking in  
10 persons, for purposes of a nonimmigrant T visa, pursuant to the criteria  
11 in 8 U.S.C. 1101(a)(15)(T)(i)(I) and (II), a law enforcement agency, no  
12 later than ninety business days after receiving the request:  
13 (i) Shall complete, sign, and return to the individual the Form  
14 I-914B; and  
15 (ii) May submit a written request to an appropriate federal law  
16 enforcement officer asking such officer to file an application for  
17 continued presence pursuant to 22 U.S.C. 7105(c)(3).

18 (b) If the law enforcement agency determines that an individual does  
 19 not meet the requirements of the law enforcement agency for completion of  
 20 a Form I-914B, the law enforcement agency shall, no later than ninety  
 21 business days after receiving the request, inform the individual of the  
 22 reason and that the individual may make another request with additional  
 23 evidence or documentation to satisfy such requirements. The law  
 24 enforcement agency shall permit the individual to make such additional  
 25 request.

26 (3)(a) On request from an individual whom a certifying agency  
 27 reasonably believes to be a victim of qualifying criminal activity, for  
 28 purposes of a nonimmigrant U visa, pursuant to the certification criteria  
 29 in 8 U.S.C. 1101(a)(15)(U)(i)(II) to (IV) and (iii), a certifying  
 30 official in the certifying agency, no later than ninety business days  
 31 after receiving the request, shall complete, sign, and return to the  
 1 individual the Form I-918B.

2 (b) For purposes of determining helpfulness pursuant to 8 U.S.C.  
 3 1101(a)(15)(U)(i)(III), an individual shall be considered helpful if,  
 4 since the initiation of cooperation, the individual has not unreasonably  
 5 refused to cooperate or failed to provide information and assistance  
 6 reasonably requested by law enforcement or the prosecutor.

7 (c) If the certifying official determines that an individual does  
 8 not meet the requirements of the certifying agency for completion of a  
 9 Form I-918B, the certifying official shall, no later than ninety business  
 10 days after receiving the request, inform the individual of the reason and  
 11 that the individual may make another request with additional evidence or  
 12 documentation to satisfy such requirements. The certifying official shall  
 13 permit the individual to make such additional request.

14 (4) An investigation, the filing of charges, a prosecution, or a  
 15 conviction are not required for an individual to request and obtain the  
 16 signed and completed Form I-914B or Form I-918B from a law enforcement  
 17 agency or certifying official.

18 (5) It is the exclusive responsibility of the federal immigration  
 19 authorities to determine whether a person is eligible for a T or U visa.  
 20 Completion of a Form I-914B or Form I-918B by a law enforcement agency or  
 21 certifying official only serves to verify information regarding certain  
 22 criteria considered by the federal government in granting such visas.

23 (6) A law enforcement agency, certifying agency, or certifying  
 24 official has the discretion to revoke, disavow, or withdraw a previous  
 25 completion of a Form I-914B or Form I-918B at any time after initial  
 26 completion, as provided in 8 C.F.R. 214.11(d)(3)(ii) and 8 C.F.R.  
 27 214.14(h)(2)(i)(A).

28 (7) A law enforcement agency or certifying agency that receives a  
 29 request under this section shall maintain an internal record of such  
 30 request, including whether such request was granted or denied and, if  
 31 denied, the reasons for such denial. Such record shall be maintained for  
 1 at least three years from completion or denial of the request.

2 2. On page 1, strike beginning with "amend" in line 1 through  
 3 "section" in line 6 and insert "to provide duties regarding federal  
 4 immigration forms relating to victims of certain crimes; and to define  
 5 terms".

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 454.** Introduced by Hansen, B., 16.

**PURPOSE:** The purpose of this interim study is to study and evaluate Nebraska law permitting a faculty or academic license for dentistry. This study shall examine the academic licensure of surrounding states and states

competing against Nebraska for dental faculty. The study shall include the potential impact faculty licensing could have on the practice of dentistry in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 455.** Introduced by Wishart, 27.

PURPOSE: Since 1983, it has been an incumbent duty of counties to provide, or to pay rent for, office space and service space used by the Department of Health and Human Services for the administration of public assistance programs. In recent years, efforts to remove state aid to counties and growing burdens placed on counties have created questions concerning the equity of the current payment processes. This study will examine the burden on counties with regard to these costs as well as the potential property tax relief that could be provided to the taxpayers in those few counties who are saddled with this responsibility.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 456.** Introduced by Walz, 15; Wishart, 27.

PURPOSE: The purpose of this interim study is to examine the proposal by the Department of Health and Human Services for changes to Medicaid Section 1915(c) Waiver Appendix K in response to the COVID-19 pandemic and how both service providers and individuals with developmental disabilities have been impacted by the proposal. The study shall also examine the possibility of extending the flexibilities and accommodations afforded to service providers and individuals with

developmental disabilities by the Appendix K changes beyond the September 6, 2020, expiration date.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 457.** Introduced by McCollister, 20.

**PURPOSE:** The purpose of this resolution is to study the Nebraska parole and pardons processes.

(1) With regard to the parole process, the study shall include, but not be limited to, an examination of:

(a) The current population of the Nebraska correctional system and their eligibility for parole;

(b) Programming available through the Department of Correctional Services to prepare individuals for parole;

(c) Existing constitutional, statutory, and regulatory provisions that relate to parole eligibility, release, and supervision; and

(d) Potential changes to constitutional, statutory, and regulatory provisions that would improve public safety, the conditions in Nebraska prisons, and the success of the parole system.

(2) With regard to the pardons process, the study shall include, but not be limited to, an examination of:

(a) The number and frequency of meetings held by the Board of Pardons and the notice provided for such meetings;

(b) The clarity of requirements for pardon requests and the consideration given to each individual application;

(c) National best practices for the entities in each state responsible for pardons and how the practices of the Board of Pardons align with such best practices;

(d) The national average for the length of time that must elapse for a pardon to be considered;

(e) Standards for the web site for the Board of Pardons to clearly state the dual obligation of the state to prosecute wrong doing and provide restorative justice to those who demonstrate meaningful progress toward rehabilitation; and

(f) The necessity for an annual report to the legislative and judicial branches of state government and to the public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 458.** Introduced by Vargas, 7.

WHEREAS, the 2020 Heartland Pride Parade and Festival was canceled due to the spread of COVID-19; and

WHEREAS, the 100th Anniversary of Omaha Cinco de Mayo was postponed due to the spread of COVID-19; and

WHEREAS, the 2020 Annual Ancient Order of Hibernians (AOH) St. Patrick's Day Parade was canceled due to the spread of COVID-19; and

WHEREAS, the 2020 College World Series was canceled due to the spread of COVID-19; and

WHEREAS, the 2020 Omaha Summer Arts Festival was canceled due to the spread of COVID-19; and

WHEREAS, many other community events, festivals, and parades across the state were canceled, postponed, or otherwise affected by the spread of COVID-19.

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

1. That the Legislature recognizes the cultural significance of these events to the State of Nebraska.
2. That the Legislature extends its gratitude to the organizers and supporters of these community events and looks forward to rescheduled dates.
3. That a copy of this resolution shall be sent to the Heartland Pride Parade and Festival, Omaha Cinco de Mayo, NCAA Baseball, and Omaha Summer Arts Festival.

Laid over.

**LEGISLATIVE RESOLUTION 459.** Introduced by Vargas, 7.

PURPOSE: The purpose of this interim study is to review the effects of COVID-19 on the safety of workers in Nebraska. The purpose of this study is to review how COVID-19 changes the workplace safety conditions for employees especially those working in environments that are high density or otherwise highly risky for exposure to COVID-19.

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

- (1) Availability of personal protective equipment and maintenance of social distancing for workers;
- (2) Issues specific to the meatpacking industry where COVID-19 outbreaks occurred and an examination of section 48-2213, which established the meatpacking industry worker rights coordinator;

(3) Appropriate data practices for employers when employees are sick, including, but not limited to, transparency with infection rates and data distributed to workers and public health professionals;

(4) A review of best practices for worker retention and sick leave policies during a global health emergency; and

(5) Any changes to employment law necessary to mitigate disease transmission and protect workers and the public.

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

#### **UNANIMOUS CONSENT - Add Cointroducer(s)**

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

Senator Crawford name added to LR373.

#### **RECESS**

At 11:53 a.m., on a motion by Senator M. Hansen., the Legislature recessed until 1:30 p.m.

#### **AFTER RECESS**

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

#### **ROLL CALL**

The roll was called and all members were present except Senators Chambers, B. Hansen, Hilgers, Hilkemann, and Morfeld who were excused until they arrive.

#### **SELECT FILE**

**LEGISLATIVE BILL 1009.** The Stinner amendment, [AM3120](#), found on page 1192 and considered in this day's Journal, was renewed.

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

Senator Wayne offered the following motion:

[MO194](#)

Recommit to the Appropriations Committee.



Senator Wayne moved for a call of the house. The motion prevailed with 26 ayes, 5 nays, and 18 not voting.

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

Voting in the affirmative, 1:

Chambers

Voting in the negative, 45:

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

Present and not voting, 2:

Cavanaugh Wayne

Excused and not voting, 1:

Lowe

The Wayne motion to recommit to committee failed with 1 aye, 45 nays, 2 present and not voting, and 1 excused and not voting.

Senator Scheer offered the following motion:

[MO197](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

The Scheer motion to invoke cloture prevailed with 43 ayes, 4 nays, 1 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

**LEGISLATIVE BILL 910.** [ER229](#), found on page 1137, was adopted.

Senator Chambers offered the following amendment:

[FA121](#)

Amend E & R amendments

Page 1, line 3 strike "telephone" and insert "carrier pigeon".

Senator Chambers withdrew his amendment.

Senator Chambers offered the following amendment:

[FA122](#)

Page 3, strike and show as stricken lines 1-31, and page 4, line 1 strike "Investment Act".

### SENATOR HILGERS PRESIDING

The Chambers amendment lost with 1 aye, 24 nays, and 24 present and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1052.** [ER224](#), found on page 1137, was adopted.

Senator Chambers offered the following motion:

[MO198](#)

Indefinitely postpone.

Senator Chambers withdrew his motion to indefinitely postpone.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 1124.** [ER219](#), found on page 1137, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 923.** Senator Wayne offered the following amendment:

[AM3210](#)

1 1. On page 3, line 21, after "facilities" insert "that are used  
2 exclusively for the transmission of power and that are".

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

Senator Wayne requested a roll call vote on his amendment.

Voting in the affirmative, 2:

Brewer            Wayne

Voting in the negative, 38:

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

Present and not voting, 8:

Cavanaugh	DeBoer	Hilgers	Morfeld
Chambers	Hansen, M.	Kolowski	Pansing Brooks

Excused and not voting, 1:

Bolz

The Wayne amendment lost with 2 ayes, 38 nays, 8 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

Advanced to Enrollment and Review for Engrossment.

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

**LEGISLATIVE BILL 1008.** Placed on Final Reading.

[ST65](#)

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

1. In the E & R amendments, ER210, on page 2, line 2, "Laws 2019, LB296, section 7," has been inserted after "244,".

(Signed) Julie Slama, Chairperson

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

**LEGISLATIVE BILL 1053.** Placed on Select File with amendment.

[ER236](#)

1 1. In the Standing Committee amendments, AM2806, on page 12, line 1,

2 strike "judgement" and insert "judgment".

3 2. On page 1, strike beginning with "Medical" in line 1 through line

4 4 and insert "public health and welfare; to amend sections 71-401,

5 71-403, 71-404, 71-413, 71-415, 71-416, 71-417, 71-436, 71-2085, 71-2086,

6 71-2087, 71-2092, 71-2093, 71-2094, and 71-6720, Reissue Revised Statutes

7 of Nebraska, and section 68-901, Revised Statutes Supplement, 2019; to

8 require adoption of rules and regulations for certain reimbursement rates  
 9 under the Medical Assistance Act; to define and redefine terms and change  
 10 licensure provisions under the Health Care Facility Licensure Act; to  
 11 change receiver and receivership provisions relating to health care  
 12 facilities; to change applicability of the Medication Aide Act; to  
 13 harmonize provisions; to provide operative dates; and to repeal the  
 14 original sections."

**LEGISLATIVE BILL 1002.** Placed on Select File with amendment.

[ER235](#)

1 1. In the Standing Committee amendment, AM2774, on page 18, line 9,  
 2 strike "an", show as stricken, and insert "a".  
 3 2. On page 1, strike lines 2 through 5 and insert "sections 13-1801,  
 4 23-1821, 28-907, 28-929, 28-929.01, 28-930, 28-931, 28-931.01, 38-1202,  
 5 38-1203, 38-1209, 38-1210, 38-1211, 38-1213, 38-1226, 38-1228, 38-1233,  
 6 38-1234, 38-1813, 48-115, 71-507, 71-509, 71-7436, 71-7444, 71-8226,  
 7 71-8227, 71-8236, 71-8237, 71-8240, 71-8248, 71-8249, 71-8251, and  
 8 71-8253, Reissue Revised Statutes of Nebraska, sections 13-303, 28-934,  
 9 38-1201, 38-1204, 38-1204.01, 38-1206.01, 38-1207.01, 38-1207.02,  
 10 38-1208, 38-1208.01, 38-1208.02, 38-1215, 38-1216, 38-1217, 38-1218,  
 11 38-1224, 38-1225, 38-1232, and 38-1237, Revised Statutes Cumulative  
 12 Supplement, 2018, and sections 38-1220 and 68-901, Revised Statutes  
 13 Supplement, 2019; to define and redefine terms; to provide for community  
 14 paramedic and critical care paramedic practice and discipline of training  
 15 agencies; to change the scope of practice of emergency care providers; to  
 16 change provisions relating to the State Trauma Advisory Board; to  
 17 eliminate powers and duties; to eliminate obsolete provisions; to  
 18 harmonize provisions; to provide for the independent provision of a  
 19 therapeutic diet order pursuant to the Medical Nutrition Therapy Practice  
 20 Act; to require standards for inpatient psychiatric units and psychiatric  
 21 residential treatment facilities under the Medical Assistance Act as  
 22 prescribed; to change provisions relating to wholesale drug distribution  
 23 for emergency medical services; to provide operative dates; to repeal the  
 24 original sections; and to declare an emergency."

**LEGISLATIVE BILL 992.** Placed on Select File with amendment.

[ER234](#)

1 1. On page 1, line 5, strike "legislative"; in line 7 strike "and  
 2 Nebraska Library Commission"; in line 9 after the first semicolon insert  
 3 "to change the distribution of certain performance payments;"; in line 10  
 4 after the semicolon insert "to eliminate a financial assistance  
 5 program;"; and in line 11 after the last semicolon insert "to provide  
 6 operative dates;".

(Signed) Julie Slama, Chairperson

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

Senator Wayne filed the following motion to LB1009:

[MO195](#)

Bracket until August 13, 2020.

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

Senator McDonnell filed the following amendment to LB965:  
AM2992

(Amendments to Standing Committee amendments, AM2234)

- 1 1. On page 2, line 20, strike "2021" and insert "2022".
- 2 2. On page 4, line 12, strike "August 1" and insert "December 30";
- 3 and in line 21 strike "2021" and insert "2022".
- 4 3. On page 6, line 21, strike "2021" and insert "2022".

Senator McDonnell filed the following amendment to LB965A:  
AM3220

- 1 1. On page 2, strike beginning with "(1)" in line 1 through "(2)" in
- 2 line 2; in line 7 strike "\$30,730"; and in line 8 strike "for FY2020-21
- 3 or".

Senator Lathrop filed the following amendment to LB966:  
AM3221

(Amendments to Standing Committee amendments, AM2947)

- 1 1. Strike section 18 and insert the following new section:
- 2 Sec. 18. (1) For purposes of this section:
- 3 (a) Biological mother means a person who is related to a child as
- 4 the source of the egg that resulted in the conception of the child; and
- 5 (b) Birth mother means the person who gave birth to the child.
- 6 (2) During the period immediately before or after the in-hospital
- 7 birth of a child whose biological mother is not the same as the birth
- 8 mother, the person in charge of such hospital or such person's designated
- 9 representative shall provide to the child's biological mother and birth
- 10 mother the documents and written instructions for such biological mother
- 11 and birth mother to complete a notarized acknowledgment of maternity.
- 12 Such acknowledgment, if signed by both parties and notarized, shall be
- 13 filed with the department at the same time at which the certificate of
- 14 live birth is filed.
- 15 (3) Nothing in this section shall be deemed to require the person in
- 16 charge of such hospital or such person's designee to seek out or
- 17 otherwise locate an alleged mother who is not readily identifiable or
- 18 available.
- 19 (4) The acknowledgment shall be executed on a form prepared by the
- 20 department. Such form shall be in essentially the same form provided by
- 21 the department. The acknowledgment shall include, but not be limited to,
- 22 (a) a statement by the birth mother consenting to the acknowledgment of
- 23 maternity and a statement that the biological mother is the legal mother
- 24 of the child, (b) a statement by the biological mother that she is the
- 25 biological mother of the child, (c) written information regarding
- 26 parental rights and responsibilities, and (d) the social security numbers
- 1 of the mothers.
- 2 (5) The form provided for in subsection (4) of this section shall
- 3 also contain instructions for completion and filing with the department
- 4 if it is not completed and filed with a birth certificate as provided in
- 5 subsection (2) of this section.
- 6 (6) The department shall accept completed acknowledgment forms. The
- 7 department may prepare photographic, electronic, or other reproductions
- 8 of acknowledgments. Such reproductions, when certified and approved by
- 9 the department, shall be accepted as the original records, and the
- 10 documents from which permanent reproductions have been made may be
- 11 disposed of as provided by rules and regulations of the department.
- 12 (7) The department shall enter on the birth certificate of any child
- 13 described in subsection (2) of this section the name of the biological

14 mother of the child upon receipt of an acknowledgment of maternity as  
15 provided in this section signed by the biological mother of the child and  
16 the birth mother of the child. The name of the birth mother shall not be  
17 entered on the birth certificate. If the birth mother is married, the  
18 name of the birth mother's spouse shall not be entered on the birth  
19 certificate unless paternity for such spouse is otherwise established by  
20 law.

21 (8)(a) The signing of a notarized acknowledgment of maternity,  
22 whether under this section or otherwise, by the biological mother shall  
23 create a rebuttable presumption of maternity as against the biological  
24 mother. The signed, notarized acknowledgment is subject to the right of  
25 any signatory to rescind the acknowledgment at any time prior to the  
26 earlier of:

27 (i) Sixty days after the acknowledgment; or

28 (ii) The date of an administrative or judicial proceeding relating  
29 to the child, including a proceeding to establish a support order in  
30 which the signatory is a party.

31 (b) After the rescission period provided for in subdivision (8)(a)  
1 of this section, a signed, notarized acknowledgment is considered a legal  
2 finding which may be challenged only on the basis of fraud, duress, or  
3 material mistake of fact with the burden of proof upon the challenger,  
4 and the legal responsibilities, including the child support obligation,  
5 of any signatory arising from the acknowledgment shall not be suspended  
6 during the challenge, except for good cause shown. Such a signed and  
7 notarized acknowledgment or a certified copy or certified reproduction  
8 thereof shall be admissible in evidence in any proceeding to establish  
9 support.

10 (9)(a) If the biological mother was married at the time of either  
11 conception or birth or at any time between conception and birth of a  
12 child described in subsection (2) of this section, the name of the  
13 biological mother's spouse shall be entered on the certificate as the  
14 other parent of the child unless:

15 (i) Paternity has been determined otherwise by a court of competent  
16 jurisdiction;

17 (ii) The biological mother and the biological mother's spouse  
18 execute affidavits attesting that the biological mother's spouse is not  
19 the biological parent of the child, in which case information about the  
20 other parent shall be omitted from the certificate; or

21 (iii) The biological mother executes an affidavit attesting that her  
22 spouse is not the biological father and naming the biological father; the  
23 biological father executes an affidavit attesting that he is the  
24 biological father; and the biological mother's spouse executes an  
25 affidavit attesting that such spouse is not the biological parent of the  
26 child. In such case the biological father shall be shown as the other  
27 parent on the certificate.

28 (b) For affidavits executed under subdivision (8)(a)(ii) or (iii) of  
29 this section, each signature shall be individually notarized.

30 (10) If the biological mother was not married at the time of either  
31 conception or birth or at any time between conception and birth, the name  
1 of the biological father shall not be entered on the certificate as the  
2 other parent without the written consent of the biological mother and the  
3 person named as the biological father.

4 (11) In any case in which paternity of a child is determined by a  
5 court of competent jurisdiction, the name of the adjudicated father shall  
6 be entered on the certificate as the other parent in accordance with the  
7 finding of the court.

8 (12) If the other parent is not named on the certificate, no other  
9 information about the other parent shall be entered thereon.

10 (13) The identification of the father as provided in this section  
11 shall not be deemed to affect the legitimacy of the child or the duty to

12 support as set forth in sections 42-377 and 43-1401 to 43-1418.  
 13 (14) The department may adopt and promulgate rules and regulations  
 14 as necessary and proper to assist it in the implementation and  
 15 administration of this section and to establish a nominal payment and  
 16 procedure for payment for each acknowledgment filed with the department.

Senator Hughes filed the following amendment to LB632:  
AM3218

(Amendments to E & R amendments, ER220)

1 1. On page 5, line 31, after the comma insert "or restrict such  
 2 programs from the environmental and lawful operation of program  
 3 facilities and imposition of user fees at such facilities,".

Senator Brewer filed the following amendment to LB848:  
AM3215

(Amendments to E&R amendments, ER191)

1 1. Strike section 10 and insert the following new sections:  
 2 Sec. 10. Sections 3, 4, 5, 6, 7, 8, and 12 of this act become  
 3 operative on July 1, 2021. The other sections of this act become  
 4 operative on their effective date.  
 5 Sec. 11. Original sections 25-2221 and 62-301, Reissue Revised  
 6 Statutes of Nebraska, are repealed.  
 7 Sec. 12. Original sections 43-4502, 43-4503, 43-4510, 43-4511, and  
 8 43-4512, Reissue Revised Statutes of Nebraska, and section 43-4504,  
 9 Revised Statutes Supplement, 2019, are repealed.

Senator Quick filed the following amendment to LB424:  
AM3227

(Amendments to E & R amendments, ER223)

1 1. On page 7, line 26, after "board" insert "of a land bank created  
 2 by a city of the metropolitan class"; and in line 27 strike "the", show  
 3 as stricken, and insert "such".  
 4 2. On page 8, lines 3 through 31, strike the new matter and  
 5 reinstate the stricken matter.  
 6 3. On page 9, lines 1 through 3, reinstate the stricken matter; and  
 7 in line 3, after the reinstated "(5)" insert "of section 10 of this act,  
 8 if any such hierarchical ranking is established."  
 9 4. On page 11, line 17, strike "that is owned" and insert "in which  
 10 a direct or indirect interest is held"; and in line 20 strike "an  
 11 ownership" and insert "a financial".  
 12 5. On page 13, line 20, strike "Seven" and insert "Three"; in line  
 13 23 strike "Ten" and insert "Five"; and in line 26 strike "Twenty-five"  
 14 and insert "Ten".  
 15 6. On page 18, line 18, after the first comma insert "the Speaker of  
 16 the Legislature, the chairperson of the Executive Board of the  
 17 Legislative Council,"; in line 21 strike "legislative committees", show  
 18 as stricken, and insert "Legislature"; and after line 22 insert the  
 19 following new subsection:  
 20 "(4) The annual report required under subsection (3) of this section  
 21 shall include, but not be limited to:  
 22 (a) A listing of each property owned by the land bank at the end of  
 23 the prior calendar year, including how long each such property has been  
 24 owned by the land bank and whether such property was acquired utilizing  
 25 the automatically accepted bid under section 17 or 18 of this act;  
 26 (b) A list of entities and individuals who received more than two  
 1 thousand five hundred dollars from the land bank in the prior calendar  
 2 year;  
 3 (c) A list of financial institutions in which the land bank has

4 deposited funds;

5 (d) The percentage of total parcels located in each municipality

6 which are held by the land bank; and

7 (e) A statement certifying that all board members and employees of

8 the land bank comply with the conflict of interest requirements in

9 sections 7 and 15 of this act."

10 7. On page 19, line 25, strike "an ownership" and insert "a

11 financial".

12 8. On page 20, line 25; and page 22, line 15, after "If" insert "a

13 land bank is created by a city of the metropolitan class and if".

14 9. On page 23, line 16, after the period insert "If the acquisition

15 of real property under this subsection would result in a land bank

16 exceeding the total number of parcels that a land bank may hold legal

17 title to pursuant to subsection (6) of section 8 of this act. the

18 acquisition of such property shall not be counted towards such limit."

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 460.** Introduced by McDonnell, 5.

WHEREAS, Vera Chavez was born on April 22, 1920, in Omaha, Nebraska; and

WHEREAS, Vera was one of seven children born to Gregorio and Jovita (Guerrero) Ramirez; and

WHEREAS, Vera has been a lifelong Nebraska resident for 100 years; and

WHEREAS, Vera married Mike Chavez in 1938; and

WHEREAS, Vera retired from the Omaha Public Schools before working at two restaurants and a nursing home; and

WHEREAS, Vera beat non-Hodgkin lymphoma two years ago; and

WHEREAS, Vera has two children, Marie and Gabe; and

WHEREAS, Vera celebrated her 100th birthday on April 22, 2020.

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

1. That the Legislature congratulates Vera Chavez on her 100th birthday.
2. That a copy of this resolution be sent to Vera Chavez.

Laid over.

### ADJOURNMENT

At 5:00 p.m., on a motion by Senator Pansing Brooks, the Legislature adjourned until 9:00 a.m., Wednesday, July 29, 2020.

Patrick J. O'Donnell  
Clerk of the Legislature