

SEVENTY-NINTH DAY - MAY 9, 2017
LEGISLATIVE JOURNAL
ONE HUNDRED FIFTH LEGISLATURE
FIRST SESSION

SEVENTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Tuesday, May 9, 2017

PRAYER

The prayer was offered by Father Brian Connor, North American Martyr's Catholic Church, Lincoln.

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 Craighead, Geist, Harr, Krist, Larson, Watermeier, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the seventy-eighth day was approved.

MESSAGE(S) FROM THE GOVERNOR

May 8, 2017

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

Dear Mr. O'Donnell:

Engrossed Legislative Bill 427 was received in my office on May 2, 2017. This bill was signed and delivered to the Secretary of State on May 8, 2017.

Sincerely,
(Signed) Pete Ricketts
Governor

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 8, 2017, at 2:58 p.m. were the following: LBs 259, 259A, 451, 86, 200, 204, 209, 274, 280e, 307, 318e, 320, 371, 375, 382e, 406, 458, 463, 476, 492, 508, 517, 584, and 624.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 512. Placed on Final Reading Second.
ST33

(Final Reading copy)

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

1. In the Harr amendment, AM1346, on page 26, line 12, "6," has been inserted after "4," and "15," has been inserted after "11,".
2. a. On page 58, line 8, "30 to 36" has been struck and "31 to 37" inserted;
b. On page 62, lines 15 and 25; page 64, line 24; and page 66, line 9, "34" has been struck and "35" inserted;
c. On page 62, lines 16 and 24; on page 63, line 26; and page 64, line 14, "31" has been struck and "32" inserted; and
d. On page 63, line 18; and page 64, lines 16 and 19, "32" has been struck and "33" inserted.

(Signed) Anna Wishart, Chairperson

NOTICE OF COMMITTEE HEARING(S)

Education

Room 1525

Tuesday, May 23, 2017 12:20 p.m.

LR98

(Signed) Mike Groene, Chairperson

RESOLUTION(S)

LEGISLATIVE RESOLUTION 138. Introduced by Crawford, 45.

PURPOSE: The purpose of this interim study is to examine the tools, mechanisms, and funding sources available to municipalities to provide for the condemnation or demolition of vacant and abandoned buildings. The issues addressed by this interim study shall include, but not be limited to:

- (1) An examination of the costs for municipalities to condemn or demolish vacant and abandoned buildings;
- (2) A review of the current tools and mechanisms available to municipalities to provide for the condemnation of buildings within their corporate limits;
- (3) A review of tools and mechanisms previously available to provide for the condemnation of buildings within municipalities, including the condemnation authority of the State Fire Marshal; and
- (4) A review of potential funding sources available to municipalities to pay the costs of demolition of vacant and abandoned buildings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 116, 117, 118, 119, 120, and 121 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 116, 117, 118, 119, 120, and 121.

SELECT FILE

LEGISLATIVE BILL 289A. Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 512A. ER87, found on page 1381, was adopted.

Advanced to Enrollment and Review for Engrossment.

BILLS ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 332. With Emergency Clause.

A BILL FOR AN ACT relating to the Cash Reserve Fund; to amend section 84-612, Revised Statutes Cumulative Supplement, 2016; to change and

provide for transfers; 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, 35:

Baker	Ebke	Kolowski	Morfeld	Smith
Blood	Geist	Kolterman	Murante	Stinner
Bolz	Hansen	Kuehn	Pansing Brooks	Vargas
Brewer	Harr	Lindstrom	Quick	Walz
Briese	Hilgers	Linehan	Riepe	Watermeier
Chambers	Hilkemann	McCollister	Scheer	Williams
Crawford	Howard	McDonnell	Schumacher	Wishart

Voting in the negative, 10:

Albrecht	Brasch	Erdman	Groene	Hughes
Bostelman	Clements	Friesen	Halloran	Lowe

Excused and not voting, 4:

Craighead	Krist	Larson	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.

Dispense With Reading at Large

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB331 with 37 ayes, 6 nays, 3 present and not voting, and 3 excused and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 331. With Emergency Clause.

A BILL FOR AN ACT relating to funds; to amend sections 12-1301, 19-102, 19-103, 29-4115.01, 37-327.02, 48-1,116, 48-735.01, 60-3,218, 68-940.01, 71-1001, 71-7450, 81-125.01, 81-179, 81-188.01, 81-405, 81-638, 81-885.15, 81-1558, 81-15,175, and 86-324, Reissue Revised Statutes of Nebraska, and sections 2-1222, 7-209, 47-632, 59-1608.04, 60-6,211.05, 60-1409, 61-218, 66-204, 66-4,100, 66-1345, 66-1519, 71-7611, 72-1001, 72-2211, 77-2715.01, 77-27,132, 81-406, 81-12,160, 81-12,162, 81-3432, 82-331, 85-1414.01, and 86-463, Revised Statutes Cumulative Supplement, 2016; to provide for, change, and eliminate transfers; to create and provide for termination of funds; to change

provisions governing administration, maintenance, and use of funds, grants, and financial assistance; to change the reserve requirement; to eliminate obsolete provisions; to harmonize provisions; 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, 31:

Baker	Geist	Kolterman	Quick	Watermeier
Blood	Hansen	Lindstrom	Riepe	Williams
Bolz	Harr	McCollister	Scheer	Wishart
Brewer	Hilgers	McDonnell	Schumacher	
Chambers	Hilkemann	Morfeld	Smith	
Crawford	Howard	Murante	Vargas	
Ebke	Kolowski	Pansing Brooks	Walz	

Voting in the negative, 12:

Albrecht	Briese	Friesen	Hughes
Bostelman	Clements	Groene	Kuehn
Brasch	Erdman	Halloran	Lowe

Present and not voting, 3:

Larson	Linehan	Stinner
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Excused and not voting, 3:

Craighead	Krist	Wayne
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Having failed to receive a constitutional two-thirds majority voting in the affirmative, the bill failed to pass with the emergency clause attached.

MOTION(S) - Reconsider Action on LB331

Senator Stinner offered the following motion to LB331:

MO126

Reconsider the vote on the final passage with the emergency clause attached.

Senator Schumacher moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 30 ayes, 9 nays, and 10 not voting.

The Stinner motion to reconsider prevailed with 36 ayes, 5 nays, and 8 present and not voting.

BILL ON FINAL READING

The following bill was put upon final passage:

LEGISLATIVE BILL 331. With Emergency Clause.

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, 36:

Baker	Groene	Krist	Quick	Watermeier
Blood	Hansen	Lindstrom	Riepe	Wayne
Bolz	Harr	Linehan	Scheer	Williams
Chambers	Hilgers	McCollister	Schumacher	Wishart
Craighead	Hilkemann	McDonnell	Smith	
Crawford	Howard	Morfeld	Stinner	
Ebke	Kolowski	Murante	Vargas	
Geist	Kolterman	Pansing Brooks	Walz	

Voting in the negative, 12:

Albrecht	Brewer	Erdman	Hughes
Bostelman	Briese	Friesen	Kuehn
Brasch	Clements	Halloran	Lowe

Present and not voting, 1:

Larson

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 LB327 to Select File

Senator Erdman moved to return LB327 to Select File for the following specific amendment:

AM1375

(Amendments to Final Reading copy)

1 1. Strike the original sections, except for appropriations for the
 2 Tax Equity and Educational Opportunities Support Act and for programs of
 3 the Department of Correctional Services, and insert the budget amounts in
 4 effect for fiscal year 2016-17 as amended in LB22 in this legislative
 5 session and provisions for using the Cash Reserve Fund for payment of the
 6 increases in salaries for state employees negotiated by collective
 7 bargaining and health insurance increases for the 2017-19 biennium.

Pending.

MOTION(S) - Bracket LB327

Senator Chambers offered the following motion to LB327:
MO127
Bracket until June 2, 2017.

Senator Chambers withdrew his motion to bracket.

MOTION(S) - Return LB327 to Select File

Senator Erdman renewed his motion, found in this day's Journal, to return LB327 to Select File for his specific amendment, AM1375, found in this day's Journal.

Senator Erdman withdrew his motion to return.

MOTION(S) - Return LB327 to Select File

Senator Albrecht moved to return LB327 to Select File for the following specific amendment:
AM1369

(Amendments to Final Reading copy)

- 1 1. Strike every General Fund appropriation in this legislative bill
- 2 and insert an amount which is one percent less than such appropriation.
- 3 The Bill Drafter's Office with the assistance of the Legislative Fiscal
- 4 Analyst shall prepare the changes mandated by this amendment as part of
- 5 the regular engrossing process.

Senator Albrecht withdrew her motion to return.

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 LB327 with 41 ayes, 3 nays, and 5 present and not voting.

The following bill was put upon final passage:

LEGISLATIVE BILL 327. 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, 2019; 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, 36:

Baker	Groene	Krist	Pansing Brooks	Walz
Blood	Hansen	Lindstrom	Quick	Wayne
Bolz	Harr	Linehan	Riepe	Williams
Chambers	Hilgers	Lowe	Scheer	Wishart
Craighead	Hilkemann	McCollister	Schumacher	
Crawford	Howard	McDonnell	Smith	
Ebke	Kolowski	Morfeld	Stinner	
Geist	Kolterman	Murante	Vargas	

Voting in the negative, 12:

Albrecht	Brewer	Erdman	Hughes
Bostelman	Briese	Friesen	Kuehn
Brasch	Clements	Halloran	Watermeier

Present and not voting, 1:

Larson

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 332, 331, and 327.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 335. Placed on Final Reading.

LEGISLATIVE BILL 289A. Placed on Final Reading.

LEGISLATIVE BILL 512A. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 415. Placed on Select File with amendment. ER88 is available in the Bill Room.

(Signed) Anna Wishart, Chairperson

BILL ON FIRST READING

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

LEGISLATIVE BILL 415A. Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 415, One Hundred Fifth Legislature, First Session, 2017; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 139. Introduced by Bolz, 29.

PURPOSE: The State of Nebraska has a responsibility to protect the safety, permanency, and well-being of children in the child welfare system. The state also has a responsibility to effectively and efficiently manage child welfare resources. The purpose of this interim study is to analyze the best use of the state's child welfare resources in line with its goals. The study shall analyze:

- (1) Ways in which Nebraska is currently funding the child welfare system, including the use of state, philanthropic, and federal funding streams;
- (2) Funding sustainability and variability by region;
- (3) Funding sustainability and variability over time; and
- (4) The relationship between funding adequacy and the achievement of the goals of the child welfare system, including safety, permanency, and well-being for children and the impact on caseload ratios for caseworkers and the availability of services.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 140. Introduced by Bolz, 29.

PURPOSE: In 2015, the Legislature passed, and the Governor signed, LB243, which established a Family Finding pilot project. The intent of the project was to implement Family Finding initiatives to engage family members and develop permanent placements for young people in the foster care system.

The purpose of this interim study is to examine issues surrounding the Family Finding pilot project. The study committee shall receive input from

interested parties, including, but not limited to, child welfare service providers, individuals in the foster care system, and family members. The study committee shall make recommendations to the Legislature regarding the goals of the Family Finding initiatives that relate to long-term permanency for young people involved in the foster care system.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 141. Introduced by Bolz, 29.

PURPOSE: According to surveys of Nebraska businesses, workforce quality and availability is a top concern. By 2020, 38 percent of jobs in Nebraska will be middle-skill jobs-those requiring some postsecondary education but less than a bachelor's degree. To address the middle-skill employee gap and the use of career pathways as a workforce development strategy, this study shall examine the following:

(1) Nationwide best practices for promoting career education and training that can lead to job readiness for middle-skill positions;

(2) Innovative processes and programs through which training opportunities and educational programs have been established and fostered in other states; and

(3) Strategies and opportunities to produce individuals prepared for middle-skill jobs and how to best implement such strategies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 142. Introduced by Bolz, 29.

PURPOSE: In 2015, the Legislature passed, and the Governor signed, LB320, which established an aging and disability resource center (ADRC) demonstration project. ADRCs are designed to assist older Nebraskans and

individuals with disabilities by promoting the appropriate, effective, and efficient use of long-term care resources. The purpose of this interim study is to review the progress of the ADRC demonstration project and consider the long-term role of ADRCs in Nebraska. The study shall include:

(1) Input regarding the progress of the ADRCs from interested parties, to include, but not be limited to, the Department of Health and Human Services, the Area Agencies on Aging, the Nebraska Statewide Independent Living Council, the project managers for the ADRCs, advocates for the disability community, and advocates for the aging community; and

(2) Recommendations the Legislature should consider regarding the existing authority of the ADRCs and achieving the goals of the ADRCs, specifically with regard to information and referral, options for counseling, and mobility management.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 143. Introduced by Kolowski, 31; Pansing Brooks, 28.

PURPOSE: The purpose of this interim study is to examine pay equity issues. Nebraska has a long and proud tradition of ensuring equal opportunity in the workplace and has recently adopted, with broad political support, state-level reforms to further close the gender pay gap. However, studies show significant and persistent wage disparities for working women in this state, and these disparities are even more pronounced for women of color. Ensuring equal pay for equal work and addressing these disparities and other types of discrimination in the workplace is critical for eliminating invidious discrimination, ensuring equal opportunity for every Nebraskan to achieve his or her economic potential, and ensuring strong, economically self-sufficient families.

There is an emerging trend in many cities and states to convene relevant stakeholders, such as the business community, labor unions, civil rights organizations, women's advocacy and research organizations, and others to participate in this important dialogue and identify comprehensive solutions that benefit both employers and employees in affirmatively addressing persistent wage disparity and equal pay issues.

This study shall explore methods for eliminating the pay equity gap, including, but not limited to:

(1) Wage disclosure laws such as those proposed in LB83 (2015) and LB354 (2017);

(2) Successful state equal pay laws recently adopted in North Dakota, Connecticut, Oregon, Delaware, California, Illinois, New York, and Massachusetts;

(3) Federal laws and proposals, such as the recently enacted Lilly Ledbetter Fair Pay Act (2016) and the proposed Paycheck Fairness Act, Workplace Advancement Act, and Gender Advancement in Pay Act; and

(4) Any and all other potential remedies.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 144. Introduced by Howard, 9.

PURPOSE: The purpose of this resolution is to examine the effects of nonstandard and volatile job schedules on Nebraska businesses, workers, and families. Many Nebraska workers, particularly those in low-wage occupations, face challenges and a high degree of work-life conflict as a result of scheduling instability and "just in time" scheduling. Scheduling instability includes highly variable or inadequate hours, shifts in which an employee works a late-night shift followed immediately by an early morning shift, split shifts, and being sent home or called in to work at the last minute. This study shall include, but is not limited to, an examination of the following:

(1) A review of existing state law and national best practices for addressing challenges faced by workers with volatile work schedules;

(2) The role scheduling instability plays in contributing to financial insecurity for families;

(3) The impact of volatile scheduling on businesses, including, but not limited to, absenteeism, poor worker morale, and productivity;

(4) The consequences of scheduling volatility for families and children, including, but not limited to, access to licensed child care, continuity of child care, and the reliance on family relations to address such volatility;

(5) The extent to which scheduling instability contributes to churn in public assistance programs, in which individuals temporarily lose eligibility and then quickly requalify and reapply for assistance due to income volatility;

(6) The child care needs of workers with nonstandard and volatile job schedules and current child care options available to such employees; and

(7) The role that the growth of "just in time" scheduling and other technological advances have played in scheduling instability.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 145. Introduced by Howard, 9.

PURPOSE: The purpose of this interim study is to examine the importance of Title IV-E Funds and more specifically the federal adoption assistance program.

The adoption assistance program provides funds to states to facilitate the timely placement of children, who, due to special needs or circumstances, would otherwise be difficult to place, with adoptive families. Authorized under Title IV-E of the Social Security Act, the adoption assistance program provides federal matching funds, depending on the per capita income of the state. Assistance is contingent upon an approved state plan to administer the program. States must abide by reporting requirements to continue receiving funds. Funds are available for a one-time payment to assist with the costs of adopting a child as well as for monthly subsidies to adoptive families to assist with the care of the eligible child.

States may earn these adoption incentives in four ways: An increase in the number of children adopted from foster care; an increase in the number of children adopted at age nine or older; an increase in the number of children adopted with special needs and who are under the age of nine; or an increase in the rate at which children are adopted from foster care.

Questions to be addressed by the study include, but are not limited to, the following:

(1) What is the average annual amount of funding received through the federal adoption assistance program since its inception in 1997;

(2) Is it necessary to readdress the components of the Nebraska state plan in order to maximize funding through the federal adoption assistance program; and

(3) What is the average annual number of children receiving Title IV-E adoption assistance in Nebraska; and

4. How often has the use of adoption assistance funds resulted in family permanency for a child?

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 146. Introduced by Murante, 49.

PURPOSE: The purpose of this resolution is to examine any issues within the jurisdiction of the Government, Military and Veterans Affairs Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 147. Introduced by Crawford, 45.

PURPOSE: The purpose of this resolution is to conduct a comprehensive review of the Nebraska State Immunization Information System (NESIIS) and examine opportunities to increase the rate of immunizations reported to the system across the state. The study shall include, but not be limited to, an examination of the following issues:

(1) National best practices relating to mandatory immunization reporting requirements;

(2) The ability of facilities to effectively report to NESIIS with existing resources; and

(3) Opportunities to improve immunization data available to school districts through mandatory reporting to NESIIS.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 148. Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to study school meal programs in Nebraska, barriers to participation, and potential strategies to maximize the role of school meal programs in addressing child hunger. This study shall include, but not be limited to, an examination of the following issues:

- (1) Participation rates in school meal programs;
- (2) Barriers to participation, establishment, and maintenance of school meal programs;
- (3) The policies and procedures schools and school districts have in place regarding students' unpaid food accounts;
- (4) Models for increasing school breakfast participation, including, but not limited to, the community eligibility option; and
- (5) Any other related topics the study committee deems appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 149. Introduced by Linehan, 39; Wayne, 13.

PURPOSE: The purpose of this resolution is to study the administrative structure and organization of school districts across the state.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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.

VISITORS

Visitors to the Chamber were 41 fourth-grade students from St. Michael's School, Hastings; and 45 fourth-grade students and sponsors from Washington Elementary, Omaha.

RECESS

At 11:38 a.m., on a motion by Senator Brewer, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Watermeier who was excused; and Senators Baker, Lindstrom, and Wishart who were excused until they arrive.

PRESENTED TO THE GOVERNOR

Presented to the Governor on May 9, 2017, at 11:50 a.m. were the following: LBs 332e, 331e, and 327e.

(Signed) Jamie Leishman
Clerk of the Legislature's Office

RESOLUTION(S)

LEGISLATIVE RESOLUTION 150. Introduced by Hughes, 44; Groene, 42.

PURPOSE: The purpose of this resolution is to examine the ratio of administration, faculty, and support staff to student enrollment within secondary education in Nebraska. The study committee shall examine trends for the past ten and twenty years and the cost of each group.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 151. Introduced by Pansing Brooks, 28; Chambers, 11; Ebke, 32; Hilgers, 21; Krist, 10.

WHEREAS, in 1964, Gerald Gault, a 15-year-old boy, was taken into police custody without his parents being notified; was never advised of his constitutional rights, including his right to appointed counsel; and was

ordered to spend nearly six years in a state youth correctional agency for allegedly making a prank call, a charge never proven by constitutionally mandated standards; and

WHEREAS, on May 15, 1967, the U.S. Supreme Court announced its decision in *In re Gault*, 387 U.S. 1, finding that the constitutional guarantees of due process apply whenever children are brought before a juvenile court; and

WHEREAS, children brought before a juvenile court on delinquency or status charges are entitled to legal representation, because, as the U.S. Supreme Court found, a child "requires the guiding hand of counsel at every step in the proceedings against him"; and

WHEREAS, children brought before a juvenile court on delinquency or status charges are entitled to a timely notification of the charges against them; and

WHEREAS, children brought before a juvenile court on delinquency or status charges have the right to be protected against self-incrimination; and

WHEREAS, children brought before a juvenile court on delinquency or status charges have the right to question witnesses; and

WHEREAS, children who are our most vulnerable defendants are also our most valuable assets; and

WHEREAS, the year 2017 marks the 50th anniversary of the U.S. Supreme Court's landmark decision of *In re Gault*.

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

1. That the important legacy of the *In re Gault* decision is acknowledged.
2. That the necessity of providing due process protections for all children accused of a crime or status offense in Nebraska is recognized.
3. That all people of Nebraska are encouraged to recognize and honor the 50th anniversary of the *Gault* decision.
4. That the Legislature supports the improvement of the juvenile justice system in a manner that appreciates the unique nature of childhood and adolescence.
5. That the Legislature pledges itself to acknowledge and redress disparities in representation, due process, and decision making in the juvenile courts that remain for children 50 years after the *Gault* decision.

Laid over.

SPEAKER'S ANNOUNCEMENT

Pursuant to Rule 4, Section 8, LR151 was referred to the Reference Committee.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 152. Introduced by McDonnell, 5; Vargas, 7.

WHEREAS, National Hispanic Heritage Month was first celebrated in 1989, and grew out of National Hispanic Heritage Week, which was created by a joint resolution of Congress in 1968 and annual proclamations by the President each year since; and

WHEREAS, National Hispanic Heritage Month is observed from September 15 through October 15 and covers the independence days of Chile, Costa Rica, El Salvador, Guatemala, Honduras, Mexico, and Nicaragua and other cultural and historical holidays, including Día de la Raza (Day of the Race) and Día de Las Américas (Day of the Americas); and

WHEREAS, National Hispanic Heritage Month is a celebration and commemoration of Latin-American, Hispanic, and Latino history and culture; and

WHEREAS, the Latino/Latina community in Nebraska has made tremendous contributions in business, education, and civic engagement; and

WHEREAS, Latino people 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 FIFTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature designates September 15 through October 15, 2017, as Hispanic Heritage Month in the State of Nebraska.

2. That Nebraskans are encouraged to come together to recognize, commemorate, and celebrate the Latino and Latina people, 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.

Laid over.

LEGISLATIVE RESOLUTION 153. Introduced by Pansing Brooks, 28; Baker, 30; Hansen, 26; McCollister, 20; Morfeld, 46.

PURPOSE: Article I, section 1, of the Constitution of Nebraska states that all persons are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty, and the pursuit of happiness. Article 1, section 3, states that no person shall be deprived of life, liberty, or property, without due process of law, nor be denied equal protection of the laws.

Further, under both section 28-707 of the Nebraska Criminal Code and section 28-710 of the Child Protection and Family Safety Act, child abuse is defined as knowingly, intentionally, or negligently causing or permitting a minor child to be, among other things, placed in a situation that endangers his or her life or physical or mental health.

In order to protect the civil rights of lesbian, gay, bisexual, and transgender (LGBT) youth, six states have banned conversion therapy, which is the practice of attempting to change a person's sexual orientation or gender identity.

Recognizing the need to protect the civil rights and safety of Nebraska's vulnerable youth, this study shall include an examination of the following:

- (1) Whether forcing or coercing a minor into a conversion therapy program constitutes a civil rights violation;
- (2) Whether minors in Nebraska are currently being detained in conversion therapy facilities without due process of law;
- (3) Whether conversion therapy programs designed to change the sexual orientation of minors constitute a form of child abuse under existing Nebraska law;
- (4) The existence and practice of conversion therapy in Nebraska for minors; and
- (5) The risks and harm to minors that are associated with the practice of conversion therapy.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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.

GENERAL FILE

LEGISLATIVE RESOLUTION 1CA. Senator Wayne offered his motion, MO10, found on page 220, to indefinitely postpone pursuant to Rule 6, Section 3(f).

Senator Murante moved the previous question. The question is, "Shall the debate now close?" The motion prevailed with 26 ayes, 8 nays, and 15 not voting.

Senator Wayne moved for a call of the house. The motion prevailed with 35 ayes, 1 nay, and 13 not voting.

Senator Wayne requested a roll call vote on his motion to indefinitely postpone.

Voting in the affirmative, 18:

Blood	Ebke	Kolowski	Morfeld	Wayne
Bolz	Hansen	Krist	Pansing Brooks	Wishart
Chambers	Harr	McCollister	Quick	
Crawford	Howard	McDonnell	Vargas	

Voting in the negative, 25:

Albrecht	Clements	Groene	Kuehn	Riepe
Bostelman	Craighead	Halloran	Larson	Scheer
Brasch	Erdman	Hilgers	Linehan	Smith
Brewer	Friesen	Hilkemann	Lowe	Stinner
Briese	Geist	Hughes	Murante	Williams

Present and not voting, 2:

Schumacher Walz

Excused and not voting, 4:

Baker Kolterman Lindstrom Watermeier

The Wayne motion to indefinitely postpone failed with 18 ayes, 25 nays, 2 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Read. Considered.

Senator Murante offered the following motion:

MO128

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Murante moved for a call of the house. The motion prevailed with 25 ayes, 0 nays, and 24 not voting.

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

Voting in the affirmative, 26:

Albrecht	Craighead	Hilgers	Linehan	Stinner
Bostelman	Erdman	Hilkemann	Lowe	Williams
Brasch	Friesen	Hughes	Murante	
Brewer	Geist	Kolterman	Riepe	
Briese	Groene	Kuehn	Scheer	
Clements	Halloran	Larson	Smith	

Voting in the negative, 17:

Blood	Hansen	Krist	Quick	Wishart
Bolz	Harr	McDonnell	Schumacher	
Chambers	Howard	Morfeld	Vargas	
Crawford	Kolowski	Pansing Brooks	Wayne	

Present and not voting, 3:

Ebke	McCollister	Walz
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Excused and not voting, 3:

Baker	Lindstrom	Watermeier
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The Murante motion to invoke cloture failed with 26 ayes, 17 nays, 3 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

MESSAGE(S) FROM THE GOVERNOR

May 9, 2017

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 97, 152, 172, 223e, 253, 257, 300, 323, 346, 478e, 481, 509, 509A, and 605e were received in my office on May 3, 2017.

These bills were signed and delivered to the Secretary of State on May 9, 2017.

(Signed) Sincerely,
 Pete Ricketts
 Governor

RESOLUTION(S)**LEGISLATIVE RESOLUTION 154.** Introduced by Howard, 9.

PURPOSE: The purpose of this resolution is to examine Nebraska's utilization of Temporary Assistance for Needy Families (TANF) funds. The study should focus on, but not be limited to, gathering information on utilization, transfer, and availability of TANF block grant funds. The study should also include a breakdown of funding utilization by use including, but not limited to, basic assistance, administration, work-related activities, child care, tax credits, pregnancy prevention, and other non-assistance, as well as specific uses within those categories.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 155. Introduced by Howard, 9.

PURPOSE: Nationally, an estimated 11 percent of students experience campus rape, sexual assault, or sexual violence, with rates as high as 23 percent for female undergraduate students. Campus policies, law enforcement, and proactive action all play a role in reducing rates of campus sexual assault and ensuring that victims are protected when they report such assaults.

The purpose of this interim study is to examine campus policies and efforts aimed at reducing incidents of campus sexual violence and protecting the victims of such violence in Nebraska. This study will also compare practices in Nebraska with national best practices in reducing campus sexual violence. The study shall include, but is not limited to:

(1) A compilation and examination of campus policies surrounding rape, sexual assault, and any other category of campus sexual violence or behavior, for all campuses of the University of Nebraska, for all colleges in the Nebraska State College System, and for each community college. Additionally, private institutions of higher education are encouraged to participate; and

(2) Recommendations as to any statutory changes the Legislature should make in order to promote campus actions that reduce sexual violence, recommendations to campuses to reduce rates of sexual violence, and any relevant recommendations to improve protection for victims of campus sexual violence.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 156. Introduced by Howard, 9.

PURPOSE: The purpose of this resolution is to study the ongoing implementation of the Child Care and Development Block Grant Act of 2014 and related state law and policy. The study committee shall assess needs, issues, and innovative opportunities arising from the implementation of the federal act and shall determine the next steps for the Legislature to maximize and ensure compliance, by October 1, 2018, with the final rule of the Office of Child Care, Administration for Children and Families, United States Department of Health and Human Services.

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

(1) Examining current child care licensing application processes and process improvement;

(2) Reviewing opportunities to improve child care licensing regulations to exceed the minimum requirements necessary to protect the health and safety of children;

(3) Exploring how to track information on the extent of provider participation in the child care subsidy program and barriers to participation;

(4) Exploring how to track information on access to the child care subsidy program for eligible children and also by race and ethnicity;

(5) Reviewing payment rates as well as late or delayed payments and obstacles that may force some providers to stop serving or limit the number of children receiving subsidies;

(6) The estimated cost of care necessary to support higher-quality care;

(7) Reviewing payment rates in accordance with the results of the most current market rate survey;

(8) Exploring the continued use of the current market rate survey methodology or the utilization of an alternative methodology in setting payment rates within the context of market conditions so that rates are sufficient to provide equal access to the full range of child care services, including high-quality care; and

(9) Reviewing the federal statutory requirement for equal access to available child care for families served through the child care subsidy program and ensuring payment rates meet new federal guidance.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 157. Introduced by Bolz, 29.

PURPOSE: The purpose of this interim study is to examine the January 1, 2017 implementation of the managed care delivery system for the State of Nebraska. The study will examine the implementation of the Heritage Health program and related experiences of providers and consumers.

The study shall include an examination of the following issues:

(1) Authorizations, credentialing, contracting, claims payments, and administrative procedures;

(2) The experiences of providers and consumers in accessing services;

(3) Successes and challenges in implementation of managed care; and

(4) The impact of managed care on the state budget.

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

1. That the Appropriations Committee of the Legislature, in cooperation with the Health and Human Services Committee of the Legislature, shall be designated to conduct a joint interim study to carry out the purposes of this resolution.

2. That the committees shall by December 1, 2017, make a report of their findings, together with their recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 158. Introduced by Williams, 36.

PURPOSE: The purpose of this resolution is to study whether the unclaimed property laws of this state should be updated. The study should include an examination of LB141, One Hundred Fifth Legislature, First Session, 2017, which proposes replacing the current Uniform Disposition of Unclaimed Property Act, sections 69-1301 to 69-1329 of the Nebraska Revised Statutes, with the Revised Uniform Unclaimed Property Act (2016) drafted by the National Conference of Commissioners on Uniform State Laws. In order to carry out the purpose of this resolution, the committee should seek the assistance of the State Treasurer, members of the National Conference of Commissioners on Uniform State Laws, and interested persons as the committee deems necessary and appropriate.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 159. Introduced by Hughes, 44.

PURPOSE: The purpose of this resolution is to examine any issues within the jurisdiction of the Natural Resources Committee of the Legislature.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 160. Introduced by Hughes, 44; Wayne, 13.

PURPOSE: The purpose of this interim study is to examine the ability of municipalities in Nebraska to offer relocation incentives to attract new residents. The issues addressed by this interim study shall include, but not be limited to:

(1) A review of current relocation incentives that can be offered by municipalities in this state, including incentives under the Local Option Municipal Economic Development Act, commonly referred to as LB 840;

(2) A review of relocation incentives currently being offered by municipalities in other states; and

(3) An examination of provisions in the Constitution of Nebraska that could potentially limit the ability of the Legislature to authorize municipalities to offer relocation incentives.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 161. Introduced by Smith, 14.

PURPOSE: The purpose of this resolution is to examine the structure and administration of, and compliance with, state individual income and corporate income taxes, including financial institution and insurance premium taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 Smith, 14.

PURPOSE: The purpose of this resolution is to examine the structure and administration of, and compliance with, state and local sales and use taxes and any other miscellaneous taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 163. Introduced by Smith, 14.

PURPOSE: The purpose of this resolution is to examine the structure and administration of, and compliance with, real and personal property taxes.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 164. Introduced by Quick, 35; Friesen, 34.

PURPOSE: Tourism generates more revenue than all but two other industries in Nebraska, making the quality of sites that attract tourists important to this state's economy. The purpose of this resolution is to study the need for restoration, development, and capital improvement of sites that attract tourists to and within Nebraska, as well as potential sources of funding, including state and local resources, for such restoration and development. All reasonable sources of possible funding should be explored, including the potential for creation of tourism improvement districts. This study should also consider what legislation might be necessary and prudent to enable the creation of such districts and other funding sources.

In order to carry out the purposes of this resolution, the study committee shall consider the input of interested persons, including the tourism industry and the Nebraska Tourism Commission, as the committee deems necessary and beneficial.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 165. Introduced by Brasch, 16; Albrecht, 17.

WHEREAS, Trevor Hasenkamp and Nick Svoboda read about the tragic fires in Kansas, Oklahoma, and Texas and responded by organizing help for the ranchers in need; and

WHEREAS, Bill Hasenkamp, Mark Dinslage, Robert Schneider, Taron Hasenkamp, Matt Heiman, Keith Thomsen, Timothy Eichelberger, Dave Gaer, and Chaundra Hasenkamp joined the effort to deliver fencing materials and cattle feeding products to the ranchers near Ashland in southwest Kansas; and

WHEREAS, the farming community came together to donate two flatbeds of supplies and eight semis loaded with hay; and

WHEREAS, the young farmers are continuing to accept donations for ongoing expenses and plan to return to Kansas to provide more help.

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

1. That the Legislature honors Trevor Hasenkamp, Nick Svoboda, Bill Hasenkamp, Mark Dinslage, Robert Schneider, Taron Hasenkamp, Matt Heiman, Keith Thomsen, Timothy Eichelberger, Dave Gaer, Chaundra Hasenkamp, and all those who donated to their efforts to assist ranchers facing unimaginable losses.

2. That copies of this resolution be sent to Trevor Hasenkamp, Nick Svoboda, Bill Hasenkamp, Mark Dinslage, Robert Schneider, Taron Hasenkamp, Matt Heiman, Keith Thomsen, Timothy Eichelberger, Dave Gaer, and Chaundra Hasenkamp.

Laid over.

LEGISLATIVE RESOLUTION 166. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to better understand the scope and breadth of mental health education currently provided in Nebraska schools and to study the reasons mental health education is, or is not, taught in K-12 health classes. Mental health amongst youth is a growing concern, with more young people being diagnosed with mental illnesses every year. In order to carry out the purposes of this resolution, the study committee shall seek the assistance and input of mental and physical health care professionals, teachers and administrators from public schools, staff members of the Nebraska Department of Education, and mental health advocates within the community. The study committee shall:

(1) Obtain information regarding how many adolescents in Nebraska are currently diagnosed with a mental illness;

(2) Determine the state of mental health education in various schools and the capacity of schools to offer this type of curriculum;

(3) Understand the research on the potential effects of mental health education on students with mental health concerns and their peers, parents, and teachers;

(4) Determine the appropriate scope and sequence for mental health education;

(5) Develop a plan of action to increase mental health education; and

(6) Examine the training in teacher preparation programs related to mental health education.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 167. Introduced by Morfeld, 46.

PURPOSE: The purpose of this interim study is to examine ways to improve the coverage of hearing aid costs for Nebraska families. The study committee shall coordinate with the Commission for the Deaf and Hard of Hearing and work with interested stakeholders to identify the areas of concern, conduct necessary research, and explore various ways to address the needs identified. The issues addressed by this interim study shall include, but not be limited to:

- (1) How other states cover hearing aid costs;
- (2) Whether hearing aid coverage should be included as an essential health benefit under the federal Patient Protection and Affordable Care Act or other applicable federal provisions;
- (3) An examination of health insurance coverage options for persons requiring hearing aids; and
- (4) Recommendations on how to improve the services being provided by the hearing aid banks.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 168. Introduced by Lowe, 37; Albrecht, 17; Crawford, 45; Halloran, 33; Howard, 9.

PURPOSE: The purpose of this interim study is to examine the feasibility of adopting a workers' compensation drug formulary. The study committee shall examine the following:

- (1) Whether prescribing practices in workers' compensation cases affect or contribute to the prescription opioid problem;
- (2) Whether the use of a drug formulary would result in more efficient delivery of medications, provide workers with reasonable and necessary care and treatment, and reduce utilization of habit-forming opioids and narcotics;
- (3) The extent to which use of a workers' compensation drug formulary would provide savings in workers' compensation claims;
- (4) Whether the use of a drug formulary can decrease the length of disability for injured workers and increase return-to-work rates and outcomes; and

(5) Whether a workers' compensation drug formulary, if adopted, should cover all prescription drugs or be limited to only controlled substances or only opioids.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 169. Introduced by Williams, 36; Crawford, 45; Howard, 9.

PURPOSE: The purpose of this study is to examine whether the birth defects registry laws of this state should be updated. The birth defects registry laws have not been substantially revised since being enacted in 1972. The study shall examine the purpose and use of the registry to determine if updates to the laws are necessary to increase education and awareness about birth defects.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 170. Introduced by Groene, 42; Ebke, 32; Erdman, 47; Linehan, 39; Morfeld, 46.

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 FIFTH 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 171. Introduced by Brewer, 43; Brasch, 16.

PURPOSE: The purpose of this resolution is to examine instruments for accomplishing the purposes of LB499, introduced during the 2017 legislative session, which sought to minimize conflict in the availability and utilization of bee forage resources between domestic apiaries and the temporary placement of out-of-state commercial apiaries during the bee foraging season. The study shall:

- (1) Gather examples of distance buffers recommended by the beekeeping industry and regulatory standards utilized by other states;
- (2) Examine regulatory, enforcement, and educational measures available to accomplish the purposes of LB499;
- (3) Develop estimates of any costs to the state or other public or private entities; and
- (4) Develop options to fund any activities related to the purposes of the bill. The study committee shall solicit the advice and input of beekeeping organizations, individual beekeepers, and others with relative expertise.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 172. Introduced by Wishart, 27.

PURPOSE: The Department of Correctional Services has experienced significant issues in the recruitment and retention of staff throughout their system. Currently, there are several facilities with more significant issues than others, including the Nebraska State Penitentiary, the Lincoln Correctional Center, and the Tecumseh State Correctional Institute.

In a recent staff survey completed by the Inspector General of the Nebraska Correctional System, only 28.4% of those who responded indicated that they were satisfied with their employment. In addition, only 16.9% of those who responded agreed with the statement that the department is headed in a positive direction, and only 44.1% of those who responded saw themselves working for the department in three years.

The purpose of this interim study is to review recruitment and retention efforts that are currently or could potentially be undertaken by the department. The study shall include:

(1) An examination of the vacancies and staffing challenges at each facility;

(2) A review of Department of Administrative Services' policies that impact the ability of the Department of Correctional Services to recruit and retain staff;

(3) An examination of the work environment throughout the correctional system; and

(4) Any recommendations regarding the improvement of the work environment, salary structure, recruitment and retention strategies, and any other related efforts that could be made by the Department of Correctional Services to address its staffing situation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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 173. Introduced by Wishart, 27.

PURPOSE: As inmates move through the state correctional system with the goal of reentering society, two of the keys to success are obtaining job skills and saving funds. Currently, inmates who reach a community corrections center are engaged in either a work detail position or a work release position. Inmates in other facilities may be eligible for other job opportunities within those facilities. In a work detail position, an inmate typically works for a state agency and earns a small wage. In a work release position, an inmate actually works in a community and is able to earn at least the minimum wage.

The purpose of this interim study is to review the work detail and work release efforts at the community corrections centers and also to review whether other inmates, such as inmates classified as minimum custody, would be able to fill at least some of the work detail positions. This would enable such inmates to gain key job skills and would potentially make additional work release opportunities available. The study committee should also review the function of the Work Ethic Camp in McCook and examine whether this facility could be utilized in a new manner that would assist inmates in successfully transitioning back into their communities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED FIFTH 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.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LR151	Judiciary

(Signed) John Kuehn, Vice Chairperson
Executive Board

VISITORS

Visitors to the Chamber were members of Dawson Area Development Leadership class, from Dawson County.

The Doctor of the Day was Dr. Josue Gutierrez from Lincoln/Crete.

ADJOURNMENT

At 2:50 p.m., on a motion by Senator Ebke, the Legislature adjourned until 9:00 a.m., Wednesday, May 10, 2017.

Patrick J. O'Donnell
Clerk of the Legislature

