

FORTY-SEVENTH DAY - JULY 23, 2020**LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE
SECOND SESSION****FORTY-SEVENTH DAY**

Legislative Chamber, Lincoln, Nebraska
Thursday, July 23, 2020

PRAYER

The prayer was offered by Senator Crawford.

ROLL CALL

Pursuant to adjournment, the Legislature met at 9:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Cavanaugh, B. Hansen, McCollister, Morfeld, Pansing Brooks, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-sixth day was approved.

COMMITTEE REPORT(S)

Natural Resources

The Natural Resources 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.

Karl Barfuss - Environmental Quality Council
Dennis D. Grams - Environmental Quality Council
Seth B. Harder - Environmental Quality Council

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Dallen R. Juelfs - Oil and Gas Conservation Commission
John Arley Rundel - Nebraska Oil and Gas Conservation Commission

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Felix B. Davidson - Nebraska Environmental Trust Board

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Elizabeth A. Hilyard - Nebraska Power Review Board

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Timothy L. Else - Nebraska Ethanol Board

Aye: 8. Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

The Natural Resources 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.

Dan C. Kreitman - Game and Parks Commission

Aye: 7. Albrecht, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 1. Bostelman.

(Signed) Dan Hughes, Chairperson

AMENDMENT(S) - Print in Journal

Senator Quick filed the following amendment to LB911A:
[AM3148](#)

(Amendments to Final Reading copy)

- 1 1. Strike the original sections and insert the following:
- 2 Section 1. There is hereby appropriated \$270,000 from the Nebraska
- 3 Veteran Cemetery System Operation Fund for FY2020-21 to the Department of
- 4 Veterans' Affairs, for Program 938, to aid in carrying out the provisions
- 5 of Legislative Bill 911, One Hundred Sixth Legislature, Second Session,
- 6 2020.
- 7 No expenditures for permanent and temporary salaries and per diems
- 8 for state employees shall be made from funds appropriated in this
- 9 section.
- 10 Sec. 2. Since an emergency exists, this act takes effect when
- 11 passed and approved according to law.

MOTION(S) - Suspend Rules

Senator Wayne offered his motion, found on page 1041, to suspend the rules, Rule 5, Section 4(c) to permit the introduction of a new bill, Req. 6133, after the tenth legislative day by a member.

SPEAKER SCHEER PRESIDING

Senator Wayne moved for a call of the house. The motion prevailed with 31 ayes, 1 nay, and 17 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to suspend the rules.

Voting in the affirmative, 32:

Blood	DeBoer	Howard	McCollister	Walz
Bolz	Dorn	Hunt	Morfeld	Wayne
Brandt	Gragert	Kolowski	Moser	Williams
Briese	Groene	Kolterman	Pansing Brooks	Wishart
Cavanaugh	Hansen, B.	Lathrop	Quick	
Chambers	Hansen, M.	Lindstrom	Scheer	
Crawford	Hilkemann	Linehan	Vargas	

Voting in the negative, 4:

Albrecht	Erdman	Friesen	Hilgers
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Present and not voting, 12:

Arch	Clements	Hughes	McDonnell
Bostelman	Geist	La Grone	Murman
Brewer	Halloran	Low	Slama

Excused and not voting, 1:

Stinner

The Wayne motion to suspend the rules prevailed with 32 ayes, 4 nays, 12 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1222. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to municipalities; to adopt the Municipal Police Oversight Act.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 361. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to examine matters related to the upcoming redistricting process in Nebraska. The study shall specifically examine, but not be limited to, the following matters:

- (1) The effect of the COVID-19 pandemic on redistricting and the census;
- (2) The effect of the delayed deadline for census data to be collected and the expected delay in receiving census data for the redistricting process;
- (3) Information on what other states are doing to mitigate difficulties in the redistricting process related to COVID-19;
- (4) The impact on redistricting if there is a change in the number of legislative districts;
- (5) Best practices to add transparency to the process of redistricting through legislative rule changes or other means;
- (6) Information about past redistricting practices in Nebraska that might help to aid the process of redistricting;
- (7) Best redistricting practices to comply with state and federal law, ensure fair minority representation, ensure fair distribution of legislative districts throughout the state, and ensure Nebraskans are confident in the redistricting process; and
- (8) Any other matters related to redistricting that will help the Legislature to fairly complete its redistricting duties in a timely manner.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the Executive Board of the Legislative Council 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 362. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to conduct an in-depth review of the financing of special education in public primary and secondary schools.

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

(1) The methods of financing special education in public schools, including methods in other states that would provide equitable education across the state;

(2) The percentage of special education funding received from federal, state, and local sources, and how the ratio of funding from these sources has changed over the past ten years;

(3) The maintenance of effort requirements regarding federal funding for special education; and

(4) The annual change in special education expenditures in school districts of various sizes.

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 363. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to conduct an in-depth review of the financing of the public elementary and secondary schools.

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

(1) The methods of financing public elementary and secondary schools, including methods used in other states, which would provide equitable educational opportunities across the state and offer alternatives to a heavy reliance on property taxes;

(2) The option of using income as a component in the financing of public elementary and secondary schools;

(3) The option of using sales tax as a component in the financing of public elementary and secondary schools, including, but not limited to, an examination of the experience of any other states with such option;

(4) Financing issues as they relate to the quality and performance of public elementary and secondary schools;

(5) Options for funding college-readiness and career-readiness programs, including, but not limited to, programs of excellence, dual-enrollment courses, and career academies;

(6) The costs and resources necessary to meet the diverse and growing needs of students across the state, including, but not limited to, the needs of students in poverty and limited English proficiency students;

(7) Methods used by other states to fund public elementary and secondary school infrastructure needs;

(8) Options for funding distance learning programs;

(9) The effects of the COVID-19 outbreak on school finance; and

(10) Other issues related to public elementary and secondary school finance, as necessary.

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 364. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to conduct an in-depth review of the use of plastic shopping bags and single-use checkout bags.

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

(1) Legislation enacting fees or bans on plastic shopping bags and single-use checkout bags, including the effects of such legislation on reducing the use of such bags;

(2) The effectiveness of different fee amounts in reducing the use of plastic shopping bags and single-use checkout bags;

(3) The impact of such fees on low-income individuals or those who rely on benefits from the Supplemental Nutrition Assistance Program or other similar programs;

(4) The implementation of such fees in other jurisdictions;

(5) Environmental impacts of plastic shopping bags and single-use checkout bags, including, but not limited to, the impacts on farmland, livestock, and water treatment plants; and

(6) Possible methods to produce and distribute reusable canvas shopping bags.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SIXTH LEGISLATURE OF NEBRASKA, SECOND 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 365. Introduced by DeBoer, 10.

PURPOSE: The purpose of this interim study is to conduct an in-depth review of the use of highway cable barriers on Nebraska's highways.

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

- (1) The use of highway cable barriers in the medians of divided highways in other states, including the cost of installing such barriers and the effect on traffic fatalities since installation;
- (2) The projected cost of installing highway cable barriers on Nebraska's divided highways;
- (3) The effectiveness of highway cable barriers on highway stretches with varying traffic levels and median widths; and
- (4) The projected decrease in traffic fatalities or property damage as a result of highway barrier cables.

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 366. Introduced by McCollister, 20.

WHEREAS, National Environmental Education Week is the nation's largest celebration of environmental education; and

WHEREAS, during National Environmental Education Week educators, students, government agencies, businesses, communities, and nonprofits collaborate to inspire environmental learning and encourage good stewardship of our essential resources of land, air, and water; and

WHEREAS, the environment sustains life on earth and provides all living beings with physical and psychological benefits; and

WHEREAS, environmental education has the power to transform lives and society while it informs, inspires, and motivates; and

WHEREAS, the field of environmental education raises awareness of issues impacting the environment on which we all depend, as well as actions we can take to improve and sustain it; and

WHEREAS, in 2019 the National Environmental Education Foundation created the Greening STEM education program model for tackling real-world challenges and engaging students with the natural environment; and

WHEREAS, the Nebraska Alliance for Conservation and Environment Education fosters a community of conservation and environmental education professionals by providing coordination, promotion, and education opportunities across Nebraska.

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

1. That the Legislature recognizes April 20 through 24, 2020, as National Environmental Education Week.

2. That a copy of this resolution be sent to the National Environmental Education Foundation and the Nebraska Alliance for Conservation and Environment Education.

Laid over.

LEGISLATIVE RESOLUTION 367. Introduced by Dorn, 30.

PURPOSE: As partners in delivering essential governmental duties to citizens in Nebraska, county governments undertake implementing statutorily required services on a daily basis. Numerous required services have statutorily set fees or fines. This study shall examine these set fee and fine amounts and the costs experienced by county governments when administering the associated services.

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.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 247. Placed on Final Reading.

LEGISLATIVE BILL 797. Placed on Final Reading.

LEGISLATIVE BILL 803. Placed on Final Reading.[ST60](#)

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

1. On page 1, line 4, "Pulse Crop Resources Act" has been struck and "Dry Pea and Lentil Resources Act; to create a commission and a fund" inserted; and line 9 has been struck and "and to repeal the original sections." inserted.

LEGISLATIVE BILL 803A. Placed on Final Reading.**LEGISLATIVE BILL 808.** Placed on Final Reading.[ST61](#)

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

1. In the E&R Amendments, ER196:
a. On page 109, line 18, "76-902," has been struck; and in line 24 "and 21-201" has been struck and ", 21-201, and 81-885.24" inserted; and
b. On page 110, lines 1 and 2, "and change tax provisions for property transferred under the act" has been struck; in line 5 "to define and eliminate certain terms under the Nebraska Appraisal Management Company Registration Act;" has been inserted after the first semicolon; and the matter beginning with "provide" in line 7 through "prescribed" in line 8 has been struck and "change provisions under the Nebraska Real Estate License Act" inserted.

LEGISLATIVE BILL 832. Placed on Final Reading.**LEGISLATIVE BILL 881.** Placed on Final Reading.[ST59](#)

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

1. In the Standing Committee amendments, AM2628, section 17 has been struck and the following new section inserted: Sec. 28. Original sections 27-1103, 28-713.01, and 29-1406, Reissue Revised Statutes of Nebraska, sections 29-901, 29-1407.01, 29-1822, 29-2004, 29-2005, 29-2206, 29-2264, and 29-3005, Revised Statutes Cumulative Supplement, 2018, and sections 27-404, 27-413, 28-101, 28-311.11, 28-318, 28-710, 28-713, 29-110, 29-1823, and 29-4003, Revised Statutes Supplement, 2019, are repealed.

2. On page 1, the matter beginning with "criminal" in line 1 through "section" in line 4 and all amendments thereto has been struck and "criminal and civil procedure; to amend sections 27-1103, 28-713.01, and 29-1406, Reissue Revised Statutes of Nebraska, sections 29-901, 29-1407.01, 29-1822, 29-2004, 29-2005, 29-2206, 29-2264, and 29-3005, Revised Statutes Cumulative Supplement, 2018, and sections 27-404, 27-413, 28-101, 28-311.11, 28-318, 28-710, 28-713, 29-110, 29-1823, and 29-4003, Revised Statutes Supplement, 2019; to require cities of the primary class and metropolitan class to make an annual report on the number of untested sexual assault evidence collection kits; to change provisions relating to evidence; to define and redefine terms; to provide for the admission of expert testimony on eyewitness identification and memory as prescribed; to change provisions relating to sex offenses and the Child Protection and Family Safety Act; to create the offense of sexual abuse by a school employee and provide a penalty; to change the statute of limitations for failure to report child abuse or neglect; to change provisions relating to bail; to require appointment of counsel as prescribed; to change provisions relating to grand jury transcripts and competency for criminal proceedings; to provide powers for the Department of Health and Human Services; to change provisions relating to alternate jurors; to state intent regarding construction; to prohibit holding a defendant in custody awaiting trial beyond a prescribed period; to change provisions relating to collection of fines and costs and setting aside convictions; to provide for applicability; to change provisions under the Sex Offender Registration Act; to harmonize provisions; to provide a duty for the Revisor of Statutes; and to repeal the original sections" inserted.

LEGISLATIVE BILL 912. Placed on Final Reading.[ST57](#)

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

1. In the E&R amendments, ER206, on page 15, line 22, "Special Proceedings" has been struck and "Expedited Civil Actions" inserted.

LEGISLATIVE BILL 1060. Placed on Final Reading.
LEGISLATIVE BILL 1183. Placed on Final Reading.
LEGISLATIVE BILL 1186. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 783. Title read. Considered.

Committee [AM2775](#), found on page 923, was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

LEGISLATIVE BILL 1158. Title read. Considered.

Committee [AM2851](#), found on page 931, was offered.

Senator Arch offered his amendment, [AM2980](#), found on page 1004, to the committee amendment.

The Arch amendment was adopted with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

The committee amendment, as amended, was adopted with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 705. Placed on Final Reading.
LEGISLATIVE BILL 751. Placed on Final Reading.
LEGISLATIVE BILL 760. Placed on Final Reading.

LEGISLATIVE BILL 850. Placed on Final Reading.
[ST64](#)

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

1. On page 2, line 2, the first comma has been struck.

LEGISLATIVE BILL 911. Placed on Final Reading.
LEGISLATIVE BILL 911A. Placed on Final Reading.
LEGISLATIVE BILL 1028. Placed on Final Reading.

LEGISLATIVE BILL 1130. Placed on Final Reading.**ST58**

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

1. On page 1, the matter beginning with the second "to" in line 5 through line 6 has been struck and "and to repeal the original sections." inserted.

(Signed) Julie Slama, Chairperson

RESOLUTION(S)**LEGISLATIVE RESOLUTION 368.** Introduced by Kolterman, 24.

PURPOSE: The purpose of this resolution is to study and analyze underinvestment in primary care in the State of Nebraska. Primary care is the essential foundation of a successful, sustainable health care system. Primary care helps prevent illness and death and is associated with a more equitable distribution of health. Primary care treatment not only improves the health of patients, it is also a highly effective use of health care dollars. It is estimated that almost forty percent of emergency department visits and roughly ten to seventeen percent of inpatient hospitalization costs are preventable. Primary care can help save money on these preventable visits. Primary care is important to the health of individuals and has consequential results for both the cost and quality of a patient's health care, whether such care is funded privately or by public means.

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

- (1) The current amount of health care spending in Nebraska, both public and private, on primary care;
- (2) Whether the Legislature should establish reporting requirements for primary care spending for public and private health care payors;
- (3) The public health benefits for citizens of the state if the Legislature were to establish a minimum level of primary care spending for public and private health care payors;
- (4) The potential cost savings for the state if the Legislature were to establish a minimum level of primary care spending for public and private health care payors; and
- (5) The public health benefits and cost savings achieved by other states which have implemented such measures related to primary care spending.

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.
3. That the study committee shall draft legislation for introduction at the commencement of the 107th Nebraska Legislature to carry out the study committee's recommendations.

Referred to the Executive Board.

RECESS

At 11:49 a.m., on a motion by Senator Hughes, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Blood who was excused; and Senators Chambers, Clements, Dorn, Hilkemann, Hunt, Linehan, McDonnell, Stinner, Vargas, Walz, Wayne, and Wishart who were excused until they arrive.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 369. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Briese, 41; Crawford, 45; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this interim study is to review the occupational regulations for fire alarm inspectors. Such a review is required by section 84-948, and this study fulfills the requirements of the Occupational Board Reform Act. The study shall include an examination of the guidelines issued by the State Fire Marshal to determine qualifications for fire alarm inspectors pursuant to section 28-1251.

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 370. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Briese, 41; Crawford, 45; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this interim study is to examine the statutes governing all classes of municipalities in Chapter 18 of the Nebraska

Revised Statutes. The goal of the study shall be to update and modernize statutes through the elimination of obsolete, antiquated, and duplicate statutory language.

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 371. Introduced by Urban Affairs Committee: Wayne, 13, Chairperson; Arch, 14; Briese, 41; Crawford, 45; Hansen, M., 26; Hunt, 8; Lowe, 37.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the Urban 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 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 372. Introduced by Wayne, 13.

PURPOSE: The purpose of this interim study is to examine the impact of sanitary and improvement districts on residential neighborhood development in Nebraska.

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

(1) A comparison of residential neighborhood development in municipalities that encourage the use of sanitary and improvement districts and municipalities that do not encourage the use of sanitary and improvement districts;

(2) A review of the impact of sanitary and improvement districts on the availability of affordable housing in municipalities that encourage sanitary and improvement districts; and

(3) An examination of the impact of sanitary and improvement districts on racial and socioeconomic segregation within metropolitan statistical areas.

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 373. Introduced by Albrecht, 17.

PURPOSE: The purpose of this study is to conduct a comprehensive review of statutory and regulatory policies of the State of Nebraska as they pertain to Nebraska's biofuels industry, and to determine what changes are needed to further enhance and promote the biofuels industry in Nebraska. The study shall include, but not be limited to, an examination of the following:

(1) Current state-supported funding provisions that promote and enhance higher blends of biofuels and increased sales of biofuels to consumers in Nebraska;

(2) Current state-authorized collection of data with regard to a variety of higher blends of biofuels;

(3) Current state and national regulations that may be impeding the growth and stability of Nebraska's biofuels industry;

(4) Current tax provisions that either support or hinder biofuels production and sales in Nebraska;

(5) A potential policy of replacing current E10 retail pump offerings with E15 offerings and the economic impact this proposal would have on the ethanol industry and ethanol sales in Nebraska, if enacted;

(6) Potential statutory and regulatory changes that would be necessary to support a "Clean Fuels Standard" in Nebraska similar to what is being considered in several other Midwestern states;

(7) State-level policies that have been implemented in other states to promote higher biofuel sales and enhance the biofuels industry in their states;

(8) Opportunities that exist for biofuels to be used in the renewable chemical processes and other similar processes that may diversify the use of, and increase the demand for, Nebraska produced biofuels; and

(9) The current level of research being conducted in Nebraska on the use of biofuels and determine what future research needs there may be with regard to biofuels.

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 work in close consultation with the Nebraska Ethanol Board to complete the above interim study.

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.

COMMITTEE REPORT(S)
Urban Affairs

LEGISLATIVE BILL 1021. Placed on General File with amendment. [AM2988](#) is available in the Bill Room.

(Signed) Justin Wayne, Chairperson

AMENDMENT(S) - Print in Journal

Senator M. Hansen filed the following amendment to [LB927](#):
[AM3152](#)

(Amendments to Standing Committee amendments, AM2822)

- 1 1. Insert the following new section:
- 2 Sec. 2. The following sum of money, or so much thereof as may be
- 3 required, is hereby appropriated from the General Fund or from other
- 4 funds as indicated in the state treasury, not otherwise appropriated, for
- 5 the payment of attorney's fees and costs associated with a required
- 6 appearance before a tribunal for which the state agency has insufficient
- 7 funds to pay, which requires the approval of the Legislature for payment.
- 8 \$50,628.87 for Case No. CI 20-29 in Lancaster County District Court
- 9 and Case No. CI 20-46 in Hall County District Court for self-insured
- 10 liability attorney's fees and costs for which there is insufficient
- 11 agency funding, against the State Racing Commission, pay to Lamson Dugan
- 12 and Murray LLP, 10306 Regency Parkway Drive, Omaha, NE 68114-3708, out of
- 13 the General Fund.
- 14 The amount included in this section shall be paid through Program
- 15 536 in Agency 65.
- 16 For informational purposes only, the appropriation contained in this
- 17 section and fund source:

18 FUND SOURCE	<u>DOLLAR AMOUNT</u>
19 GENERAL FUND	\$50,628.87
20 CASH FUND	\$-0-
21 REVOLVING FUND	\$-0-
22 TOTAL	\$50,628.87

- 23 2. Renumber the remaining sections accordingly.

GENERAL FILE

LEGISLATIVE BILL 283. Title read. Considered.

Committee [AM2481](#), found on page 647, was offered.

Senator Pansing Brooks offered the Vargas amendment, [AM2576](#), found on page 704, to the committee amendment.

Senator Erdman offered the following motion:

[MO188](#)

Bracket until August 13, 2020.

PRESIDENT FOLEY PRESIDING

Pending.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 374. Introduced by Wayne, 13.

PURPOSE: The purpose of this interim study is to examine issues related to the historical practice known as redlining within Nebraska municipalities. Redlining is the discriminatory practice whereby banks, mortgage lenders, realtors, and other private entities restrict services to certain areas of a community, often because of the racial characteristics of an applicant's neighborhood. The issues addressed by this interim study shall include, but not be limited to:

(1) The negative impacts of redlining on racial and socioeconomic segregation within municipalities;

(2) The legal underpinnings of redlining, including the role of federal, state, and local governments in promoting the practice of redlining; and

(3) Potential policy solutions to reverse the negative impacts of redlining.

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.

BILL ON FIRST READING

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

LEGISLATIVE BILL 632A. Introduced by Hughes, 44.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 632, One Hundred Sixth Legislature, Second Session, 2020.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 835. Placed on Final Reading.
LEGISLATIVE BILL 889. Placed on Final Reading.
LEGISLATIVE BILL 944A. Placed on Final Reading.
LEGISLATIVE BILL 1080. Placed on Final Reading.
LEGISLATIVE BILL 1166. Placed on Final Reading.
LEGISLATIVE BILL 1185. Placed on Final Reading.
LEGISLATIVE BILL 1185A. Placed on Final Reading.

LEGISLATIVE BILL 153. Placed on Final Reading Second.
LEGISLATIVE BILL 858. Placed on Final Reading Second.
LEGISLATIVE BILL 924. Placed on Final Reading Second.

(Signed) Julie Slama, Chairperson

GENERAL FILE

LEGISLATIVE BILL 283. The Erdman motion, [MO188](#), found in this day's Journal, to bracket until August 13, 2020, was renewed.

Senator Wishart moved the previous question. The question is, "Shall the debate now close?"

Senator Wishart moved for a call of the house. The motion prevailed with 17 ayes, 4 nays, and 28 not voting.

Senator Wishart requested a roll call vote, in reverse order, on the motion to cease debate.

Voting in the affirmative, 21:

Bolz	Hansen, M.	Kolterman	Pansing Brooks	Wishart
Cavanaugh	Hilgers	Lathrop	Quick	
Chambers	Howard	McCollister	Vargas	
Crawford	Hunt	McDonnell	Walz	
DeBoer	Kolowski	Morfeld	Wayne	

Voting in the negative, 25:

Albrecht	Briese	Gragert	Hughes	Moser
Arch	Clements	Groene	La Grone	Murman
Bostelman	Dorn	Halloran	Lindstrom	Scheer
Brandt	Friesen	Hansen, B.	Linehan	Slama
Brewer	Geist	Hilkemann	Lowe	Williams

Present and not voting, 1:

Erdman

Excused and not voting, 2:

Blood Stinner

The motion to cease debate failed with 21 ayes, 25 nays, 1 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

AMENDMENT(S) - Print in Journal

Senator Wayne filed the following amendment to LB918:

[AM3151](#)

1 1. Strike original section 8.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

LB/LR	Committee
LB1222	Urban Affairs

(Signed) Mike Hilgers, Chairperson
Executive Board

RESOLUTION(S)

LEGISLATIVE RESOLUTION 375. Introduced by Kolterman, 24.

WHEREAS, Dr. Gary C. Sieck, Ph.D. received the University of Nebraska Medical Center's 2019 Distinguished Alumnus Award; and

WHEREAS, Dr. Gary Sieck graduated from the University of Nebraska with a Bachelor of Science in zoology in 1971, from the University of Nebraska Medical Center with a Doctor of Philosophy in physiology and biophysics in 1976, finishing his postdoctoral fellowship in neurophysiology at the University of California, Los Angeles; and

WHEREAS, Dr. Gary Sieck served as a faculty member at UCLA in the Department of Anatomy and Cell Biology until 1987 when he joined the faculty at the University of Southern California in the Department of Biomedical Engineering where he remained until 1990 when he joined the staff at the Mayo Clinic; and

WHEREAS, Dr. Gary Sieck is the Vernon F. and Earline D. Dale Professor of Physiology and Biomedical Engineering at the Mayo Clinic

and a Mayo Distinguished Investigator. He served as the Chair of the Department of Physiology and Biomedical Engineering from 2002 to 2014, Dean for Research Academic Affairs from 2006-2012, and Director of the Biomedical Engineering Program in the Mayo Graduate School from 2001 to 2013; and

WHEREAS, Dr. Gary Sieck served as the President of the American Physiological Society, President of the Association of Chairs of Departments of Physiology, a member of the American Thoracic Society Board of Directors, a member of the National Council of the American Lung Association, was selected as a founding Fellow of the American Physiological Society, and he was elected as a Fellow of the American Institute of Medical and Biological Engineering; and

WHEREAS, Dr. Gary Sieck has been active in the publication of scientific research regarding physiology, serving as Editor-in-Chief of the Journal of Applied Physiology from 1999 to 2005, and currently serving as Editor-in-Chief of Physiology, Topic Editor for Comprehensive Physiology, and Associate Editor for the Federation of American Societies for Experimental Biology's journal, BioAdvances, while also publishing more than 403 peer-reviewed papers; and

WHEREAS, over the years, Dr. Gary Sieck has received numerous awards and honors for scientific distinction including the Joseph R. Rodarte Award for Scientific Distinction from the American Thoracic Society in 2004; and

WHEREAS, Dr. Gary Sieck has advised and mentored dozens of graduate students, postdoctoral fellows, junior faculty members, and visiting scientists at the Mayo Clinic; and

WHEREAS, Dr. Gary Sieck's research has been continuously funded by multiple grants from the National Institutes of Health for more than 38 years; and

WHEREAS, Dr. Gary Sieck currently serves as the Director and Principal Investigator of a National Heart, Lung, and Blood Institute funded training grant on lung physiology and biomedical engineering at the Mayo Clinic where his research focuses on the neural control of respiratory muscles including the diaphragm and airway smooth muscle. The long-term goal of Dr. Sieck's laboratory is to develop novel therapeutic approaches to counter the effects of acute and chronic diseases including asthma, chronic obstructive pulmonary disease, neuromuscular disease, aging, heart failure, and spinal cord injury.

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

1. That the Legislature congratulates Dr. Gary C. Sieck for his many professional accomplishments, his contributions to education, science, and medicine, and for receiving the 2019 Distinguished Alumnus Award from the University of Nebraska Medical Center.

2. That a copy of this resolution be sent to Dr. Gary C. Sieck.

Laid over.

AMENDMENT(S) - Print in Journal

Senator Halloran filed the following amendment to LB283:

[FA118](#)

On page 5, lines 5 and 6, strike "Waste Reduction and Recycling Incentive Fund to the University of Nebraska" and insert "current University of Nebraska Budget".

MOTION(S) - Print in Journal

Senator Erdman filed the following motion to LB283:

[MO189](#)

Recommit to the Executive Board.

GENERAL FILE

LEGISLATIVE BILL 681. Title read. Considered.

Committee [AM3149](#), found on page 1095, was offered.

Senator Hunt offered the following motion:

[MO190](#)

Recommit to the Executive Board.

Senator Hunt withdrew her motion to recommit to committee.

The committee amendment was adopted with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 7 present and not voting, and 4 excused and not voting.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 376. Introduced by McDonnell, 5.

WHEREAS, Caterina Giulivo was born in Reggio Calabria, Italy, in 1935, grew up, and married Luigi Malara; and

WHEREAS, Luigi and Caterina Malara, both wishing a better life, moved to Buenos Aires, Argentina, around 1954 and began their family, having three girls; and

WHEREAS, in 1963 the couple came to the United States of America with their three daughters to care for Caterina's mother who had been diagnosed with breast cancer. It was during this time their fourth daughter was born; and

WHEREAS, Luigi Malara died in 1967 in a work-related accident. Caterina Malara was left alone in a new country to raise four daughters; and

WHEREAS, Caterina Malara, realizing the United States of America was the land where she wanted to raise her family, worked hard to become a productive citizen for herself and her children; and

WHEREAS, Caterina Malara, a proud and independent woman, wanting to provide for her family, did what she had to do to make life comfortable for her daughters; and

WHEREAS, Caterina Malara baked, sewed, babysat, and made all of her Italian culinary specialties available for friends to purchase, leading her to open her own business; and

WHEREAS, in 1984, Caterina Malara opened Malara's Italian Restaurant in an old store front on the corner of 22nd and Pierce Streets in Omaha; and

WHEREAS, Caterina Malara began her restaurant as a food take-out business, later growing it into a full service establishment seating 220 patrons; and

WHEREAS, Caterina Malara was an active member of the former St. Ann's parish, sending all four daughters through St. Ann's grade school; and

WHEREAS, Caterina Malara continues to run her restaurant from the kitchen every day; and

WHEREAS, Caterina Malara's family continues to be her number one priority. Her family has grown to include 11 grandchildren and 12 great-grandchildren who love to visit their Nani; and

WHEREAS, Malara's Italian Restaurant is one of Nebraska's longest performing, woman owned and operated businesses, having been in operation for over 36 years.

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

1. That the Legislature recognizes the excellent service of Caterina Malara to Nebraska and honors her as an outstanding citizen, mother, grandmother, and great-grandmother.

2. That a copy of this resolution be sent to Caterina Malara.

Laid over.

LEGISLATIVE RESOLUTION 377. Introduced by Pansing Brooks, 28.

PURPOSE: The purpose of this resolution is to complete a comprehensive study on the reform of policing in Nebraska. The study shall focus on, but not be limited to, the feasibility of steps that the Legislature could take to establish, or promote the establishment of, governmental entities that would provide oversight of law enforcement agencies and that would be separate from and independent of the law enforcement agencies being overseen. The study committee shall obtain input from experts and interested parties.

The study shall include an examination of:

(1) Other oversight mechanisms that have been established in Nebraska and elsewhere;

(2) Those features that would work best to make law enforcement oversight entities as independent as possible from the law enforcement agencies being overseen;

(3) The legal responsibilities of law enforcement agencies that are subject to such oversight to provide the oversight entities with all needed evidence or relevant information; and

(4) The feasibility of a system whereby all law enforcement agencies would be required by law to publicly disclose all disciplinary actions taken by such agencies against their officers.

The study may also include, but not be limited to, an examination of:

(1) Whether it is desirable to reform law enforcement practices, including, but not limited to: (a) The use of chokeholds, electroshock weapons, sprays or other chemical irritants, batons, and high impact munitions for crowd control or for the arrest and restraint of suspects; and (b) the use of deadly force;

(2) Whether improvements can be made in the staffing and hiring practices of law enforcement agencies; and

(3) Whether improvements can be made in the training of law enforcement officers.

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.

NOTICE OF COMMITTEE HEARING(S)

Urban Affairs
Room 1525

Friday, July 31, 2020 1:00 p.m.
LB1222

(Signed) Justin Wayne, Chairperson

MOTION(S) - Print in Journal

Senator Vargas filed the following motion:

Suspend the rules, Rule 5, Section 4(c) to permit introduction of a new bill, Req. 6234, after the tenth legislative day by a member.

ADJOURNMENT

At 5:08 p.m., on a motion by Senator M. Hansen, the Legislature adjourned until 9:00 a.m., Friday, July 24, 2020.

Patrick J. O'Donnell
Clerk of the Legislature