

**SEVENTY-NINTH DAY - MAY 18, 2021**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SEVENTH LEGISLATURE  
FIRST SESSION**

**SEVENTY-NINTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Tuesday, May 18, 2021

**PRAYER**

The prayer was offered by Senator Halloran.

**PLEDGE OF ALLEGIANCE**

The Pledge of Allegiance was offered by Senator Gragert.

**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 Senator Wayne who was excused; and Senators Bostar, Briese, M. Cavanaugh, Groene, Hunt, McCollister, and Pansing Brooks who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

Page 1415, line 31, strike "Zoeray" and insert "ZoeRay".  
Page 1415, line 35, strike "Pen Syl" and insert "Pensyl".  
Page 1415, line 37, strike "27,2020" and insert "27, 2020".  
Page 1415, line 37, strike "Sgt." and insert "Sergeant".  
The Journal for the seventy-seventh day was approved as corrected.

The Journal for the seventy-eighth day was approved.

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

**LEGISLATIVE BILL 18.** Placed on Final Reading.  
**LEGISLATIVE BILL 26.** Placed on Final Reading.

**LEGISLATIVE BILL 39.** Placed on Final Reading.**ST27**

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

1. In the E & R amendments, ER68, on page 1, line 3, "13-2610," has been inserted after "sections"; and in line 5 "to change Convention Center Support Fund distribution provisions;" has been inserted after the semicolon.
2. In the Standing Committee amendments, AM582, on page 13, line 26, "13-2610," has been inserted after "sections".

**LEGISLATIVE BILL 39A.** Placed on Final Reading.**LEGISLATIVE BILL 51.** Placed on Final Reading.**ST21**

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

1. In the E&R amendments, ER67:
  - a. On page 1, line 14, "48-147, 48-2709," has been struck; in line 15, "81-1412.02, and 81-1414," has been struck and "81-1414, 81-1438, 81-1439, 81-1440, and 81-1443," inserted; and in line 16, "48-115, 48-126.01, 48-145," has been struck; and
  - b. On page 2, the matter beginning with "to" in line 9 through "Act" in line 10 has been struck and "to change provisions relating to law enforcement reserve forces" inserted.
2. In the Standing Committee amendments, AM745:
  - a. On page 7, line 27; page 25, line 18; page 28, lines 23 and 24; page 29, line 16; page 30, line 22; and page 39, line 19, "12, 15 to 17, and 19 to 24" has been struck and "7, 9 to 11, and 13 to 18" inserted;
  - b. On page 28, line 30, strike the period and show as stricken;
  - c. On page 34, line 13, "17" has been struck and "11" inserted;
  - d. On page 37, line 27; and page 38, lines 7 and 17, "20" has been struck and "14" inserted; and
  - e. On page 52, line 28, "48-147, 48-2709," has been struck; in line 29 "81-1412.02, and 81-1414" has been struck and "81-1414, 81-1438, 81-1439, 81-1440, and 81-1443" inserted; and in line 30 "48-115, 48-126.01, 48-145," has been struck.
3. On page 1, line 17, after the second semicolon "and" has been inserted; and the matter beginning with the semicolon in line 18 through "Nebraska" in line 20 has been struck.

**LEGISLATIVE BILL 51A.** Placed on Final Reading.**LEGISLATIVE BILL 64.** Placed on Final Reading.**ST22**

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

1. On page 1, line 3, "to state intent;" has been inserted after the semicolon.

**LEGISLATIVE BILL 84.** Placed on Final Reading.**LEGISLATIVE BILL 103.** Placed on Final Reading.**LEGISLATIVE BILL 108.** Placed on Final Reading Second.**LEGISLATIVE BILL 131.** Placed on Final Reading.**ST29**

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

1. In the Flood amendment, AM1275, on page 2, line 5, "of this act" has been inserted after "27".
2. In the E & R amendments, ER89:
  - a. On page 8, line 3, "14" has been struck and "15" inserted;
  - b. On page 27, line 3, "16-6,100," has been inserted after "16-404, "; in line 12 "16-6,100," has been inserted after the last comma; and in line 16 "to change a public building construction bond authorization provision;" has been inserted after the semicolon; and
  - c. On page 26, line 28, "14" has been struck and "15" inserted.

**LEGISLATIVE BILL 131A.** Placed on Final Reading.  
**LEGISLATIVE BILL 147.** Placed on Final Reading.  
**LEGISLATIVE BILL 147A.** Placed on Final Reading.  
**LEGISLATIVE BILL 185.** Placed on Final Reading.  
**LEGISLATIVE BILL 274.** Placed on Final Reading Second.  
**LEGISLATIVE BILL 306.** Placed on Final Reading.  
**LEGISLATIVE BILL 306A.** Placed on Final Reading.  
**LEGISLATIVE BILL 336.** Placed on Final Reading.

**LEGISLATIVE BILL 366.** Placed on Final Reading.

[ST33](#)

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

1. On page 7, line 5, "~~were~~" has been struck and "was" inserted.

**LEGISLATIVE BILL 366A.** Placed on Final Reading.  
**LEGISLATIVE BILL 388.** Placed on Final Reading.  
**LEGISLATIVE BILL 388A.** Placed on Final Reading.  
**LEGISLATIVE BILL 396.** Placed on Final Reading.  
**LEGISLATIVE BILL 396A.** Placed on Final Reading.

**LEGISLATIVE BILL 406.** Placed on Final Reading.

[ST28](#)

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

1. In the E & R amendments, ER81, on page 1, line 4, "to provide a termination date for the committee;" has been inserted after the last semicolon.

**LEGISLATIVE BILL 406A.** Placed on Final Reading.

**LEGISLATIVE BILL 428.** Placed on Final Reading.

[ST32](#)

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

1. In the E & R amendments, ER61, on page 1, line 6, "43-404" has been struck and "43-427" inserted; in lines 8 and 9 "prior to implementation" has been struck; and in lines 9 and 10 "under the Office of Juvenile Services" has been struck and "as prescribed" inserted.

**LEGISLATIVE BILL 428A.** Placed on Final Reading.

**LEGISLATIVE BILL 432.** Placed on Final Reading.

[ST25](#)

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

1. In the Williams amendment, AM1127, section 13 has been renumbered as section 15.
2. In the E & R amendments, ER76:
  - a. On page 21, line 9, "(a)" has been inserted after "required" and the last occurrence of "(a)" has been struck; and in line 11 "for" has been inserted before "participation"; and
  - b. On page 22, the matter beginning with "section" in line 3 through line 5 has been struck and "sections 77-2734.02 and 77-5208, Reissue Revised Statutes of Nebraska, and sections 13-520, 77-2715.07, 77-2716, 77-3442, and 85-1802, Revised Statutes Cumulative Supplement, 2020, are repealed." inserted.
3. On page 1, the matter beginning with "revenue" in line 1 through line 5 and all amendments thereto have been struck and "public benefits; to amend sections 77-2734.02 and 77-5208, Reissue Revised Statutes of Nebraska, and sections 13-520, 77-2715.07, 77-2716, 77-3442, and 85-1802, Revised Statutes Cumulative Supplement, 2020; to adopt the Firefighter Cancer Benefits Act; to change provisions relating to limitations on restricted funds for certain cancer benefits; to provide a tax credit for parents of stillborn children; to provide an income

tax exemption for certain cancer benefits; to change the corporate income tax rate as prescribed; to exempt certain cancer benefits from property tax levy limits; to extend the Beginning Farmer Tax Credit Act application period; to require a firefighter informational report from the State Fire Marshal; to redefine qualified higher education expenses for purposes of the Nebraska educational savings plan trust; to provide operative dates; and to repeal the original sections." inserted.

**LEGISLATIVE BILL 452.** Placed on Final Reading.

[ST30](#)

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

1. In the McKinney amendment, AM1253, on page 1, line 16, "(1)" has been struck.
2. In the E&R amendments, ER79, on page 1, line 3 "sections 79-760.01 and 79-760.02" has been struck and "section 79-760.01" inserted.

**LEGISLATIVE BILL 452A.** Placed on Final Reading.

**LEGISLATIVE BILL 544A.** Placed on Final Reading Second.

**LEGISLATIVE BILL 561.** Placed on Final Reading Third.

**LEGISLATIVE BILL 566.** Placed on Final Reading.

**LEGISLATIVE BILL 566A.** Placed on Final Reading.

**LEGISLATIVE BILL 572.** Placed on Final Reading.

[ST26](#)

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

1. In the E&R amendments, ER29, on page 7, line 31, "and" has been struck.

**LEGISLATIVE BILL 595.** Placed on Final Reading.

**LEGISLATIVE BILL 630.** Placed on Final Reading.

[ST23](#)

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

1. On page 1, line 2, "; and to state intent" has been inserted after "prescribed".

**LEGISLATIVE BILL 630A.** Placed on Final Reading.

**LEGISLATIVE BILL 682.** Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

#### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 568.** Placed on Select File with amendment.

[ER93](#) is available in the Bill Room.

**LEGISLATIVE BILL 649.** Placed on Select File with amendment.

[ER92](#) is available in the Bill Room.

**LEGISLATIVE BILL 376.** Placed on Select File with amendment.

[ER96](#)

1. In Standing Committee amendments, AM1307:
  - 2 a. On page 1, lines 17 and 18; and page 2, line 6 strike
  - 3 "disabilities" and insert "a disability";
  - 4 b. On page 2, lines 21 and 30, after "the" insert "federal"; and
  - 5 c. On page 3, line 4, after the first "the" insert "federal".

6 2. On page 1, strike beginning with "to" in line 2 through "section"  
 7 in line 7 and insert "to state findings and declarations; to authorize  
 8 the application for and implementation of services and supports for  
 9 children with disabilities and their families as prescribed; to state  
 10 intent; to provide for a report; to provide for an evaluation; to provide  
 11 duties for the Advisory Committee on Developmental Disabilities; and to  
 12 repeal the original section."

**LEGISLATIVE BILL 376A.** Placed on Select File.

**LEGISLATIVE BILL 139.** Placed on Select File with amendment.

ER97

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Sections 1 to 4 of this act shall be known and may be  
 4 cited as the COVID-19 Liability Act.  
 5 Sec. 2. For purposes of the COVID-19 Liability Act:  
 6 (1) COVID-19 means the novel coronavirus identified as SARS-CoV-2,  
 7 the disease caused by the novel coronavirus SARS-CoV-2 or a virus  
 8 mutating therefrom, and the health conditions or threats associated with  
 9 the disease caused by the novel coronavirus SARS-CoV-2 or a virus  
 10 mutating therefrom;  
 11 (2) Federal public health guidance means and includes written or  
 12 oral guidance related to COVID-19 issued by any of the following:  
 13 (a) The Centers for Disease Control and Prevention of the United  
 14 States Department of Health and Human Services;  
 15 (b) The Centers for Medicare and Medicaid Services of the United  
 16 States Department of Health and Human Services; or  
 17 (c) The federal Occupational Safety and Health Administration; and  
 18 (3)(a) Person means:  
 19 (i) Any natural person;  
 20 (ii) Any sole proprietorship, partnership, limited liability  
 21 partnership, corporation, limited liability company, business trust,  
 22 estate, trust, unincorporated association, or joint venture;  
 23 (iii) The State of Nebraska and any political subdivision of the  
 24 state;  
 25 (iv) Any school, college, university, institution of higher  
 26 education, religious organization, or charitable organization; or  
 27 (v) Any other legal or commercial entity.  
 1 (b) Person includes an employee, director, governing board, officer,  
 2 agent, independent contractor, or volunteer of a person listed in  
 3 subdivision (3)(a) of this section.  
 4 Sec. 3. A person may not bring or maintain a civil action seeking  
 5 recovery for any injuries or damages sustained from exposure or potential  
 6 exposure to COVID-19 on or after the effective date of this act if the  
 7 act or omission alleged to violate a duty of care was in substantial  
 8 compliance with any federal public health guidance that was applicable to  
 9 the person, place, or activity at issue at the time of the alleged  
 10 exposure or potential exposure.  
 11 Sec. 4. The COVID-19 Liability Act shall not be construed to:  
 12 (1) Create, recognize, or ratify a claim or cause of action of any  
 13 kind;  
 14 (2) Eliminate or satisfy a required element of a claim or cause of  
 15 action of any kind;  
 16 (3) Affect rights or coverage limits under the Nebraska Workers'  
 17 Compensation Act;  
 18 (4) Abrogate, amend, repeal, alter, or affect any statutory or  
 19 common law immunity or limitation of liability; or  
 20 (5) Constitute a waiver of the sovereign immunity of the State of

21 Nebraska or any political subdivision of the state.  
 22 Sec. 5. Sections 5 to 9 of this act shall be known and may be cited  
 23 as the Health Care Crisis Protocol Act.  
 24 Sec. 6. For purposes of the Health Care Crisis Protocol Act, health  
 25 care crisis protocol means the plans and protocols for triage and the  
 26 application of medical services and resources for critically ill patients  
 27 in the event that the demand for medical services and resources exceeds  
 28 supply as a result of a pervasive or catastrophic disaster as provided in  
 29 the Health Care Crisis Protocol for the State of Nebraska published by  
 30 the Nebraska Medical Emergency Operations Center, dated May 10, 2021.  
 31 Sec. 7. The health care crisis protocol may be activated only in  
 1 extraordinary circumstances when the level of demand for medical services  
 2 and resources exceeds the available resources required to deliver the  
 3 generally accepted standard of care and crisis operations will be in  
 4 effect for a sustained period.  
 5 Sec. 8. The health care crisis protocol does not change or alter the  
 6 standard for malpractice or professional negligence for health care  
 7 providers set forth in section 44-2810.  
 8 Sec. 9. (1) Each hospital shall have the health care crisis protocol  
 9 available for inspection by the public.  
 10 (2) The Department of Health and Human Services shall publish a copy  
 11 of the health care crisis protocol on the department's web site for  
 12 inspection by the public.  
 13 (3) For purposes of this section, hospital means a hospital licensed  
 14 under the Health Care Facility Licensure Act.  
 15 Sec. 10. Since an emergency exists, this act takes effect when  
 16 passed and approved according to law.  
 17 2. On page 1, strike beginning with "liability" in line 1 through  
 18 line 3 and insert "public health and welfare; to adopt the COVID-19  
 19 Liability Act; to adopt the Health Care Crisis Protocol Act; and to  
 20 declare an emergency."

**LEGISLATIVE BILL 54.** Placed on Select File with amendment.

[ER94](#)

1 1. In the Standing Committee amendments, AM1268, on page 1, lines 8  
 2 and 16, strike "non-employee" and insert "nonemployee".  
 3 2. On page 1, line 3, after "torts" insert "under the Political  
 4 Subdivisions Tort Claims Act and the State Tort Claims Act".

**LEGISLATIVE BILL 579.** Placed on Select File with amendment.

[ER95](#)

1 1. Strike the original sections and all amendments thereto and  
 2 insert the following new sections:  
 3 Section 1. Section 39-1365.01, Revised Statutes Cumulative  
 4 Supplement, 2020, is amended to read:  
 5 39-1365.01 The department shall be responsible for developing a  
 6 specific and long-range state highway system plan. The department shall  
 7 annually formulate plans to meet the state highway system needs of all  
 8 facets of the state and shall assign priorities for such needs. The  
 9 department shall, on or before December 1 of each year, present such  
 10 plans and the report required in section 39-1365.02 to the Legislature.  
 11 The plans shall be referred to the appropriate standing committees of the  
 12 Legislature for review. The department shall consider the preservation of  
 13 the existing state highway system asset as its primary priority except as  
 14 may otherwise be provided in state or federal law. In establishing  
 15 secondary priorities, the department shall consider a variety of factors,  
 16 including, but not limited to, current and projected traffic volume,  
 17 safety requirements, economic development needs, current and projected  
 18 demographic trends, and enhancement of the quality of life for all

19 Nebraska citizens. The state highway system plan shall include the  
 20 designation of those portions of the state highway system which shall be  
 21 expressways.  
 22 Sec. 2. Section 39-1365.02, Revised Statutes Cumulative Supplement,  
 23 2020, is amended to read:  
 24 39-1365.02 (1) The department shall apply for and make maximum use  
 25 of available federal funding, including discretionary funding, on all  
 26 highway construction projects which are eligible for such assistance.  
 27 (2) The department shall transmit electronically to the Legislature,  
 1 by December 1 of each year, a report on the needs of the state highway  
 2 system, the department's planning procedures, and the progress being made  
 3 on the expressway system. Such report shall include:  
 4 (a) The criteria by which highway needs are determined;  
 5 (b) The standards established for each classification of highways;  
 6 (c) An assessment of current and projected needs of the state  
 7 highway system, such needs to be defined by category of improvement  
 8 required to bring each segment up to standards. Projected fund  
 9 availability shall not be a consideration by which needs are determined;  
 10 (d) Criteria and data, including factors enumerated in section  
 11 39-1365.01, upon which decisions may be made on possible special priority  
 12 highways for commercial growth;  
 13 (e) A review of the department's procedure for selection of projects  
 14 for the annual construction program, the five-year planning program, and  
 15 extended planning programs. The review shall include a statement of all  
 16 state highway projects under construction, other than any part of the  
 17 expressway system, and the estimated cost of each project;  
 18 (f) A review of the progress being made toward completion of the  
 19 expressway system, as such system was designated on January 1, 2016, and  
 20 whether such work is on pace for completion prior to June 30, 2033. The  
 21 review shall include a statement of the amount of money spent on the  
 22 expressway system, as of the date of the report, and the number of miles  
 23 of the expressway system yet to be completed and expected milestone dates  
 24 for other expressway projects, including planning, permitting, designing,  
 25 bid letting, and required funding for project completion;  
 26 (g) A review of the Transportation Infrastructure Bank Fund and the  
 27 fund's component programs under sections 39-2803 to 39-2807. This review  
 28 shall include a listing of projects funded and planned to be funded under  
 29 each of the three component programs; and  
 30 (h) A review of the outcomes of the Economic Opportunity Program,  
 31 including the growth in permanent jobs and related income and the net  
 1 increase in overall business activity.  
 2 Sec. 3. Original sections 39-1365.01 and 39-1365.02, Revised  
 3 Statutes Cumulative Supplement, 2020, are repealed.  
 4 2. On page 1, strike beginning with "section" in line 1 through line  
 5 6 and insert "sections 39-1365.01 and 39-1365.02, Revised Statutes  
 6 Cumulative Supplement, 2020; to provide requirements for a report and a  
 7 presentation by the Department of Transportation; and to repeal the  
 8 original sections."

**LEGISLATIVE BILL 236.** Placed on Select File with amendment.

**ER98**

1 1. On page 1, strike beginning with "counties" in line 1 through  
 2 line 5 and insert "firearms; to amend sections 28-1202 and 69-2436,  
 3 Reissue Revised Statutes of Nebraska; to provide an exception to the  
 4 offense of carrying a concealed weapon as prescribed; to define a term;  
 5 to change provisions relating to renewal of a permit to carry a concealed  
 6 handgun; to provide a duty for the Nebraska State Patrol; to eliminate an  
 7 obsolete provision; to harmonize provisions; and to repeal the original  
 8 sections."

(Signed) Terrell McKinney, Chairperson

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

Senator Stinner filed the following amendment to [LB572](#):  
[AM1213](#)

(Amendments to E &amp; R amendments, ER29)

1 1. On page 6, line 20, before "The" insert "(5)"; and after line 23

2 insert the following new subsection:

3 "(6) The Nebraska Brand Committee terminates on June 30, 2022.".**SELECT FILE**

**LEGISLATIVE BILL 241.** [ER86](#), found on page 1299, was adopted.

Senator Slama offered her amendment, [AM1330](#), found on page 1349.

Senator Lowe offered the following motion:

[MO69](#)

Bracket until June 10, 2021.

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

Senator Lowe requested a roll call vote, in reverse order, on the motion to bracket.

Voting in the affirmative, 25:

|           |          |            |           |          |
|-----------|----------|------------|-----------|----------|
| Albrecht  | Clements | Groene     | Hughes    | Pahls    |
| Arch      | Erdman   | Halloran   | Kolterman | Sanders  |
| Bostelman | Friesen  | Hansen, B. | Lowe      | Slama    |
| Brewer    | Geist    | Hilgers    | Moser     | Stinner  |
| Briese    | Gragert  | Hilkemann  | Murman    | Williams |

Voting in the negative, 18:

|         |               |             |                |         |
|---------|---------------|-------------|----------------|---------|
| Aguilar | Cavanaugh, J. | Hansen, M.  | McDonnell      | Vargas  |
| Blood   | Day           | Hunt        | McKinney       | Wishart |
| Bostar  | DeBoer        | Lathrop     | Morfeld        |         |
| Brandt  | Flood         | McCollister | Pansing Brooks |         |

Present and not voting, 5:

|               |      |           |         |      |
|---------------|------|-----------|---------|------|
| Cavanaugh, M. | Dorn | Lindstrom | Linehan | Walz |
|---------------|------|-----------|---------|------|

Excused and not voting, 1:

Wayne



The Lowe motion to bracket prevailed with 25 ayes, 18 nays, 5 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**COMMITTEE REPORT(S)**  
Revenue

**LEGISLATIVE BILL 502.** Placed on General File with amendment.

[AM1366](#)

1 1. On page 10, line 18, after the period insert "Any taxpayer who is  
2 issued a direct payment permit under this subdivision or who otherwise  
3 receives the benefit of any refunds or exemptions under this section  
4 shall comply with all data disclosure requirements in subsection (5) of  
5 section 77-27,144, including disclosures to a municipality which would  
6 have received sales and use taxes but for an exemption allowed under this  
7 section.".  
8 2. On page 27, line 26, after the period insert "For each election  
9 made under this subsection, the Tax Commissioner shall disclose such  
10 election, the identity of the taxpayer, and the location of the  
11 taxpayer's project to each municipality in which the project is located.  
12 The Tax Commissioner shall make such disclosures within thirty days after  
13 the election.".

(Signed) Lou Ann Linehan, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 152.** Introduced by Bostelman, 23.

**PURPOSE:** The purpose of this interim study is to evaluate the need for laws that would allow the Department of Environment and Energy to expeditiously respond to emergency situations that threaten the health of agricultural land, water and air quality, livestock, and other plant and animal life from toxic or harmful products that are a part of or created by pesticide-treated seed or grain.

The study may include, but is not limited to, the:

- (1) Gathering of information about various uses of pesticide-treated seed or grain throughout Nebraska;
- (2) Identification of the current state of regulatory and statutory environmental emergency response and enforcement options available to the Department of Environment and Energy to protect against harmful materials or byproducts resulting from use of pesticide-treated seed or grain; and
- (3) Acquisition and review of information about potential additional options that would enable the state to order, enforce, and facilitate expedited cleanup or removal of pesticide-treated seed or grain and material or byproducts resulting from the use of such seed or grain.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 153.** Introduced by Slama, 1; Sanders, 45.

WHEREAS, Yolanda Peck immigrated from Panama to the United States as a teenager; and

WHEREAS, Yolanda lent her experience to other immigrants starting their lives in Nebraska; and

WHEREAS, Yolanda established relationships with community leaders and large employers to create better opportunities for immigrants; and

WHEREAS, Yolanda spent countless hours working with the Center for Rural Affairs to create an inclusive and welcoming community for immigrants in Nebraska City; and

WHEREAS, Yolanda assisted the Center for Rural Affairs in giving Spanish language lessons to immigrants from Central America who speak indigenous languages, as well as giving English language lessons to immigrants wanting to improve their communication skills; and

WHEREAS, Yolanda shared her scientific knowledge about COVID-19 with the immigrant community by providing up-to-date information on COVID-19 response, distributing masks and hand sanitizer, and helping the Southeast District Health Department with translation work; and

WHEREAS, Yolanda assisted the immigrant community with a great amount of respect and love; and

WHEREAS, Yolanda passed away on April 24, 2021, at the age of seventy.

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

1. That the Legislature honors Yolanda Peck for her dedication to helping immigrants in southeast Nebraska thrive and her tireless advocacy for her community in Nebraska City and beyond.

2. That the Legislature offers its condolences to the family of Yolanda Peck.

3. That a copy of this resolution be sent to the family of Yolanda Peck.

Laid over.

**LEGISLATIVE RESOLUTION 154.** Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to study the impact of COVID-19 on Nebraska's workforce and the ability to find sustainable

employment after the pandemic subsides. Individuals will return to a very different workplace and experience a recovering economy that will require different workforce demands, including different skills, knowledge, and abilities. While Nebraska's unemployment rate has remained one of the lowest in the country, it is understood that a high number of individuals have stopped looking for gainful employment or dropped out of the labor force altogether. It can be challenging for unemployed or underemployed individuals to navigate and understand all available resources, both public and private, to successfully return to the workforce. Throughout the pandemic, Nebraska's 211 Information and Referral Network has been instrumental in aiding response to and recovery from the impacts of COVID-19 by providing statewide resources for basic needs, housing supports, COVID-19 testing, vaccination referrals, and other referrals connecting individuals with supports with its vast data base of nonprofit agencies and programs. This same model can be used to help Nebraska's residents return to gainful employment.

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

(1) Identifying the needs and number of individuals no longer being counted in the labor force that could benefit from a career navigation network administered through Nebraska's 211 Information and Referral Network;

(2) Identifying the number of underemployed individuals that could improve their employment situation by gaining new skills and understanding the training necessary to fill high-demand jobs and careers;

(3) Determining the number of public, private, and nonprofit agencies that provide employment programs, work to fill high-demand jobs, offer job-specific training, and recruit and coach individuals on gaining employment or improving their earning potential;

(4) Identifying the most effective programs and determine the scalability of such programs;

(5) Assessing how utilizing Nebraska's 211 Information and Referral Network can help individuals find the most useful career training programs to improve their employment, underemployment, or unemployment situation; and

(6) Assessing how building upon the existing infrastructure and the contact-center model of Nebraska's 211 Information and Referral Network could improve efficiency through partnerships with the entities identified in subdivision (3) of this resolution to return thousands of Nebraska's residents back to work by filling high-demand jobs leading to careers.

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

### GENERAL FILE

**LEGISLATIVE BILL 298.** Title read. Considered.

Committee [AM251](#), found on page 782, was adopted with 33 ayes, 0 nays, 15 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 9 nays, 13 present and not voting, and 1 excused and not voting.

### SELECT FILE

**LEGISLATIVE BILL 529.** [ER31](#), found on page 779, was adopted.

Senator Walz asked unanimous consent to withdraw her amendment, [AM678](#), found on page 667, and replace it with her substitute amendment, [AM1090](#), found on page 1106. No objections. So ordered.

Senator M. Cavanaugh offered the following motion:

[MO70](#)

Recommit to Education Committee.

### SENATOR WILLIAMS PRESIDING

Pending.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 155.** Introduced by McDonnell, 5.

**PURPOSE:** The purpose of this resolution is to examine a comprehensive list of issues related to the operation of autonomous vehicles in Nebraska. Issues to be examined shall include, but not be limited to:

- (1) Automated vehicle classifications;
- (2) Testing of automated vehicles;
- (3) Automated vehicle registration, titling, and branding;
- (4) Financial responsibility;
- (5) Federal Motor Vehicle Safety Standards and state and local safety standards;
- (6) The role of a driver and of the passengers or occupants in an autonomous vehicle;
- (7) Operator license requirements for testing and deployment of autonomous vehicles;
- (8) Training for consumers, examiners, driver education instructors, and driver schools;
- (9) Endorsements and restrictions;
- (10) Crash and incident reporting;

- (11) Autonomous vehicle use in criminal activity;
- (12) Distracted driving;
- (13) Establishment of legal responsibility for enforcement actions;
- (14) First responder safety and autonomous vehicle response to emergency vehicles;
- (15) Manual traffic controls and extraordinary road conditions;
- (16) Access to autonomous vehicle electronic data for investigatory purposes;
- (17) Autonomous vehicle identification;
- (18) Autonomous vehicle conformance to the Nebraska Rules of the Road;
- (19) Autonomous commercial motor vehicles;
- (20) Autonomous vehicles operated by transportation network companies;
- (21) Data privacy and security;
- (22) Cybersecurity;
- (23) Highway and other infrastructure utilized by autonomous vehicles;
- (24) Imported and exported autonomous vehicles;
- (25) Autonomous vehicle upfitter regulation;
- (26) Autonomous vehicle platooning;
- (27) Data collection and sharing; and
- (28) Liability for autonomous vehicles.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 156.** Introduced by Pansing Brooks, 28.

**PURPOSE:** The purpose of this interim study is to examine mental health and addiction issues within the Nebraska criminal justice system and alternative policy options and solutions.

Like other states, Nebraska's jails and prisons are often required to accommodate detainees or prisoners who struggle with mental illness. A disproportionate number of individuals in Nebraska's jails and prisons have a history of mental illness, and some estimate that approximately fifty-six percent of state prisoners have at least one mental health diagnosis. The number of prisoners who have alcohol or drug problems is also disproportionate. As a consequence, much of the responsibility for responding to people who are in distress due to mental health is on our law enforcement agencies.

Policymakers support reducing the use of our jails and prisons for people who struggle with mental illness, including addiction, when such individuals could instead be receiving community treatment. Additional efforts should

also be made to minimize the frequency of negative interaction between law enforcement and individuals in mental health crisis during police encounters. Public health problems, like untreated mental illness and addiction, should be met with a public health response and not a criminal justice response. Investment in mental health services costs less than building prisons and has more effective and safer outcomes for vulnerable Nebraskans and front line law enforcement officers and is proven to advance our shared public safety goals. There are successful innovations in this area in Nebraska and in other states that we can learn from and implement with new funding sources.

Some jurisdictions across the country have invested in community-based mobile crisis intervention services in which mental health professionals or other providers of behavioral health services are deployed in real time to the location of the person in crisis in order to achieve the needed and best outcomes for that individual. These mobile crisis teams are intended to be dispatched as an alternative to law enforcement.

The federal American Rescue Plan Act of 2021, a federal relief package that became law on March 11, 2021, contains a number of provisions designed to increase coverage, expand benefits, and adjust federal financing for state medicaid programs. The American Rescue Plan Act of 2021 includes a provision to expand mental health services in states and communities by providing for mobile crisis intervention and community mental health funding. These services are to be covered by medicaid and provided by a multidisciplinary team to enrollees experiencing a mental health or substance use disorder crisis outside a hospital or other facility setting. This new option is available to states for five years, beginning April 1, 2022.

This study shall include, but not be limited to:

(1) An examination of whether Nebraska can pursue the new option under the American Rescue Plan Act of 2021 to provide community-based mobile crisis intervention services with federal funds;

(2) An examination of how the state can provide assistance in supporting measures to improve mental health care in our communities;

(3) Consideration of any statutory changes necessary to enhance community mental health treatment and addiction services instead of meeting these public health challenges with a criminal response; and

(4) Receiving input from the public and impacted individuals regarding the subject matters of this resolution.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 157.** Introduced by Pansing Brooks, 28; Day, 49; McKinney, 11; Morfeld, 46.

**PURPOSE:** The purpose of this interim study is to explore how Nebraska schools could recruit a teaching and administrative force that accurately reflects the proportion of students of color attending Nebraska schools. Many studies have proved the beneficial aspects of having a diverse teacher and administrative workforce, especially regarding closing achievement gaps for students of color. Furthermore, a more diverse teacher and administrative workforce that better represents our state's demographics benefits students of all racial backgrounds. Data shows that our teachers and administrators are not representative of the communities our students come from. Research shows us that there is a need to rectify this imbalance for the sake of our children and for the economic and social well-being of the state.

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

- (1) Different approaches to informing minority students and people of color on the importance and benefits of entering the field of education;
- (2) Methods of seeking out cooperative relationships or partnerships with Historically Black Colleges and Universities, Hispanic and Latino Serving Institutions, and Native American Serving Institutions, that may lead to more diverse teacher and administrative staffs;
- (3) Relevant research and best practices to enhance minority teacher and administrator recruitment and retention throughout the state;
- (4) How to establish more public, private, and philanthropic partnerships to increase minority teacher and administrator recruitment, including, but not limited to, teacher and administrator preparation programs;
- (5) How to support and encourage local boards of education and educational service units to prioritize minority teacher recruitment and innovative strategies to attract and retain minority teachers within their districts;
- (6) Any requirements that prevent persons of color from choosing and remaining in the education professions, including, but not limited to, teacher preparation programs, certification requirements, testing of teachers, and teacher organization leadership;
- (7) Identification of methods to prepare, support, and encourage school leadership to increase retention of teachers of color; and
- (8) Input from members of the Legislature from the various regions of the state, members of the various teacher and administrator associations in Nebraska, faculty and administration of the various institutions training teachers, and organizations representing persons of color.

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

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

**LEGISLATIVE BILL 298.** Placed on Select File.

(Signed) Terrell McKinney, Chairperson

**RECESS**

At 11:59 a.m., on a motion by Speaker Hilgers, the Legislature recessed until 1:00 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:00 p.m., President Foley presiding.

**ROLL CALL**

The roll was called and all members were present except Senator Wayne who was excused; and Senators Bostar, Brewer, Day, DeBoer, B. Hansen, Hilkemann, Lathrop, McCollister, Morfeld, and Wishart who were excused until they arrive.

**SELECT FILE**

**LEGISLATIVE BILL 529.** Senator M. Cavanaugh renewed her motion, [MO70](#), found in this day's Journal, to recommit to Education Committee.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 11 ayes, 2 nays, and 27 not voting.

Senator Cavanaugh, M. requested a roll call vote on the motion to recommit to committee.

Voting in the affirmative, 0.

Voting in the negative, 40:

|               |          |            |             |                |
|---------------|----------|------------|-------------|----------------|
| Aguilar       | Dorn     | Hansen, B. | Linehan     | Pansing Brooks |
| Albrecht      | Erdman   | Hilgers    | McCollister | Sanders        |
| Arch          | Flood    | Hilkemann  | McDonnell   | Slama          |
| Bostelman     | Friesen  | Hughes     | McKinney    | Stinner        |
| Brandt        | Geist    | Hunt       | Morfeld     | Vargas         |
| Cavanaugh, J. | Gragert  | Kolterman  | Moser       | Walz           |
| Day           | Groene   | Lathrop    | Murman      | Williams       |
| DeBoer        | Halloran | Lindstrom  | Pahls       | Wishart        |



Present and not voting, 4:

Blood          Cavanaugh, M.    Clements          Hansen, M.

Excused and not voting, 5:

Bostar          Brewer          Briese          Lowe          Wayne

The M. Cavanaugh motion to recommit to committee failed with 0 ayes, 40 nays, 4 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 158.** Introduced by Blood, 3; Aguilar, 35; Bostar, 29; Briese, 41; Cavanaugh, J., 9; Cavanaugh, M., 6; Day, 49; DeBoer, 10; Friesen, 34; Hansen, M., 26; Hilkemann, 4; Lathrop, 12; McCollister, 20; McDonnell, 5; McKinney, 11; Morfeld, 46; Pahls, 31; Pansing Brooks, 28; Sanders, 45; Walz, 15.

**PURPOSE:** The purpose of this resolution is to examine the accuracy of payments made by the Department of Labor to recipients of state and federal benefit programs, including, but not limited to, unemployment insurance.

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

- (1) Policies and procedures of state and federal agencies when benefits are overpaid, including, but not limited to, methods of recuperating overpaid amounts;
- (2) The impact of inaccurate benefit payments on benefit recipients;
- (3) The frequency, number, and agency impact of inaccurate benefit payments made within the last two years;
- (4) The underlying causes of inaccurate benefit payments; and
- (5) The ways in which Nebraska can ensure greater accuracy of benefit payments.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 159.** Introduced by Blood, 3.

WHEREAS, the economy of the State of Nebraska is heavily reliant on agriculture and specifically, the production of ethanol; and

WHEREAS, the AltEn, LLC, (AltEn) ethanol production plant at Mead, Nebraska, has been using pesticide and fungicide treated seed as the raw material for the production of ethanol, leaving behind toxic byproducts which are unfit for animal consumption or soil treatment and which have been shown to cause significant disruptions, including death, in the life cycle of invertebrates, fish, reptiles, amphibians, insects, birds, and mammals; and

WHEREAS, the contaminated byproducts created by this process have been causally linked to the destruction of entire colonies of bees and other pollinators which are vital to the health of the agricultural industry and provide important bioindicators for other species; and

WHEREAS, the AltEn family of companies includes several limited liability companies which makes it difficult to identify exactly which Kansas entity is actually doing business in Nebraska, which is further complicated by the involvement of Mead Cattle Company, LLC, and Green Cycles, LLC, the biochar manufacturing enterprise of AltEn, which have been engaged in either the manufacturing of the ethanol, the dispersal of the wet distiller's grain, or the manufacture of biochar; and

WHEREAS, leaking liners under the retention ponds at the facility which are associated with Mead Cattle Company LLC, have contaminated and continue contaminating the water table surrounding the facility to a depth of 29 feet; and

WHEREAS, it is estimated that over 84,000 tons of pesticide- and fungicide-contaminated material remain on the AltEn site, exposing residents of Mead and the surrounding rural community to continued exposure to airborne contaminants, with few studies indicating what the long-term ramifications of that exposure could be; and

WHEREAS, in 2018 and 2019, AltEn delivered over 29,000 tons of contaminated distillers grain, referred to as soil conditioner, to area farmers who were unaware of the risk of applying of that product to the land, and such product was applied to land or stockpiled on various sights around Saunders County, including the city of Wahoo and Lake Wanhoo; and

WHEREAS, a late February, 2021, freeze resulted in the draining of over four million gallons of pesticide-contaminated water and manure across lands belonging to the University of Nebraska and spread miles downstream from the AltEn facility; and

WHEREAS, AltEn has not demonstrated a legal plan or procedure to address the leaking lagoons, the stockpiles of contaminated distiller's grain, or any other contamination resulting from byproducts related to its operations; and

WHEREAS, floods which occurred in both 2019 and 2021 have spread these contaminants far beyond the immediate vicinity of AltEn and may have already contaminated, and have the potential to further contaminate, the downstream wellfield locations for the city of Lincoln's drinking water; and

WHEREAS, the University of Nebraska has indicated that studies on the extensive pollution in the region associated with the AltEn family of enterprises will require at least ten years to conduct and may require expenditure of ten million dollars or more; and

WHEREAS, AltEn has an extensive list of violations on file with the Nebraska Department of Environment and Energy. This demonstrates a disrespect for the agency and a lack of appropriate enforcement actions available to force AltEn to correct these violations; and

WHEREAS, livestock at Mead Cattle Company LLC, have been exposed to airborne pesticide and fungicide, which may contaminate the food supply for American citizens who come into contact with meat processed through that feedlot, potentially affecting an extremely large number of individuals; and

WHEREAS, representatives of the AltEn family of companies failed to testify at hearings on Legislative Bill 507 and Legislative Bill 634, both introduced in 2021, to answer questions about the disposal of waste stockpiled at the AltEn site or any of the other actual or potential damages related to AltEn operations; and

WHEREAS, the liabilities associated with AltEn operations are immense, and it appears the company is unable to meet its obligations associated with the appropriate disposal of contaminated waste piles, remediation of leaking lagoons and surrounding land and water contamination, damage to public and private property, or injuries to humans and animals, therefore imposing that financial burden on the taxpayers of the State of Nebraska; and

WHEREAS, seed companies which received a financial benefit from the process AltEn utilizes to create ethanol with discarded treated seed should be engaged in helping develop solutions to the contamination and damage caused by such process; and

WHEREAS, AltEn has failed to pay back taxes on the plant, leaving the residents of Saunders County to pick up the burden through additional taxation; and

WHEREAS, mechanics liens against the properties are a further indication that AltEn is unlikely to be able to financially afford even rudimentary cleanup on the site; and

WHEREAS, negative publicity associated with the AltEn, LLC, ethanol plant could damage the reputation of other ethanol manufacturers, who follow sound science and appropriate safeguards to prevent environmental degradation.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature. The committee shall consist of nine members of the Legislature appointed by the executive board. Members shall include the chairperson of the Appropriations Committee or the chairperson's designee, the chairperson of the Natural Resources Committee or the chairperson's designee, the chairperson of the

Judiciary Committee or the chairperson's designee, the chairperson of the Health and Human Services or the chairperson's designee, the chairperson of the Agriculture Committee or the chairperson's designee, one member representing the city of Omaha, one member representing the city of Lincoln, and one additional member from the Judiciary Committee and the Natural Resources Committee. The committee shall elect a chairperson and a vice-chairperson from the membership of the committee. The Executive Board may provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff. The executive board may authorize the committee to hire outside legal counsel, consultants, and investigators as required by the committee. The committee may hold hearings and issue subpoenas to compel the attendance of witnesses and the production of any papers, books, accounts, documents, and testimony.

2. The AltEn LLC, Ethanol Plant at Mead Special Investigative and Oversight Committee of the Legislature is hereby authorized to study and investigate the following:

(a) Records associated with the construction and operation of Mead Cattle Company LLC, AltEn LLC, and associated companies;

(b) The regulatory rules and regulations associated with the operation of these entities by the federal government and the State of Nebraska;

(c) Whether AltEn followed the applicable rules and regulations governing their operation;

(d) Whether revisions to statutes or rules and regulations are needed to ensure compliance with applicable standards, including increased penalties and streamlined enforcement mechanisms;

(e) Whether the contaminated bioproducts from this process have led to negative impacts on human health;

(f) Whether entities and individuals who benefited from this process have any liability to pay for damages resulting from it;

(g) The timelines associated with the production of ethanol from treated seeds and biochar at the site;

(h) Records associated with inspections at the facility by state inspectors and what enforcement actions were taken;

(i) How and why pesticide-contaminated distiller's grain was permitted to be applied to farm fields as a soil conditioner and whether those fields are being used to produce food crops today;

(j) Whether any contamination exists for the drinking water of the cities of Omaha and Lincoln and any scientific studies addressing neonicotinoid poisoning and the beneficial uses of neonicotinoids;

(k) The cost estimates associated with removal of contaminated seed stored in warehouses at the AltEn site and elsewhere, the costs to dispose of the tons of contaminated material remaining on the AltEn site, the costs to treat waters in the extensive lagoon system on the site, the costs of additional testing associated with water wells in the vicinity, whether there are costs from damage to human health, whether there are costs to remediate damage to neighboring properties, and any other costs or expenses which are unanticipated but may be exposed through the course of investigation;

(l) Any existing statutes and rules and regulations related to the disposal of pesticides in any form; and

(m) Any other issues that may be necessary or appropriate to a full and complete examination of this matter.

3. The special committee shall issue a preliminary report with its findings and recommendations to the Legislature no later than December 1, 2021. At that time the estimated costs for remediation should be available to the Legislature and the Appropriations Committee of the Legislature can develop a budget for remediation in the event that state funds are required to clean up the AltEn site. The special committee shall issue a final report of its findings and recommendations by December 1, 2022. The special committee shall terminate on December 31, 2022.

Laid over.

**LEGISLATIVE RESOLUTION 160.** Introduced by McKinney, 11.

WHEREAS, Black Men United of Omaha is a grassroots organization formed in February 2003 and focused on advocacy and economic development for Black men in the Omaha community; and

WHEREAS, since its beginning, Black Men United has been recognized as a key organization for grassroots leadership, hope, and action; and

WHEREAS, Black Men United focusses on providing services, programs, and support for education, work, and family, while also promoting positive images and messages about Black boys and Black men; and

WHEREAS, the Real Men Read program presented by Black Men United provides opportunities for men to be role models by reading to children in local elementary schools; and

WHEREAS, Black Men United provided a biweekly drive-through pantry in 2020 and 2021 during the COVID-19 pandemic to families in need throughout the Omaha community; and

WHEREAS, a primary goal of Black Men United is to equip and empower members of the Omaha community with the means to thrive and maintain healthy lifestyles.

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

1. That the Legislature recognizes Black Men United of Omaha for its work in providing mentorship and educational opportunities for Black boys and Black men in Omaha.

2. That a copy of this resolution be sent to Black Men United of Omaha.

Laid over.

**LEGISLATIVE RESOLUTION 161.** Introduced by McKinney, 11.

PURPOSE: The purpose of this interim study is to examine the impact of natural hair discrimination in Nebraska educational settings and to support

all schools in creating equitable policies and practices as such relate to students' racial, ethnic, and cultural identity.

Restrictions on natural hair or hairstyles have historically been rooted in European standards of appearance and can perpetuate racist and hurtful stereotypes. Such policies exacerbate bias in educational settings by limiting an individual's ability to thrive in classroom settings, sports, and other extracurricular activities.

It is vital that students and other individuals have the confidence needed to thrive and succeed. Such confidence is hindered when suspensions and other consequences are given for the way hair naturally grows from a person's head.

This study shall include, but not be limited to:

(1) A review of existing dress code, hairstyle, and other related policies in schools across the state;

(2) An examination of model school policies that promote equitable educational environments as such relates to natural hair and protective hairstyles;

(3) Identifying training and resources necessary to support schools in creating policies promoting equitable educational environments, free of natural hair discrimination, and accountability for such policies; and

(4) Examining potential legislative solutions to ban race-based discriminatory policies and practices in schools that penalize students for their natural hair and protective hairstyles.

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

#### **SPEAKER'S ANNOUNCEMENT**

Pursuant to Rule 4, Section 8, LR159 was referred to the Reference Committee.

#### **SELECT FILE**

**LEGISLATIVE BILL 529.** Senator M. Hansen offered the following motion:

[MO71](#)

Reconsider the vote on MO70.

**SPEAKER HILGERS PRESIDING**

**PRESIDENT FOLEY PRESIDING**

Senator J. Cavanaugh moved for a call of the house. The motion prevailed with 13 ayes, 3 nays, and 33 not voting.

Senator Walz offered the following motion:

[MO72](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator Walz requested a roll call vote, in reverse order, on the motion to invoke cloture.

Voting in the affirmative, 28:

|               |            |           |                |          |
|---------------|------------|-----------|----------------|----------|
| Aguilar       | Day        | Hilgers   | McCollister    | Vargas   |
| Blood         | DeBoer     | Hilkemann | McKinney       | Walz     |
| Bostar        | Dorn       | Hunt      | Morfeld        | Williams |
| Brandt        | Flood      | Kolterman | Pahls          | Wishart  |
| Cavanaugh, J. | Hansen, B. | Lathrop   | Pansing Brooks |          |
| Cavanaugh, M. | Hansen, M. | Lindstrom | Stinner        |          |

Voting in the negative, 11:

|           |          |        |         |
|-----------|----------|--------|---------|
| Albrecht  | Clements | Lowe   | Sanders |
| Bostelman | Erdman   | Moser  | Slama   |
| Brewer    | Groene   | Murman |         |

Present and not voting, 9:

|        |         |          |         |           |
|--------|---------|----------|---------|-----------|
| Arch   | Friesen | Gragert  | Hughes  | McDonnell |
| Briese | Geist   | Halloran | Linehan |           |

Excused and not voting, 1:

Wayne

The Walz motion to invoke cloture failed with 28 ayes, 11 nays, 9 present and not voting, and 1 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 528.** [ER69](#), found on page 1151, was adopted.

Senator M. Hansen offered the following motion:

[MO73](#)

Recommit to the Education Committee.

Senator M. Hansen withdrew his motion to recommit to committee.

Senator Wayne withdrew his amendment, [AM1190](#), found on page 1214.

Senator Walz offered her amendment, [AM1171](#), found on page 1439.

Senator M. Hansen offered the following amendment to the Walz amendment:

[FA52](#)

Amend AM1171

On page 2, line 19, strike "2022" and insert "2023".

Senator M. Hansen withdrew his amendment.

The Walz amendment was adopted with 39 ayes, 0 nays, 9 present and not voting, and 1 excused and not voting.

Senator Walz offered the following amendment:

[FA50](#)

Amend AM556

On page 56, line 9, strike "aid" and insert "funding".

Senator Walz asked unanimous consent to withdraw her amendment, [FA50](#), found in this day's Journal, and replace it with her substitute amendment, [AM1458](#). No objections. So ordered. [AM1458](#) is available in the Bill Room.

The Walz amendment was adopted with 43 ayes, 0 nays, 5 present and not voting, and 1 excused and not voting.

Senator Groene offered the following amendment:

[AM1460](#)

(Amendments to Standing Committee amendments, AM556)

1 1. Insert the following new sections:  
 2 Sec. 2. Section 9-812, Revised Statutes Cumulative Supplement, 2020,  
 3 is amended to read:  
 4 9-812 (1) All money received from the operation of lottery games  
 5 conducted pursuant to the State Lottery Act in Nebraska shall be credited  
 6 to the State Lottery Operation Trust Fund, which fund is hereby created.  
 7 All payments of the costs of establishing and maintaining the lottery  
 8 games shall be made from the State Lottery Operation Cash Fund. In  
 9 accordance with legislative appropriations, money for payments for  
 10 expenses of the division shall be transferred from the State Lottery  
 11 Operation Trust Fund to the State Lottery Operation Cash Fund, which fund  
 12 is hereby created. All money necessary for the payment of lottery prizes  
 13 shall be transferred from the State Lottery Operation Trust Fund to the  
 14 State Lottery Prize Trust Fund, which fund is hereby created. The amount  
 15 used for the payment of lottery prizes shall not be less than forty  
 16 percent of the dollar amount of the lottery tickets which have been sold.  
 17 (2) A portion of the dollar amount of the lottery tickets which have  
 18 been sold on an annualized basis shall be transferred from the State  
 19 Lottery Operation Trust Fund to the Education Innovation Fund, the  
 20 Nebraska Opportunity Grant Fund, the Nebraska Education Improvement Fund,  
 21 the Nebraska Environmental Trust Fund, the Nebraska State Fair Board, and  
 22 the Compulsive Gamblers Assistance Fund as provided in subsection (3) of  
 23 this section. The dollar amount transferred pursuant to this subsection  
 24 shall equal the greater of (a) the dollar amount transferred to the funds  
 25 in fiscal year 2002-03 or (b) any amount which constitutes at least



26 twenty-two percent and no more than twenty-five percent of the dollar  
1 amount of the lottery tickets which have been sold on an annualized  
2 basis. To the extent that funds are available, the Tax Commissioner and  
3 director may authorize a transfer exceeding twenty-five percent of the  
4 dollar amount of the lottery tickets sold on an annualized basis.

5 (3) Of the money available to be transferred to the Education  
6 Innovation Fund, the Nebraska Opportunity Grant Fund, the Nebraska  
7 Education Improvement Fund, the Nebraska Environmental Trust Fund, the  
8 Nebraska State Fair Board, and the Compulsive Gamblers Assistance Fund:  
9 (a) The first five hundred thousand dollars shall be transferred to  
10 the Compulsive Gamblers Assistance Fund to be used as provided in section  
11 9-1006;

12 (b) Beginning July 1, 2016, forty-four and one-half percent of the  
13 money remaining after the payment of prizes and operating expenses and  
14 the initial transfer to the Compulsive Gamblers Assistance Fund shall be  
15 transferred to the Nebraska Education Improvement Fund;

16 (c) Forty-four and one-half percent of the money remaining after the  
17 payment of prizes and operating expenses and the initial transfer to the  
18 Compulsive Gamblers Assistance Fund shall be transferred to the Nebraska  
19 Environmental Trust Fund to be used as provided in the Nebraska  
20 Environmental Trust Act;

21 (d) Ten percent of the money remaining after the payment of prizes  
22 and operating expenses and the initial transfer to the Compulsive  
23 Gamblers Assistance Fund shall be transferred to the Nebraska State Fair  
24 Board if the most populous city within the county in which the fair is  
25 located provides matching funds equivalent to ten percent of the funds  
26 available for transfer. Such matching funds may be obtained from the city  
27 and any other private or public entity, except that no portion of such  
28 matching funds shall be provided by the state. If the Nebraska State Fair  
29 ceases operations, ten percent of the money remaining after the payment  
30 of prizes and operating expenses and the initial transfer to the  
31 Compulsive Gamblers Assistance Fund shall be transferred to the General  
1 Fund; and

2 (e) One percent of the money remaining after the payment of prizes  
3 and operating expenses and the initial transfer to the Compulsive  
4 Gamblers Assistance Fund shall be transferred to the Compulsive Gamblers  
5 Assistance Fund to be used as provided in section 9-1006.

6 (4) The Nebraska Education Improvement Fund is created. The fund  
7 shall consist of money transferred pursuant to subsection (3) of this  
8 section, money transferred pursuant to section 85-1920, and any other  
9 funds appropriated by the Legislature. The fund shall be allocated, after  
10 actual and necessary administrative expenses, as provided in this section  
11 for fiscal years 2016-17 through ~~2022-23~~ ~~2020-21~~. A portion of each  
12 allocation may be retained by the agency to which the allocation is made  
13 or the agency administering the fund to which the allocation is made for  
14 actual and necessary expenses incurred by such agency for administration,  
15 evaluation, and technical assistance related to the purposes of the  
16 allocation, except that no amount of the allocation to the Nebraska  
17 Opportunity Grant Fund may be used for such purposes. On or before  
18 December 31, ~~2021~~ ~~2019~~, the Education Committee of the Legislature shall  
19 electronically submit recommendations to the Clerk of the Legislature  
20 regarding how the fund should be allocated to best advance the  
21 educational priorities of the state for the five-year period beginning  
22 with fiscal year ~~2023-24~~ ~~2021-22~~. For fiscal year 2016-17, an amount  
23 equal to ten percent of the revenue allocated to the Education Innovation  
24 Fund and to the Nebraska Opportunity Grant Fund for fiscal year 2015-16  
25 shall be retained in the Nebraska Education Improvement Fund. For fiscal  
26 years 2017-18 through ~~2022-23~~ ~~2020-21~~, an amount equal to ten percent of  
27 the revenue received by the Nebraska Education Improvement Fund in the  
28 prior fiscal year shall be retained in the fund. For fiscal years 2016-17

29 through ~~2022-23~~ ~~2020-21~~, the remainder of the fund, after payment of any  
30 learning community transition aid pursuant to section 79-10,145, shall be  
31 allocated as follows:

1 (a) One percent of the allocated funds to the Expanded Learning  
2 Opportunity Grant Fund to carry out the Expanded Learning Opportunity  
3 Grant Program Act;

4 (b) Seventeen percent of the allocated funds to the Department of  
5 Education Innovative Grant Fund to be used (i) for competitive innovation  
6 grants pursuant to section 79-1054 and (ii) to carry out the purposes of  
7 section 79-759;

8 (c) Nine percent of the allocated funds to the Community College Gap  
9 Assistance Program Fund to carry out the community college gap assistance  
10 program;

11 (d) Eight percent of the allocated funds to the Excellence in  
12 Teaching Cash Fund to carry out the Excellence in Teaching Act;

13 (e) Sixty-two percent of the allocated funds to the Nebraska  
14 Opportunity Grant Fund to carry out the Nebraska Opportunity Grant Act in  
15 conjunction with appropriations from the General Fund; and

16 (f) Three percent of the allocated funds to fund distance education  
17 incentives pursuant to section 79-1337.

18 (5) Any money in the State Lottery Operation Trust Fund, the State  
19 Lottery Operation Cash Fund, the State Lottery Prize Trust Fund, the  
20 Nebraska Education Improvement Fund, or the Education Innovation Fund  
21 available for investment shall be invested by the state investment  
22 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
23 State Funds Investment Act.

24 (6) Unclaimed prize money on a winning lottery ticket shall be  
25 retained for a period of time prescribed by rules and regulations. If no  
26 claim is made within such period, the prize money shall be used at the  
27 discretion of the Tax Commissioner for any of the purposes prescribed in  
28 this section.

29 Sec. 32. Section 79-8,137.05, Revised Statutes Cumulative  
30 Supplement, 2020, is amended to read:

31 79-8,137.05 (1) The Excellence in Teaching Cash Fund is created. The  
1 fund shall consist of appropriations by the Legislature, transfers  
2 pursuant to section 9-812, and loan repayments, penalties, and interest  
3 payments received in the course of administering the Attracting  
4 Excellence to Teaching Program and the Enhancing Excellence in Teaching  
5 Program.

6 (2) For all fiscal years, the department shall allocate on an annual  
7 basis up to four hundred thousand dollars in the aggregate of the funds  
8 to be distributed for the Attracting Excellence to Teaching Program to  
9 all eligible institutions according to the distribution formula as  
10 determined by rule and regulation. The eligible institutions shall act as  
11 agents of the department in the distribution of the funds for the  
12 Attracting Excellence to Teaching Program to eligible students. The  
13 department shall allocate on an annual basis up to eight hundred thousand  
14 dollars of the remaining available funds to be distributed to eligible  
15 students for the Enhancing Excellence in Teaching Program. Funding  
16 amounts granted in excess of one million two hundred thousand dollars  
17 shall be evenly divided for distribution between the two programs.

18 (3) Any money remaining in the fund on August 1, ~~2023~~ ~~2021~~, shall be  
19 transferred to the Nebraska Education Improvement Fund on such date.

20 (4) Any money in the Excellence in Teaching Cash Fund available for  
21 investment shall be invested by the state investment officer pursuant to  
22 the Nebraska Capital Expansion Act and the Nebraska State Funds  
23 Investment Act.

24 Sec. 41. Section 79-1337, Revised Statutes Cumulative Supplement,  
25 2020, is amended to read:

26 79-1337 (1) For fiscal years 2007-08 through ~~2022-23~~ ~~2020-21~~, the

27 State Department of Education shall provide distance education incentives  
28 to school districts and educational service units for qualified distance  
29 education courses coordinated through the Educational Service Unit  
30 Coordinating Council as provided in this section. Through fiscal year  
31 2015-16, funding for such distance education incentives shall come from  
1 the Education Innovation Fund. For fiscal years 2016-17 through ~~2022-23~~  
2 ~~2020-21~~, funding for such distance education incentives shall come from  
3 the Nebraska Education Improvement Fund.

4 (2) School districts and educational service units shall apply for  
5 incentives annually through calendar year ~~2022~~ 2020 to the department on  
6 or before August 1 on a form specified by the department. The application  
7 shall:

8 (a) For school districts, specify (i) the qualified distance  
9 education courses which were received by students in the membership of  
10 the district in the then-current school fiscal year and which were not  
11 taught by a teacher employed by the school district and (ii) for each  
12 such course (A) the number of students in the membership of the district  
13 who received the course, (B) the educational entity employing the  
14 teacher, and (C) whether the course was a two-way interactive video  
15 distance education course; and

16 (b) For school districts and educational service units, specify (i)  
17 the qualified distance education courses which were received by students  
18 in the membership of another educational entity in the then-current  
19 school fiscal year and which were taught by a teacher employed by the  
20 school district or educational service unit, (ii) for each such course  
21 for school districts, the number of students in the membership of the  
22 district who received the course, and (iii) for each such course (A) the  
23 other educational entities in which students received the course and how  
24 many students received the course at such educational entities, (B) any  
25 school district that is sparse or very sparse as such terms are defined  
26 in section 79-1003 that had at least one student in the membership who  
27 received the course, and (C) whether the course was a two-way interactive  
28 video distance education course.

29 (3) On or before September 1 of each year through calendar year ~~2022~~  
30 ~~2020~~, the department shall certify the incentives for each school  
31 district and educational service unit which shall be paid on or before  
1 October 1 of such year. The incentives for each district shall be  
2 calculated as follows:

3 (a) Each district shall receive distance education units for each  
4 qualified distance education course as follows:

5 (i) One distance education unit for each qualified distance  
6 education course received as reported pursuant to subdivision (2)(a) of  
7 this section if the course was a two-way interactive video distance  
8 education course;

9 (ii) One distance education unit for each qualified distance  
10 education course sent as reported pursuant to subdivision (2)(b) of this  
11 section if the course was not received by at least one student who was in  
12 the membership of another school district which was sparse or very  
13 sparse;

14 (iii) One distance education unit for each qualified distance  
15 education course sent as reported pursuant to subdivision (2)(b) of this  
16 section if the course was received by at least one student who was in the  
17 membership of another school district which was sparse or very sparse,  
18 but the course was not a two-way interactive video distance education  
19 course; and

20 (iv) Two distance education units for each qualified distance  
21 education course sent as reported pursuant to subdivision (2)(b) of this  
22 section if the course was received by at least one student who was in the  
23 membership of another school district which was sparse or very sparse and  
24 the course was a two-way interactive video distance education course;

25 (b) The difference of the amount available for distribution in the  
26 Education Innovation Fund on the August 1 when the applications were due  
27 minus any amount to be paid to school districts pursuant to section  
28 79-1336 shall be divided by the number of distance education units to  
29 determine the incentive per distance education unit, except that the  
30 incentive per distance education unit shall not equal an amount greater  
31 than one thousand dollars; and

1 (c) The incentives for each school district shall equal the number  
2 of distance education units calculated for the school district multiplied  
3 by the incentive per distance education unit.

4 (4) If there are additional funds available for distribution after  
5 equipment reimbursements pursuant to section 79-1336 and incentives  
6 calculated pursuant to subsections (1) through (3) of this section,  
7 school districts and educational service units may qualify for additional  
8 incentives for elementary distance education courses. Such incentives  
9 shall be calculated for sending and receiving school districts and  
10 educational service units as follows:

11 (a) The per-hour incentives shall equal the funds available for  
12 distribution after equipment reimbursements pursuant to section 79-1336  
13 and incentives calculated pursuant to subsections (1) through (3) of this  
14 section divided by the sum of the hours of elementary distance education  
15 courses sent or received for each school district and educational service  
16 unit submitting an application, except that the per-hour incentives shall  
17 not be greater than ten dollars; and

18 (b) The elementary distance education incentives for each school  
19 district and educational service unit shall equal the per-hour incentive  
20 multiplied by the hours of elementary distance education courses sent or  
21 received by the school district or educational service unit.

22 (5) The department may verify any or all application information  
23 using annual curriculum reports and may request such verification from  
24 the council.

25 (6) On or before October 1 of each year through calendar year 2022  
26 ~~2020~~, a school district or educational service unit may appeal the denial  
27 of incentives for any course by the department to the State Board of  
28 Education. The board shall allow a representative of the school district  
29 or educational service unit an opportunity to present information  
30 concerning the appeal to the board at the November board meeting. If the  
31 board finds that the course meets the requirements of this section, the  
1 department shall pay the district from the Education Innovation Fund as  
2 soon as practical in an amount for which the district or educational  
3 service unit should have qualified based on the incentive per distance  
4 education unit used in the original certification of incentives pursuant  
5 to this section.

6 (7) The State Board of Education shall adopt and promulgate rules  
7 and regulations to carry out this section.

8 Sec. 52. Section 85-1920, Revised Statutes Cumulative Supplement,  
9 2020, is amended to read:

10 85-1920 The Nebraska Opportunity Grant Fund is created. Money in the  
11 fund shall include amounts transferred from the State Lottery Operation  
12 Trust Fund pursuant to section 9-812 until June 30, 2016, or the Nebraska  
13 Education Improvement Fund pursuant to section 9-812 until June 30, 2023  
14 ~~2024~~. All amounts accruing to the Nebraska Opportunity Grant Fund shall  
15 be used to carry out the Nebraska Opportunity Grant Act. Any money in the  
16 fund available for investment shall be invested by the state investment  
17 officer pursuant to the Nebraska Capital Expansion Act and the Nebraska  
18 State Funds Investment Act.

19 The Nebraska Opportunity Grant Fund terminates on June 30, 2023  
20 ~~2024~~. Any money in the fund on such date shall be transferred to the  
21 Nebraska Education Improvement Fund on such date.

22 Sec. 66. Sections 1, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15,

23 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 33, 34,  
24 35, 36, 37, 38, 39, 40, 42, 43, 44, 45, 46, 47, 48, 49, 50, 51, 53, 54,  
25 55, 56, 57, 58, 59, 60, 61, 62, 63, 64, 65, 68, and 69 of this act become  
26 operative three calendar months after adjournment of this legislative  
27 session. The other sections of this act become operative on their  
28 effective date.  
29 Sec. 67. Original sections 9-812, 79-8,137.05, 79-1337, and 85-1920,  
30 Revised Statutes Cumulative Supplement, 2020, are repealed.  
31 Sec. 70. Since an emergency exists, this act takes effect when  
1 passed and approved according to law.  
2 2. Renumber the remaining sections and correct internal references  
3 accordingly.

Senator Groene withdrew his amendment.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 649.** [ER92](#), found in this day's Journal, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 649A.** Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 376.** [ER96](#), found in this day's Journal, was adopted.

Senator M. Cavanaugh offered the following amendment:

[AM1453](#)

(Amendments to Standing Committee amendments, AM1307)

1 1. On page 3, line 25, after "method" insert "as provided in section  
2 4 of this act".

Pending.

## RESOLUTION(S)

**LEGISLATIVE RESOLUTION 162.** Introduced by Stinner, 48.

**PURPOSE:** The purpose of this resolution is to examine the School Readiness Tax Credit Act.

This study shall include, but is not limited to, an examination of the following:

(1) The number of tax credits claimed pursuant to the School Readiness Tax Credit Act;

(2) Whether the School Readiness Tax Credit Act incentivizes child care employees to remain in the child care industry;

(3) Whether the School Readiness Tax Credit Act incentivizes child care providers to become enrolled under the Step Up to Quality Child Care Act;

(4) Barriers that prevent child care employees and child care providers from claiming tax credits pursuant to the School Readiness Tax Credit Act; and

(5) How the amount of the tax credit currently available relates to education, professional development, and work experience requirements.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 Stinner, 48.

**PURPOSE:** The purpose of this resolution is to study postacute placement challenges in Nebraska's health care system. The study will examine current barriers to timely placement and determine possible legislative or administrative actions to improve the transition to postacute care for patients in Nebraska.

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

(1) The capacity of postacute placement beds in Nebraska, especially for skilled-nursing capacity for medicaid patients;

(2) The capacity of community-based and residential behavioral health services;

(3) The capacity of the Office of Public Guardian to process health care referrals in a timely manner;

(4) A review of postacute placement challenges for specific populations, such as prison inmates, homeless Nebraskans, and undocumented residents; and

(5) The impact of postacute placement challenges on health care costs in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 164.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this interim study is to examine problem solving courts. For almost two decades, the Legislature has worked with key stakeholders in each branch of government to authorize, invest in, and

expand problem solving courts as a sound alternative to the traditional criminal justice and juvenile justice systems. Problem solving courts are heralded for their effect on reducing recidivism, improving outcomes, lessening taxpayer burdens, and advancing public safety. Problem solving courts in Nebraska are subject to rules promulgated by the Supreme Court and utilize innovative court programs through which individuals and families thrive and all Nebraska communities become safer.

Problem solving courts and similar programs relating to alternatives to detention and incarceration, including, but not limited to, drug courts, veteran treatment courts, mental health courts, mediation courts, reentry courts, and diversionary programs, have been used in Nebraska and in many other jurisdictions.

This study may include, but is not limited to:

- (1) An assessment of barriers to participation in problem solving courts;
- (2) An identification of the number of Nebraskans who could benefit from problem solving courts;
- (3) An identification of other problem solving courts that could be developed;
- (4) An examination of the fiscal effect of problem solving courts on individuals and to Nebraska;
- (5) An examination of the fiscal effect of incarceration on individuals and to Nebraska;
- (6) An assessment of how to best expand innovative programs throughout Nebraska;
- (7) An identification of how additional criminal defendants can participate in such programs throughout the state;
- (8) A determination of legislation necessary to encourage increased participation in such programs;
- (9) An examination of the extent to which problem solving courts are a permanent component of the judicial system in Nebraska; and
- (10) An investigation into other areas of importance to the Legislature as it contemplates investment in the prison system of Nebraska and examines reformation of the criminal justice system and sentencing reform.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 165.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this interim study is to explore ways of improving dental benefits under the medical assistance program through

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

(1) Better training for dentists on oral health disparities, the challenges faced by Nebraskans receiving medicaid benefits, and how to navigate dental benefits under the medical assistance program effectively;

(2) The role that fees play in the choice to participate in the medical assistance program or accept new patients who are enrolled in medicaid;

(3) Reducing administrative burdens in dental practices that deter dentists from participating in the medical assistance program;

(4) Establishing payments to dental schools that consider adding a multiplier based on the number of medicaid-eligible patients cared for and consider other ways that the Department of Health and Human Services and dental schools could support and encourage student learning regarding medicaid-eligible patients and the medical assistance program;

(5) Engaging new dentists in caring for medicaid-eligible patients, including the feasibility of supporting loan repayments for new graduates that remain in Nebraska and treat a certain numbers of medicaid-eligible Nebraskans;

(6) Engaging new and practicing dentists in caring for medicaid-eligible patients by allowing medicaid payments to be considered deferred income for state taxation purposes; and

(7) How the threat of audits have potentially deterred participation by dentists in the medical assistance program and how to create an audit process that aims to help educate dental providers and provide opportunities for positive change.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 166.** Introduced by Day, 49.

**PURPOSE:** The purpose of this study is to review the Nebraska Fair Employment Practice Act.

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

(1) Changes in employee protections brought about by changes to the federal Americans with Disabilities Act; and

(2) A review of the Nebraska Fair Employment Practice Act's compatibility with the federal Americans with Disabilities Act Amendments Act of 2008.



This study may include a review of all state statutes, case law, administrative rules, memos, directives, and guidance published or distributed by any agency or entity of the state in furtherance of the public policy of fostering the employment of individuals with disabilities as outlined in the Nebraska Fair Employment Practice Act.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 167.** Introduced by Day, 49.

PURPOSE: The purpose of this interim study is to examine possible solutions to address conflicts that arise between decisions made in the child welfare system and custody decisions made in civil cases, which can affect the safety of children. In some child welfare cases, one parent is found to be abusive while the other parent is not abusive. In the child welfare system, if the nonabusive parent demonstrates protective capacity and the child lives with the nonabusive parent apart from the abuser, the child may be considered safe, and the case may be closed. However, the abusive parent may still have existing legal rights to visitation and custody through a civil custody case, thereby maintaining access to the child and risking the child's safety. The nonabusive parent often cannot afford or does not have access to legal representation to alter the civil custody order to reflect the findings in the child welfare case. Bridging the gap between these two systems, particularly in non-court-involved child welfare cases, is important for child safety.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 168.** Introduced by Brandt, 32.

WHEREAS, the city of Friend, Nebraska, will celebrate its one hundred fiftieth anniversary this year; and

WHEREAS, Friend is the birthplace and hometown of Ray H. Page, an aviation executive, who helped put Nebraska on the international map as a center of manufacturing, education, and promotion of aviation in the 1920s; and

WHEREAS, Ray and his wife Ethel formed the Lincoln Standard Aircraft Company in 1920 and the Lincoln Flying School shortly thereafter; and

WHEREAS, the Lincoln Standard Aircraft Company constructed one of the first commercial airfields in Lincoln and produced and sold its airplanes around the world, which led to Nebraska becoming the third largest manufacturer of airplanes in the entire United States during the 1920s; and

WHEREAS, to promote the use of air travel, Ray initiated the Page Aerial Pageant, which performed around the Midwest; and

WHEREAS, Nebraska's exciting aviation environment attracted the young Charles Lindberg to Lincoln where he enrolled in the Lincoln Flying School in 1922; and

WHEREAS, Charles Lindberg later became a preeminent aviation figure when he completed the first solo, nonstop transatlantic flight from New York to Paris in 1927; and

WHEREAS, Charles Lindberg recognized the contributions of Ray Page and the early days of Lincoln aviation to his life in Lindberg's book, "The Spirit of St. Louis," which was made into a movie that showcased Lindberg's early aviation adventures in the Midwest; and

WHEREAS, when Ray Page was laid to rest in Andrew Cemetery in Friend, Nebraska, in 1933, two large airplanes circled over the cemetery as a mark of respect for his aviation legacy; and

WHEREAS, Ray was inducted into the Nebraska Aviation Hall of Fame in 1993 for his outstanding contributions to aviation; and

WHEREAS, Ray and his wife Ethel are recognized for their contributions to aviation history with two bronze markers at the airport in Lincoln.

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

1. That the Legislature recognizes Friend, Nebraska, as the hometown of Ray H. Page and celebrates his accomplishments in aviation.
2. That copies of this resolution be sent to the Friend City Council.

Laid over.

**LEGISLATIVE RESOLUTION 169.** Introduced by Kolterman, 24.

WHEREAS, in 1918, John, Burr, Ted, and Ben Hughes established Hughes Brothers, Inc.;

WHEREAS, following a severe ice storm in 1921 that crippled the town of Seward, Nebraska, Hughes Brothers was tasked with producing and replacing damaged crossarms for the Blue River Power Company. The completion of this project allowed for quick restoration of power to the area;

WHEREAS, in the early 1930s, Hughes Brothers helped develop the first electric transmission lines to power most of the State of Nebraska;

WHEREAS, during World War II, Army engineers contracted Hughes Brothers to provide large trusses needed for airplane hangars, to produce anti-tank mines, to produce containers for 75 millimeter shells, and to produce 101,000 ammunition crates and more than one million ammunition boxes;

WHEREAS, since the company's beginning, Hughes Brothers has always answered the call of customers and communities across the country to restore electricity due to storm events; and

WHEREAS, since 1921, Hughes Brothers has rebuilt neighborhoods in Seward, employed its residents, and invested in philanthropic organizations that benefit the area.

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

1. That the Legislature recognizes the 100th anniversary of the establishment of Hughes Brothers, Inc.

2. That the Legislature thanks Hughes Brothers for the philanthropy it has provided, since the founding of the company, for the City of Seward and the surrounding areas.

Laid over.

**LEGISLATIVE RESOLUTION 170.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this study is to examine the potential impact that innovation hubs, similar to those in California and other states, could have in Nebraska.

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

(1) The need for innovation hubs to assist the growth of small businesses and entrepreneurs;

(2) The benefits that collaboration between multiple government and community agencies could have in assisting the growth and innovation of small businesses and entrepreneurs; and

(3) The centralization of resources necessary to successfully implement an innovation hub for small businesses and entrepreneurs in a variety of industries in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 171.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this resolution is to complete a comprehensive study of the rights, roles, and responsibilities of Nebraska county election officials, state election officials, and relevant court and corrections personnel in carrying out state law regarding voting rights for former felony offenders.

As documented recently, data and system errors have impermissibly disenfranchised eligible voters from participation in the election process. While some important reforms have been implemented at the state and local levels, it remains to be seen how widespread these issues are and whether or not all relevant stakeholders are actively addressing errors and fully implementing the letter and spirit of the law.

Voting rights are critical to democracy and should not be suppressed or diminished. Current Nebraska law includes a two-year waiting period after completion of a felony sentence and is among the longest in the country. Such laws not only disenfranchise potential voters, but also have disparate impacts on low-income Nebraskans and Nebraskans of color.

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

(1) Potential administrative and statutory reforms to voting and election laws in Nebraska for former felony offenders, including the elimination of the two-year waiting period to vote;

(2) How relevant stakeholders are addressing the consequences of any errors regarding the restoration of voting rights;

(3) How widespread system and data errors are across the state, how many Nebraskans are impacted by these errors, and relevant demographic information about the impacted voters;

(4) Whether additional funding, training, or other solutions should be implemented by election officials to address these issues; and

(5) Any other related issues necessary to protect and defend the right to vote for eligible Nebraska voters.

**NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 172.** Introduced by McKinney, 11.

**PURPOSE:** The purpose of this interim study is to look at the negative impacts of an oversaturation of nonprofit organizations and philanthropy in densely populated areas of high poverty.

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

- (1) How an oversaturation of nonprofit organizations and philanthropy may stifle economic growth and independence in areas of high poverty;
- (2) How decisions in communities of high poverty are affected based on different philanthropic donors and nonprofit organizations;
- (3) Possible solutions to create more balance and lessen any negative impacts of nonprofit organizations and philanthropy in areas of high poverty; and
- (4) How other states and nations handle this issue to promote economic growth and independence in areas of high poverty.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 173.** Introduced by Blood, 3; Brewer, 43; Clements, 2; Day, 49; Sanders, 45.

**PURPOSE:** The purpose of this resolution is to study the organizational structure and funding of the Nebraska Law Enforcement Training Center.

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

- (1) The effects of reduced staffing at the Nebraska Law Enforcement Training Center;
- (2) The Nebraska Law Enforcement Training Center's ability to provide both basic and advanced training;
- (3) The potential effect LB51, introduced in 2021, may have on the Nebraska Law Enforcement Training Center; and
- (4) The current needs for instructor staffing, equipment, and facilities at the Nebraska Law Enforcement Training Center.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 174.** Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine any issues within the jurisdiction of the General Affairs Committee of the Legislature.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 175.** Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine and review the game of keno, governed by the Nebraska County and City Lottery Act, and any potential administrative or statutory revisions which may be necessary.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 176.** Introduced by Briese, 41.

PURPOSE: The purpose of this interim study is to examine the statutes governing horseracing and the State Racing Commission in Nebraska to determine if any updates or revisions are necessary, including, but not limited to, the removal of any obsolete, antiquated, or duplicate provisions.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 177.** Introduced by Briese, 41.

**PURPOSE:** The purpose of this interim study is to examine the State Athletic Commissioner and review occupational licenses and regulations for professional boxers and professional boxing promoters. The study shall be conducted to fulfill the requirements of section 84-948 and the Occupational Board Reform Act.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 178.** Introduced by Wishart, 27; Clements, 2; Dorn, 30; Erdman, 47; Hilkemann, 4; Kolterman, 24; McDonnell, 5; Stinner, 48; Vargas, 7.

**PURPOSE:** The purpose of this interim study is to solicit input from Nebraskans into how funds from the federal American Rescue Plan Act of 2021, Public Law 117-2, would best be utilized and which funds the State of Nebraska should apply for. Nebraska will receive significant dollars from the federal government to help Nebraska recover from the impact of COVID-19 on the economy, public health, education, state and local governments, individuals, and businesses. Public input will include, but not be limited to, experts in the public and private sectors, the Governor, state agencies, governmental subdivisions, and the general public.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 179.** Introduced by Cavanaugh, M., 6.

PURPOSE: The purpose of this resolution is to study the funding mechanisms in the American Rescue Plan Act of 2021, Public Law 117-2, that are available to provide services and benefits to the people of the State of Nebraska. The study shall include, but not be limited to:

- (1) Identifying federal funding available for providing services and benefits to the people of Nebraska; and
- (2) Identifying the appropriations necessary to maximize the use of the available funds.

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

1. That the Appropriations Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 180.** Introduced by Walz, 15.

PURPOSE: The purpose of this resolution is to conduct an indepth review of how at-risk and economically disadvantaged students are identified as a qualification factor for state-funded, education-related programs at the primary, secondary, and postsecondary education levels. The study shall include, but not be limited to, an examination of the following:

- (1) The use of the federal National School Lunch Program administered by the federal Department of Agriculture as a proxy to identify poverty;
- (2) The impact changes in such program, specifically the implementation of the community-eligibility provision and direct certification, have had on current and future student eligibility for state programs;
- (3) How poverty is identified and program qualification factors are written in other states;
- (4) Relevant studies and literature with a focus on the best practices for determinations of poverty for education-related funding programs; and
- (5) Whether a need exists to update current state statutes to meet the legislative intent for the various funding programs in light of changes in federal policy and, if so, what options are available for such statutory updates.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 181.** Introduced by Walz, 15.

**PURPOSE:** The purpose of this interim study is to examine home visitation for families in Nebraska. Home visitation is a prevention strategy used to support pregnant moms and new parents which promotes infant and child health, fosters educational development and school readiness, and prevents abuse and neglect. This interim study shall assess the status of home visitation in this state and explore ways to expand programming to more families.

This study shall maintain the confidentiality of program participants and shall include, but not be limited to:

(1) A collection of existing data on the type and location of available home-visitation programs, and to what extent each program aligns with evidence-based or evidence-informed approaches, including training or professional credentials required for each program model;

(2) A review of the parents and children impacted by home visitation, including, but not limited to:

(a) Data regarding the parents and children served;

(b) Outcome measures, if available;

(c) Details on the waitlists for programs, if applicable; and

(d) Impact stories related to current and former program participants.

(3) An examination of existing federal, state, and local funding sources for home visitation in the State of Nebraska, including, but not limited to:

(a) The Nebraska Early Childhood Endowment Fund;

(b) Federal Head Start funds;

(c) Private funds;

(d) Federal Maternal, Infant and Early Childhood Home Visiting program funds;

(e) Federal Temporary Assistance for Needy Families funds;

(f) State and federal medicaid funds;

(g) Federal Family First Prevention Services Act funds;

(h) Funds appropriated to the State Department of Education for early childhood education; and

(i) The state General Fund;

(4) A review of potential statutory or administrative changes that would support current models or establish new models of home visitation in this state, as well as, a consideration of the status of home visitation in other states; and

(5) A determination of whether additional state funding is needed to increase development and access to home visitation.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 182.** Introduced by Walz, 15.

PURPOSE: The purpose of this interim study is to examine the school enrollment options available to students, including virtual learning and distance education, and how these options influence public school enrollment decisions.

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

- (1) The enrollment option program, including, but not limited to:
  - (a) Whether the current statutory limits and exceptions meet the needs of students and families, along with the needs of school districts, or if current statutes create undue hardships for students, families, or school districts;
  - (b) The benefits and consequences of allowing part-time participation in the enrollment option program and how such enrollment could be reflected in the Tax Equity and Educational Opportunities Support Act;
  - (c) Whether the current school finance formula accurately accounts for the fiscal impact of the enrollment option program on school districts, incentivizes the recruitment of option students by school districts, or creates a discriminatory effect;
  - (d) Whether the current program unfairly limits opportunities for students enrolled in an exempt or nonpublic school by restricting any part-time enrollment to the school district in which they reside;
  - (e) Whether current statutes properly balance the needs of special education students with the combined capacity limitations of the school district and its affiliated educational service unit;
  - (f) Whether the appeal process for students whose application for option enrollment has been denied provides appropriate protections for students and families;
  - (g) How the enrollment option program compares to public school choice programs in other states; and
  - (h) Any other issues related to the enrollment option program that the committee deems necessary; and
- (2) Student participation in virtual learning and distance education offered by school districts, including, but not limited to:
  - (a)(i) Courses school districts offer or intend to offer using virtual learning and distance education during the school year, (ii) the parameters that surround enrollment in such options during a summer session, and (iii) whether there are enough options statewide to meet the needs of students, families, and school districts;
  - (b) How students enrolled in virtual learning and distance education are accounted for in Tax Equity and Educational Opportunities Support Act

formula needs and a determination of whether this method is sufficient to timely and accurately reflect the fiscal impact on school districts;

(c) Whether the formula for distance education incentives paid from lottery dollars accurately reflects the net costs associated with providing such services;

(d) Whether there are duplicative components in the school finance formula related to virtual learning and distance education;

(e) Whether a more streamlined mechanism exists for offsetting the net costs associated with virtual learning and distance education;

(f) How public school virtual learning and distance education are accounted for in the school finance funding formulas of other states; and

(g) Any other issues related to virtual learning or distance education that the committee deems necessary.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 183.** Introduced by Cavanaugh, J., 9; Hansen, M., 26; McKinney, 11.

**PURPOSE:** The purpose of this interim study is to examine Nebraska law relating to body-worn cameras worn by law enforcement agents.

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

(1) Nebraska law relating to body-worn cameras worn by law enforcement agents;

(2) Whether there is a clear and uniform practice among law enforcement agencies to make such recordings available to the public in a manner consistent with the interests of transparency, public accountability, and public safety;

(3) Whether revision to Nebraska law relating to body-worn cameras worn by law enforcement agents is necessary to ensure that recordings from such cameras are available to the public; and

(4) Laws in other states relating to videos recorded on body-worn cameras worn by law enforcement agents.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 184.** Introduced by Wishart, 27.

**PURPOSE:** The purpose of this resolution is to examine the contract process and the rates paid to family service providers who serve children and families in the Northern, Southeast, Central and Western Service Areas of Nebraska. Providers in the 91 counties who comprise these service areas contract directly with the Department of Health and Human Services to serve forty-eight percent of the vulnerable children and families who are in the child welfare system across the state. Over the last twelve years, family service providers in these service areas have experienced significant changes to their contracts, resulting in increased expenses and decreased revenue, while only receiving a four-percent rate increase. These circumstances, along with increasing operating expenses, have created a fragile child welfare system that is not sustainable. The contract changes and nearly stagnant rate have left providers struggling to recruit the talent required in Department of Health and Human Services contracts and to provide a competitive wage and benefits package to their current employees. The department has shown no signs of addressing the instability in the system.

The study shall examine:

(1) Services such as: family support, drug test collections, intensive family preservation and intensive family reunification, parenting time and supervised visitation, and travel time for family support and parenting time and supervised visitation;

(2) The annual contracting process that the Department of Health and Human Services utilizes in procuring the services described in this resolution, including, but not limited to, the basis for making changes to each contract, who approves such changes, how the cost and savings of any change to a provider or the department is calculated, and how those changes are communicated to providers;

(3) The financial impact to both providers and the department of any change to the contract using 2010 as a base year;

(4) The history of any rate increase since 2010;

(5) The annual increase in the budget of the Division of Children and Family Services of the department compared to the annual rate increases for providers since 2010;

(6) The cost of living in Nebraska compared to the annual rate increases for providers since 2010;

(7) The employee benefits, annual starting pay rate, and the rate paid after training by the department for a child and family services specialist since 2010;

(8) The education and experience requirements mandated by the department for employees who work directly with children and families;

(9) The steps the department intends to take, if any, and the timeline in taking those steps, to determine a fair rate to pay providers for the services described in this resolution; and

(10) All other health care, behavioral health, and long-term care provider rates.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 185.** Introduced by Brandt, 32; Cavanaugh, J., 9; McKinney, 11; Vargas, 7.

**PURPOSE:** Agriculture is the primary economic driver in Nebraska and the backbone of the economy. According to the Nebraska Department of Agriculture, twenty-five percent of jobs in the state are related to agriculture. A majority of these jobs exist in support of traditional livestock and crop production operations, but more than three hundred career fields exist to support agriculture. Twenty-first century career opportunities in food systems, technology, research, environmental conservation and sustainability, international trade and policy, and finance, require a highly technical educational curriculum in order for students to succeed. Such a curriculum could include the study of the farm to table movement, the culinary arts, and the environmental effects of food production. Nearly every academic subject can be viewed through the lens of agriculture. However, there is a lack of focus in the education system, especially for students in urban areas, about where food comes from and the skills and knowledge needed for careers in agriculture. This study shall examine the feasibility of, and interest in, an agricultural school or educational center in Nebraska, particularly in an urban location. An agricultural educational center or magnet school could provide a solution to the brain drain problem that has long siphoned young professionals away from our state in search of jobs elsewhere. Moreover, because of this state's unique geographic and historic connection to agriculture, providing educational opportunities in support of food systems will prepare students for careers right here in Nebraska.

The issues addressed by this interim study may include, but not be limited to, an examination of:

(1) The feasibility and interest in creating an agricultural school or educational center;

(2) The benefits of an agricultural school with a focus on economics, food, health, and environmental studies;

(3) The potential costs associated with creating an agricultural school or educational center and the process required to do so; and

(4) Possible criteria for determining the best locations for a Nebraska agricultural school or educational center.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 186.** Introduced by Brandt, 32.

PURPOSE: The economic survival of many towns in Nebraska is dependent on features that encourage residents to continue living there. For some towns, a nonprofit movie theatre is one such feature. However, nonprofit movie theaters in certain jurisdictions in this state have been granted an exemption from state taxes, while others have not. This interim study seeks to improve consistency in granting a tax-exempt status to nonprofit movie theaters based on criteria that uses a clear definition of what constitutes a charitable or educational organization for such purposes and considers whether the nonprofit movie theatre holds a certificate of exemption under section 501(c)(3) of the Internal Revenue Code.

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

(1) Identifying the location of operating nonprofit movie theaters in Nebraska;

(2) Ascertaining the tax exempt status of identified nonprofit movie theaters;

(3) Evaluating the criteria used to assign and reject a tax exemption for such nonprofit movie theaters; and

(4) Examining the use of terms charitable and educational in designating a tax exempt status.

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

1. That the Revenue Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 187.** Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this interim study is to examine and review liquor laws in Nebraska, including the Nebraska Liquor Control Act, to determine if any updates or revisions are necessary.

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

- (1) Laws relating to liquor license retail applications and requirements;
- (2) Laws regarding new liquor license retail applications and additions to current licenses regarding contiguous spaces of licensed premises and outdoor areas; and
- (3) The ability for the Nebraska Liquor Control Commission to allow exceptions for transferring alcohol between retail locations with the same ownership.

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

1. That the General Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 188.** Introduced by Cavanaugh, J., 9.

PURPOSE: The purpose of this interim study is to examine issues related to adopting reward-based conservation programs that provide incentives to landowners and operators to adopt conservation practices.

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

- (1) Mechanisms to provide property tax relief for those individuals who voluntarily implement conservation practices that provide soil, water, and habitat conservation benefits;
- (2) The benefits provided by such mechanisms, including increased irrigation efficiency, reduced regulatory oversight, and improved groundwater and surface water quality; and
- (3) How to best structure a reward-based conservation program that recognizes and builds on the important role played by counties and the natural resources districts in setting local priorities.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 189.** Introduced by McCollister, 20.

**PURPOSE:** The purpose of this interim study is to examine sex offender registration in Nebraska.

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

(1) Whether juveniles adjudicated as sex offenders outside Nebraska should register as sex offenders if they move to Nebraska;

(2) Whether a tier-based system of differentiated public notification based on the individual's risk level, seriousness of conviction, and age should be used in sex offender registration; and

(3) Changes that could be made to the Sex Offender Registration Act.

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

1. That the Judiciary Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 190.** Introduced by McCollister, 20.

**PURPOSE:** The purpose of this interim study is to examine the work participation requirements in the federal Temporary Assistance for Needy Families (TANF) program in Nebraska.

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

(1) A review of the number of parents and children impacted by the TANF program in Nebraska, and the length of time families remain in the program;

(2) An examination of resources available to families through the TANF program, including, but not limited to, service referrals;

(3) A consideration of how funding through the TANF program block grant is allocated, including, but not limited to, how the TANF program "rainy day funds" are utilized;

(4) A comparison of other state work requirements within the TANF program;

(5) A review of potential statutory or administrative changes that would support ensuring that the TANF program work participation requirements meet the goals of the program; and



(6) A review of whether the TANF program work requirements could be expanded.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 191.** Introduced by McCollister, 20.

**PURPOSE:** The purpose of this study is to examine the effect of universal recognition of occupational licenses on populations frequently negatively impacted by occupational licensing in the state, including, low-income workers, military members and their spouses, and those with a criminal history.

Expanding pathways to well-compensated jobs is critical for economic recovery in the wake of the COVID-19 pandemic. Currently, professional licenses are required for nearly twenty-four percent of jobs in Nebraska, encompassing nearly two hundred different professions. Occupational licensing disproportionately affects those of lower socioeconomic status and restricts low-skill employment opportunities.

Military servicemembers, veterans, and spouses and other family members of servicemembers and veterans are acutely impacted by state occupational licensure due to their frequent movement between the several states. Occupational licensure programs have historically been poorly understood by the regulated public. Furthermore, expenditures under public contracts are often contingent on the occupational licensure of providers and implicate the efficiency of the entire state enterprise.

Likewise, Nebraskans with criminal records may face additional barriers to obtaining professional licenses that limit their economic opportunities and prevent employers from hiring qualified workers in high-demand fields.

Improving licensing access may help strengthen state and local economies, encourage migration into the state, promote successful reentry, and reduce incarceration costs.

At least ten states have passed universal recognition of licensing and over one-half of the states in the nation have adopted best practices that provide fair licensing access for qualified individuals with criminal records while still maintaining public safety. Nebraska adopted some best practices in 2018 through the Occupational Board Reform Act. Subsequently, other states have adopted additional measures to improve licensing for justice-impacted individuals.

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

(1) Best practices for the consideration of criminal history in occupational and professional licensing determinations;

(2) The extent to which current licensing policies governing the consideration of criminal history and other individual characteristics promote efficiency, economic development, public safety, and equitable, consistent, and transparent licensing outcomes; and

(3) Any substantial and demonstrated risks to public health and safety which could accrue as a result of potentially diminished standards in assorted occupations if universal recognition of occupational licenses across state lines is adopted.

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

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE RESOLUTION 128.** Reported to the Legislature for further consideration.

(Signed) Tom Brewer, Chairperson

**COMMITTEE REPORT(S)**

Transportation and Telecommunications

The Transportation and Telecommunications 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.

Alec Gorynski - State Highway Commission

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications 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.

Shane J. Greckel - Nebraska Information Technology Commission

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

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

Daniel Spray - Nebraska Information Technology Commission

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications 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.

Clint Jones - Motor Vehicle Industry Licensing Board

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications 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.

Brad Jacobs - Motor Vehicle Industry Licensing Board

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

The Transportation and Telecommunications 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.

Matthew O'Daniel - Motor Vehicle Industry Licensing Board

Aye: 8. Albrecht, Bostelman, Cavanaugh, M., DeBoer, Friesen, Geist, Hughes, Moser. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Curt Friesen, Chairperson

**SELECT FILE**

**LEGISLATIVE BILL 376.** Senator M. Cavanaugh renewed her amendment, [AM1453](#), found in this day's Journal.

Pending.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 192.** Introduced by Groene, 42.

**PURPOSE:** The purpose of this interim study is to review methods of water augmentation for preserving or enhancing stream flows, redirecting excess water, recharging ground water aquifers, or complying with compact and interstate agreements with an intent to develop statutory definitions and determine how water augmentation relates to section 46-252 of the Nebraska Revised Statutes and other permitting processes.

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

- (1) Development of a method to integrate water augmentation projects into the existing permitting process;
- (2) Determination of unique features of natural resources district water augmentation projects that need to be addressed in the permitting process;
- (3) Determination of the best procedures to ensure that water augmentation projects are correctly planned to best fit into Nebraska's overall water management plan;
- (4) Preparation of a cost-benefit analysis for implementation of a permitting system designed to integrate water augmentation projects into the existing process and the potential effect on taxpayers;
- (5) Evaluation of whether natural resources districts should be exempt from liability for damage resulting from stream overflow caused by a water augmentation project;
- (6) Identification of the number of current and potential water augmentation projects;
- (7) Analysis of the role played by the Department of Natural Resources in enforcement, reporting, and oversight of water augmentation projects; and
- (8) Development of statutory definitions applicable to water augmentation projects.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 193.** Introduced by DeBoer, 10; Albrecht, 17; Bostelman, 23; Brandt, 32; Cavanaugh, M., 6; Geist, 25; Hughes, 44.

**PURPOSE:** The purpose of this resolution is to examine broadband mapping and broadband speed testing in Nebraska.

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

- (1) The current methods used to create Nebraska's broadband coverage maps;
- (2) Various methods of collecting broadband coverage data;
- (3) The broadband mapping program used by the Federal Communications Commission;
- (4) Ways to improve Nebraska's broadband coverage maps;
- (5) The current methods used to measure broadband speeds in Nebraska;
- (6) Various methods of broadband speed testing used nationwide; and
- (7) Methods that could be used in Nebraska to improve accuracy of broadband speed tests.

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

1. That the Transportation and Telecommunications Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

2. That the committee shall upon the conclusion of its study make a report of its findings, together with its recommendations, to the Legislative Council or Legislature.

Referred to the Executive Board.

**LEGISLATIVE RESOLUTION 194.** Introduced by DeBoer, 10.

**PURPOSE:** The purpose of this resolution is to examine methods of ending domestic and sexual violence in Nebraska.

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

- (1) Identification of data on domestic and sexual violence collected by the state, including, but not limited to, police reports, 911 and law enforcement response, and protection orders;
- (2) Examination of the reporting of domestic abuse data by the law enforcement agencies statewide to the Nebraska Commission on Law Enforcement and Criminal Justice as required under section 42-930 of the Nebraska Revised Statutes;
- (3) A review of domestic abuse data, including, but not limited to:
  - (a) Law enforcement agencies reporting and failing to report dating back to 1997;
  - (b) Decisions by the Nebraska Commission on Law Enforcement and Criminal Justice to enforce or not enforce section 81-1426 of the Nebraska Revised Statutes; and

(c) Efforts of the commission to ensure compliance by law enforcement agencies;

(4) A review of law enforcement agency data reported, including, but not limited to:

(a) Identification of law enforcement agencies that did not report domestic abuse data required under section 42-930 of the Nebraska Revised Statutes, reasons for failure to comply with the requirement, and any resources needed to provide accurate data;

(b) The effect such failure has on survivors of these crimes and the impact of missing data on the State of Nebraska; and

(c) In the event of a failure by a law enforcement agency to comply with reporting requirements, a determination of whether such failure to comply was willful or repeated;

(5) A review of protection orders, including, but not limited to:

(a) Data collected by the State Court Administrator regarding protection order filings under sections 28-311.09, 28-311.11, and 42-924 of the Nebraska Revised Statutes;

(b) Protection order data that is not collected, but is needed to advance policies that support survivors of domestic and sexual violence; and

(c) Solutions for collecting such protection order data in an effort to advance policies that support survivor autonomy and safety;

(6) Whether data related to domestic and sexual violence collected by state agencies contains complete and accurate data that is accessible by the Legislature, state agencies, and the public; and

(7) Solutions to end domestic and sexual violence in Nebraska.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 195.** Introduced by DeBoer, 10.

WHEREAS, Victoria Freeman of Lincoln High School in Lincoln, Nebraska, has been named the 2021 National Speech and Debate Association James M. Copeland High School Coach of the Year; and

WHEREAS, the National Speech and Debate Association was created as the National Forensics League in 1925 to provide recognition and support for students participating in speech and debate activities; and

WHEREAS, the mission of the National Speech and Debate Association is to connect, support, and inspire a diverse community committed to empowering students through speech and debate education and competition; and

WHEREAS, the National Speech and Debate Association annually honors one high school speech and debate coach who reflects outstanding leadership and commitment to speech and debate as an activity and a community with the James M. Copeland High School Coach of the Year Award; and

WHEREAS, honorees must be coaches who demonstrate leadership, exemplify honor, encourage team spirit, work with students, parents, faculty, and staff members to sustain and grow debate participation, and advocate for speech debate by showcasing students and their achievements; and

WHEREAS, Victoria was nominated for this award in recognition of her work in leading the Nebraska debate community through the unique challenges of the COVID-19 pandemic and for her efforts to make speech and debate more accessible to all students, coaches, and judges; and

WHEREAS, Victoria's work on the National Speech and Debate Association's Persons with Disabilities Coaches Caucus has helped to foster a more supportive and accepting space for debate students, judges, and coaches with disabilities and pushed the speech and debate community as a whole to better accommodate persons with disabilities and other groups.

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

1. That the Legislature congratulates Victoria Freeman for being awarded the 2021 National Speech and Debate Association's James M. Copeland High School Coach of the Year Award.

2. That a copy of this resolution be sent to Victoria Freeman.

Laid over.

**LEGISLATIVE RESOLUTION 196.** Introduced by Blood, 3; Brandt, 32; Cavanaugh, J., 9; Day, 49; DeBoer, 10; Flood, 19; Friesen, 34; Halloran, 33; Hansen, B., 16; Morfeld, 46.

**PURPOSE:** The purpose of this resolution is to study the potential applications for blockchain technology in agricultural operations. The study should include, but is not limited to, an examination of:

(1) How blockchain technology can be used to trace the origin of products from farm to shelf;

(2) How blockchain can be used for inventory control;

(3) The potential use of blockchain to monitor farm conditions, including, but not limited to, weather, soil quality, and the functioning of irrigation equipment;

(4) The potential use of blockchain technology for maintenance records of production and transportation equipment;

(5) Implementing the use of blockchain for data verification and certification for organic products;

(6) The potential use of blockchain for tracking and ordering supplies such as fertilizer and seeds; and

(7) The potential use of blockchain as a tool for asset exchange, including payments for sales and storage of products and equipment.

The study shall be conducted by a select committee of the Legislature appointed by the Executive Board of the Legislative Council. The select committee shall consist of: The chairperson of the Agriculture Committee or another member of the committee designated by the chairperson, the chairperson of the Natural Resources Committee or another member of the committee designated by the chairperson, the chairperson of the Transportation and Telecommunications Committee or another member of the committee designated by the chairperson, and three additional members of the Legislature appointed by the executive board to carry out the purposes of this resolution.

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

1. That a select committee of the Legislature shall be appointed by the Executive Board of the Legislative Council as provided in this resolution to conduct an interim study to carry out the purposes of this resolution.

2. That the select committee shall upon 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.

### EASE

The Legislature was at ease from 6:00 p.m. until 6:31 p.m.

### SELECT FILE

**LEGISLATIVE BILL 376.** Senator M. Cavanaugh renewed her amendment, [AM1453](#), found and considered in this day's Journal.

Senator Slama offered the following amendment to the M. Cavanaugh amendment:

[FA55](#)

Amend AM1453

On page 1, line 2, strike "4" and insert "3".

### SPEAKER HILGERS PRESIDING

Senator M. Cavanaugh offered the following motion:

[MO74](#)

Invoke cloture pursuant to Rule 7, Sec. 10.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 31 ayes, 3 nays, and 15 not voting.

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



Voting in the affirmative, 30:

|               |               |            |             |                |
|---------------|---------------|------------|-------------|----------------|
| Aguilar       | Cavanaugh, M. | Hansen, B. | Lathrop     | Pansing Brooks |
| Arch          | Day           | Hansen, M. | Lindstrom   | Stinner        |
| Blood         | DeBoer        | Hilgers    | McCollister | Vargas         |
| Bostar        | Dorn          | Hilkemann  | McDonnell   | Walz           |
| Brandt        | Flood         | Hunt       | McKinney    | Williams       |
| Cavanaugh, J. | Gragert       | Kolterman  | Morfeld     | Wishart        |

Voting in the negative, 11:

|           |          |         |       |
|-----------|----------|---------|-------|
| Albrecht  | Clements | Geist   | Lowe  |
| Bostelman | Erdman   | Hughes  | Slama |
| Brewer    | Friesen  | Linehan |       |

Present and not voting, 5:

|        |          |       |        |         |
|--------|----------|-------|--------|---------|
| Briese | Halloran | Moser | Murman | Sanders |
|--------|----------|-------|--------|---------|

Excused and not voting, 3:

|        |       |       |
|--------|-------|-------|
| Groene | Pahls | Wayne |
|--------|-------|-------|

The M. Cavanaugh motion to invoke cloture failed with 30 ayes, 11 nays, 5 present and not voting, and 3 excused and not voting.

The Chair declared the call raised.

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

Senator Stinner filed the following amendment to LB296:

AM1473

(Amendments to Final Reading copy)

1 1. Insert the following new sections:

2 Sec. 2. It is the intent of the Legislature that beginning July 1,

3 2021, the Division of Children and Family Services of the Department of

4 Health and Human Services shall implement a two-percent increase to

5 foster care reimbursement rates for fiscal year 2021-22 and beginning

6 July 1, 2022, the division shall implement a two-percent increase to

7 foster care reimbursement rates for fiscal year 2022-23.

8 Sec. 3. There is hereby appropriated (1) \$840,108 from the General

9 Fund and \$44,216 from federal funds for FY2021-22 and (2) \$1,697,019 from

10 the General Fund and \$89,317 from federal funds for FY2022-23 to the

11 Department of Health and Human Services, for Program 347, to aid in

12 carrying out the provisions of Legislative Bill 296, One Hundred Seventh

13 Legislature, First Session, 2021.

14 No expenditures for permanent and temporary salaries and per diems

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

16 section.

17 Sec. 4. Sections 1 and 5 of this act become operative three calendar

18 months after the adjournment of this legislative session. The other

19 sections of this act become operative on their effective date.

20 Sec. 6. Since an emergency exists, this act takes effect when passed

21 and approved according to law.

22 2. On page 1, strike beginning with "state" in line 1 through line 4

23 and insert "public health and welfare; to amend section 83-109, Revised

24 Statutes Cumulative Supplement, 2020; to change provisions regarding

25 access to records; to state intent regarding increases to foster care

26 reimbursement rates; to harmonize provisions; to appropriate funds to aid

1 in carrying out the provisions of Legislative Bill 296, One Hundred

2 Seventh Legislature, First Session, 2021; to provide operative dates; to

3 repeal the original section; and to declare an emergency."

4 3. Renumber the remaining section accordingly.

## RESOLUTION(S)

### LEGISLATIVE RESOLUTION 197. Introduced by Slama, 1.

WHEREAS, Nancy Hoch was born on October 10th, 1936, in Nebraska City, Nebraska;

WHEREAS, Nancy grew up in Nebraska City, graduated from Nebraska City High School, attended the University of Nebraska, and graduated from the University of Kansas with a degree in political science;

WHEREAS, Nancy was the first woman elected to the University Of Nebraska Board Of Regents from the 4th District where she served for 12 years;

WHEREAS, Nancy served her community through her time on the University of Nebraska's President's Advisory Council, the University's Alumni Association and Executive Board, Chancellor's Search Committee, Chancellor's Board of Counselors of University of Nebraska Medical Center, and several other university-related boards and organizations;

WHEREAS, Nancy was the 1983 recipient of the Nebraska City Chamber of Commerce Outstanding Citizen Award and was awarded "Woman of the Year" by the Business and Professional Women in Nebraska City;

WHEREAS, Nancy was the first woman to join Rotary in Nebraska;

WHEREAS, Nancy was nominated by the Nebraska Republican Party for the U.S. Senate in 1984 and in 1986 and was also one of the first women to run for governor in the State of Nebraska;

WHEREAS, Nancy served 20 years on the Nebraska City Library Board and acted as its president much of that time;

WHEREAS, Nancy served as the President of the River Country Economic Development Corporation in Nebraska City, resulting in important industrial economic growth;

WHEREAS, Nancy volunteered with the Nebraska Community Foundation, Nebraska Children and Families Foundation, the Nebraska City Housing Task Force, and other civic organizations;

WHEREAS, Nancy portrayed a deep love for her family, community, and state; and

WHEREAS, Nancy Hoch died peacefully in her sleep in San Miguel de Allende, Mexico, on May 5, 2021, at the age of 84.

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

1. That the Legislature honors Nancy Hoch for her community service in Southeast Nebraska and beyond.
2. That the Legislature offers its condolences to the family of Nancy Hoch.
3. That a copy of this resolution be sent to the family of Nancy Hoch.

Laid over.

**LEGISLATIVE RESOLUTION 198.** Introduced by Hunt, 8.

**PURPOSE:** The purpose of this resolution is to examine Nebraska's practices relating to social security benefits owed to certain children in the foster care system. Recent independent nationwide investigations by the Marshall Project and National Public Radio found that, in at least thirty-six states, foster care agencies look for children in their care who are entitled to social security benefits and apply to become the financial representative of those children in order for the agency to keep the money owed to those children, without notifying those children of such practices.

The investigations further found that at least ten state foster care agencies hired for-profit companies to seek and obtain social security benefits owed to children currently in foster care agencies within those states. Such foster care agencies profited millions of dollars under the guise of reimbursement for the costs of providing foster care services to those children.

This study shall include, but not be limited to:

- (1) An investigation into whether the foster care system in Nebraska hired Maximus Inc. or a similar contractor for the purpose of identifying children in Nebraska who are eligible for social security benefits and helping the Nebraska foster care system acquire such funds;
- (2) An examination of whether the foster care system in Nebraska has retained social security benefits intended for children in its care by way of serving as the financial representative for those children;
- (3) An analysis of notification practices used by the foster care system in Nebraska to alert a child and that child's guardian or lawyer of the child's eligibility for social security benefits;
- (4) An examination of the amount of social security benefits retained by the foster care system in Nebraska over the last five fiscal years, and, if applicable, the categorical breakdown of such benefits; and
- (5) A determination of regulatory or statutory changes necessary to ensure that all children in the foster care system in Nebraska are made aware of social security benefits for which those children are eligible and how to receive such benefits.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED SEVENTH 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 199.** Introduced by Slama, 1.

**PURPOSE:** The purpose of this interim study is to examine the creation of a rural economic development program to encourage larger development projects to locate in rural parts of Nebraska and reduce barriers to project approval and completion.

The COVID-19 pandemic highlighted the United States' need for reliable, domestic supply chains for essential products and services. The pandemic is likely to have accelerated the already burgeoning trend of vertical integration for food processing and certainly demonstrated that e-commerce, telework, and other shifts in business and industry practices can provide more flexibility for individuals to live and work in rural areas without sacrificing employment opportunities.

Unfortunately, complicated regulations and labor shortages can impede large-scale development in rural areas. The state must act swiftly to identify opportunities to improve its appeal to companies considering locating in rural areas and to capitalize on these trends in order to grow the state's economy and preserve rural communities.

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

#### SELECT FILE

**SENATOR WILLIAMS PRESIDING**

**LEGISLATIVE BILL 139.** [ER97](#), found in this day's Journal, was adopted.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 579.** [ER95](#), found in this day's Journal, was adopted.

Senator M. Cavanaugh offered the following motion:

[MO75](#)

Bracket until May 20, 2021.

Senator M. Cavanaugh withdrew her motion to bracket.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 236.** [ER98](#), found in this day's Journal, was adopted.

Senator B. Hansen offered his amendment, [AM1434](#), found on page 1441.

The B. Hansen amendment was adopted with 33 ayes, 0 nays, 8 present and not voting, and 8 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

**LEGISLATIVE BILL 285.** Senator Brewer withdrew his amendments, [AM1133](#), [AM1134](#), [AM1264](#), and [AM1299](#) found on pages 1151, 1261, and 1301.

Senator Brewer offered his amendment, [AM1300](#), found on page 1304.

The Brewer amendment was adopted with 33 ayes, 0 nays, 9 present and not voting, and 7 excused and not voting.

Senator Brewer offered the following amendment:  
[AM1354](#) is available in the Bill Room.

The Brewer amendment was adopted with 34 ayes, 0 nays, 8 present and not voting, and 7 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

### EASE

The Legislature was at ease from 10:02 p.m. until 10:23 p.m.

### COMMITTEE REPORT(S) Enrollment and Review

**LEGISLATIVE BILL 139.** Placed on Final Reading.

**LEGISLATIVE BILL 528.** Placed on Final Reading.

#### [ST35](#)

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

1. The E and R amendments, ER69, have been struck.
2. In Standing Committee amendments, AM556:
  - a. On page 3, lines 22 and 26, "3" has been struck and "5" inserted; and
  - b. On page 35, line 17, "26 to 28" has been struck and "29 to 31" inserted.
3. On page 1, the matter beginning with "law" in line 1 through line 16 on page 2 and all amendments thereto have been struck and "education; to amend sections 38-316, 38-10,109, 38-2613, 38-2616, 38-3106, 72-232, 72-233, 72-234, 72-235, 76-2203.01, 77-2704.12, 79-202,

79-422, 79-433, 79-449, 79-8,133, 79-10,119, 79-1201.01, 79-1605, 79-2118, and 85-1609, Reissue Revised Statutes of Nebraska, and sections 1-116, 9-812, 9-836.01, 13-506, 38-1813, 58-809, 77-1601.02, 77-27,119, 79-308, 79-309.01, 79-611, 79-759, 79-8,137.01, 79-8,137.05, 79-1003, 79-1007.11, 79-1035, 79-1065.02, 79-1074, 79-1075, 79-1241.03, 79-1337, 79-2104.02, 79-2603, 79-2605, 79-2606, 84-304, 85-505, 85-507, 85-1802, 85-1920, 85-2002, 85-2003, 85-2004, 85-2005, 85-2007, 85-2008, 85-2009, 85-2010, 85-2104, 85-2802, and 85-2803, Revised Statutes Cumulative Supplement, 2020; to update academic accreditation terminology in state law; to change provisions relating to the distribution of lottery funds used for education and to provide duties related to the receipt and use of such funds; to change requirements for school district budget hearing notices; to require the State Department of Education to establish and maintain a web site as prescribed; to change provisions relating to school lands; to change tax levy notice provisions; to eliminate certain obsolete school and school district provisions and terminology; to adopt certain federal provisions; to change powers and duties of the State Department of Education; to change a form requirement; to change provisions relating to a grant program; to change provisions relating to certain income from school lands; to eliminate obsolete bonded indebtedness requirements; to adopt the Alternative Certification for Quality Teachers Act; to change provisions relating to standard college admission tests; to redefine terms and eliminate obsolete provisions under the Tax Equity and Educational Opportunities Support Act; to change state aid provisions for school districts and educational service units relating to boundary line changes and the timing of payments as prescribed; to eliminate certain county clerk and county board duties; to change provisions relating to core services and technology infrastructure funds; to change certain learning community coordinating council reporting dates; to change certain diversity plan requirements; to change requirements under the Nebraska Reading Improvement Act as prescribed; to provide duties for the Auditor of Public Accounts; to redefine a term relating to the Nebraska educational savings plan trust; to define and redefine terms and change provisions under the Community College Gap Assistance Program Act; to authorize verification of eligibility by the Commissioner of Education under the Access College Early Scholarship Program Act; to define a term, eliminate a term, and change provisions under the Meadowlark Act; to require hotline telephone numbers on student identification cards for middle school, high school, and postsecondary students as prescribed; to repeal a requirement relating to the residency of school land lessees; to repeal a requirement for the provision of student debt information to students; to repeal provisions relating to distance education equipment reimbursements and learning community transition aid; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal sections 72-234.01 and 79-1336, Reissue Revised Statutes of Nebraska, and sections 79-10,145 and 85-9,140, Revised Statutes Cumulative Supplement, 2020; and to declare an emergency." inserted.

**LEGISLATIVE BILL 649.** Placed on Final Reading.  
**ST34**

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

1. In the E & R amendments, ER92:
  - a. On page 8, line 6, "(1)(iv)" has been struck and "(1)(a)(iv)" inserted; and
  - b. On page 79, lines 12 and 27, "Commissioners" has been struck and "Commission" inserted; in line 12 "uniform" has been struck and "Uniform" inserted; and in line 17 "Commissioners'" has been struck and "Commission's" inserted.
2. On page 1, line 2, "and" has been struck.

**LEGISLATIVE BILL 649A.** Placed on Final Reading.

(Signed) Terrell McKinney, Chairperson

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

Senator Stinner filed the following amendment to LB100:

AM1476

(Amendments to Second Final Reading copy)

- 1 1. Insert the following new sections:

2 Sec. 3. It is the intent of the Legislature that beginning July 1,  
3 2021, the Division of Children and Family Services of the Department of  
4 Health and Human Services shall implement a two-percent increase to  
5 foster care reimbursement rates for fiscal year 2021-22 and beginning  
6 July 1, 2022, the division shall implement a two-percent increase to  
7 foster care reimbursement rates for fiscal year 2022-23.  
8 Sec. 4. There is hereby appropriated (1) \$840,108 from the General  
9 Fund and \$44,216 from federal funds for FY2021-22 and (2) \$1,697,019 from  
10 the General Fund and \$89,317 from federal funds for FY2022-23 to the  
11 Department of Health and Human Services, for Program 354, to aid in  
12 carrying out the provisions of Legislative Bill 100, One Hundred Seventh  
13 Legislature, First Session, 2021.  
14 No expenditures for permanent and temporary salaries and per diems  
15 for state employees shall be made from funds appropriated in this  
16 section.  
17 Sec. 5. Sections 1, 2, and 6 of this act become operative three  
18 calendar months after the adjournment of this legislative session. The  
19 other sections of this act become operative on their effective date.  
20 Sec. 7. Since an emergency exists, this act takes effect when passed  
21 and approved according to law.  
22 2. On page 1, strike beginning with "the" in line 1 through line 5  
23 and insert "public health and welfare; to amend section 68-901, Revised  
24 Statutes Cumulative Supplement, 2020; to provide for limits on provider  
25 contracts pertaining to the utilization of certain billing practices  
26 under the Medical Assistance Act; to state intent regarding increases to  
1 foster care reimbursement rates; to harmonize provisions; to appropriate  
2 funds to aid in carrying out the provisions of Legislative Bill 100, One  
3 Hundred Seventh Legislature, First Session, 2021; to provide operative  
4 dates; to repeal the original section; and to declare an emergency."  
5 3. Renumber the remaining section accordingly.

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

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

Senator Brandt name added to LB236.  
Senator Geist name added to LR134.  
Senator Brewer name added to LR144.  
Senator Cavanaugh, J. name added to LR152.

#### **VISITOR(S)**

The Doctor of the Day was Dr. Rachel Blake of Lincoln.

#### **ADJOURNMENT**

At 10:23 p.m., on a motion by Senator Flood, the Legislature adjourned until 9:00 a.m., Wednesday, May 19, 2021.

Patrick J. O'Donnell  
Clerk of the Legislature

