

FORTY-NINTH DAY - MARCH 25, 2024

LEGISLATIVE JOURNAL

**ONE HUNDRED EIGHTH LEGISLATURE
SECOND SESSION**

FORTY-NINTH DAY

Legislative Chamber, Lincoln, Nebraska
Monday, March 25, 2024

PRAYER

The prayer was offered by Senator Lippincott.

PLEDGE OF ALLEGIANCE

The Pledge of Allegiance was offered by Senator McDonnell.

ROLL CALL

Pursuant to adjournment, the Legislature met at 10:00 a.m., Senator von Gillern presiding.

The roll was called and all members were present except Senator Jacobson who was excused; and Senators Aguilar, Armendariz, Bostar, Brandt, Dover, Hughes, Hunt, Linehan, Raybould, Sanders, Wayne, and Wishart who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the forty-eighth day was approved.

NOTICE OF COMMITTEE HEARING(S)

Natural Resources
Room 1525 12:15 PM

Tuesday, April 2, 2024
Brad Bird - Environmental Quality Council
Larry Mohrman - Nebraska Natural Resources Commission

Room 1507 12:15 PM

Wednesday, April 3, 2024

James E. Theiler - Environmental Quality Council
Lynn Mayhew - Environmental Quality Council
Kurt Bogner - Environmental Quality Council

(Signed) Bruce Bostelman, Chairperson

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 484A. Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 484, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1301A. Introduced by DeKay, 40.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1301, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1023A. Introduced by von Gillern, 4.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1023, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 164A. Introduced by McKinney, 11.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 164, One Hundred Eighth Legislature, Second Session, 2024.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 337. Introduced by Hansen, 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine public assistance programs in Nebraska in order to determine whether program structures could be improved to better reward work and allow forward momentum for program participants.

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

(1) The eligibility thresholds of public assistance programs and the effect these thresholds have on the ability of program participants to increase their earnings or take new employment;

(2) The methods other states have utilized to address the limitations of public assistance programs created by eligibility thresholds; and

(3) Potential ways to improve public assistance programs in order to reward work and allow program participants to move off of public assistance programs.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 338. Introduced by Riepe, 12.

PURPOSE: The purpose of this resolution is to propose an interim study to examine health care delivery systems situated in rural areas, defined as all counties except Douglas, Lancaster, and Sarpy. This study shall focus on, but need not be limited to:

(1) Identifying legal barriers and operational impediments within the statutory framework governing health care delivery systems in rural areas;

(2) Assessing emerging technologies, procedures, and protocols to enhance operational efficiency of health care delivery systems in rural areas;

(3) Analyzing census figures, utilization rates, and identifying potential or ongoing shortages to inform strategic decision-making for health care delivery systems in rural areas;

(4) Staffing and education needs of health care delivery systems in rural areas;

(5) Funding of health care delivery systems in rural areas including medical assistance program utilization; and

(6) Any other areas of interest as deemed necessary by the committee.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 339. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to consider reforms to the parole process. This study should include, but need not be limited to, an examination of the following potential reforms:

- (1) Early release from parole for those who are compliant with conditions;
- (2) A good-time calculation for the terms of parolees;
- (3) Statutory changes to limit parole revocations to serious violations of parole rather than technical or minor violations; and
- (4) Any other potential reforms.

Nebraska's prison population, anticipated growth of such population, and the state's current needs for facility construction have all been recently examined by the state. In 2021 and 2022, state officials partnered with the Crime and Justice Institute to examine trends in Nebraska's criminal justice system and various policies and operations relating to the Nebraska Criminal Code and prison population. The Crime and Justice Institute Working Group produced data-driven policy reforms to reduce the state's projected prison population growth while promoting public safety and reducing recidivism. There were seven general policy priorities, and one of those policies was directly related to enhancing parole supervision for people reentering society.

One of the suggested reforms identified by the Crime and Justice Institute was to better utilize the parole process. In 2020, only fifty-eight percent of eligible offenders were placed on parole. Trends going back to 2011 showed fewer people being granted parole and when released, they had been in prison longer. The Crime and Justice Institute recommended a number of reforms to parole, all of which recommended greater use of parole.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 340. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to review the death penalty in Nebraska. In 2015, Nebraska voters reinstated the death penalty in the state. Since reinstatement, Nebraska has only carried out one execution. This study should examine, but need not be limited to, the utility of the death penalty as well as the following subjects:

- (1) The method of execution available to Nebraska and what other death penalty states have for execution methodology;
- (2) The availability of execution drugs necessary to effectuate the lethal injection method that Nebraska presently uses;
- (3) The societal or racial disparity in application of the death penalty;
- (4) Prosecutorial practices relating to pursuing death penalty imposition;

- (5) Public opinion relating to the death penalty in Nebraska and in other jurisdictions;
- (6) The utility or value of the death penalty in Nebraska;
- (7) The deterrent effect on criminal behavior, if any, of the death penalty;
- (8) Alternatives to the death penalty;
- (9) The experiences of other states or jurisdictions relating to the death penalty; and
- (10) Any other subject relating to the death penalty in Nebraska.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 341. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to determine the scope and use by school districts of a ban and bar action, banning and barring individuals from school property. This study should include an examination of whether the purported authority for such bans is appropriate and what statutory reforms are necessary to protect parents' rights to be involved in their child's education and to contest, appeal, or otherwise challenge a ban and bar action.

School districts for Nebraska public schools are utilizing a ban and bar process by which school districts prohibit students and family members from school property with the threat of police enforcement should an individual violate a ban. There are no regulations related to the appropriate use of a ban, the length of a ban, or to whom and when a ban may be applied. There have been instances of school districts instituting bans against students and family members who have disagreed with staff or administrators regarding the educational needs of the student, even though there was no evidence of a threat by the student or family member, and some school districts have even implemented four-year bans. There is no due process or appeal mechanism by which a student or family member can allege that a ban and bar is unreasonable or retaliatory.

The only authority for a school district to utilize a ban and bar arises from section 79-405, which states, in part, that every school district is a body corporate that possesses all the usual powers of a corporation for public purposes, may sue and be sued, and may purchase, hold, and sell such personal and real estate as the law allows. School districts have implemented ban and bar actions through the general right of corporations to prohibit trespass.

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

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

Referred to the Executive Board.

MOTION(S) - Confirmation Report(s)

Senator Hansen moved the adoption of the Health and Human Services Committee report for the confirmation of the following appointment(s) found on page 968:

Department of Health and Human Services
Steven L. Corsi, Chief Executive Officer

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

Senator Erdman moved for a call of the house. The motion prevailed with 32 ayes, 2 nays, and 15 not voting.

The motion to cease debate prevailed with 26 ayes, 0 nays, and 23 not voting.

Senator M. Cavanaugh requested a roll call vote on the confirmation report.

Voting in the affirmative, 28:

Albrecht	Brewer	Halloran	Linehan	Murman
Arch	Clements	Hansen	Lippincott	Riepe
Armendariz	DeKay	Hardin	Lowe	Slama
Ballard	Dorn	Hughes	McDonnell	von Gillern
Bosn	Dover	Ibach	Meyer	
Bostelman	Erdman	Kauth	Moser	

Voting in the negative, 8:

Blood	Cavanaugh, M.	Day	Vargas
Cavanaugh, J.	Conrad	McKinney	Wayne

Present and not voting, 6:

DeBoer	Fredrickson	Raybould
Dungan	Hunt	Walz

Excused and not voting, 7:

Aguilar	Brandt	Jacobson	Wishart
Bostar	Holdcroft	Sanders	

The appointment was confirmed with 28 ayes, 8 nays, 6 present and not voting, and 7 excused and not voting.

The Chair declared the call raised.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 130. Placed on Final Reading Second.

LEGISLATIVE BILL 287. Placed on Final Reading.

ST49

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

1. The Conrad amendment, AM2792, has been incorporated into the Brewer amendment, AM2890, as follows:

a. Sections 51 and 56 have been inserted as sections 73 and 81 and the remaining sections have been renumbered accordingly; and

b. On page 103, line 8, "74, and 76" has been struck and "73, 75, 77, and 81" inserted; in line 10 "77" has been struck and "78" inserted; in line 11 "78" has been struck and "79" inserted; and in line 15 "84-217," has been inserted after "49-1499.03,".

2. On page 1, the matter beginning with "the" in line 1 through line 4 and all amendments thereto have been struck and "law; to amend sections 2-3213, 2-3214, 16-202, 18-2518, 25-1274, 32-233, 32-564, 32-565, 32-569, 32-613, 32-617, 32-630, 32-632, 32-713, 32-1205, 32-1301, 32-1304, 32-1308, 32-1546, 49-1499.03, 58-230, 58-817, 60-483, 60-484.02, 84-217, and 85-1514, Reissue Revised Statutes of Nebraska, sections 31-727.02, 32-304, 32-320.01, 32-330, 32-404, 32-405, 32-552, 32-553, 32-570, 32-606, 32-607, 32-608, 32-615, 32-716, 32-802, 32-808.01, 32-903, 32-947, 32-950.01, 32-1203, 32-1303, 32-1305, 32-1306, 32-1405, 32-1407, 32-1524, 32-1525, 70-663, 79-1218, and 84-1411, Revised Statutes Cumulative Supplement, 2022, and sections 32-101, 32-103, 32-123, 32-202.01, 32-308, 32-318.01, 32-912.01, 32-912.02, 32-915.03, 32-941, 32-942, 32-1002.01, 32-1027, and 60-4,115, Revised Statutes Supplement, 2023; to eliminate obsolete provisions relating to adjusting certain boundaries after the federal decennial census and charter amendment procedures for certain public power districts; to change provisions relating to remonstrance petitions in the sale and conveyance of real estate owned by a city of the first class; to change certain petition requirements; to change provisions relating to the Election Act; to provide and change penalty provisions; to change provisions relating to conflicts of interest by certain officeholders and public employees; to change the distribution of certain fees imposed by the Department of Motor Vehicles; to change provisions relating to state identification cards; to provide for release of digital images by the Department of Motor Vehicles; to change proof of publication requirements for legal notices and requirements for published notice and virtual conferencing under the Open Meetings Act; to eliminate provisions relating to opinions of the Attorney General regarding the unconstitutionality of legislative bills; to harmonize provisions; to provide operative dates; to repeal the original sections; to outright repeal section 84-215, Reissue Revised Statutes of Nebraska; and to declare an emergency." inserted.

LEGISLATIVE BILL 644A. Placed on Final Reading.

LEGISLATIVE BILL 1102. Placed on Final Reading Second.

LEGISLATIVE BILL 1204A. Placed on Final Reading.

LEGISLATIVE BILL 130A. Placed on Select File.

LEGISLATIVE BILL 287A. Placed on Select File.

LEGISLATIVE BILL 867A. Placed on Select File.

LEGISLATIVE BILL 1355A. Placed on Select File.

LEGISLATIVE BILL 1197. Placed on Select File with amendment.

ER98

1 1. On page 1, strike beginning with "the" in line 1 through line 6
2 and insert "economic development; to amend section 13-3101, Reissue
3 Revised Statutes of Nebraska, and sections 13-3102, 13-3103, 13-3104,
4 13-3108, and 82-335, Revised Statutes Supplement, 2023; to define and
5 redefine terms and change provisions relating to the use of state
6 assistance, applications, and certain limitations on state assistance
7 under the Sports Arena Facility Financing Assistance Act; to change
8 provisions relating to a competitive grant program established by the
9 Nebraska Arts Council; to harmonize provisions; and to repeal the
10 original sections."

(Signed) Beau Ballard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to LB1374:

AM2957 is available in the Bill Room.

Senator McKinney filed the following amendment to LB164:

AM3104 is available in the Bill Room.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1284A. Introduced by Walz, 15.

A BILL FOR AN ACT relating to appropriations; to transfer and appropriate funds to aid in carrying out the provisions of Legislative Bill 1284, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 876A. Introduced by Holdcroft, 36.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 876, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 126A. Introduced by Day, 49.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 126, One Hundred Eighth Legislature, Second Session, 2024.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 342.** Introduced by Bosn, 25.

PURPOSE: The purpose of this resolution is to propose an interim study to consider changes to the juvenile justice system to address impacted juveniles who have mental health and substance use diagnoses.

Sufficient and available mental health services are presently lacking for many Nebraskans, including for youth and adolescents. Behavioral health and mental health services are especially needed for system-involved youth and those youth who are subject to any filing under the Nebraska Juvenile Code, particularly those youth who are subject to potential liberty restriction or secure detention.

This study should examine potential investments and funding to provide for mental health treatment professionals, programs, and facilities to meet the needs of Nebraska youth, adolescents, and adults through community-based services and accessible residential and inpatient care. The study should also determine how the state can provide assistance in supporting measures to improve mental health care in Nebraska communities. The study should also examine any statutory changes necessary to effectuate providing services to system-involved youth in need of behavioral health services.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 343. Introduced by Bosn, 25.

WHEREAS, the 2024 Nebraska School Activities Association Class C-1 Girls State Basketball Championship was held on March 2, 2024, at Pinnacle Bank Arena in Lincoln, Nebraska; and

WHEREAS, the Lincoln Christian High School girls basketball team won the 2024 Class C-1 Girls State Basketball Championship; and

WHEREAS, the Lincoln Christian Crusaders defeated the Sidney High School Red Raiders in the championship game by a score of 38-26; and

WHEREAS, Lincoln Christian finished the season with twenty-five wins and two losses; and

WHEREAS, this is the third state title overall for Lincoln Christian and the first since 2017; and

WHEREAS, such a team achievement is made possible through the support of parents, teachers, administrators, classmates, and the community; and

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

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

1. That the Legislature congratulates the Lincoln Christian High School girls basketball team and its coaches on winning the 2024 Class C-1 Girls State Basketball Championship.

2. That copies of this resolution be sent to the Lincoln Christian High School girls basketball team and Head Coach Scott Klein.

Laid over.

LEGISLATIVE RESOLUTION 344. Introduced by Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the General Affairs Committee of the Legislature that may arise in the interim.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 345. Introduced by Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine all licenses issued by the State Racing and Gaming Commission. This 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 EIGHTH LEGISLATURE OF NEBRASKA, SECOND SESSION:

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 346. Introduced by DeBoer, 10; Cavanaugh, J., 9.

PURPOSE: The purpose of this resolution is to propose an interim study to review landlord-tenant law to determine whether legislative reforms can be enacted to further protect and empower victims and survivors of domestic or sexual violence and their dependents.

Laws 2021, LB320, provided rental protections for tenants who are experiencing domestic or sexual violence. The legislation expanded protections from eviction for survivors of domestic or sexual violence and facilitated the ability for a survivor to terminate a lease early if the survivor needs to move away from an abuser or because the abuser is no longer contributing to rent. The study shall evaluate additional reforms to landlord-tenant law which shall include, but need not be not limited to:

(1) Extending protection for survivors of domestic or sexual violence to apply to notices to tenants for noncompliance pursuant to subsection (1) of section 76-1431;

(2) Providing additional legislative directives to qualified third parties that certify domestic violence activities under subdivision (5)(a)(iii) of section 76-1431;

(3) Providing additional legislative directives to the entities authorized to certify domestic violence activities under section 76-1431 and considering whether the Nebraska Supreme Court or Administrative Office of the Courts could provide a list of such entities; and

(4) Any other possible reforms.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 347. Introduced by Dungan, 26.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the frequency of claims brought under the Political Subdivisions Torts Claims Act and the State Tort Claims Act and the frequency of tort claims brought against other states.

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

(1) The number of claims brought against the State of Nebraska or its political subdivisions for intentional torts committed by employees of the state or its political subdivisions or individuals in the custody or care of the state or its political subdivisions prior to September 1, 2020;

(2) The costs associated with claims brought against the State of Nebraska or its political subdivisions for intentional torts committed by employees of the state or its political subdivisions or individuals in the custody or care of the state or its political subdivisions prior to September 1, 2020;

(3) The number of claims brought against other states or political subdivisions of other states for intentional torts committed by employees of other states or political subdivisions of other states; and

(4) The frequency or number of criminal charges filed for abuse or neglect against employees of the State of Nebraska or its political subdivisions or individuals in the care or custody of the state or its political subdivisions since September 1, 2020.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 348. Introduced by Dungan, 26.

PURPOSE: This resolution proposes an interim study on a respondent's right to a trial by jury under the Uniform Residential Landlord and Tenant Act. That act requires that actions for possession be tried by the court without a jury. Neb. Rev. Stat. § 76-1446. In a recent case from the Nebraska Supreme Court, three Justices joined a concurring opinion which raised the possibility that this may violate the constitutional right to a jury trial, stating that this "bench trial provision may rest on constitutionally fragile ground." NP Dodge Mgmt. Co. v. Holcomb, 314 Neb. 748, 993 N.W.2d 105 (2023) (Papik, J., concurring).

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

(1) How many states allow for a jury trial for residential eviction proceedings;

(2) How many cases in Nebraska went to a jury trial before repealing the right;

(3) Potential violations of constitutional rights; and

(4) The likely outcome if Nebraska does not allow for a right to a trial by jury under the Uniform Residential Landlord and Tenant Act.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 349. Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the funding sources, including tax incentives and other methods, used for early childhood education programs in Nebraska. This study should include, but not be limited to, an examination of the following:

- (1) What resources the State of Nebraska invests into early childhood education;
- (2) The history of early childhood education and its funding in Nebraska;
- (3) What local and community partners the State of Nebraska works with for early childhood education; and
- (4) Early child care needs in Nebraska.

Upon conclusion of the study, the committee should also send the report of its findings to the Appropriations Committee of the Legislature and the Education Committee of the Legislature.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 350. Introduced by Blood, 3.

WHEREAS, the 2024 Nebraska School Activities Association Boys State Basketball Championships were held from March 6 through March 9 in Lincoln, Nebraska; and

WHEREAS, the Bellevue West High School Thunderbirds boys basketball team competed for the 2024 Class A Boys State Basketball Championship; and

WHEREAS, the first seed Thunderbirds were victorious over Millard North High School Mustangs by a score of 57 to 48 with fellow Thunderbird, Jaden Jackson scoring a game high 21 points, helping the team escape a 25 to 18 halftime deficit; and

WHEREAS, the Thunderbirds have now played in the past five State Championship games, winning three titles and have now won back to back championships; and

WHEREAS, the Thunderbirds are recognized as one of the most dominant teams in Nebraska High School Boys Basketball history and exemplify consistency, competitiveness, toughness, and teamwork; and

WHEREAS, the Thunderbirds were able to win this championship thanks to the support of community members, parents, teachers, classmates, and administrators; and

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

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

1. That the Legislature recognizes and congratulates the Bellevue West Thunderbirds boys basketball team on winning the 2024 Class A Boys State Basketball Championship.

2. That copies of this resolution be sent to Coach Steve Klein and the Bellevue West boys basketball team.

Laid over.

LEGISLATIVE RESOLUTION 351. Introduced by Raybould, 28.

PURPOSE: The purpose of this resolution is to propose an interim study on the safe storage of firearms. The study should include an examination of best practices, policies, and laws regarding the safe storage of firearms in homes, schools, and workplaces. Additionally, the study should examine and compare laws from neighboring states regarding the safe storage of firearms.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 352. Introduced by Raybould, 28.

PURPOSE: The purpose of this resolution is to propose an interim study to assess identified improvement projects for clean water and drinking water systems in Nebraska. This study should examine the funding needs and potential funding sources for such projects. Identification of projects may come from, but need not be limited to, the 2024 Intended Use Plan for the Clean Water State Revolving Fund and Drinking Water State Revolving Fund for State Fiscal Year 2024.

The Intended Use Plan includes projects with total needs of just over two billion eight hundred ten million dollars. Such projects work to improve and

maintain aging infrastructure to provide clean water and drinking water and work to create alternative water sources for contamination mitigation. Currently, the state provides funds to meet roughly fifteen percent of such needs through the Drinking Water State Revolving Fund which leaves the large majority of projects in need of funding.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 353. Introduced by Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the pricing and taxation of alcohol in Nebraska.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 354. Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to assess state-led programs pertaining to the Nebraska workforce. It is challenging for employers to navigate and understand all available resources and qualifications to access such resources, such as worker training, job training, workforce development, customized job training, apprenticeships, and other programs and grants.

The study shall analyze state funding, policies, and initiatives addressing workforce needs and shortages and examine the accessibility of current programs offered by the Department of Labor, Department of Economic Development, Department of Health and Human Services, and State Department of Education and whether they are meeting the growing workforce needs in Nebraska.

The study shall further examine how to coordinate and increase opportunities for all Nebraskans to enter and advance in these programs,

how to align and expand education and training, and how to strengthen the capacity, diversity, development, and retention of the Nebraska workforce.

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

- (1) Existing pathway programs and educational initiatives that train or upskill workers in Nebraska;
- (2) Current state funding sources and programs that invest in the workforce in Nebraska, including worker training, workforce development, worker retention and recruitment, and career and technical education;
- (3) How programs are marketed and applications are sought;
- (4) How funds are distributed and how applications are scored, including the application approval rates and whether those denied have opportunity to receive technical assistance and appeal;
- (5) Opportunities to align or improve systems that support Nebraska's workforce in underserved and high-need communities across the state;
- (6) Alternative paths for public-private partnerships to address future workforce needs and requirements; and
- (7) The following issues relating to the State Unemployment Insurance Trust Fund:
 - (a) How the fund is used for workforce programs;
 - (b) Whether excess funds should be directed to additional workforce training and development purposes;
 - (c) What constitutes an adequate level of funding;
 - (d) Alternative legislative paths to establish a trust fund cap and redirect excess funds or dissolve the trust fund and identify alternative sources for the worker training; and
 - (e) Current legal parameters for the use of the fund.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 355. Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and compare the processes for adopting, promulgating, and eliminating rules and regulations in Nebraska and other states, to explore updates, improvements, and cleanup of the Administrative Procedure Act to make the act more transparent and accessible to the public and the Legislature, and to explore and compare different means of oversight employed nationwide by legislative bodies over administrative agencies.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

EXPLANATION(S) OF VOTE(S)

Had I been present, I would have voted "aye" on final passage of LBs 43e, 905, 905A, 1087e, and 1087Ac.

(Signed) Jana Hughes

MOTION(S) - Print in Journal

Senator Hunt filed the following motion:

Reconsider the confirmation of the appointment of Steven L. Corsi to the Department of Health and Human Services

VISITOR(S)

Visitors to the Chamber were collegiate members of the Nebraska Music Education Association; students from St. Wenceslaus Elementary, Wahoo; students from Cody Elementary, Omaha.

RECESS

At 12:05 p.m., on a motion by Senator Hunt, the Legislature recessed until 1:30 p.m.

AFTER RECESS

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

ROLL CALL

The roll was called and all members were present except Senator Jacobson who was excused; and Senators Armendariz, Conrad, Dorn, Fredrickson, Hardin, Hughes, Hunt, Linehan, Sanders, Walz, and Wishart who were excused until they arrive.

GENERAL FILE

LEGISLATIVE BILL 1188. Title read. Considered.

Committee [AM2923](#), found on page 981, was offered.

The committee amendment lost with 0 ayes, 35 nays, 6 present and not voting, and 8 excused and not voting.

Senator Riepe offered [AM3018](#), found on page 1045.

Senator Riepe offered [AM3113](#), found on page 1139, to his amendment.

The Riepe amendment, to his amendment, was adopted with 33 ayes, 0 nays, 10 present and not voting, and 6 excused and not voting.

The Riepe amendment, as amended, was adopted with 38 ayes, 0 nays, 6 present and not voting, and 5 excused and not voting.

Senator Wayne offered the following amendment:

[AM3196](#)

(Amendments to Standing Committee amendments, AM2923)

1 1. Insert the following new sections:

2 Section 1. Sections 1 to 6 of this act shall be known and may be
3 cited as the State and Political Subdivisions Child Sexual Abuse
4 Liability Act.

5 Sec. 2. The Legislature hereby declares that the state, state
6 agencies, and political subdivisions shall be liable in a similar manner
7 and to a similar extent as a private individual or entity under like
8 circumstances for tort claims arising out of child sexual abuse.

9 Sec. 3. For purposes of the State and Political Subdivisions Child
10 Sexual Abuse Liability Act:

11 (1) Child sexual abuse means conduct that amounts to a violation of
12 section 28-319.01 or 28-320.01;

13 (2)(a) Employee, with reference to a political subdivision, has the
14 same meaning as in section 13-903.

15 (b) Employee, with reference to a state agency, has the same meaning
16 as in section 81-8,210;

17 (3) Political subdivision has the same meaning as in section 13-903;

18 (4) State agency has the same meaning as in section 81-8,210; and

19 (5) Tort claim means any claim against a political subdivision or
20 state agency for money only on account of personal injury or death,
21 caused by the negligent or wrongful act or omission of any official or
22 employee of the political subdivision or state agency, while acting
23 within the scope of his or her office or employment, under circumstances
24 in which the political subdivision or state agency, if a private person,
25 would be liable to the claimant for such injury or death.

26 Sec. 4. An individual who is a victim of child sexual abuse may
1 bring a tort claim arising from such child sexual abuse against a
2 political subdivision or a state agency.

3 Sec. 5. The State and Political Subdivisions Child Sexual Abuse
4 Liability Act constitutes a waiver of the sovereign immunity of the state
5 and all political subdivisions, and an action under the act is not
6 subject to the State Tort Claims Act or the Political Subdivisions Tort
7 Claims Act or the limitations or requirements in such acts, including,
8 but not limited to, limits on recoverable damages, limits on the
9 availability of a jury trial, notice requirements, and statutes of
10 limitations.

11 Sec. 6. (1) Criminal prosecution under section 28-319.01 or

12 28-320.01 is not required to maintain a civil action under the State and
 13 Political Subdivisions Child Sexual Abuse Liability Act.
 14 (2) The remedy provided in the State and Political Subdivisions
 15 Child Sexual Abuse Liability Act is cumulative and shall be in addition
 16 to any other remedies provided by law.
 17 (3) No writ of execution shall issue against the state, a state
 18 agency, or a political subdivision for a tort claim under the State and
 19 Political Subdivisions Child Sexual Abuse Liability Act.
 20 Sec. 7. Section 13-901, Reissue Revised Statutes of Nebraska, is
 21 amended to read:
 22 13-901 Sections 13-901 to 13-928 and section 8 of this act shall be
 23 known and may be cited as the Political Subdivisions Tort Claims Act.
 24 Sec. 8. An action under the State and Political Subdivisions Child
 25 Sexual Abuse Liability Act is not subject to the Political Subdivisions
 26 Tort Claims Act.
 27 Sec. 9. Section 25-228, Revised Statutes Cumulative Supplement,
 28 2022, is amended to read:
 29 25-228 (1) ~~Notwithstanding any other provision of law:~~
 30 (1) (a) There shall not be any time limitation for an action against
 31 the individual or individuals directly causing an injury or injuries
 1 suffered by a plaintiff when the plaintiff was a victim of a violation of
 2 section 28-319.01 or 28-320.01 if such violation occurred (a) (i) on or
 3 after August 24, 2017, or (b) (ii) prior to August 24, 2017, if such
 4 action was not previously time barred, ~~and~~
 5 (2) (b) An action against any person or entity other than the
 6 individual directly causing an injury or injuries suffered by a plaintiff
 7 when the plaintiff was a victim of a violation of section 28-319.01 or
 8 28-320.01, including an action under the State and Political Subdivisions
 9 Child Sexual Abuse Liability Act, may only be brought within twelve years
 10 after the plaintiff's twenty-first birthday.
 11 (3) (2) Criminal prosecution of a defendant under section 28-319.01
 12 or 28-320.01 is not required to maintain a civil action for violation of
 13 such sections.
 14 Sec. 10. Section 81-8,235, Reissue Revised Statutes of Nebraska, is
 15 amended to read:
 16 81-8,235 Sections 81-8,209 to 81-8,235 and section 11 of this act
 17 shall be known and may be cited as the State Tort Claims Act.
 18 Sec. 11. An action under the State and Political Subdivisions Child
 19 Sexual Abuse Liability Act is not subject to the State Tort Claims Act.
 20 Sec. 16. Original sections 13-901 and 81-8,235, Reissue Revised
 21 Statutes of Nebraska, and section 25-228, Revised Statutes Cumulative
 22 Supplement, 2022, are repealed.
 23 2. Renumber the remaining sections accordingly.

The Wayne amendment was withdrawn.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

UNANIMOUS CONSENT - Expedite LB1188

Speaker Arch asked unanimous consent to expedite LB1188. No objections. So ordered.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 348A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 348, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1126A. Introduced by Bosn, 25.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1126, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1200A. Introduced by Moser, 22.

A BILL FOR AN ACT relating to appropriations; to amend sections 64 and 65, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to reduce appropriations to aid in carrying out the provisions of Legislative Bill 1200, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original sections; and to declare an emergency.

LEGISLATIVE BILL 196A. Introduced by McDonnell, 5.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 196, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 1356A. Introduced by Wayne, 13.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1356, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1067A. Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1067, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 1027A. Introduced by Clements, 2.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1027, One Hundred Eighth Legislature, Second Session, 2024.

RESOLUTION(S)**LEGISLATIVE RESOLUTION 356.** Introduced by von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to examine State Capitol building improvements for senators. This study shall include, but need not be limited to, an examination of the following:

- (1) Parking security and capacity;
- (2) Senator's expenditures relating to device use with personal phones, laptops, cell plans, and wireless fidelity;
- (3) Expenditures relating to use of home offices;
- (4) Reimbursements;
- (5) Current mileage allocations; and
- (6) Any other matters pertaining to senators' materials, technology, and functional aspects of their positions to improve efficiency, determine costs, and improve accessibility.

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

1. That the Executive Board of the Legislative Council shall be designated to conduct an interim study to carry out the purposes of this resolution.
2. That the board 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 357. Introduced by Holdcroft, 36; Halloran, 33; Lowe, 37; von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to determine to what extent, if any, there is a necessity to bolster election security in the State of Nebraska.

In order to carry out the purpose of this resolution, the committee shall hold a hearing, with invited testimony only, to ascertain the necessity of improved election security or increased election security for upcoming elections in the State of Nebraska.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 358. Introduced by Slama, 1.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the causes of increasing commercial insurance premiums and the impacts on Nebraska businesses.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 359. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to review the concept of property development in the State of Nebraska. The study shall examine how property is developed, what is currently working or not working for successful property development, and any possible areas of opportunity for property development.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 360. Introduced by McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to review the Middle Income Workforce Housing Investment Act. The study shall specifically examine how the act is functioning, who is receiving grant funds under the act, and any possible changes to the act that may need to be addressed.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 361. Introduced by Cavanaugh, M., 6.

PURPOSE: The purpose of this study is to conduct a review of the fees that fund Nebraska's cash funds. This study will examine each fee and related cash fund by gathering the following data and information and may include further related information to complete the review:

- (1) The amount of each individual fee and how it is paid;
- (2) The amount of revenue collected by the fee;
- (3) The balance of the cash fund to which the fee is credited;
- (4) The allowable usages of the cash funds to which the fees are credited;
- (5) Any other information related to the fees and usage to help guide the Legislature in determining whether the current fees are operating as intended;
- (6) A determination of whether the fees are generating enough revenue to sustain the cash fund and fulfill its purpose;
- (7) A determination of whether the fees are generating more revenue than is needed to fulfill the purpose of the fund;
- (8) Whether the agency or entity responsible for implementing the purposes of the cash fund is spending the funds as intended by the Legislature; and
- (9) Any agency recommendations for fee amounts based upon the findings.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 362. Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the dangers posed by artificial intelligence for elections. The committee may seek the participation and input of interested parties and other committees of the Legislature.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 363. Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to review the credentialing requirements for water-based fire protection system contractors in furtherance of the purposes of the Occupational Board Reform Act.

The study should include, but need not be limited to, an examination and consideration of whether the current means of regulating the profession:

(1) Is the least restrictive regulation which is necessary to protect consumers from undue risk of present, significant, and substantiated harms that clearly threaten or endanger the health, safety, or welfare of the public when competition alone is not sufficient and which is consistent with the public interest;

(2) Protects the fundamental right of an individual to pursue a lawful occupation;

(3) Is construed and applied to increase opportunities, promote competition, and encourage innovation; and

(4) Should be changed to conform to the policy principles set out in the Occupational Board Reform Act.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 364. Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to review the credentialing requirements for private detectives, private detective agencies, and plain clothes investigators in furtherance of the purposes of the Occupational Board Reform Act.

The study should include, but need not be limited to, an examination and consideration of whether the current means of regulating the profession:

(1) Is the least restrictive regulation which is necessary to protect consumers from undue risk of present, significant, and substantiated harms that clearly threaten or endanger the health, safety, or welfare of the public when competition alone is not sufficient and which is consistent with the public interest;

(2) Protects the fundamental right of an individual to pursue a lawful occupation;

(3) Is construed and applied to increase opportunities, promote competition, and encourage innovation; and

(4) Should be changed to conform to the policy principles set out in the Occupational Board Reform Act.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 365. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study examining school guidelines and policies relating to LGBTQ bullying prevention. Currently, Nebraska's bullying statutes are governed by section 79-2,137, which directs school districts to develop and adopt policies concerning bullying prevention and education for all students. By reviewing school policies and practices and resources available to school districts, the Legislature can identify the challenges and areas for improvement to ensure that all students are protected from bullying in a school setting.

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

(1) A review of available data on the prevalence of school bullying in Nebraska;

(2) A state-by-state review of bullying laws, and the progression of how best practices surrounding bullying has evolved;

(3) A state-by-state review of school nondiscrimination laws, including whether the state has guidance on the treatment of LGBTQ students; and

(4) Input from school districts, parents, and other stakeholders regarding recommendations and strategies to enhance and strengthen school policies.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 366. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine opportunities under the medical assistance program to improve state beneficiaries' social determinants of health by allowing coverage of clinically appropriate interventions that address enrollees' health-related social needs.

The Centers for Medicare and Medicaid Services recognize the important links between health-related social needs, health coverage, and health outcomes. Health-related social needs are an individual's unmet adverse social conditions that contribute to poor health such as food insecurity, unemployment, and housing instability. These needs can account for as much as fifty percent of health outcomes, drive health disparities, and increase costs.

The Centers for Medicare and Medicaid have demonstrated commitment to supporting states in efforts to improve population health, reduce disability, and lower overall health care costs through coverage of health-related social needs. A study of state medicaid programs that integrate health-related social needs services is appropriate to understand the potential outcomes of adopting this type of program in Nebraska.

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

(1) Research on how social determinants of health and health-related social needs affect health services utilization, health care costs, health disparities, and health outcomes;

(2) Eligible populations and covered services in states that have integrated health-related social needs services into medicaid state plans;

(3) The results of integrating health-related social needs services into medicaid state plans in other states, including health outcomes, access, equity, cost savings, and cost-effectiveness of health care services and interventions;

(4) What the most appropriate medicaid authority is for health-related social needs services;

(5) How to align health-related social needs services with existing assistance programs available to the target populations; and

(6) Service delivery requirements, fiscal policies, and other federally mandated conditions for health-related social needs services.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 367. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine mechanisms to slow the rise of property tax valuations during periods of rapid property value increases. While the dramatic increase in home prices over the past ten years has shown the strength of our state's housing market, it has also created challenges for homeowners, as increasing property taxes have strained family budgets. This study should explore whether there are ways to flatten valuation increases so that homeowners could have more predictability in their year-to-year property tax bills.

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

- (1) A review of available data on the increases in home valuations in Nebraska;
- (2) A state-by-state comparison of methods used to slow the growth of property tax valuations;
- (3) A review of county board of equalization methods of complying with the uniformity clause of the Constitution of Nebraska;
- (4) A comparison of assessment and equalization methods across counties in determining actual value, including the sales comparison approach, the income approach, and the cost approach; and
- (5) A consideration of potential changes the Legislature could adopt to address challenges that homeowners face from rising home valuations.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 368. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the process for school districts to change the boundaries of individual schools within their districts. Given that many families move specifically to be near a certain school within a greater school district, the decision to change boundaries can upend planning for families and affect numerous relationships between students, teachers, and staff. Boundary changes involve a decision-making process that can be difficult; however,

changes are often necessary to facilitate growth within a school district. Parents should have the opportunity to voice their concerns and have full transparency regarding the process for changing school boundaries within a school district that determines which school their children will attend.

Currently, the process for school district boundary changes is governed by section 79-413. This interim study is meant to evaluate whether some of the process for school district boundary changes, such as notification to parents, should be replicated in school boundary changes within a district.

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

- (1) The processes that school districts in Nebraska use for interdistrict school boundary changes;
- (2) Statutes in other states relating to school boundary changes within a single school district;
- (3) Ways to facilitate communication between parents and school districts when school boundary changes are being considered;
- (4) How much advanced communication should be given to parents;
- (5) Strategies to increase transparency for school boundary changes; and
- (6) Public meeting laws in Nebraska, and whether school boundary changes should require an opportunity for public comment.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 369. Introduced by Day, 49.

PURPOSE: The purpose of this legislative resolution is to propose an interim study to examine the barriers to voting and equal representation for Native Americans in Nebraska. In 2021, the federal Interagency Steering Group on Native American Voting Rights was created by Executive Order 14019. The goal of this executive order was to research the barriers Native Americans face in achieving full access to participate in United States elections, and to recommend ways to mitigate or eliminate these barriers. While this has yielded broad federal recommendations, further research into the challenges unique to Nebraska is warranted.

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

- (1) A review and analysis of data on voter registration and voting on tribal lands in Nebraska;
- (2) Identification of barriers to voting for Native Americans in Nebraska;
- (3) Collaboration with stakeholders, including nonprofit organizations, faith-based institutions, and city, county, and tribal government officials to

evaluate and develop strategies and solutions to increase election accessibility;

(4) An evaluation of the effectiveness of policies, procedures, and programs implemented by other states directed toward Native American populations as they relate to election accessibility on tribal lands;

(5) An evaluation of the adequacy of policy coordination between counties and tribes; and

(6) Any recommendations for changes to policies, procedures, and programs to address the barriers to voting for Native Americans in Nebraska.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 370. Introduced by Day, 49.

PURPOSE: The purpose of this interim study is to examine the rise of retailers moving to digital-only transactions. A number of Nebraskans prefer to use cash, including individuals with concerns about the privacy of digital transactions, and individuals that do not have bank accounts or easy access to a bank account. As a result, several municipalities have adopted requirements that cash be an accepted option in all retail transactions that are not online. Federal legislation has been introduced that would require cash options for transactions under two thousand dollars. A study on cashless transactions can ensure access to goods and services, while working to protect the rights and interests of businesses in Nebraska.

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

(1) A determination of how many Nebraskans rely primarily on cash for their purchases;

(2) The effect of requiring an option to use a cash-payment on businesses in Nebraska;

(3) The effect that widespread digital-only transactions would have on partners trying to leave relationships with joint finances;

(4) A consideration of exemptions for a cashless ban;

(5) Options to protect consumer privacy in cash and cashless transactions; and

(6) Ways to increase accessibility of digital payments for individuals without bank accounts.

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

1. That the Banking, Commerce and Insurance Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 371. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to examine the status of laws relating to consent and campus sexual assault in Nebraska. Under current Nebraska statutes, an absence of consent to sexual activity can be shown when the victim is compelled to submit by force, the threat of force, coercion, or deception; and a lack of consent can be expressed through words or conduct of the victim.

According to the Association of American Universities, nationwide, thirteen percent of all students have experienced sexual assault, and nearly twenty-five percent of undergraduate women have experienced some form of sexual assault. Given the pervasive occurrence of sexual violence on college campuses, in recent years some states have adjusted their laws governing consent to make it clear that consent means an informed, affirmative, conscious, voluntary, and mutual agreement to engage in sexual activity. This interim study is meant to examine whether Nebraska's consent laws are sufficient to address campus sexual assault.

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

(1) The law governing consent in Nebraska, including both statutes and case law;

(2) A review of such laws in other states and the evolution of such laws;

(3) Statutory reforms that may be necessary to ensure the safety of students on campus;

(4) Campus sexual assault policies in Nebraska and nationally; and

(5) Strategies that have been effective in reducing sexual assault on college campuses.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 372. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine Nebraska's policies relating to the Board of Nursing and the Board of Advanced Practice Registered Nurses and to evaluate the effectiveness and usefulness of the Board of Advanced Practice Registered Nurses.

The nursing field has changed greatly since the statutory requirements for each of these boards were constituted. To accommodate all interested parties, it is essential to study the needs of the workplace in the field of nursing. Additionally, Nebraska is currently the only state with a Board of Advanced Practice Registered Nurses, which represents certified registered nurse anesthetists, certified nurse midwives, nurse practitioners, and clinical nurse specialists.

Ensuring that Nebraska prioritizes the special role advanced practice registered nurses have in the state's health care system will make Nebraska a more appealing state for advance practice registered nurses to practice, thus dissipating some of the shortages in the state's health care system. An evaluation of the state's policies for these boards might help determine if combining the Board of Nursing with the Board of Advanced Practice Registered Nurses will effectively represent all registered nursing interests in the state.

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

(1) The current requirements for members of the Board of Nursing compared to what would more accurately represent the nursing field in Nebraska;

(2) The current requirements for members of the Board of Advanced Practice Registered Nurses compared to what would more accurately represent the field of advanced practice registered nursing in Nebraska;

(3) The proportions of different types of nurses in the state, including, but not limited to, advanced practice registered nurses and licensed practical nurses;

(4) The percentage of registered nurses and advanced practice registered nurses practicing in primarily rural communities versus urban communities; and

(5) What the makeup of a potential combined Board of Nursing and Board of Advanced Practice Registered Nurses should be.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 373. Introduced by Ibach, 44.

PURPOSE: The purpose of this resolution is to propose an interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals to practice dentistry in Nebraska.

The availability of qualified dental professionals is essential for maintaining the oral health of Nebraska communities. However, recruiting and retaining dentists, especially in underserved areas, presents significant challenges. Colleges of dentistry play a crucial role in providing advanced training, enhancing skills, and fostering the development of dental professionals. Enhancing these programs can contribute to addressing workforce shortages and improving access to dental care in the state.

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

(1) Analyzing opportunities and challenges related to enhancing dentistry training programs offered by the University of Nebraska Medical Center and Creighton University, including potential avenues to increase the recruitment and retention of dental residents and qualified faculty members in Nebraska; and

(2) Any other issues related to improving the workforce development pipeline of dentists in Nebraska, especially as it relates to underserved areas and underserved patient populations.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 374. Introduced by Ibach, 44.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the availability of healthy and affordable food choices in Nebraska communities. This study shall review research articles and other literature on the topic of availability of healthy and affordable food choices in Nebraska communities to evaluate overall food access in Nebraska and to inform public policy discussions on this topic. The study shall also identify potential public policy interventions that would increase access to and utilization of healthy food choices.

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

(1) Reviewing alternative methodologies for defining low-grocery-access areas, as the United States Department of Agriculture definition of low-income and low-access areas, also known as food deserts, does not accurately identify the need for more food choices in every community, especially in rural areas;

- (2) Analyzing federal, state, and local efforts to provide healthy and affordable food to low-income and low-access areas;
- (3) Identifying resources and incentives the state may use to combat low access to food;
- (4) Identifying factors that limit access to healthy and affordable food choices within rural and urban communities and demographic groups;
- (5) Analyzing barriers and challenges for small locally owned grocery stores to provide healthy food options;
- (6) Reviewing current economic development policies that enable food retailers to improve or expand healthy food options and identify any gaps in access to healthy food options;
- (7) Evaluating mechanisms to develop markets and distribution of locally produced foods to meet the need for healthy and affordable food;
- (8) Evaluating how food insecurity affects Nebraska families; and
- (9) Evaluating the benefits of access to healthy and affordable food.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 375. Introduced by Ibach, 44.

PURPOSE: The purpose of this resolution is to propose an interim study to examine different methods, including potential statutory changes, to address the need to recruit, train, and retain individuals who practice production animal veterinary services in Nebraska. This study shall include, but not need be limited to:

- (1) Exploring the need for establishing a new college of production animal veterinary medicine at the University of Nebraska-Lincoln;
- (2) Analyzing opportunities and challenges related to expanding veterinary training programs offered by the School of Veterinary Medicine and Biomedical Sciences at the University of Nebraska-Lincoln, the Nebraska College of Technical Agriculture at Curtis, and Northeast Community College; and
- (3) Framing unique solutions tailored to Nebraska to increase the number of practitioners in production animal veterinary services, especially in rural areas.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 376. Introduced by Moser, 22.

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

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 377. Introduced by von Gillern, 4.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the components of the State of Nebraska's public health registry data collection and the release of that data to appropriate research entities. This study should examine all public health registry information collected by the state through health registries and vital records and how that information is maintained and released for research purposes given the confidentiality and privacy parameters imposed by state and federal law, including criteria used by the Department of Health and Human Services in decisionmaking.

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

(1) Identifying the public health data of all Nebraskans that is currently collected by the state related to health diagnoses, treatments, and outcomes by geographical location;

(2) Reviewing how other states collect and release health data and how those processes compare to Nebraska;

(3) Reviewing potential changes to the current data collection and release statutes, including criteria used by the Department of Health and Human Services in decisionmaking that would provide responsiveness to research data requests; and

(4) Examining potential ways to consolidate the Nebraska statutes relating to public health data.

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

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

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

Referred to the Executive Board.

NOTICE OF COMMITTEE HEARING(S)

General Affairs
Room 1510 12:00 PM

Tuesday, April 2, 2024

Dan Volnek - Nebraska Commission on Problem Gambling
Paul Leckband - Nebraska Commission on Problem Gambling
Stephen M. Farrington - State Electrical Board
Todd Zohner - Nebraska Commission on Problem Gambling
Helen Abbott Feller - State Racing and Gaming Commission

(Signed) John Lowe, Chairperson

SELECT FILE

LEGISLATIVE BILL 1355. [ER74](#), found on page 893, was offered.

ER74 was adopted.

Senator Vargas withdrew [AM3107](#), found on page 1132.

Senator Vargas offered the following amendment:
[AM3194](#) is available in the Bill Room.

Senator Vargas offered the following amendment to his amendment:
[FA312](#)

Amend AM3194 on page 4, line 29, strike "or" and on line 31, strike "and including" and insert "(d) support".

The Vargas amendment, to his amendment, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

The Vargas amendment, as amended, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

Senator Bosn offered the following amendment:
[AM3153](#) is available in the Bill Room.

Senator Conrad requested a ruling of the Chair on whether the Bosn amendment is germane to the bill.

Senator Conrad withdrew her request for a ruling from the Chair.

The Bosn amendment was withdrawn.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1120. [ER82](#), found on page 1023, was offered.

ER82 was adopted.

Senator Hardin withdrew [AM2952](#), found on page 1039.

Senator Hardin offered [AM3029](#), found on page 1114.

The Hardin amendment was adopted with 35 ayes, 0 nays, 13 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1108. [ER89](#), found on page 1028, was offered.

ER89 was adopted.

Senator Dorn offered [AM2943](#), found on page 1019.

The Dorn amendment was adopted with 37 ayes, 0 nays, 11 present and not voting, and 1 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

LEGISLATIVE BILL 1169. Senator Conrad offered the following amendment:

[AM2944](#)

1 1. On page 12, line 18, strike "and"; in line 21 strike the
2 underscored period and insert "; and"; and after line 21 insert the
3 following new subdivision:
4 "(11) Shall ensure that the study, assemblage, maintenance, and
5 presentation of exhibits, objects, manuscripts, and other items of
6 historical materials are performed in such a manner that stimulates,
7 encourages, and protects the freedom of expression and academic freedom
8 essential for the appreciation and understanding of the history of
9 Nebraska."

SPEAKER ARCH PRESIDING

SENATOR DEBOER PRESIDING

The Conrad amendment was adopted with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

Senator M. Cavanaugh requested a machine vote on the advancement of the bill.

Advanced to Enrollment and Review for Engrossment with 31 ayes, 0 nays, 12 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 1188. Placed on Select File with amendment. [ER103](#) is available in the Bill Room.

(Signed) Beau Ballard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Linehan filed the following amendment to [LB1402](#):
[AM3016](#)

(Amendments to Standing Committee amendments, AM2679)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. (1) The Legislature finds that:
- 4 (a) Funds appropriated for the education of students in kindergarten
- 5 through twelfth grade are for a fundamental public purpose of state
- 6 government and constitute an ordinary expense of state government;
- 7 (b) Enabling the greatest number of parents and legal guardians to
- 8 choose among quality educational opportunities for children will improve
- 9 the quality of education available to all children;
- 10 (c) Privately operated elementary and secondary schools in Nebraska
- 11 satisfy the state's requirements for legal operation and provide quality
- 12 educational opportunities for children;
- 13 (d) Parents and legal guardians of limited means are less able to
- 14 choose among quality educational opportunities for their children; and
- 15 (e) Making it possible for more parents and legal guardians to be
- 16 able to choose privately operated schools benefits Nebraska parents and
- 17 taxpayers.
- 18 (2) For purposes of this section:
- 19 (a) Education scholarship means a financial grant-in-aid to be used
- 20 to pay all or part of the cost to educate an eligible student attending a
- 21 qualified school;
- 22 (b) Eligible student means a resident of Nebraska who:
- 23 (i) Is receiving an education scholarship for the first time and is
- 24 (A) entering kindergarten or ninth grade in a qualified school or the
- 25 first grade level offered by the qualified school, (B) transferring from
- 26 a public school at which the student was enrolled for at least one
- 1 semester immediately preceding the first semester for which the student
- 2 receives an education scholarship to a qualified school and is entering
- 3 any of grades kindergarten through twelve, or (C) a member of an active
- 4 duty or reserve military family transferring into Nebraska from another
- 5 state or another country and is entering any of grades kindergarten
- 6 through twelve in a qualified school;
- 7 (ii) Has previously received an education scholarship under this
- 8 section and is continuing education at a qualified school until such
- 9 student graduates from high school or reaches twenty-one years of age.

10 whichever comes first;

11 (iii) Has previously received an education scholarship under the
 12 Opportunity Scholarships Act and is continuing education at a qualified
 13 school until such student graduates from high school or reaches twenty-
 14 one years of age, whichever comes first;

15 (iv) Is the sibling of a student who is receiving an education
 16 scholarship and resides in the same household as such student; or
 17 (v) Is currently enrolled in a qualified school and is a member of a
 18 family whose household income is no more than two hundred thirteen
 19 percent of the federal poverty level; and

20 (c) Qualified school means any nongovernmental, privately operated
 21 elementary or secondary school located in this state that (i) is operated
 22 not for profit, (ii) complies with the antidiscrimination provisions of
 23 42 U.S.C. 1981, as such section existed on January 1, 2024, (iii)
 24 complies with all health and life safety laws or codes that apply to
 25 privately operated schools, and (iv) fulfills the applicable
 26 accreditation or approval requirements established by the State Board of
 27 Education pursuant to section 79-318.

28 (3) The State Treasurer shall establish a program to provide
 29 education scholarships to eligible students to pay the costs associated
 30 with attending a qualified school. Under such program, the State
 31 Treasurer shall:

1 (a) Establish a priority system for awarding education scholarships
 2 under the program. Such priority system shall:

3 (i) Give first priority to:

4 (A) Eligible students who received an education scholarship under
 5 this section or under the Opportunity Scholarships Act during the
 6 previous school year; and

7 (B) The sibling of a student who is receiving an education
 8 scholarship, so long as the sibling resides in the same household as such
 9 student;

10 (ii) Give second priority to:

11 (A) Eligible students whose household income levels do not exceed
 12 one hundred eighty-five percent of the federal poverty level;

13 (B) Eligible students whose application for the enrollment option
 14 program established in section 79-234 has been denied;

15 (C) Eligible students who have an individualized education program;

16 (D) Eligible students who are experiencing bullying, harassment,
 17 hazing, assault, battery, kidnapping, robbery, sexual offenses, threat or
 18 intimidation, or fighting at school;

19 (E) Eligible students who are in foster care; and

20 (F) Eligible students who are in a family with a parent or guardian
 21 in an active duty role in a branch of the armed forces of the United
 22 States or in the National Guard, or whose parent or guardian was killed
 23 -serving in the line of duty;

24 (iii) Give third priority to eligible students whose household
 25 income levels exceed one hundred eighty-five percent of the federal
 26 poverty level but do not exceed two hundred thirteen percent of the
 27 federal poverty level; and

28 (iv) Give fourth priority to eligible students whose household
 29 income levels exceed two hundred thirteen percent of the federal poverty
 30 level but do not exceed three hundred percent of the income indicated in
 31 the income eligibility guidelines for reduced price meals under the
 1 National School Lunch Program in 7 C.F.R. part 210;

2 (b) Limit the maximum scholarship amount awarded to any eligible
 3 student to the cost necessary to educate the eligible student at the
 4 qualified school such student attends; and

5 (c) Limit scholarship amounts awarded to eligible students in a
 6 manner that assures that the average of the scholarship amounts awarded
 7 per student does not exceed seventy-five percent of the statewide average
 8 general fund operating expenditures per formula student for the most
 9 recently available complete data year as such terms are defined in
 10 section 79-1003.

11 (4) The annual limit on the total amount of education scholarships

12 awarded under this section for fiscal year 2024-25 shall be twenty-five
 13 million dollars. The annual limit on the total amount of education
 14 scholarships awarded under this section for fiscal year 2025-26 and each
 15 fiscal year thereafter shall be calculated by taking the annual limit
 16 from the prior fiscal year and then multiplying such amount by (a) one
 17 hundred twenty-five percent if the total amount of education scholarships
 18 awarded in the prior fiscal year exceeded ninety percent of the annual
 19 limit applicable to that fiscal year or (b) one hundred percent if the
 20 total amount of education scholarships awarded in the prior fiscal year
 21 did not exceed ninety percent of the annual limit applicable to that
 22 fiscal year. The annual limit may be increased as provided in this
 23 subsection until it reaches one hundred million dollars. Thereafter, no
 24 further increases shall be allowed.
 25 (5) On or before December 1, 2025, and on or before December 1 of
 26 each year thereafter, the State Treasurer shall electronically submit a
 27 report to the Governor and the Legislature that includes the following:
 28 (a) A summary description of the State Treasurer's policies and
 29 procedures for awarding education scholarships;
 30 (b) The number of eligible students receiving education scholarships
 31 in the most recent fiscal year;
 1 (c) The total amount of education scholarships awarded in the most
 2 recent fiscal year;
 3 (d) The number of eligible students currently wait-listed or denied
 4 from receiving an education scholarship and the reason for the wait-
 5 listing or denial; and
 6 (e) The demographic information of eligible students receiving
 7 education scholarships, including, but not limited to:
 8 (i) Income level;
 9 (ii) Grade level; and
 10 (iii) Geographic location.
 11 (6) The State Treasurer may enter into contracts with up to three
 12 program managers for the purposes of carrying out the education
 13 scholarship program described in this section.
 14 (7)(a) It is the intent of the Legislature to appropriate twenty-
 15 five million dollars from the General Fund for fiscal year 2024-25 to the
 16 State Treasurer for the purpose of providing education scholarships as
 17 provided in this section.
 18 (b) It is the intent of the Legislature to appropriate the maximum
 19 amount of education scholarships allowed under subsection (4) of this
 20 section for fiscal year 2025-26 and each fiscal year thereafter from the
 21 General Fund to the State Treasurer for the purpose of providing
 22 education scholarships as provided in this section.
 23 (8) Up to seven and one-half percent of the funds appropriated for
 24 purposes of this section may be used by the State Treasurer, or by the
 25 program managers with which the State Treasurer contracts, for
 26 administrative expenses.
 27 (9) This section shall not be construed as granting any expanded or
 28 additional authority to the State of Nebraska to control or influence the
 29 governance or policies of any qualified school due to the fact that the
 30 qualified school admits and enrolls students who receive education
 31 scholarships or as requiring any such qualified school to admit or, once
 1 admitted, to continue the enrollment of any student receiving an
 2 education scholarship.
 3 Sec. 2. Since an emergency exists, this act takes effect when
 4 passed and approved according to law.

BILLS ON FIRST READING

The following bills were read for the first time by title:

LEGISLATIVE BILL 1306A. Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to amend Laws 2023, LB814, section 56; to change and eliminate appropriations to aid in carrying out the provisions of Legislative Bill 1306, One Hundred Eighth Legislature, Second Session, 2024; to repeal the original section; to outright repeal section 16, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 1329A. Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to amend section 106, Legislative Bill 1412, One Hundred Eighth Legislature, Second Session, 2024; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1329, One Hundred Eighth Legislature, Second Session, 2024; to change appropriations; and to repeal the original section.

LEGISLATIVE BILL 1416A. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1416, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1300A. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1300, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 233A. Introduced by Cavanaugh, J., 9.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 233, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 937A. Introduced by Bostar, 29.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 937, One Hundred Eighth Legislature, Second Session, 2024.

LEGISLATIVE BILL 1074A. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1074, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

LEGISLATIVE BILL 1073A. Introduced by Slama, 1.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1073, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 378. Introduced by Murman, 38; Albrecht, 17; Conrad, 46; Dover, 19; Erdman, 47; Halloran, 33; Linehan, 39; Meyer, 41; Wayne, 13.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the viability of selling land managed by the Board of Educational Lands and Funds. This study shall include, but need not be limited to, an examination of the following:

(1) Whether the land managed by the Board of Educational Lands and Funds is presently providing the most effective rate of return to Nebraska schools;

(2) Whether the funds gained from the sale of land managed by the Board of Educational Lands and Funds could lead to a greater return;

(3) How such a sale could be handled in the most fiduciarily responsible manner possible;

(4) The constitutionality of such a sale;

(5) The potential for property tax relief from such a sale; and

(6) The public support for such a sale.

In order to carry out the purpose of this resolution, the committee shall consider the input of interested individuals, public officials, and such entities as the committee deems necessary and beneficial.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 379. Introduced by Bostar, 29.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the role of health insurance for biomarker testing and the use of biomarker testing in public and private payor markets. The study should also examine the barriers faced by Nebraska patients in accessing biomarker testing which can inform and personalize treatments for diseases and conditions such as cancer.

Health data shows that currently sixty percent of medical treatments in preclinical development rely on biomarker data. Biomarker testing includes, but is not limited to, single-analyte tests, multiplex tests, protein expression, and whole exome, whole genome, and whole transcriptome sequencing.

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

- (1) The awareness of patients, providers, and insurers about precision medicine and biomarker testing in Nebraska;
- (2) When available, the effectiveness of biomarker testing and related treatment and how biomarker testing is being used for an increasing range of conditions and diseases;
- (3) Barriers to appropriate patient access and utilization of biomarker testing; and
- (4) Current insurance coverage in both the public and private sectors.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 380. Introduced by DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to examine issues regarding affordable broadband in Nebraska.

The Affordable Connectivity Program, a federal benefit program to provide affordable broadband to households, announced that in February of 2024 it would no longer be able to enroll new households, and that by April of 2024 funding for the program will likely lapse. In Nebraska, approximately ninety-six thousand households have enrolled in the federal program. Nebraska is investing unprecedented amounts of money into providing broadband to areas that are currently unserved or underserved. It is vitally important that households are able to afford the broadband provided in such areas.

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

- (1) Prices currently offered by Internet service providers to customers in service territories, including, but not limited to, available discounts and the cost of any devices required by the Internet service provider for broadband service, the speed of broadband service provided at each price point, the type of broadband service available in such areas, and any data caps related to customer plans offered;
- (2) Anticipated prices by Internet service providers in areas that are currently unserved or underserved who have received or who have applied to receive state or federal funds to provide Internet services in such areas, including the type of broadband service expected to be provided;
- (3) Government-led efforts to provide or encourage affordable broadband services, including, but not limited to, ways to coordinate efforts between the Legislature, the Public Service Commission, the Nebraska Broadband

Office, Internet service providers, and the federal government to encourage and support affordable broadband;

(4) Long-term issues relating to broadband deployment in high-cost, low-density areas, including, but not limited to, maintenance costs, legal obligations to continually provide service, consumer price variability, and new and emerging technologies; and

(5) Any other issues relating to the affordability and reliability of broadband services in Nebraska.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 381. Introduced by DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of court fees as a funding source for the court system and the judicial branch. In Nebraska, fees are assessed as part of the court costs for most, if not all, civil and criminal cases, including those related to traffic citations.

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

(1) Whether fees should be assessed on all cases or only certain types of cases;

(2) How court costs and fees in Nebraska compare to other states;

(3) The appropriateness and effectiveness of court fees as a means of providing funds for the court system or other agencies;

(4) The prioritization of fees collected and effectiveness of such fees to provide the court with sufficient resources and an analysis of the fees currently collected, the cost of each fee to court users, and how the fees are disbursed;

(5) Court fees and other ancillary expenses assessed to juveniles and their guardians, including, but not limited to, amounts collected yearly, any specific use of fees assessed to juveniles, and further examination of issues related to Legislative Bill 1089, introduced in the One Hundred Eighth Legislature, Second Session; and

(6) How much political subdivisions pay in court fees and whether any adjustments should be made.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 382. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the governance and representation of the Board of Regents of the University of Nebraska. The study shall include, but need not be limited to, an examination of the following:

- (1) Potentially increasing the total number of regents on the board to eleven, of which the three additional regents shall be appointed by the Governor, one from each congressional district;
- (2) Potentially adjusting the language relating to the board's nonvoting student representatives from each campus to include the student body president of the University of Nebraska at Kearney; and
- (3) How the board presently functions and operates as compared to the original intent for the board.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 383. Introduced by Hughes, 24.

PURPOSE: The purpose of this resolution is to propose an interim study to examine improvements to the Tax Equity and Educational Opportunities Support Act and potential alternative funding mechanisms for Nebraska public schools.

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

- (1) Potential changes to the Tax Equity and Educational Opportunities Support Act that would provide for more equitable property tax levies between public school districts;
- (2) Potential changes to the Tax Equity and Educational Opportunities Support Act that would simplify state aid calculations for public school districts; and
- (3) Proposals to leverage state resources, including the Board of Education Land and Funds, to provide additional funding to public school districts.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 384. Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to study nonprofit organizations, their nonprofit status, the ways in which such organizations use their nontaxable income, and the ways in which such organizations use their nontaxable income for political purposes.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 385. Introduced by Linehan, 39.

PURPOSE: The purpose of this resolution is to propose an interim study to examine state standardized testing required in elementary and secondary public schools in Nebraska and the Accountability for a Quality Education System, Today and Tomorrow (AQuESTT) system used to classify schools under the Quality Education Accountability Act.

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

- (1) The benefits and value of Nebraska's standardized assessment system developed by the State Board of Education compared to adopting norm-referenced, nationally accepted, standardized testing requirements;
- (2) The history of standardized testing in Nebraska and how Nebraska came to develop and adopt its own standardized assessments; and
- (3) How the AQuESTT system was developed for the statewide assessment and reporting system as required pursuant to section 79-760.01, and if classifying schools in the manner outlined in such system is beneficial to Nebraska schools.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 386. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the scope of practice for behavior analysts in the State of Nebraska. The work of applied behavior analysts, occupational therapists, physical therapists, and speech therapists complement each other and result in well-rounded patient care. The services provided by behavior analysts in the educational and human resources spheres are essential to Nebraskans of all ages. Further study is required on how the scope of practice for behavior analysts can work in concert with the practice of occupational therapists, physical therapists, and speech therapists and can complement and enhance the services provided by those professions.

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

- (1) How the scope of practice of behavior analysts is defined by the Department of Health and Human Services; and
- (2) The scope of practice language of behavior analysts as compared to the scope of practice of occupational therapists, physical therapists, and speech therapists.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 387. Introduced by Day, 49.

PURPOSE: The purpose of this resolution is to propose an interim study to examine payment rates and methodology used by the Department of Health and Human Services for child and adolescent behavioral health care, child welfare, and juvenile service providers.

Nebraska is facing a crisis in access to adequate and appropriate behavioral health care, child welfare, and juvenile services. Rising costs for providers have exacerbated this issue and raised questions regarding current provider rates.

In order to determine if legislation is needed to ensure that providers are adequately funded, this study shall examine the current rates paid to providers and whether the Department of Health and Human Services payment methodology reflects legislative intent.

Upon completion of this study, a report shall be made that includes any suggested statutory changes.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 388. Introduced by Wishart, 27.

PURPOSE: The purpose of this resolution is to propose an interim study to examine what funding and appropriations are necessary to address the parking shortage for state employees and members of the public in the State Capitol environs and provide possible funding solutions to eliminate such shortage.

The citizens and employees of the State of Nebraska are keenly aware of the shortage of parking available in the area around the State Capitol. A parking study was completed in 2019 by the Department of Administrative Services, which identified issues that should be addressed in the determination of possible solutions to the parking problems in the State Capitol environs. Previously, issues and potential solutions were laid out in the Department of Administrative Services' Capital Campus Area 20-Year Master Plan, which was completed in 2017.

Since 2019, the number of state employees working in the State Capitol environs has increased and parking remains an issue for both employees as well as members of the public. This study shall also look into the effects that the ongoing heating, ventilation, and air conditioning project at the State Capitol has on the availability of parking as well as the potential impact of future projects in the surrounding areas. There also exists the possibility for a partnership with the city of Lincoln or private entities to address the shortage of available parking.

The committee shall examine the extent of the parking shortage for state employees and members of the public, provide possible solutions to eliminate such shortage, provide an update on the proposed changes in the 2019 Department of Administrative Services study, discuss a possible partnership with the city of Lincoln to address this issue, and examine the potential for cost savings through deployment of state-owned office space within the State Capitol environs.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 389. Introduced by Clements, 2.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Appropriations Committee of the Legislature that may arise in the interim.

NOW, THEREFORE, BE IT RESOLVED BY THE MEMBERS OF THE ONE HUNDRED EIGHTH LEGISLATURE OF NEBRASKA, SECOND 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 390. Introduced by Brewer, 43.

PURPOSE: The purpose of this resolution is to propose an interim study to determine whether the Nebraska statutes should be changed to accommodate official recognition of customary adoptions. The study should also focus on whether changes to the Nebraska statutes or regulations are necessary to ensure that customary adoptions are regarded in the same manner as standard adoptions.

Some native and indigenous communities have a tradition of customary adoptions, or an adoption process that is recognized by the community and tribe which gives a child a permanent parent-child relationship with someone other than the child's birth parents. Many customary adoptions do not require termination or relinquishment of the rights of birth parents.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 391. Introduced by von Gillern, 4; Erdman, 47; Walz, 15.

PURPOSE: The purpose of this resolution is to propose an interim study to examine State Capitol building improvements. This study shall include, but need not be limited to, an examination of the following:

- (1) State building codes and whether the State Capitol building environment is a safe and productive workplace;
- (2) The feasibility of improving the lighting system throughout the building;
- (3) The ergonomics of chairs, desks, and workstations;
- (4) The feasibility and need for updated restroom sanitation and plumbing devices to protect public health;
- (5) Improved safety of building exits, specifically door spaces and staircases; and
- (6) Any other health, support, safety, and occupational concerns.

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

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

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

Referred to the Executive Board.

SELECT FILE

LEGISLATIVE BILL 1288. [ER75](#), found on page 940, was offered.

ER75 was adopted.

Senator Albrecht offered the following motion:

[MO1305](#)

Bracket until April 18, 2024.

SPEAKER ARCH PRESIDING

Pending.

BILL ON FIRST READING

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

LEGISLATIVE BILL 1331A. Introduced by Murman, 38.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1331, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 392. Introduced by Hansen, 16.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the costs and frequency of rebasing provider rates and to develop a methodology for rebasing such rates. The types of providers to be examined shall include, but not be limited to, child welfare, developmental disabilities, nursing facilities, assisted-living facilities, behavioral health, and hospitals. The study shall focus on developing a permanent rebasing methodology for provider rates in order to (1) maintain quality of services, (2) meet the needs of providers and their workforce, and (3) ensure fair rates for all providers. The study shall include, but not be limited to, a review of:

1. The factors used in determining current provider rates;
2. The factors causing the frequency of rebasing;
3. Cost reports from providers;
4. Projected state revenue;
5. Inflation rates;
6. The amount of Medicaid reimbursement to providers;
7. The types of providers, rates, and comparison within each type;
8. Comparison of Nebraska provider rates with other states; and
9. New technologies, services, and provider types that require a payment methodology or rate.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 393. Introduced by DeBoer, 10; Lowe, 37.

PURPOSE: The purpose of this resolution is to propose an interim study to examine safety and accessibility issues for the State Capitol building. This study shall include, but need not be limited to:

(1) Methods to improve the safety and accessibility of the State Capitol as it relates to a safe workplace for state employees while respecting restrictions on physical modifications of a building designated as a National Historic Landmark; and

(2) Ensuring any such methods do not limit the public's access to elected officials and state agencies that operate in the State Capitol.

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

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

2. That the board 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.

EASE

The Legislature was at ease from 5:56 p.m. until 6:34 p.m.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 1393. Placed on Select File with amendment.

[ER100](#)

- 1 1. On page 1, strike lines 4 through 7 and insert "to define a term;
- 2 to change provisions relating to name, image, or likeness rights,
- 3 limitations, contracts or agreements, and civil actions; to provide
- 4 certain immunity from liability; to harmonize provisions; to provide
- 5 severability; to repeal the original sections; and to declare an
- 6 emergency."
- 7 2. On page 5, line 1, strike "athletics" and insert "athletic".

LEGISLATIVE BILL 1088. Placed on Select File.

LEGISLATIVE BILL 1031. Placed on Select File with amendment.

[ER101](#) is available in the Bill Room.

LEGISLATIVE BILL 1306. Placed on Select File.

LEGISLATIVE BILL 876. Placed on Select File.

LEGISLATIVE BILL 1030. Placed on Select File.

(Signed) Beau Ballard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Slama filed the following amendment to [LB1073](#):
[AM3085](#) is available in the Bill Room.

Senator Clements filed the following amendment to [LB196](#):
[AM3195](#)

(Amendments to Standing Committee amendments, AM3100)

1 1. On page 1, line 7, strike "ten" and insert "twelve"; and in lines

2 8 and 9 strike "twenty-four" and insert "twenty-two".

SELECT FILE

LEGISLATIVE BILL 1288. Senator Albrecht renewed [MO1305](#), found and considered in this day's Journal, to bracket until April 18, 2024.

Senator Albrecht asked unanimous consent to withdraw her motion to bracket.

No objections. So ordered.

Senator Raybould offered [AM3106](#), found on page 1166.

Senator M. Cavanaugh moved for a call of the house. The motion prevailed with 27 ayes, 3 nays, and 19 not voting.

The Raybould amendment lost with 22 ayes, 0 nays, 22 present and not voting, and 5 excused and not voting.

The Chair declared the call raised.

Senator M. Cavanaugh offered the following motion:

[MO1306](#)

Reconsider the vote on AM3106.

The M. Cavanaugh motion to reconsider prevailed with 26 ayes, 7 nays, 12 present and not voting, and 4 excused and not voting.

Senator Raybould reoffered [AM3106](#), found on page 1166 and considered in this day's Journal.

The Raybould amendment was adopted with 28 ayes, 1 nay, 16 present and not voting, and 4 excused and not voting.

Senator McKinney offered [AM3096](#), found on page 1173.

The McKinney amendment was adopted with 35 ayes, 0 nays, 10 present and not voting, and 4 excused and not voting.

Senator Blood offered the following amendment:

[AM3114](#)

1 1. Insert the following new sections:
 2 Section 1. Section 43-1501, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 43-1501 Sections 43-1501 to 43-1517 and section 2 of this act shall
 5 be known and may be cited as the Nebraska Indian Child Welfare Act.
 6 Sec. 2. (1) On or before December 1, 2025, the department shall
 7 ensure records are kept on each case under the Nebraska Indian Child
 8 Welfare Act. The department shall ensure that such records are complete,
 9 accurate, and sufficiently detailed to prepare the report required by
 10 this section. Such records shall delineate:
 11 (a) Whether a child is a member of, eligible for membership in, or
 12 affiliated with an Indian tribe and, if so, indicate all such Indian
 13 tribes; and
 14 (b) Whether the federal Indian Child Welfare Act and the Nebraska
 15 Indian Child Welfare Act apply to the child and, if so, indicate:
 16 (i) The date that the state Title IV-E agency first had reason to
 17 know either such act may apply or the date on the return receipt of the
 18 notice sent under subsection (1) of section 43-1505;
 19 (ii) The following regarding the qualified expert witness:
 20 (A) Whether oral or written testimony was provided; and
 21 (B) Under which portion of subdivision (15) of section 43-1503 the
 22 person is considered a qualified expert witness;
 23 (iii) Whether any tribe has intervened in the case and the date of
 24 such intervention;
 25 (iv) Whether the case was transferred to the tribe and, if so, who
 26 requested the transfer and the reason;
 27 (v) A description of all active efforts made under each provision of
 1 subdivisions (1)(a) through (h) of section 43-1503 and any other active
 2 efforts made;
 3 (vi) For each active effort described under subdivision (1)(b)(v) of
 4 this section, the date the department was provided with the tribal
 5 affiliation, if any, of each provider of services, extended family
 6 member, or tribal government representative; and
 7 (vii) The Indian child's placement pursuant to section 43-1508 and
 8 the reasoning.
 9 (2) On or before December 1, 2025, and on or before each December 1
 10 thereafter, the department shall provide a report of deidentified data
 11 collected under this section to the Commission on Indian Affairs.
 12 2. Renumber the remaining sections, correct internal references, and
 13 correct the repealer accordingly.

The Blood amendment was withdrawn.

Senator Blood offered the following amendment:

[AM3209](#)

1 1. Insert the following new sections:
 2 Section 1. Section 43-1501, Reissue Revised Statutes of Nebraska, is
 3 amended to read:
 4 43-1501 Sections 43-1501 to 43-1517 and section 2 of this act shall
 5 be known and may be cited as the Nebraska Indian Child Welfare Act.
 6 Sec. 2. (1) On or before December 1, 2025, the department shall
 7 ensure records are kept on each case under the Nebraska Indian Child
 8 Welfare Act and ensure that such records allow for analysis of related
 9 data and delineate:
 10 (a) Whether a child is an Indian child under the federal Indian
 11 Child Welfare Act and Nebraska Indian Child Welfare Act;
 12 (b) Whether a child is a member of, eligible for membership in, or

13 affiliated with, an Indian tribe and if so, indicate all such Indian
 14 tribes; and
 15 (c) Whether the federal Indian Child Welfare Act applies to the
 16 child and, if so, indicate:
 17 (i) The date that the state Title IV-E agency was notified by the
 18 Indian tribe or state or tribal court that the federal Indian Child
 19 Welfare Act applies or the date on the return receipt of the notice sent
 20 under subsection (1) of section 43-1505;
 21 (ii) The following regarding the qualified expert witness:
 22 (A) Whether testimony was provided; and
 23 (B) Under which portion of subdivision (15) of section 43-1503 the
 24 person is considered a qualified expert witness;
 25 (iii) Whether any tribe has intervened in the case and the date of
 26 such intervention;
 27 (iv) Whether the case was transferred to the tribe and, if so, who
 1 requested the transfer and the reason;
 2 (v) The active efforts made with Indian custodians under subsection
 3 (4) of section 43-1505; and
 4 (vi) The Indian child's placement pursuant to section 43-1508 and
 5 the reasoning.
 6 (2) On or before December 1, 2025, and on or before each December 1
 7 thereafter, the department shall provide a report of deidentified data
 8 collected under this section to the Commission on Indian Affairs.
 9 2. Renumber the remaining sections, correct internal references, and
 10 correct the repealer accordingly.

Senator Blood moved for a call of the house. The motion prevailed with 29 ayes, 3 nays, and 17 not voting.

The Blood amendment lost with 23 ayes, 0 nays, 22 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review for Engrossment.

The Chair declared the call raised.

COMMITTEE REPORT(S) Enrollment and Review

LEGISLATIVE BILL 262. Placed on Final Reading.

ST50

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

1. In the Albrecht amendment, AM3042, section 12 has been renumbered as section 19.
2. In the Brandt amendment, AM2997, sections 12, 21, and 31 have been renumbered as sections 20, 31, and 40.
3. In the Halloran amendment, AM3015:
 - a. Sections 9, 14, 38, 39, and 41 have been renumbered as sections 22, 27, 48, 49, and 52; and
 - b. On page 13, line 12, "8, 9, 14, 39, and 41" has been struck and "21, 22, 27, 49, and 52" inserted; and in line 25 a comma has been inserted after "81-2,242.03".
4. In the Ibach amendment, AM2654, sections 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, and 22 have been renumbered as sections 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, and 18.
5. In the E & R amendments, ER84, on page 1, line 3, "24, and 25" has been struck and "35, and 36" inserted.
6. In the Standing Committee amendments, AM719, on page 56, line 17, "2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, 2-3635, 2-3804, 2-3966," has been inserted after "sections"; and in line 22 "81-2,280," has been inserted after "81-2,271,".

7. On page 1, the matter beginning with "the" in line 1 through line 13 and all amendments thereto have been struck and "agriculture; to amend sections 2-501, 2-503, 2-505, 2-509, 2-515, 2-518, 2-958, 2-3611, 2-3615, 2-3619, 2-3620, 2-3622, 2-3623, 2-3629, 2-3631, 2-3632, 2-3634, 2-3635, 2-3804, 2-3966, 75-902, 75-903, 75-903.02, 81-2,251.03, 88-526, 88-527, 88-528.01, 88-541, and 88-549, Reissue Revised Statutes of Nebraska, sections 28-401, 28-476, 75-156, 81-2,162.27, 81-2,244.01, 81-2,245.01, 81-2,248, 81-2,263, 81-2,270, 81-2,271, 81-2,280, 81-2,281, and 88-530, Revised Statutes Cumulative Supplement, 2022, and sections 81-2,239 and 81-2,240, Revised Statutes Supplement, 2023; to change and eliminate provisions of the Nebraska Hemp Farming Act and the Uniform Controlled Substances Act relating to hemp; to change provisions relating to the Nebraska Corn Resources Act, the Nebraska Agricultural Products Marketing Act, warehouse operators, the Grain Dealer Act, the Nebraska Pure Food Act, and the Grain Warehouse Act; to eliminate provisions relating to hemp, the Nebraska Corn Resources Act, and the Nebraska Pure Food Act; to harmonize provisions; to provide operative dates; to repeal the original sections; and to outright repeal sections 2-502, 2-504, 2-506, 2-507, 2-508, 2-510, 2-511, 2-512, 2-513, 2-514, 2-516, 2-517, 2-519, 2-3616, 2-3627, 2-3628, 2-5701, 81-2,242.03, and 81-2,251.02, Reissue Revised Statutes of Nebraska, and sections 81-2,245, 81-2,251.01, and 81-2,272.31, Revised Statutes Cumulative Supplement, 2022." inserted.

LEGISLATIVE BILL 607. Placed on Final Reading.

LEGISLATIVE BILL 834. Placed on Final Reading.

LEGISLATIVE BILL 839. Placed on Final Reading.

LEGISLATIVE BILL 867. Placed on Final Reading.

[ST48](#)

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

1. In the E&R amendments, ER88, on page 1, line 12, "to prohibit restrictions on the provision of certain energy services;" has been inserted after the semicolon.

LEGISLATIVE BILL 894. Placed on Final Reading.

[ST52](#)

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

1. The E&R amendments, ER83, have been struck.
2. On page 1, the matter beginning with "county" in line 1 through line 4 has been struck and "county sheriffs; to amend sections 23-1701, 23-1701.01, and 32-520, Reissue Revised Statutes of Nebraska, and section 32-604, Revised Statutes Cumulative Supplement, 2022; to change provisions relating to election, appointment, qualification, and training of county sheriffs; to harmonize provisions; and to repeal the original sections." inserted.

LEGISLATIVE BILL 906. Placed on Final Reading.

LEGISLATIVE BILL 1004. Placed on Final Reading.

LEGISLATIVE BILL 1200. Placed on Final Reading.

LEGISLATIVE BILL 1204. Placed on Final Reading.

LEGISLATIVE BILL 1215. Placed on Final Reading.

[ST51](#)

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

1. In the Day amendment, AM3045, section 12 has been renumbered as section 20.
2. In the Blood amendment, AM3043:
 - a. Sections 2, 3, and 4 have been renumbered as section 5, 11, and 12, respectively;
 - b. On page 29, line 17, "a dietitian," has been inserted after the comma; and
 - c. On page 30, line 24, "4" has been struck and "12" inserted.
3. In the Blood amendment, AM3044:
 - a. Section 2 has been struck;
 - b. Sections 3, 4, and 5 have been renumbered as sections 8, 9, and 10, respectively; and
 - c. On page 32, line 11, "4" has been struck and "9" inserted.
4. In the Standing Committee amendment, AM2549:

a. Section 30 and all amendments thereto have been struck and the following new sections inserted: Sec. 39. Sections 1, 2, 5, 8, 9, 10, 11, 12, and 42 of this act become operative on January 1, 2025. Sections 3, 4, 6, 7, 13, 14, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 26, 27, 28, 29, 30, 31, 32, 33, 34, 35, 36, 37, 38, and 40 of this act become operative three calendar months after the adjournment of this legislative session. The other sections of this act become operative on their effective date. Sec. 42. Original section 38-2001, Revised Statutes Cumulative Supplement, 2022, and sections 38-131, 38-1801, and 38-1812, Revised Statutes Supplement, 2023, are repealed.

b. On page 9, line 5, "6" has been struck and "14" inserted; and

c. On page 39, line 22, "68-911," has been inserted after the first comma.

5. On page 1, the matter beginning with "the" in line 1 through line 8 and all amendments thereto have been struck and "public health and welfare; to amend sections 38-142, 38-2854, 38-2890, 38-28,104, 42-371.01, 71-211, 71-212, 71-217, 71-220, 71-222.01, 71-223, 71-434, 71-601.01, 71-3608, 71-3610, 71-3613, and 71-3614, Reissue Revised Statutes of Nebraska, sections 28-410, 28-414, 38-1,146, 38-2001, 38-2847, 71-605, 71-2454, 71-2478, and 71-8505, Revised Statutes Cumulative Supplement, 2022, and sections 38-131, 38-1801, 38-1812, 38-2801, 68-911, 71-612, and 71-2479, Revised Statutes Supplement, 2023; to adopt the Dietitian Licensure Compact and the Physician Assistant (PA) Licensure Compact; to change requirements relating to pharmacy inventories and prescriptions for controlled substances; to provide and change requirements relating to issuance and renewal of certain credentials under the Uniform Credentialing Act; to provide requirements for self-inspection of pharmacies; to provide verification requirements for pharmacists and pharmacy technicians; to change an age requirement for pharmacy interns; to change registration requirements for pharmacy technicians; to change prescription requirements for certain legend drugs; to provide for coverage under the medical assistance program for certain breast pumps and lactation visits; to change an examination requirement for barbers; to eliminate a fee under the Health Care Facility Licensure Act; to define a term; to change the standard form for death certificates; to provide for the use of abstracts of death as prescribed; to change a requirement for prescription drug monitoring; to change a requirement for persons with communicable tuberculosis; to change powers and duties of the Department of Health and Human Services relating to the care, maintenance, and treatment of persons with communicable tuberculosis; to change a requirement relating to telehealth consultations; to harmonize provisions; to provide operative dates; to repeal the original sections; and to declare an emergency." inserted.

LEGISLATIVE BILL 1313. Placed on Final Reading.

(Signed) Beau Ballard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hughes filed the following amendment to LB686:

FA313

Strike Section 16 and renumber the remaining sections in AM2984.

Senator Blood filed the following amendment to LB932:

LB3149 is available in the Bill Room.

Senator Wayne filed the following amendment to LB1344:

AM3191 is available in the Bill Room.

Senator Murman filed the following amendment to LB1092:

AM3198

(Amendments to Standing Committee amendments, AM2585)

1 1. Strike section 3 and insert the following new section:

2 Sec. 3. (1) A commercial entity shall not knowingly and

3 intentionally publish or distribute material harmful to minors on the

4 Internet on a website that contains a substantial portion of such
 5 material unless the entity uses a reasonable age verification method to
 6 verify the age of an individual attempting to access the material.
 7 (2) A commercial entity or third party that performs an age
 8 verification required by this section shall not retain any identifying
 9 information of the individual after access has been granted to the
 10 material.
 11 2. On page 2, line 21, strike "and"; after line 21 insert the
 12 following new subdivision:
 13 "~~(10) Substantial portion means an amount which is more than one-~~
 14 ~~third of the total material on a website; and"; and in line 22, strike~~
 15 ~~"(10)" and insert "(11)".~~

BILL ON FIRST READING

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

LEGISLATIVE BILL 1402A. Introduced by Linehan, 39.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 1402, One Hundred Eighth Legislature, Second Session, 2024; and to declare an emergency.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 394. Introduced by Holdcroft, 36.

PURPOSE: The purpose of this resolution is to propose an interim study to identify and review all programs and services enacted by the Legislature which result or may result in an increase in expenditures of funds by counties and county governments assigned to perform or provide such programs and services. A review of the impact of unfunded and underfunded mandates on counties and county governments is appropriate as Nebraska seeks continued property tax reform. The committee may seek the participation and input of other committees of the Legislature.

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

- (1) Any and all statutes which presently impose unfunded or underfunded mandate obligations on counties;
- (2) Any corresponding increases in property taxes by counties to meet the requirements of unfunded or underfunded mandates;
- (3) Mandated but unfunded or underfunded programs or services which could be changed, eliminated, or repealed;
- (4) The impact on county finances of fees set by statute and whether such fees are appropriate; and
- (5) The impact of inadequate fees on property taxes by counties.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 395. Introduced by Bosn, 25; DeBoer, 10.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the tax and surcharge burden imposed on telecommunications services.

Nebraska has one of the highest rates of taxation on telecommunications consumers in the nation with a rate averaging nearly twenty-five percent for many wireline services. A disproportionate part of this tax burden results from universal service surcharges. While not technically classified as tax, this assessment is a surcharge that ultimately imposes the same financial burden on consumers as a tax. Originally conceived as a tool to help make rural telephone service available and affordable by adding a small charge to all Nebraska telephone customers, Nebraska's universal service surcharge has grown to be among the highest in the nation, and results in increasing the cost for wireline and wireless telephone services in Nebraska.

Broad consensus exists that every Nebraska home and small business should have access to robust broadband infrastructure and service. What is less clear is how to fund the goal of deploying broadband infrastructure most equitably and efficiently to every remaining unserved location in the state.

With approximately five hundred million dollars of promised support now in the pipeline for broadband deployment from the Broadband Bridge Program created under the Nebraska Broadband Bridge Act, the federal Broadband Equity, Access, and Deployment Program, and the federal Universal Service Fund, it is an opportune time to examine and understand the extent to which Nebraska's surcharge for the Nebraska Telecommunications Universal Service Fund, currently the second-highest surcharge in the nation, can be reformed and targeted to avoid placing a disproportionate and unfair burden for any remaining broadband deployment needed in the state on one class of customers, the customers of telephone service, or whether there are more equitable funding sources available to meet these needs.

This interim study should focus on these and other taxes and surcharges imposed on telecommunications services in Nebraska and determine ways the state can maintain and advance the efficiency and availability of telecommunications services in the state.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 396. Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

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

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 397. Introduced by Health and Human Services Committee: Hansen, 16, Chairperson; Ballard, 21; Cavanaugh, M., 6; Day, 49; Hardin, 48; Riepe, 12; Walz, 15.

PURPOSE: The purpose of this resolution is to examine the structure and processes of the credentialing review process known as the "407 process." The 407 process reviews a health profession's proposal for licensure or change in scope of practice. This study shall include, but not be limited to, a review of:

- 1) The scope of practice criteria;
- 2) The role of the technical review committee;
- 3) Application requirements;
- 4) Funding mechanisms; and
- 5) The coverage of health professions.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 398. Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the development and use of messenger RNA vaccines in livestock. This study is intended to inform any potential legislative discussions relating to the use of messenger RNA vaccines in livestock by compiling information regarding:

- (1) The mechanisms of messenger RNA vaccine efficacy;
- (2) The various messenger RNA vaccines that are in use or under development;
- (3) The benefits and risks of messenger RNA vaccines in relation to other types of vaccines in widespread use;
- (4) The regulatory infrastructure governing research, development, and commercial introduction of messenger RNA vaccines; and
- (5) Scientific literature that relates the safety of foods derived from messenger RNA vaccine treated animals.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 399. Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to review occupational regulations under the Nebraska Potato Development Act and the Plant Protection and Plant Pest Act for purposes of the Occupational Board Reform Act.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 400. Introduced by Halloran, 33.

PURPOSE: The purpose of this resolution is to propose an interim study to examine any issues within the jurisdiction of the Agriculture Committee of the Legislature that may arise in the interim.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 401. Introduced by DeBoer, 10; Blood, 3; Bosn, 25; DeKay, 40; Holdcroft, 36; Ibach, 44; McKinney, 11.

PURPOSE: The purpose of this resolution is to propose an interim study to conduct a comprehensive examination of Nebraska's county jails. This study shall include, but need not be limited to, an examination of the following:

- (1) Policies and procedures relating to county jails housing state prisoners, including, but not limited to, reimbursement provided to the county jails, such reimbursement's sufficiency, and the availability of programming to state prisoners in county jails;
- (2) Statutory provisions relating to jails, including, but not limited to, analyzing statutory differences between prisons and jails;
- (3) Staffing needs and requirements for safe and full operation of county jails, including, but not limited to, salary and benefits offered, hours, and safety of staff inside the facility;
- (4) Out-of-cell time provided to inmates in county jails;
- (5) Medical and mental health care provided to inmates in county jails and costs associated with such care;
- (6) Maintenance needs of jails and adequacy of county jails to house inmates and state prisoners;
- (7) Issues related to distances between jails and courthouses and efforts undertaken to ensure proper administration of justice and respect for constitutional rights;
- (8) State aid provided to county jails, such aid's sufficiency, and how to lessen the reliance of jails on property taxes;
- (9) The average length of time spent by inmates in jail before being moved to prison; and
- (10) The efficiency of keeping inmates in jail after being sentenced to serve the remainder of their sentence as compared to moving such inmates into a prison to serve the remainder of their sentence.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 402. Introduced by DeBoer, 10; Bosn, 25.

PURPOSE: The purpose of this resolution is to propose an interim study to examine and monitor broadband expansion in Nebraska. This study shall include, but need not be limited to, an examination of the following:

- (1) Projects being undertaken as a part of Nebraska's Broadband Bridge Program, the Nebraska Telecommunications Universal Service Fund, the National Telecommunications and Information Administration's Broadband Equity and Access Deployment Program, the United States Department of Agriculture's ReConnect Program, the Federal Communications Commission's Alternative Connect America Cost Model and Enhanced Alternative Connect America Cost Model, and any other state or federal efforts for the expansion of broadband availability in Nebraska and whether funding through any of these programs will be sufficient to overcome any inflationary pressures affecting broadband expansion;
- (2) State and federal resources allocated for maintenance and upkeep of current communications service providers as well as projected maintenance and upkeep needs of projects under development or soon to be under development; and
- (3) Any other issues related to the expansion of broadband in Nebraska.

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 403. Introduced by DeBoer, 10; Fredrickson, 20.

PURPOSE: The purpose of this resolution is to propose an interim study to examine telecommunications and issues discussed during the hearing on Legislative Bill 1256, introduced in the One Hundred Eighth Legislature,

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

- (1) Information sharing, including, but not be limited to, the sharing of proprietary information with the Public Service Commission during outages of 911 services;
- (2) State oversight over communication service providers as it relates to 911 services;
- (3) State and federal regulations as they relate to outages of 911 services to find areas for improvement; and
- (4) Any other issues as they relate to outages of 911 services in Nebraska.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 404. Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the impact of the services provided to eligible recipients of Temporary Assistance for Needy Families program funds and the most effective way to utilize such funds to provide services and cash assistance to Nebraskans receiving aid from the aid to dependent children program while living in poverty.

The aid to dependent children program, which provides time-limited direct cash assistance to families with children in deep poverty, is paid for by Temporary Assistance for Needy Families program funds. Over the last few decades, national data show that the number of families participating in the aid to dependent children program has dropped significantly but this does not mean there is a lack of need for such program, as the poverty data shows. Current participation in the aid to dependent children program is proportionately low in part because of administrative barriers, difficulty for participants to navigate a sanction-based program, a very low standard of need formula used for determining eligibility, and benefit levels which have not been updated in many years.

In 2020, more than ninety percent of Nebraskans who applied for the aid to dependent children program were denied. Nebraska is among the top five states with in number of denials for those applying to participate in the program. This study should focus on whether this trend can be reversed with use of existing funds like Temporary Assistance for Needy Families program rainy day funds.

This study should also focus on what changes to law or policy could be made to ensure needy families receive necessary assistance from the aid to

dependent children program, such as adjustments in calculations for the aid to dependent children program's standard of need formula and maximum benefit levels or changes in how child support is considered for recipients of the Aid to Dependent Children program.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 405. Introduced by Conrad, 46.

PURPOSE: The purpose of this resolution is to propose an interim study to examine the process the Department of Health and Human Services uses in selecting a provider to service a foster home and the similarities and differences between agency supported foster homes, relative homes, and kinship homes.

Historically, the state has defined agency supported foster care and pre-adoptive care services to mean agency supported foster homes, relative homes, and kinship homes despite significant differences between the categories including resource needs, initial and ongoing training and licensing requirements, initial and ongoing staff training requirements, support for both the home and the child, transportation, pre-adoption support services, and other matters that effect foster children. The additional responsibility placed on other family members in relative homes and kinship homes often substantially impacts the other family members' capacity to welcome additional children into their homes along with other issues that impact all involved.

The demands on the child welfare provider community differ between the placement services for agency supported foster homes, relative homes, and kinship homes relating to the requirements and expectations outlined by the Department of Health and Human Services. In addition, the process used to select a provider to service a foster home can be disruptive to foster children and confusing to the provider community.

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

(1) The differences between agency-supported foster homes, relative homes, and kinship homes and the impact those differences have on foster children, families, and providers;

(2) The financial impact to both providers and the Department of Health and Human Services of serving agency-supported foster homes, relative homes, and kinship homes;

(3) The difference in requirements and expectations the Department of Health and Human Services has of providers for agency-supported foster homes, relative homes, and kinship homes; and

(4) The process the Department of Health and Human Services uses in selecting a provider to support relative homes and kinship homes.

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

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

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

Referred to the Executive Board.

LEGISLATIVE RESOLUTION 406. Introduced by McDonnell, 5.

PURPOSE: The purpose of this resolution is to propose an interim study to explore the development of an institution dedicated to providing instruction, orientation, and ongoing professional development specifically tailored for elected officials and office holders in Nebraska. The potential institute shall aim to enhance governance through improved collaboration, leadership, and informed decisionmaking among Nebraska's public servants.

This study shall include, but not be limited to, collaboration with the following entities:

(1) Current and former elected officials at various levels of government within Nebraska;

(2) Academic institutions with public administration, political science, and leadership programs;

(3) Private sector leaders with experience in governance and leadership training;

(4) Nonprofit organizations focused on government accountability and transparency; and

(5) Public and private funding entities interested in supporting governance and leadership development.

The study should also explore the following:

(1) The feasibility of establishing an institute for collaboration and leadership for elected officials and office holders in Nebraska, including potential governance structures and locations;

(2) The core curriculum and orientation programs that would address the unique needs and challenges faced by elected officials and office holders, including ethical governance, public policy formulation, and constituent services;

(3) Potential public and private funding sources and models to ensure the institute's sustainability and accessibility to all elected officials and office holders in Nebraska;

(4) Best practices from similar institutions in other states or countries, including lessons learned and key success factors; and

(5) The potential impact of such an institute on enhancing the effectiveness, efficiency, and collaboration of Nebraska's public servants.

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

1. That the Government, Military and Veterans Affairs Committee of the Legislature shall be designated to conduct an interim study to carry out the purposes of this resolution.

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

Referred to the Executive Board.

NOTICE OF COMMITTEE HEARING(S)

Nebraska Retirement Systems
Room 1524 1:00 PM

Tuesday, April 2, 2024

Janis Elliott - Public Employees Retirement Board

(Signed) Mike McDonnell, Chairperson

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Vargas name added to LB253.

Senator Blood name added to LB686.

Senator Day name added to LB807.

VISITOR(S)

Visitors to the Chamber were students from Sunny Slope Elementary, Omaha; students from Wilber-Clatonia High School; students and teachers from Western Hills Elementary, Omaha.

ADJOURNMENT

At 7:31 p.m., on a motion by Senator Moser, the Legislature adjourned until 9:00 a.m., Tuesday, March 26, 2024.

Brandon Metzler
Clerk of the Legislature