

THIRTIETH DAY - FEBRUARY 21, 2018**LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE
SECOND SESSION****THIRTIETH DAY**

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 21, 2018

PRAYER

The prayer was offered by Pastor Ron Drury, Shepherd of the Hills, Hickman.

ROLL CALL

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

The roll was called and all members were present except Senator Krist who was excused; and Senators Friesen, Groene, Hansen, Linehan, Morfeld, Scheer, Smith, Watermeier, and Wayne who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the twenty-ninth day was approved.

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 275. Placed on Final Reading.

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 874. Placed on Select File with amendment.

ER110

1 1. In the Standing Committee amendments, AM1823, on page 12, line

2 26, strike "which (a)" and insert "(a) which".

3 2. On page 1, strike lines 2 through 9 and insert "15-1301,

4 18-2101.01, 18-2104, 18-2107, 18-2109, 18-2113, 18-2116, 18-2117.01,

5 18-2122, 18-2125, 18-2127, 18-2129, 18-2133, 18-2134, 18-2137, 18-2138,

6 18-2140, 18-2141, 18-2142.01, 18-2143, 18-2144, 18-2145, and 18-2153,

7 Reissue Revised Statutes of Nebraska, sections 13-2610, 18-2101, 18-2103,

8 18-2115, 18-2119, 18-2147, and 77-1704.01, Revised Statutes Cumulative
 9 Supplement, 2016, and sections 17-405.01 and 18-2102.01, Revised Statutes
 10 Supplement, 2017; to change the Community Development Law; to provide for
 11 audits by the Auditor of Public Accounts; to redefine terms; to change
 12 powers and duties of authorities; to change provisions relating to public
 13 hearings and notices; to require certain findings to be documented in
 14 writing; to require studies or analyses as prescribed; to change
 15 provisions relating to a cost-benefit analysis and a report to the
 16 Property Tax Administrator; to require an annual report on tax-increment
 17 financing; to restrict the reimbursement of costs for redevelopment
 18 projects using tax-increment financing as prescribed; to require
 19 retention of certain documents; to change provisions relating to certain
 20 redevelopment contracts, tax-increment financing, and certain property
 21 tax notices and receipts; to harmonize provisions; and to repeal the
 22 original sections."

(Signed) Anna Wishart, Chairperson

COMMITTEE REPORT(S)
 Revenue

LEGISLATIVE BILL 966. Placed on General File.
LEGISLATIVE BILL 1090. Placed on General File.

(Signed) Jim Smith, Chairperson

AMENDMENT(S) - Print in Journal

Senator Hilgers filed the following amendment to LB299:
 FA102
 Amend AM1665
 Strike Sections 16-17.

Senator Ebke filed the following amendment to LB299:
 AM2028
 (Amendments to Standing Committee amendments, AM1665)
 1 1. On page 11, strike lines 5 through 24.
 2 2. On page 13, strike lines 2 through 4 and insert the following new
 3 subdivision:
 4 "(e) Prepare a committee memorandum analyzing the proposed
 5 legislation in a timely fashion in order that the committee may review
 6 the memorandum prior to voting on the legislation."
 7 3. On page 14, line 13, strike "in Nebraska".

Senator Watermeier filed the following amendment to LB44:
 AM1822
 1 1. Strike the original sections and insert the following new
 2 sections:
 3 Section 1. Sections 1 to 8 of this act shall be known and may be
 4 cited as the Noncollecting Retailer Notice and Reporting Act.

5 Sec. 2. For purposes of the Noncollecting Retailer Notice and
6 Reporting Act:

7 (1) Department means the Department of Revenue;

8 (2) Noncollecting retailer means a retailer that sells taxable items
9 to Nebraska purchasers and does not collect Nebraska sales or use tax. A
10 retailer that does collect Nebraska sales or use tax is not a
11 noncollecting retailer regardless of whether the retailer is obligated to
12 collect the tax or voluntarily collects the tax; and

13 (3) Taxable item means any tangible or intangible property, product,
14 service, or other item that is subject to tax under subsection (1) of
15 section 77-2703.

16 Sec. 3. A noncollecting retailer shall be subject to the
17 Noncollecting Retailer Notice and Reporting Act if:

18 (1) Its total sales of taxable items to Nebraska purchasers exceeded
19 one hundred thousand dollars in the previous or current calendar year; or

20 (2) It sold taxable items to Nebraska purchasers in two hundred or
21 more separate transactions in the previous or current calendar year.

22 Sec. 4. A noncollecting retailer shall notify Nebraska purchasers
23 that sales or use tax is due on purchases of taxable items made from the
24 noncollecting retailer and that the State of Nebraska requires the
25 purchaser to remit any tax due either by filing a sales or use tax return
26 or by paying the tax through the individual income tax return that
27 coincides with the calendar year in which the purchase was made.

1 Sec. 5. (1) A noncollecting retailer shall send a notification to
2 all Nebraska purchasers by January 31 of each year showing the total
3 amount paid by the purchaser for purchases of taxable items made from the
4 noncollecting retailer in the previous calendar year and such other
5 information as the department may require by rule and regulation. The
6 notification shall include, if available, the date of each purchase, the
7 amount of each purchase, and a brief description of the taxable item
8 purchased. The notification shall also include the name of the
9 noncollecting retailer.

10 (2) The notification shall state, in fourteen-point, boldface type,
11 that (a) the State of Nebraska requires sales or use tax to be paid on
12 purchases of taxable items made by the purchaser from the noncollecting
13 retailer, (b) any tax due must be remitted either by filing a sales or
14 use tax return or by paying the tax through the individual income tax
15 return that coincides with the calendar year in which the purchase was
16 made, and (c) any purchaser who fails to remit the tax due shall be
17 subject to penalties under Nebraska law.

18 (3) The notification shall be sent separately to all Nebraska
19 purchasers by first-class mail and shall not be included with any other
20 shipments. The notification shall include the words "Important Tax
21 Document Enclosed" on the exterior of the mailing.

22 (4) A noncollecting retailer that fails to send the notifications
23 required in this section shall be subject to a penalty of ten thousand
24 dollars unless the noncollecting retailer shows reasonable cause for such
25 failure.

26 Sec. 6. (1) A noncollecting retailer shall submit an annual report
27 to the department on such forms as are provided or approved by the
28 department showing the total amount paid by Nebraska purchasers for

29 purchases of taxable items made from the noncollecting retailer in the
30 previous calendar year. The annual report shall be submitted on or before
31 March 1 of each year.

1 (2) The department may require a noncollecting retailer to submit
2 the annual report electronically if the noncollecting retailer's total
3 sales of taxable items to Nebraska purchasers during the previous
4 calendar year exceeded one hundred thousand dollars.

5 (3) A noncollecting retailer that fails to submit the annual report
6 required in this section shall be subject to a penalty of two thousand
7 five hundred dollars unless the noncollecting retailer shows reasonable
8 cause for such failure.

9 Sec. 7. The department may adopt and promulgate rules and
10 regulations to carry out the Noncollecting Retailer Notice and Reporting
11 Act.

12 Sec. 8. The Noncollecting Retailer Notice and Reporting Act
13 terminates on the later of July 1, 2018, or the first day of the first
14 calendar quarter after a controlling court decision or federal
15 legislation abrogates the physical presence requirement of Quill Corp. v.
16 North Dakota, 504 U.S. 298 (1992).

17 Sec. 9. Section 77-2701.13, Reissue Revised Statutes of Nebraska, is
18 amended to read:

19 77-2701.13 (1) Engaged in business in this state means any of the
20 following:

21 (a) ~~(4)~~ Maintaining, occupying, or using, permanently or
22 temporarily, directly or indirectly, or through a subsidiary or agent, by
23 whatever name called, an office, place of distribution, sales or sample
24 room or place, warehouse, storage place, or other place of business in
25 this state;

26 (b) ~~(2)~~ Having any representative, agent, salesperson, canvasser, or
27 solicitor operating in this state under the authority of the retailer or
28 its subsidiary for the purpose of selling, delivering, or taking orders
29 for any property;

30 (c) ~~(3)~~ Deriving rentals from a lease of property in this state by
31 any retailer;

1 (d) ~~(4)~~ Soliciting retail sales of property from residents of this
2 state on a continuous, regular, or systematic basis by means of
3 advertising which is broadcast from or relayed from a transmitter within
4 this state or distributed from a location within this state;

5 (e) ~~(5)~~ Soliciting orders from residents of this state for property
6 by mail, if the solicitations are continuous, regular, seasonal, or
7 systematic and if the retailer benefits from any banking, financing, debt
8 collection, or marketing activities occurring in this state or benefits
9 from the location in this state of authorized installation, servicing, or
10 repair facilities;

11 (f) ~~(6)~~ Being owned or controlled by the same interests which own or
12 control any retailer engaged in business in the same or similar line of
13 business in this state; or

14 (g) ~~(7)~~ Maintaining or having a franchisee or licensee operating
15 under the retailer's trade name in this state if the franchisee or
16 licensee is required to collect the tax under the Nebraska Revenue Act of
17 1967.

18 (2)(a) This subsection becomes operative on the later of July 1,
19 2018, or the first day of the first calendar quarter after a controlling
20 court decision or federal legislation abrogates the physical presence
21 requirement of Quill Corp. v. North Dakota, 504 U.S. 298 (1992).
22 (b) A person who lacks a physical presence in this state and who
23 makes retail sales of property to purchasers in this state shall be
24 deemed to be engaged in business in this state if:
25 (i) Such person's total retail sales of property to purchasers in
26 this state exceeded one hundred thousand dollars in the previous or
27 current calendar year; or
28 (ii) Such person made retail sales of property to purchasers in this
29 state in two hundred or more separate transactions in the previous or
30 current calendar year.
31 (c) The Department of Revenue may adopt and promulgate rules and
1 regulations to carry out this subsection.

2 Sec. 10. Section 77-2701.32, Reissue Revised Statutes of Nebraska,
3 is amended to read:

4 77-2701.32 (1) Retailer means any seller.

5 (2) To facilitate the proper administration of the Nebraska Revenue
6 Act of 1967, the following persons have the duties and responsibilities
7 of sellers for the purposes of sales and use taxes:

8 (a) Any person in the business of making sales subject to tax under
9 section 77-2703 at auction of property owned by the person or others;

10 (b) Any person collecting the proceeds of the auction, other than
11 the owner of the property, together with his or her principal, if any,
12 when the person collecting the proceeds of the auction is not the
13 auctioneer or an agent or employee of the auctioneer. The seller does not
14 include the auctioneer in such case;

15 (c) Every person who has elected to be considered a retailer
16 pursuant to subdivision (1) of section 77-2701.10;

17 (d) Every person operating, organizing, or promoting a flea market,
18 craft show, fair, or similar event; and

19 (e) Every person engaged in the business of providing any service
20 defined in subsection (4) of section 77-2701.16.

21 (3) For the proper administration of the Nebraska Revenue Act of
22 1967, the following persons do not have the duties and responsibilities
23 of a seller for purposes of sales and use taxes:

24 (a) Any person who leases or rents films when an admission tax is
25 charged under the Nebraska Revenue Act of 1967;

26 (b) Any person who leases or rents railroad rolling stock
27 interchanged pursuant to the provisions of the federal Interstate
28 Commerce Act;

29 (c) Any person engaged in the business of furnishing rooms in a
30 facility licensed under the Health Care Facility Licensure Act in which
31 rooms, lodgings, or accommodations are regularly furnished for a
1 consideration or a facility operated by an educational institution
2 established under Chapter 79 or Chapter 85 in which rooms are regularly
3 used to house students for a consideration for periods in excess of
4 thirty days; or

5 (d) Any person making sales at a flea market, craft show, fair, or
6 similar event when such person does not have a sales tax permit and has

7 arranged to pay sales taxes collected to the person operating,
8 organizing, or promoting such event.
9 (4)(a) This subsection becomes operative on the later of July 1,
10 2018, or the first day of the first calendar quarter after a controlling
11 court decision or federal legislation abrogates the physical presence
12 requirement of Quill Corp. v. North Dakota, 504 U.S. 298 (1992).
13 (b) The term retailer includes, but is not limited to, a person who
14 lacks a physical presence in this state and who makes retail sales of
15 property to purchasers in this state if:
16 (i) Such person's total retail sales of property to purchasers in
17 this state exceeded one hundred thousand dollars in the previous or
18 current calendar year; or
19 (ii) Such person made retail sales of property to purchasers in this
20 state in two hundred or more separate transactions in the previous or
21 current calendar year.
22 (c) The Department of Revenue may adopt and promulgate rules and
23 regulations to carry out this subsection.
24 Sec. 11. If any section in this act or any part of any section is
25 declared invalid or unconstitutional, the declaration shall not affect
26 the validity or constitutionality of the remaining portions.
27 Sec. 12. Original sections 77-2701.13 and 77-2701.32, Reissue
28 Revised Statutes of Nebraska, are repealed.
29 Sec. 13. Since an emergency exists, this act takes effect when
30 passed and approved according to law.

RESOLUTION(S)

Pursuant to Rule 4, Sec. 5(b), LRs 315 and 316 were adopted.

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 315 and 316.

MOTION(S) - Confirmation Report(s)

Senator Hughes moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 626:

Environmental Quality Council
Robert Hall
Lance Hedquist

Voting in the affirmative, 35:

Albrecht	Chambers	Hilkemann	Lowe	Schumacher
Baker	Clements	Howard	McCollister	Stinner
Blood	Ebke	Hughes	McDonnell	Thibodeau
Bolz	Erdman	Kolowski	Murante	Vargas
Bostelman	Geist	Kolterman	Pansing Brooks	Walz
Brasch	Halloran	Kuehn	Quick	Williams
Brewer	Hilgers	Lindstrom	Riepe	Wishart

Voting in the negative, 0.

Present and not voting, 4:

Briese	Crawford	Harr	Larson
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Excused and not voting, 10:

Friesen	Hansen	Linehan	Scheer	Watermeier
Groene	Krist	Morfeld	Smith	Wayne

The appointments were confirmed with 35 ayes, 0 nays, 4 present and not voting, and 10 excused and not voting.

Senator Hughes moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 626:

Nebraska Environmental Trust Board
Ryan McIntosh

Voting in the affirmative, 35:

Albrecht	Chambers	Hughes	Lowe	Smith
Baker	Clements	Kolowski	McCollister	Stinner
Blood	Erdman	Kolterman	McDonnell	Thibodeau
Bolz	Geist	Kuehn	Murante	Vargas
Bostelman	Halloran	Larson	Pansing Brooks	Walz
Brasch	Hilgers	Lindstrom	Quick	Williams
Brewer	Howard	Linehan	Schumacher	Wishart

Voting in the negative, 0.

Present and not voting, 6:

Briese	Ebke	Hilkemann
Crawford	Harr	Riepe

Excused and not voting, 8:

Friesen	Hansen	Morfeld	Watermeier
Groene	Krist	Scheer	Wayne

The appointment was confirmed with 35 ayes, 0 nays, 6 present and not voting, and 8 excused and not voting.

Senator Hughes moved the adoption of the Natural Resources Committee report for the confirmation of the following appointment(s) found on page 646:

Environmental Quality Council
 Mark Czaplewski
 Rodney K. Gangwish

Voting in the affirmative, 35:

Albrecht	Clements	Hughes	McCollister	Schumacher
Baker	Ebke	Kolowski	McDonnell	Stinner
Blood	Geist	Kolterman	Morfeld	Thibodeau
Bostelman	Halloran	Kuehn	Murante	Vargas
Brasch	Hilgers	Lindstrom	Pansing Brooks	Walz
Brewer	Hilkemann	Linehan	Quick	Williams
Chambers	Howard	Lowe	Riepe	Wishart

Voting in the negative, 0.

Present and not voting, 7:

Bolz	Crawford	Harr	Smith
Briese	Erdman	Larson	

Excused and not voting, 7:

Friesen	Hansen	Scheer	Wayne
Groene	Krist	Watermeier	

The appointments were confirmed with 35 ayes, 0 nays, 7 present and not voting, and 7 excused and not voting.

Senator Ebke moved the adoption of the Judiciary Committee report for the confirmation of the following appointment(s) found on page 680:

Nebraska Board of Parole
 Layne Gissler

Voting in the affirmative, 37:

Albrecht	Clements	Kolowski	McDonnell	Stinner
Baker	Ebke	Kolterman	Morfeld	Thibodeau
Blood	Erdman	Kuehn	Murante	Walz
Bolz	Geist	Larson	Pansing Brooks	Williams
Bostelman	Halloran	Lindstrom	Quick	Wishart
Brasch	Hilgers	Linehan	Riepe	
Brewer	Hilkemann	Lowe	Schumacher	
Chambers	Howard	McCollister	Smith	

Voting in the negative, 0.

Present and not voting, 5:

Briese	Crawford	Harr	Hughes	Vargas
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Excused and not voting, 7:

Friesen	Hansen	Scheer	Wayne
Groene	Krist	Watermeier	

The appointment was confirmed with 37 ayes, 0 nays, 5 present and not voting, and 7 excused and not voting.

GENERAL FILE

LEGISLATIVE BILL 439. Title read. Considered.

Committee AM1013, found on page 1113, First Session, 2017, was offered.

Senator Kolterman withdrew his amendment, AM1487, found on page 212.

Senator Kolterman offered the following amendment to the committee amendment:

AM2047

(Amendments to Standing Committee amendments, AM1013)

1 1. Insert the following new section:
 2 Sec. 10. Section 71-7611, Revised Statutes Supplement, 2017, is
 3 amended to read:
 4 71-7611 (1) The Nebraska Health Care Cash Fund is created. The State
 5 Treasurer shall transfer (a) sixty million three hundred thousand dollars
 6 on or before July 15, 2014, (b) sixty million three hundred fifty
 7 thousand dollars on or before July 15, 2015, (c) sixty million three
 8 hundred fifty thousand dollars on or before July 15, 2016, (d) sixty
 9 million seven hundred thousand dollars on or before July 15, 2017, (e)
 10 sixty million seven hundred thousand dollars on or before July 15, 2018,
 11 and (f) sixty million four hundred fifty thousand dollars on or before
 12 every July 15 thereafter from the Nebraska Medicaid Intergovernmental
 13 Trust Fund and the Nebraska Tobacco Settlement Trust Fund to the Nebraska
 14 Health Care Cash Fund, except that such amount shall be reduced by the
 15 amount of the unobligated balance in the Nebraska Health Care Cash Fund

16 at the time the transfer is made. The state investment officer shall
 17 advise the State Treasurer on the amounts to be transferred first from
 18 the Nebraska Medicaid Intergovernmental Trust Fund until the fund balance
 19 is depleted and from the Nebraska Tobacco Settlement Trust Fund
 20 thereafter in order to sustain such transfers in perpetuity. The state
 21 investment officer shall report electronically to the Legislature on or
 22 before October 1 of every even-numbered year on the sustainability of
 23 such transfers. The Nebraska Health Care Cash Fund shall also include
 24 money received pursuant to section 77-2602. Except as otherwise provided
 25 by law, no more than the amounts specified in this subsection may be
 26 appropriated or transferred from the Nebraska Health Care Cash Fund in
 1 any fiscal year.

2 The State Treasurer shall transfer ten million dollars from the
 3 Nebraska Medicaid Intergovernmental Trust Fund to the General Fund on
 4 June 28, 2018, and June 28, 2019.

5 It is the intent of the Legislature that no additional programs are
 6 funded through the Nebraska Health Care Cash Fund until funding for all
 7 programs with an appropriation from the fund during FY2012-13 are
 8 restored to their FY2012-13 levels.

9 (2) Any money in the Nebraska Health Care Cash Fund available for
 10 investment shall be invested by the state investment officer pursuant to
 11 the Nebraska Capital Expansion Act and the Nebraska State Funds
 12 Investment Act.

13 (3) The University of Nebraska and postsecondary educational
 14 institutions having colleges of medicine in Nebraska and their affiliated
 15 research hospitals in Nebraska, as a condition of receiving any funds
 16 appropriated or transferred from the Nebraska Health Care Cash Fund,
 17 shall not discriminate against any person on the basis of sexual
 18 orientation.

19 (4) The State Treasurer shall transfer fifty thousand dollars on or
 20 before July 15, 2016, from the Nebraska Health Care Cash Fund to the
 21 Board of Regents of the University of Nebraska for the University of
 22 Nebraska Medical Center. It is the intent of the Legislature that these
 23 funds be used by the College of Public Health for workforce training.

24 (5) It is the intent of the Legislature that the cost of the staff
 25 and operating costs necessary to carry out the changes made by this
 26 legislative bill and not covered by fees or federal funds shall be funded
 27 from the Nebraska Health Care Cash Fund for fiscal years 2018-19 and
 28 2019-20.

29 2. Renumber the remaining section and correct the repealer
 30 accordingly.

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

The committee amendment, as amended, was adopted with 36 ayes, 0 nays,
 9 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 38 ayes, 0 nays, 8 present
 and not voting, and 3 excused and not voting.

COMMITTEE REPORT(S)

Appropriations

LEGISLATIVE BILL 861. Placed on General File with amendment.

AM1946

1 1. Strike the original sections and insert the following new
2 sections:

3 Section 1. (1) For purposes of this section:

4 (a) Correctional institution incident means an incident in which a
5 crime or crimes are allegedly committed by one or more inmates confined
6 in a state correctional institution;

7 (b) Costs of prosecution includes, but is not limited to, the costs
8 of defense for indigent defendants, including attorney's fees and expert
9 witness fees; and

10 (c) Threshold amount means the amount of property tax revenue raised
11 by a county from a levy of two and one-half cents per one hundred dollars
12 of taxable valuation of property subject to the levy. The threshold
13 amount shall be determined using valuations for the year in which the
14 correctional institution incident occurred.

15 (2) If a county's costs of prosecution relating to a single
16 correctional institution incident exceed the threshold amount for such
17 county, such costs of prosecution in excess of the threshold amount shall
18 be paid by the State of Nebraska.

19 (3) Any amount to be paid by the state pursuant to subsection (2) of
20 this section shall be paid in the manner provided in the State
21 Miscellaneous Claims Act. The affected county shall file a claim for such
22 amount in the manner provided in such act.

23 (4) This section shall apply to any correctional institution
24 incident occurring on or after May 1, 2015.

25 Sec. 2. Section 81-8,297, Reissue Revised Statutes of Nebraska, is
26 amended to read:

27 81-8,297 The State Claims Board shall have the power and authority
1 to receive, investigate, and otherwise carry out its duties with regard
2 to (1) all claims under the State Miscellaneous Claims Act, (2) all
3 claims under sections 25-1802 to 25-1807, (3) all claims under the State
4 Contract Claims Act, (4) all requests on behalf of any department, board,
5 or commission of the state for waiver or cancellation of money or charges
6 when necessary for fiscal or accounting procedures, ~~and~~ (5) all claims
7 filed under section 66-1531, and (6) all claims filed under section 1 of
8 this act. All such claims or requests and supporting documents shall be
9 filed with the Risk Manager and shall be designated by number, name of
10 claimant as requester, and short title. Nothing in this section shall be
11 construed to be a waiver of the sovereign immunity of the state beyond
12 what is otherwise provided by law.

13 The board shall adopt and promulgate such rules and regulations as
14 are necessary to carry out the powers granted in this section. The
15 Attorney General shall be the legal advisor to the board for purposes of
16 this section and may authorize the assistant attorney general in charge
17 of the Claims Division to perform any of his or her duties under this

18 section.

19 Sec. 3. Section 81-8,299, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 81-8,299 The State Claims Board shall, for the purposes contemplated
22 by the State Contract Claims Act, the State Miscellaneous Claims Act, ~~and~~
23 sections 25-1802 to 25-1807 and 66-1531, and section 1 of this act, have
24 the right, power, and duty to (1) administer oaths, (2) compel the
25 attendance of witnesses and the production of books, papers, and
26 documents and issue subpoenas for such purposes, and (3) punish the
27 disobedience of such a subpoena or subpoenas, the refusal of a witness to
28 be sworn or testify, or the failure to produce books, papers, and
29 documents, as required by such subpoena or subpoenas so issued, as
30 contempt, in the same manner as are officers who are authorized to take
31 depositions.

1 Sec. 4. Section 81-8,300.01, Reissue Revised Statutes of Nebraska,
2 is amended to read:

3 81-8,300.01 Claims described in subdivisions (4), ~~and (5)~~, and (6)
4 of section 81-8,297 and claims relating to expiration of state warrants
5 shall have no time bar to recovery. Except as provided in section 25-213,
6 all other claims permitted under the State Miscellaneous Claims Act shall
7 be forever barred unless the claim is filed with the Risk Manager within
8 two years after the time the claim accrued.

9 Sec. 5. Section 81-8,301, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 81-8,301 Any award made under the State Contract Claims Act, the
12 State Miscellaneous Claims Act, ~~or~~ section 25-1806 or 66-1531, or section
13 1 of this act and accepted by the claimant shall be final and conclusive
14 on all officers of the State of Nebraska except when procured by means of
15 fraud. The acceptance by the claimant of such award shall be final and
16 conclusive on the claimant and shall constitute a complete release by the
17 claimant of any claim against the state and against the employee of the
18 state whose act or omission gave rise to the claim by reason of the same
19 subject matter.

20 Sec. 6. Original sections 81-8,297, 81-8,299, 81-8,300.01, and
21 81-8,301, Reissue Revised Statutes of Nebraska, are repealed.

(Signed) John Stinner, Chairperson

Urban Affairs

LEGISLATIVE BILL 889. Placed on General File.

LEGISLATIVE BILL 890. Placed on General File.

LEGISLATIVE BILL 709. Placed on General File with amendment.

AM1879

1 1. Strike the original sections and insert the following new

2 sections:

3 Section 1. Section 18-1901, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 18-1901 (1) In cities of the metropolitan class, there shall be a
6 plumbing board for the examination of plumbers of eight members. The
7 plumbing board shall consist of an architect licensed to practice in the
8 State of Nebraska and engaged in business in a city of the metropolitan
9 class, a mechanical engineer licensed to practice in the State of
10 Nebraska and engaged in business in a city of the metropolitan class, two
11 journeymen plumbers, two master plumbers, one member of the general
12 public who is not associated with the plumbing business, and a chief
13 health officer who shall serve as a nonvoting member of the board. Such
14 members shall be appointed by the mayor by and with the consent of the
15 city council. A member shall continue to serve until his or her successor
16 has been appointed and qualified.

17 (2) In cities of the primary class, there may be a plumbing board
18 ~~for the examination of plumbers~~ consisting of five members. The plumbing
19 board shall consist of the Director of Building and Safety of the city, a
20 registered professional mechanical engineer licensed to practice in the
21 State of Nebraska and engaged in business in the city, the chief plumbing
22 inspector for the city, one master plumber, and one journeyman plumber.
23 The mechanical engineer, the master plumber, and the journeyman plumber
24 shall be appointed by the mayor by and with the consent of the city
25 council or, in cities having a city manager, by the city manager.

26 (3) In all cities of the first ~~class, cities of the~~ and second
27 ~~class, classes~~ and villages, there may be a plumbing board for the
1 ~~examination of plumbers~~ of not less than four members, consisting of at
2 least one member to be known as the chief health officer of the city or
3 village, one member to be known as the plumbing inspector of the city or
4 village, one journeyman plumber, and one master plumber. The journeyman
5 and master plumbers shall be appointed by the mayor by and with the
6 consent of the city council, by the chairperson by and with the consent
7 of the village board of trustees, or, in cities having a city manager, by
8 the city manager.

9 (4) For purposes of this section, in cities where a city-county
10 health department has been established and is maintained as provided in
11 section 71-1628, chief health officer shall mean the health director of
12 such department.

13 (5) Except for cities of the metropolitan class and primary class
14 ~~classes~~ and as provided in subsection (4) of this section, the chief
15 health officer and plumbing inspector shall be appointed by and hold
16 office during the term of office of the mayor, city manager, or
17 chairperson of the village board of trustees, as the case may be. The
18 terms of office of the journeymen and master plumbers shall be for four
19 ~~three~~ years. Upon expiration of the term of each appointed member,
20 appointments shall be made for succeeding terms by the same process as
21 the previous appointments.

22 (6) The plumbing inspector and journeymen and master plumbers shall
23 be licensed plumbers. The plumbers appointed to the plumbing board in
24 cities of the metropolitan class shall be licensed within such cities.
25 The chief plumbing inspector shall be licensed within such city or
26 village and shall act in a direct advisory capacity to the plumbing

27 board.

28 (7) In cities of the metropolitan class, four voting members of the
29 plumbing board shall constitute a quorum, and in all other cities and
30 villages, three members of the plumbing board shall constitute a quorum.
31 The plumbing board shall organize by selecting a chairperson, and in
1 cities of the metropolitan class a recording secretary shall be furnished
2 to ~~the plumbing~~ such board. The city or village shall make available to
3 the plumbing board a location for the board to meet and conduct business
4 at a time convenient for the members of the board. All vacancies in the
5 plumbing board may be filled by the mayor and city council, city manager,
6 or chairperson and village board of trustees as provided in this section.
7 Any member of the plumbing board may be removed from office for cause by
8 the district court of the county in which such city or village is
9 situated. The governing body of the city or village may require that each
10 member of the plumbing board give bond in the sum of one thousand
11 dollars, conditioned according to law, the cost of which may be paid by
12 such city or village.

13 (8) The plumbing board in a city of the metropolitan class shall
14 maintain a record of all complaints filed in the city regarding
15 violations of the plumbing code and a record of the disposition of each
16 such complaint.

17 (9) If two or more municipalities organize a joint plumbing board
18 pursuant to the Interlocal Cooperation Act, appointments shall be made
19 according to the agreements providing for such joint board and the
20 members of such board shall be residents of such cities or villages or
21 live within the extraterritorial zoning jurisdiction of such cities or
22 villages.

23 Sec. 2. Section 18-1902, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-1902 ~~The persons who compose the plumbing board shall, within ten~~
26 ~~days after their appointments, meet in their respective city or village~~
27 ~~building or place designated by the city council, city manager, or~~
28 ~~chairman and board of trustees, and~~ organize by the selection of one of
29 ~~the members~~ their number as chairperson, chairman; and the plumbing
30 inspector shall be the secretary of ~~the said~~ board. It shall be the duty
31 of the secretary to keep full, true, and correct minutes and records of
1 all licenses issued by it, together with their kinds and dates, and the
2 names of the persons to whom issued, in books to be provided by such city
3 or village for that purpose, which books and records shall be open for
4 free inspection by all persons during business hours.

5 Sec. 3. Section 18-1903, Reissue Revised Statutes of Nebraska, is
6 amended to read:

7 18-1903 ~~On~~ ~~The appointment of the plumbing board shall be made~~
8 ~~annually, at the first meeting of the city council or chairperson and~~
9 ~~board of trustees, or by the city manager, in August of each year, except~~
10 ~~as provided in section 18-1901. If the city or village has a chief health~~
11 ~~officer or health director and plumbing inspector, then they shall act as~~
12 ~~members of such board ex officio and shall receive no extra compensation,~~
13 ~~except that boards of cities of the primary class shall have members as~~

14 ~~provided in subsection (2) of section 18-1901. If there are no such~~
15 ~~officers in such city or village, then, on being appointed, the members~~
16 ~~of the plumbing board they shall each receive as a salary an amount to be~~
17 ~~determined by the city council or chairperson and village board of~~
18 ~~trustees.~~

19 Sec. 4. Section 18-1904, Reissue Revised Statutes of Nebraska, is
20 amended to read:

21 18-1904 The plumbing board shall fix stated times and places of
22 meeting, which times shall not be less than once each year, ~~in every two~~
23 ~~weeks~~ and meetings may be held more often upon written call of the
24 chairperson ~~chairman~~ of the board. The plumbing board shall adopt rules
25 for the examination, at such times and places, of all persons who desire
26 a license to work at the construction or repairing of plumbing within the
27 city or village; and also within the area of the extraterritorial zoning
28 ~~jurisdiction outside the corporate limits~~ of cities of the metropolitan
29 class.

30 Sec. 5. Section 18-1906, Reissue Revised Statutes of Nebraska, is
31 amended to read:

1 18-1906 The plumbing board shall have power, and it shall be its
2 duty, to adopt rules and regulations, not inconsistent with the laws of
3 the state or the ordinances of the city or village, for the sanitary
4 construction, alteration, and inspection of plumbing and sewerage
5 connections and drains placed in, or in connection with, any and every
6 building in such city or village, in which it will prescribe the kind and
7 size of materials to be used in such plumbing and the manner in which
8 such work shall be done, which rules and regulations, except such as are
9 adopted for its own convenience only, shall be approved by ordinance by
10 the mayor and city council of such city or by the chairperson and village
11 ~~board of trustees of such village~~. The plumbing board shall have the
12 power to amend or repeal its rules and regulations, subject, except such
13 as relate to its own convenience only, to the approval of the mayor and
14 city council of such city or chairperson and village board of trustees ~~of~~
15 ~~such village~~. In cities of the metropolitan class, the plumbing board
16 shall have the power, without the approval of the mayor and city council,
17 to grant a variance from the ordinances, rules, and regulations in the
18 kind and size of materials to be used or in the manner in which the work
19 is to be performed. The variance shall apply only to a single building
20 and shall not be considered as a part of the ordinances, rules, and
21 regulations of the plumbing board. If there are practical difficulties or
22 unnecessary hardships in the manner of strictly carrying out such
23 ordinance, the plumbing board shall have the power, in passing upon a
24 variance, to vary or modify the application of any of the regulations or
25 provisions of such ordinance relating to the use, construction, or
26 alteration of buildings or structures or the use of land, so that the
27 intent of the ordinance shall be observed, public safety and welfare
28 secured, and substantial justice done. The plumbing board shall have
29 power to compel the owner or contractor to first submit the plans and
30 specifications for plumbing that is to be placed in any building or
31 adjoining premises to the board for approval before it shall be installed

1 in such building or premises. When an owner or contractor submits a
2 request for a variance, the plumbing board shall charge a reasonable fee,
3 payable to the general fund, as set by the city council or village board
4 of trustees not to exceed twenty-five dollars. The Building Board of
5 Review shall have the authority to hear appeals from the plumbing board
6 in matters regarding variances and interpretation of ordinances, plumbing
7 code changes, rules, and regulations. The Building Board of Review shall
8 adopt rules governing such appeals.

9 Sec. 6. Section 18-1908, Reissue Revised Statutes of Nebraska, is
10 amended to read:

11 18-1908 All original licenses may be renewed and all renewal
12 licenses may be renewed by the plumbing board at the dates of their
13 expiration. Such renewal licenses shall be granted, without a
14 reexamination, upon the written application of the licensee filed with
15 the plumbing board and showing that his or her purposes and condition
16 remain unchanged and that he or she has complied with all other
17 applicable regulations required by the city council or village board of
18 trustees. If, unless it is made to appear by affidavit before the
19 plumbing board that the applicant is no longer competent, or entitled to
20 such renewal license, then in which event the renewal license shall not
21 be granted until the applicant has undergone the examination herebefore
22 required pursuant to sections 18-1901 to 18-1913.

23 Sec. 7. Section 18-1911, Reissue Revised Statutes of Nebraska, is
24 amended to read:

25 18-1911 Fees for original and renewal licenses shall be as
26 established by the city council or village board of trustees. All license
27 fees shall be paid to the city treasurer or village treasurer. The fee for
28 the original license of a journeyman plumber shall be one dollar for a
29 one-year license and two dollars for a two-year license. All renewal fees
30 shall be fifty cents for a one-year license and one dollar for a two-year
31 license. All license fees shall be paid, prior to the execution and
1 delivery of the license, to the treasurer of the school district within
2 the city or village for which the license was issued to be used
3 exclusively for the support of the common schools therein.

4 Sec. 8. Section 18-1914, Reissue Revised Statutes of Nebraska, is
5 amended to read:

6 18-1914 Any person violating any of the provisions of sections
7 18-1901 to 18-1913, or of any lawful ordinance or rules and regulations,
8 authorized by such sections hereby, shall be deemed guilty of a
9 misdemeanor, and shall be fined not more than five hundred ~~exceeding~~
10 ~~fifty~~ fifty five dollars nor less than fifty five dollars for each and every
11 violation thereof. If such person holds a plumber's license, he or she
12 shall forfeit the same, and it shall be void, and he or she shall not be
13 entitled to another plumber's license for one year after such forfeiture
14 is declared against him or her by the plumbing board.

15 Sec. 9. Original sections 18-1901, 18-1902, 18-1903, 18-1904,
16 18-1906, 18-1908, 18-1911, and 18-1914, Reissue Revised Statutes of
17 Nebraska, are repealed.

(Signed) Justin Wayne, Chairperson

COMMITTEE REPORT(S)
Natural Resources

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

Michelle Bucklin - Environmental Quality Council

Aye: 7 Albrecht, Bostelman, Geist, Hughes, Kolowski, McCollister, Walz.
Nay: 0. Absent: 1 Quick. Present and not voting: 0.

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

Scott L. Cassels - Game and Parks Commission

Aye: 7 Bostelman, Geist, Hughes, Kolowski, McCollister, Quick, Walz.
Nay: 0. Absent: 1 Albrecht. Present and not voting: 0.

(Signed) Dan Hughes, Chairperson

ANNOUNCEMENT

Speaker Scheer designates LBs 104, 117, 379, 596, 697, 702, 714, 724, 729, 741, 745, 751, 760, 803, 827, 865, 901, 903, 906, 923, 940, 957, 1091, 1098, and 1121 as Speaker priority bills.

REFERENCE COMMITTEE REPORT

The Legislative Council Executive Board submits the following report:

Aerni, Michael - Foster Care Advisory Committee - Health and Human Services

Baxter, Nicholas - Nebraska Educational Telecommunications Commission - Education

Petersen, Noelle - Foster Care Advisory Committee - Health and Human Services

Van Patton, Matthew A. - Director - Division of Medicaid and Long Term Care - Department of Health and Human Services - Health and Human Services

(Signed) Dan Watermeier, Chairperson
Executive Board

GENERAL FILE

LEGISLATIVE BILL 776. Title read. Considered.

Committee AM1687, found on page 470, was offered.

SPEAKER SCHEER PRESIDING

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

The committee amendment was adopted with 33 ayes, 7 nays, 7 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Senator McCollister offered the following amendment:

AM2018

- 1 1. On page 4, line 3, after the period insert "In determining the
- 2 amount of such reasonable operating costs, the Jail Standards Board may
- 3 consider for comparative purposes the rates set by the Federal
- 4 Communications Commission for inmate calling services pursuant to federal
- 5 law, as such law existed on January 1, 2017."; and in line 5 strike
- 6 "commission or bonus payment" and insert "excessive commissions and bonus
- 7 payments, including, but not limited to, awards paid to a county".
- 8 2. On page 6, line 17, after the period insert "In determining the
- 9 amount of such reasonable operating costs, the Jail Standards Board may
- 10 consider for comparative purposes the rates set by the Federal
- 11 Communications Commission for inmate calling services pursuant to federal
- 12 law, as such law existed on January 1, 2017."; and in line 19 strike
- 13 "commission or bonus payment" and insert "excessive commissions and bonus
- 14 payments, including, but not limited to, awards paid to a city".

Pending.

COMMITTEE REPORT(S)

Transportation and Telecommunications

LEGISLATIVE BILL 42. Placed on General File with amendment.

AM1965

- 1 1. Insert the following new section:
- 2 Sec. 4. This act becomes operative on January 1, 2019.
- 3 2. On page 2, strike beginning with the first "the" in line 23
- 4 through "available" in line 24 and insert "a seat or seats, other than a
- 5 front seat, if such seat or seats are so equipped with such passenger
- 6 restraint system and such seat or seats are not already occupied by a
- 7 child or children under eight years of age"; in line 26 after
- 8 "manufacturer's" insert "maximum allowable"; and in line 27 strike
- 9 "requirements".
- 10 3. Renumber the remaining section accordingly.

(Signed) Curt Friesen, Chairperson

Education

LEGISLATIVE BILL 1081. Placed on General File.

LEGISLATIVE BILL 912. Placed on General File with amendment.
AM1597

1 1. On page 2, strike lines 8 through 12 and insert the following new
2 subsection:
3 "(2) The State Department of Education may contract with an
4 appropriate entity to create a poster containing at least such toll-free
5 telephone number and appropriate language for posting in schools. The
6 entity with which the department contracts shall display the poster on
7 its web site in a format that can be downloaded from such web site."

LEGISLATIVE BILL 917. Placed on General File with amendment.
AM1666

1 1. On page 2, line 12, after "but" insert "is of insufficient clock,
2 semester, or quarter hours to be eligible for Federal Pell Grants and".

(Signed) Mike Groene, Chairperson

General Affairs

LEGISLATIVE BILL 984. Placed on General File.

(Signed) Tyson Larson, Chairperson

COMMITTEE REPORT(S)

Transportation and Telecommunications

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

Eric Bigler - Motor Vehicle Industry Licensing Board

Aye: 8 Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith.
Nay: 0. Absent: 0. Present and not voting: 0.

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

Barbara J. Keegan - Board of Public Roads Classifications and Standards
James Litchfield - Board of Public Roads Classifications and Standards

Mick Syslo - Board of Public Roads Classifications and Standards
Edward R. Wootton Sr. - Board of Public Roads Classifications and Standards

Aye: 8 Bostelman, Briese, Friesen, Geist, Hilgers, Hughes, Murante, Smith.
Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Curt Friesen, Chairperson

AMENDMENT(S) - Print in Journal

Senator Friesen filed the following amendment to LB157:
AM1906

1 1. Insert the following new section:
2 Sec. 4. Section 86-324, Revised Statutes Supplement, 2017, is
3 amended to read:
4 86-324 (1) The Nebraska Telecommunications Universal Service Fund is
5 hereby created. The fund shall provide the assistance necessary to make
6 universal access to telecommunications services available to all persons
7 in the state consistent with the policies set forth in the Nebraska
8 Telecommunications Universal Service Fund Act. Only eligible
9 telecommunications companies designated by the commission shall be
10 eligible to receive support to serve high-cost areas from the fund. A
11 telecommunications company that receives such support shall use that
12 support only for the provision, maintenance, and upgrading of facilities
13 and services for which the support is intended. Any such support should
14 be explicit and sufficient to achieve the purpose of the act.
15 (2) Notwithstanding the provisions of section 86-124, in addition to
16 other provisions of the act, and to the extent not prohibited by federal
17 law, the commission:
18 (a) Shall have authority and power to subject eligible
19 telecommunications companies to service quality, customer service, and
20 billing regulations. Such regulations shall apply only to the extent of
21 any telecommunications services or offerings made by an eligible
22 telecommunications company which are eligible for support by the fund.
23 The commission shall be reimbursed from the fund for all costs related to
24 drafting, implementing, and enforcing the regulations and any other
25 services provided on behalf of customers pursuant to this subdivision;
26 (b) Shall have authority and power to issue orders carrying out its
27 responsibilities and to review the compliance of any eligible
1 telecommunications company receiving support for continued compliance
2 with any such orders or regulations adopted pursuant to the act;
3 (c) May withhold all or a portion of the funds to be distributed
4 from any telecommunications company failing to continue compliance with
5 the commission's orders or regulations;
6 (d) Shall require every telecommunications company to contribute to
7 any universal service mechanism established by the commission pursuant to
8 state law, which may include a connection-based contribution mechanism.
9 The commission shall require, as reasonably necessary, an annual audit of

10 any telecommunications company to be performed by a third-party certified
 11 public accountant to insure the billing, collection, and remittance of a
 12 surcharge for universal service. The costs of any audit required pursuant
 13 to this subdivision shall be paid by the telecommunications company being
 14 audited. For purposes of this subdivision: ;

15 (i) Connection-based contribution mechanism means a fixed or flat
 16 rate surcharge assessed on a per-connection basis;

17 (ii) Connection means any form of technology used to provide an end
 18 user with access to an assessable service; and

19 (iii) Assessable service means any service subject to a contribution
 20 obligation to the fund;

21 (e) Shall require an audit of information provided by a
 22 telecommunications company to be performed by a third-party certified
 23 public accountant for purposes of calculating universal service fund
 24 payments to such telecommunications company. The costs of any audit
 25 required pursuant to this subdivision shall be paid by the
 26 telecommunications company being audited; and

27 (f) May administratively fine pursuant to section 75-156 any person
 28 who violates the Nebraska Telecommunications Universal Service Fund Act.

29 (3) Any money in the fund available for investment shall be invested
 30 by the state investment officer pursuant to the Nebraska Capital
 31 Expansion Act and the Nebraska State Funds Investment Act, and for the
 1 period July 1, 2017, through June 30, 2019, any interest earned by the
 2 fund shall be credited to the General Fund.

3 2. On page 4, line 16, after "(c)" insert "(i)" and strike "(i)" and
 4 insert "(A)"; in line 18 strike "(ii)" and insert "(B)"; and in line 20
 5 strike the period and insert "; or

6 (ii) If the Public Service Commission has certified to the
 7 Department of Revenue that it has established a connection-based
 8 contribution mechanism as defined in subdivision (2)(d) of section 86-324
 9 for surcharges allocated to the Nebraska Telecommunications Universal
 10 Service Fund pursuant to section 86-324, the percentage obtained by
 11 dividing (A) the amount of the surcharge certified by the commission by
 12 (B) fifty."

13 3. Renumber the remaining sections and correct the repealer
 14 accordingly.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 318. Introduced by Scheer, 19.

WHEREAS, on Saturday, March 3, 2018, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award to three honorees at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to Clark A. Kolterman, who is a resident of Seward and who became an educator after over twenty years as a small business owner. He has a bachelor's degree from the University of Nebraska at Kearney and two

master's degrees from Concordia University in Seward. Mr. Kolterman has held leadership roles in nearly two dozen community and state organizations and has received multiple state and national recognitions for his teaching excellence and community service. He has spent much of his adult life promoting his community, this state, and our nation through various activities, including Seward's Fourth of July Celebration, an event he helped originate in 1969, which has received multiple state and national awards; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to James B. Milliken, who is a native of Fremont. Mr. Milliken has a bachelor's degree from the University of Nebraska-Lincoln and a law degree from New York University. He has held leadership positions at several major universities, including serving as president of the University of Nebraska for ten years. In June, 2014, he became chancellor of The City University of New York, the third-largest public university in the United States. During his presidency at the University of Nebraska, a number of major initiatives were successfully launched, including significant facility improvements and expansions on all of the campuses in the university system. In addition, he promoted multiple areas of research excellence, such as the Robert B. Daugherty Water for Food Global Institute, which is recognized internationally for its expertise in helping find innovative ways to feed the world; and

WHEREAS, a Distinguished NEBRASKAlander Award will be presented to E. Benjamin Nelson, who is a native of McCook. Senator Nelson earned his bachelor's, master's, and law degrees from the University of Nebraska-Lincoln. He began his career as a state insurance regulator and subsequently held multiple positions as an insurance industry executive. In 1990, he was elected to his first of two terms as the Governor of Nebraska. In 2000, he was elected to his first of two terms as a United States Senator. He was a strong advocate for renewable fuels during his years as Governor and Senator and helped promote policies which contributed to Nebraska having the second largest biofuels industry in the nation. As a U.S. Senator, he provided critical leadership supporting the U.S. Strategic Command headquartered at Offutt Air Force Base. Following his 20 years in public office, he became the chief executive officer of the National Association of Insurance Commissioners until stepping down in 2016.

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

1. That the Legislature congratulates the recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.

2. That a copy of this resolution be sent to Clark A. Kolterman, James B. Milliken, and E. Benjamin Nelson.

Laid over.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Briese name added to LB308.

Senator Geist name added to LB993.

Senator Hughes name added to LB1069.

Senator Lindstrom name added to LB1069.

Senator Riepe name added to LB1069.

Senator Friesen name added to LB1069.

VISITORS

Visitors to the Chamber were 16 members of the Beatrice Leadership group; class and committee members of Leadership York; 44 twelfth-grade government class students and teacher from Syracuse; Amber and Annabelle Bogle from Bennet; Patti Brownlee, Linda Springsted, Marcia O'Donovan, and Judy Nelson from Omaha; 51 fourth-grade students, teachers, and sponsors from Bryan Elementary, Lexington; 7 board members of the Elkhorn Rural Public Power District; and former Senator Richard Fellman, his son, daughter-in-law, and grandchildren, Rabbi Daniel, Melissa, Zachary, and Jacob Fellman from Syracuse, NY, and granddaughter, Gabby Witkowski, from Omaha.

The Doctor of the Day was Dr. John Brady from La Vista.

ADJOURNMENT

At 11:51 a.m., on a motion by Senator Schumacher, the Legislature adjourned until 9:00 a.m., Thursday, February 22, 2018.

Patrick J. O'Donnell
Clerk of the Legislature

