

**TWENTY-EIGHTH DAY - FEBRUARY 20, 2019**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION**

**TWENTY-EIGHTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Wednesday, February 20, 2019

**PRAYER**

The prayer was offered by Father Gary Coulter, Our Lady of Good Counsel Retreat House, Waverly.

**ROLL CALL**

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

The roll was called and all members were present except Senators McDonnell and Vargas who were excused; and Senators DeBoer, Groene, B. Hansen, M. Hansen, Hilkemann, Howard, Linehan, McCollister, Pansing Brooks, Walz, and Wishart who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-seventh day was approved.

**NOTICE OF COMMITTEE HEARING(S)**  
Health and Human Services

Room 1510

Wednesday, February 27, 2019 1:30 p.m.

Kyle Klammer - Nebraska Rural Health Advisory Commission  
Cherlyn Hunt - Nebraska Rural Health Advisory Commission

(Signed) Sara Howard, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 25A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 31 ayes, 0 nays, 5 present and not voting, and 13 excused and not voting.

**LEGISLATIVE BILL 399.** Senator Chambers renewed his amendment, FA11, found on page 537, to the committee amendment.

Senator Chambers moved for a call of the house. The motion prevailed with 24 ayes, 2 nays, and 23 not voting.

Senator Chambers requested a roll call vote on his amendment.

Voting in the affirmative, 1:

Hunt

Voting in the negative, 34:

Albrecht	Dorn	Hansen, B.	Lathrop	Quick
Arch	Erdman	Hansen, M.	Lindstrom	Scheer
Bolz	Friesen	Hilgers	Linehan	Slama
Bostelman	Geist	Hilkemann	Lowe	Stinner
Brandt	Gragert	Hughes	McCollister	Wayne
Brewer	Groene	Kolterman	Moser	Williams
Clements	Halloran	La Grone	Murman	

Present and not voting, 10:

Blood	Chambers	Howard	Morfeld	Walz
Cavanaugh	Crawford	Kolowski	Pansing Brooks	Wishart

Excused and not voting, 4:

Briese	DeBoer	McDonnell	Vargas
--------	--------	-----------	--------

The Chambers amendment lost with 1 aye, 34 nays, 10 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

Senator Bolz offered the following amendment to the committee amendment:

AM365

(Amendments to Standing Committee amendments, AM286)

1 1. On page 5, strike lines 24 through 29 and show the old matter as  
2 stricken.

Senator Bolz moved for a call of the house. The motion prevailed with 26 ayes, 2 nays, and 21 not voting.

Senator Bolz requested a roll call vote on her amendment.

Voting in the affirmative, 19:

Blood	Crawford	Howard	McCollister	Walz
Bolz	DeBoer	Hunt	Morfeld	Wayne
Cavanaugh	Hansen, M.	Kolowski	Pansing Brooks	Wishart
Chambers	Hilkemann	Lathrop	Quick	

Voting in the negative, 27:

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

Excused and not voting, 3:

Briese            McDonnell    Vargas

The Bolz amendment lost with 19 ayes, 27 nays, and 3 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following amendment to the committee amendment:

FA12

Amend AM286

Strike the original sections and insert the following: "Repeal outright sections 724, 725, 726 and 727."

Pending.

**NOTICE OF COMMITTEE HEARING(S)**

Revenue

Room 1524

Wednesday, February 27, 2019 1:30 p.m.

LB303  
LR8CA  
LB506  
LB482

Thursday, February 28, 2019 1:30 p.m.

LB473  
LB710

LB493  
LB529

Friday, March 1, 2019 1:30 p.m.

LB162  
LB507  
LB508  
LB614  
LB441

(Signed) Lou Ann Linehan, Chairperson

Natural Resources

Room 1525

Wednesday, February 27, 2019 1:30 p.m.

Mark Czaplewski - Nebraska Natural Resources Commission  
LB374

Thursday, February 28, 2019 1:30 p.m.

Donald P. Batie - Nebraska Natural Resources Commission  
LB580  
LB632

(Signed) Dan Hughes, Chairperson

Executive Board

Room 1525

Wednesday, February 27, 2019 12:00 p.m.

LB572  
LB598  
LB599  
LB600

Thursday, February 28, 2019 12:00 p.m.

LB636  
LB681  
LB713  
LR16

(Signed) Mike Hilgers, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 660.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 10 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 486.** Title read. Considered.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 6 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 254.** Title read. Considered.

Senator B. Hansen offered the following amendment:

AM384

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

2 sections:

3 Section 1. Sections 1 to 3 of this act shall be known and may be

4 cited as the Fair Chance Hiring Act.

5 Sec. 2. For purposes of the Fair Chance Hiring Act:

6 (1) Applicant means (a) any individual considered for, or who

7 requests to be considered for, employment by an employer, or (b) any

8 employee considered for, or who requests to be considered for, another

9 employment position with his or her employer;

10 (2) Employee means an individual employed by an employer;

11 (3) Employer means any person having in his or her employ fifteen or

12 more employees for each working day in each of twenty or more calendar

13 weeks in the current or preceding calendar year, and any person acting

14 for or in the interest of an employer, directly or indirectly but such

15 term does not include (a) the United States, (b) a corporation wholly

16 owned by the government of the United States, (c) an Indian tribe or (d)

17 the State of Nebraska, state or local governmental agencies, or political

18 subdivisions;

19 (4) Employment agency means any person regularly undertaking with or

20 without compensation to procure employees for an employer or to procure

21 for employees opportunities to work for an employer and includes an agent

22 of such a person, but does not include an agency of the United States,

23 except that such term does include the United States Employment Service

24 and the system of state and local employment services receiving federal

25 assistance;

26 (5) Person includes one or more individuals, partnerships, limited

27 liability companies, associations, corporations, business trusts, legal

1 representatives, or any organized group of persons.

2 Sec. 3. An employer or employment agency that asks an applicant to

3 disclose, orally or in writing, information concerning the applicant's

4 criminal record or history, including any inquiry on any employment

5 application, shall afford the applicant an opportunity to explain the

6 information and the circumstances regarding any convictions or other  
7 criminal history, including the applicant's rehabilitation.

The B. Hansen amendment was adopted with 36 ayes, 1 nay, 8 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 39 ayes, 2 nays, 4 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 361.** Title read. Considered.

Committee AM289, found on page 523, was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Senator M. Hansen moved for a call of the house. The motion prevailed with 23 ayes, 3 nays, and 23 not voting.

Senator M. Hansen requested a roll call vote on the advancement of the bill.

Voting in the affirmative, 26:

Blood	DeBoer	Hilkemann	Morfeld	Wayne
Bolz	Dorn	Howard	Murman	Wishart
Brandt	Gragert	Hunt	Pansing Brooks	
Cavanaugh	Halloran	Kolowski	Quick	
Chambers	Hansen, B.	Lathrop	Scheer	
Crawford	Hansen, M.	McCollister	Walz	

Voting in the negative, 8:

Albrecht	Brewer	Erdman	Lowe
Arch	Clements	Geist	Stinner

Present and not voting, 11:

Bostelman	Hughes	Lindstrom	Slama
Groene	Kolterman	Linehan	Williams
Hilgers	La Grone	Moser	

Excused and not voting, 4:

Briese	Friesen	McDonnell	Vargas
--------	---------	-----------	--------

Advanced to Enrollment and Review Initial with 26 ayes, 8 nays, 11 present and not voting, and 4 excused and not voting.

The Chair declared the call raised.

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

Senator Kolterman filed the following amendment to LB29:  
AM367

(Amendments to Standing Committee amendments, AM86)

- 1 1. On page 1, line 3, after "line" insert "3, after the comma insert
- 2 'the Perfusion Practice Act.'; and in line".

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 25.** Introduced by Albrecht, 17; Arch, 14; Blood, 3; Bolz, 29; Bostelman, 23; Brandt, 32; Brewer, 43; Briese, 41; Cavanaugh, 6; Chambers, 11; Clements, 2; Crawford, 45; DeBoer, 10; Dorn, 30; Erdman, 47; Friesen, 34; Geist, 25; Gragert, 40; Groene, 42; Halloran, 33; Hansen, B., 16; Hansen, M., 26; Hilgers, 21; Hilkemann, 4; Howard, 9; Hughes, 44; Hunt, 8; Kolowski, 31; Kolterman, 24; La Grone, 49; Lathrop, 12; Lindstrom, 18; Linehan, 39; Lowe, 37; McCollister, 20; McDonnell, 5; Morfeld, 46; Moser, 22; Murman, 38; Pansing Brooks, 28; Quick, 35; Scheer, 19; Slama, 1; Stinner, 48; Vargas, 7; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Dale Frank Krueger was born July 4, 1923, on a farm near Winside, Nebraska; and

WHEREAS, Dale Krueger farmed with his family until being drafted into service in 1944. He was inducted into the United States Navy where he served until July 1946; and

WHEREAS, in July of 1945, Dale Krueger served as a fireman aboard the U.S.S. Indianapolis, which delivered to the island of Tinian the atomic bomb that would later be dropped on Hiroshima, Japan; and

WHEREAS, on July 30, 1945, the U.S.S. Indianapolis was hit by two torpedoes fired by a Japanese submarine and sunk, sending nearly 900 of the 1,195 men on board into the shark-infested waters; and

WHEREAS, the survivors of the torpedo attack on the U.S.S. Indianapolis remained in the Philippine Sea for four days before being accidentally discovered by a pilot on a routine antisubmarine patrol; and

WHEREAS, Dale Krueger was one of 316 survivors of the U.S.S. Indianapolis disaster, having spent one hundred hours in the sea, experiencing extreme dehydration and exposure, and under constant shark attacks with only a standard life jacket; and

WHEREAS, Dale Krueger received the Purple Heart Medal; and

WHEREAS, Dale married Lois Ruser on February 14, 1948, at Immanuel Lutheran Church near Wayne, Nebraska. The couple farmed near Winside and had two children, Diane and Dean; and

WHEREAS, Dale exemplified service to his country and community as a member of the Rural Fire Board, Winside School Board, V.F.W. Post #1644 in Norfolk, Winside American Legion Post #0252, and Trinity Lutheran Church in Winside; and

WHEREAS, Dale Frank Krueger passed away at the age of 95 on February 8, 2019.

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

1. That the Legislature honors the life and service of Dale F. Krueger and offers its condolences to the Krueger family.
2. That a copy of this resolution be sent to the family of Dale F. Krueger.

Laid over.

#### **BILL ON FIRST READING**

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

**LEGISLATIVE BILL 660A.** Introduced by Brewer, 43.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 660, One Hundred Sixth Legislature, First Session, 2019; and to declare an emergency.

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

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

Senator Murman name added to LB594.

Senator Brandt name added to LB729.

#### **ADJOURNMENT**

At 11:55 a.m., on a motion by Senator Brewer, the Legislature adjourned until 9:00 a.m., Thursday, February 21, 2019.

Patrick J. O'Donnell  
Clerk of the Legislature