

**EIGHTY-FOURTH DAY - MAY 31, 2019**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION**

**EIGHTY-FOURTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, May 31, 2019

**PRAYER**

The prayer was offered by Senator Williams.

**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 B. Hansen who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the eighty-third day was approved.

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 30, 2019, at 6:30 p.m. were the following: LBs 470e, 470Ae, and 209.

(Signed) Laura Gerkin  
Clerk of the Legislature's Office

**MESSAGE(S) FROM THE GOVERNOR**

May 30, 2019

Mr. President, Mr. Speaker, and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 492 without my signature and with my objections.

LB 492 amounts to an incredible \$17 million property tax increase for all residents of Omaha and Douglas County because it moves the transit authority's property tax levy authority outside of the city and county tax lids and authorizes the new authority to double its existing property tax levy amount.

The bill allows the Omaha Transit Authority to convert itself into a new political subdivision that will have broader taxing authority. Once converted, a new regional metropolitan transit authority ("RMTA") will have the power to levy property taxes outside of the existing City of Omaha and Douglas County levy limits. Although the Omaha Transit Authority may levy property taxes now, those property taxes are under the City of Omaha and the Douglas County property tax levy and budget lid limits.

The existing Omaha Transit Authority is currently levying approximately 5 cents per \$100 against the total valuation of \$35.3 billion. In the most 2018-2019 budget year, the current 5-cent levy is costing Douglas County residents \$18,016,991 in property taxes.

In contrast, the stated purpose of the newly created RMTA is to obtain additional financing by levying the maximum 10 cents per \$100 against the same total valuation. Douglas County taxpayers would face at least a \$17 million dollar property tax increase. The new regional transportation authority would collect \$35 million annually.

Furthermore, LB 492 exempts the newly created RMTA from all existing statutory limits on allowable tax asking and budget growth for 5 years. No other political subdivision in Nebraska is given this expansive property tax increase ability.

For the owners of a \$200,000 home in Omaha, this increase could be as much as \$200 per year. The average farm in Douglas County is estimated to be valued at \$1,891,447 according to the National Agricultural Statistics Service. The increased property tax bill for a farm owner could be as much as \$1891 per year.

LB 492 also has the potential to raise property taxes in Sarpy County communities such as LaVista, Bellevue, and Papillion without a vote of the people. Currently, these cities contract with the Omaha Transit Authority for service to and from Omaha and surrounding communities. Under LB 492, these communities may join the RMTA by a two-thirds vote of their respective city councils. Once surrounding cities join the RMTA, the existing transportation contracts become nullified and the RMTA property tax is imposed on the entire community, with no input on the property tax levy rate from the respective city council or affected residents of these adjacent cities.

LB 492 represents a substantial step in the wrong direction in efforts to reduce property taxes. The bill creates a new political subdivision and vests it with extraordinary powers to levy property taxes and to spend outside of

the important existing lid limits that are imposed on every other political subdivision. The result is a \$17 million property tax increase on the residents of Douglas County. This will only make addressing property tax relief more difficult in the coming years.

According to the Nebraska Revenue Department, there are 2,336 separate governmental entities that can levy property taxes in Nebraska. Creating yet another separate entity and vesting it with greater property taxing powers is not the answer to solving transit issues in the metropolitan area.

The rationale for the entire legislative bill is to expand bus routes and to expand ridership. No business case has been made that raising property taxes to expand routes will lead to expanded ridership or to economic employment opportunities.

Before proceeding with this unprecedented property tax increase upon residents in Douglas and Sarpy Counties, I believe it is more wise to wait for the results of the Nebraska Department of Transportation's ("NDOT") long-range transportation plan study, which is scheduled to begin this summer. This study includes examining transit issues in Omaha and Douglas County in great detail to address local concerns with public transit.

For these reasons, I respectfully urge you to sustain my veto of LB 492.

Sincerely,  
(Signed) Pete Ricketts  
Governor

May 30, 2019

Mr. President, Mr. Speaker, and  
Members of the Legislature  
State Capitol  
Lincoln, NE 68509

Dear Mr. President and Members of the Legislature:

I am returning LB 533 without my signature and with my objections.

A section of the legislation mandates that Nebraska marriage applications, marriage licenses and marriage certificates refer to the married couple as "Applicant 1" and "Applicant 2."

Following the United States Supreme Court's 2015 decision recognizing same-sex marriages, Nebraska amended the marriage application form to refer to couples as "Groom/Party A" and "Bride/Party B." The marriage license and certificate continue to reference the "Groom" and "Bride."

My disagreement with LB 533 is not with the intent to harmonize each of the three official marriage documents. However, while Nebraska must

legally accommodate same-sex couples, it is vital that our State also support the vast majority of Nebraskans who believe in traditional marriage.

LB 533 would also mandate the specific use of term "applicant" to refer to the parties. The term selected in the bill is workable for the marriage license application at which time the couple are applying for a license; however, both the marriage license and the formal certificate of marriage are issued after the parties are married. They are no longer "applicants." The mandated use of this term would be factually inaccurate on both the marriage license and the marriage certificate.

A better course of action is to amend the marriage license and the certificate of marriage to mirror the terminology presently used on the Application for Marriage so that all three documents refer to all couples as: "Groom/Party A" and "Bride/Party B." I have directed the Department of Health and Human Services to ensure all documents are harmonized. The other changes proposed in the bill can be addressed in the 2020 legislative session.

For each of these reasons, I respectfully urge you to sustain my veto of LB 533.

Sincerely,  
(Signed) Pete Ricketts  
Governor

May 30, 2019

Patrick J. O'Donnell  
Clerk of the Legislature  
State Capitol, Room 2018  
Lincoln, NE 68509

Dear Mr. O'Donnell:

Engrossed Legislative Bills 86, 86A, 149, 186e, 186Ae, 334, 334A, 397, 433, 460e, 460Ae, 462, 468, 481, 481A, 511, 512e, 519, 532, 532A, 583, 592, 593e, 610, 610A, 630, 657e, 657Ae, 680, 686, and 690 were received in my office on May 24, 2019.

These bills were signed and delivered to the Secretary of State on May 30, 2019.

Sincerely,  
(Signed) Pete Ricketts  
Governor

### REPORTS

Agency reports electronically filed with the Legislature can be found on the Nebraska Legislature's website at:  
<http://www.nebraskalegislature.gov/agencies/view.php>

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of May 30, 2019, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

Leahy, Ed  
Emergent BioSolutions (Withdrawn 05/24/2019)  
Zulkoski Weber LLC  
Viaero Wireless

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 26.**

A BILL FOR AN ACT relating to legal service insurance corporations; to amend sections 44-3302 and 44-3303, Reissue Revised Statutes of Nebraska; to redefine a term; to exclude certain plans from the insurance laws as prescribed; to harmonize provisions; and to repeal the original sections.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 45:

Albrecht	Clements	Halloran	La Grone	Pansing Brooks
Arch	Crawford	Hansen, M.	Lathrop	Quick
Bolz	DeBoer	Hilgers	Lindstrom	Scheer
Bostelman	Dorn	Hilkemann	Linehan	Slama
Brandt	Erdman	Howard	Lowe	Stinner
Brewer	Friesen	Hughes	McCollister	Vargas
Briese	Geist	Hunt	McDonnell	Walz
Cavanaugh	Gragert	Kolowski	Moser	Wayne
Chambers	Groene	Kolterman	Murman	Wishart

Voting in the negative, 0.

Present and not voting, 3:

Blood            Morfeld            Williams

Excused and not voting, 1:

Hansen, B.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 221.**

A BILL FOR AN ACT relating to the Title Insurers Act; to amend section 44-1984, Reissue Revised Statutes of Nebraska; to change provisions relating to limitations on powers; and to repeal the original section.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass?' "

Voting in the affirmative, 47:

Albrecht	Clements	Hansen, M.	Lindstrom	Scheer
Arch	Crawford	Hilgers	Linehan	Slama
Blood	DeBoer	Hilkemann	Lowe	Stinner
Bolz	Dorn	Howard	McCollister	Vargas
Bostelman	Erdman	Hughes	McDonnell	Walz
Brandt	Friesen	Hunt	Morfeld	Wayne
Brewer	Geist	Kolowski	Moser	Wishart
Briese	Gragert	Kolterman	Murman	
Cavanaugh	Groene	La Grone	Pansing Brooks	
Chambers	Halloran	Lathrop	Quick	

Voting in the negative, 0.

Present and not voting, 1:

Williams

Excused and not voting, 1:

Hansen, B.

A constitutional majority having voted in the affirmative, the bill was declared passed and the title agreed to.

**LEGISLATIVE BILL 436.** With Emergency Clause.

A BILL FOR AN ACT relating to government; to create the Complete Count Committee; to provide powers and duties for the Nebraska State Data Center program; to provide a termination date; and to declare an emergency.

Whereupon the President stated: "All provisions of law relative to procedure having been complied with, the question is, 'Shall the bill pass with the

emergency clause attached?" "

Voting in the affirmative, 38:

Arch	DeBoer	Hilkemann	McCollister	Stinner
Blood	Dorn	Howard	McDonnell	Vargas
Bolz	Friesen	Hunt	Morfeld	Walz
Brandt	Geist	Kolowski	Moser	Wayne
Briese	Gragert	Kolterman	Pansing Brooks	Williams
Cavanaugh	Groene	La Grone	Quick	Wishart
Chambers	Hansen, M.	Lathrop	Scheer	
Crawford	Hilgers	Lindstrom	Slama	

Voting in the negative, 4:

Bostelman	Clements	Erdman	Lowe
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Present and not voting, 6:

Albrecht	Halloran	Linehan
Brewer	Hughes	Murman

Excused and not voting, 1:

Hansen, B.

A constitutional two-thirds majority having voted in the affirmative, the bill was declared passed with the emergency clause and the title agreed to.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 26, 221, and 436.

#### **MOTION(S) - Override Veto on LB492**

Senator Wayne offered the following motion to LB492:

MO111

Becomes law notwithstanding the objections of the Governor.

Senator Wayne moved for a call of the house. The motion prevailed with 32 ayes, 5 nays, and 12 not voting.

Senator Wayne requested a roll call vote, in reverse order, on the motion to override the Governor's veto.

Whereupon the President stated: "The question shall be, 'Shall the bill pass notwithstanding the objections of the Governor?' "

Voting in the affirmative, 33:

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

Voting in the negative, 16:

Albrecht	Briese	Groene	La Grone
Arch	Clements	Halloran	Lowe
Bostelman	Erdman	Hansen, B.	Murman
Brewer	Geist	Hilgers	Slama

Not voting, 0.

Having received a constitutional three-fifths majority voting in the affirmative, the bill passed notwithstanding the objections of the Governor.

The Chair declared the call raised.

#### **MOTION(S) - Override Veto on LB533**

Senator Cavanaugh offered the following motion to LB533:  
MO112

Becomes law notwithstanding the objections of the Governor.

Senator Cavanaugh withdrew her motion to override the Governor's veto.

#### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 147.** Read. Considered.

**LEGISLATIVE RESOLUTION 263.** Read. Considered.

**LEGISLATIVE RESOLUTION 264.** Read. Considered.

**LEGISLATIVE RESOLUTION 265.** Read. Considered.

**LEGISLATIVE RESOLUTION 266.** Read. Considered.

**LEGISLATIVE RESOLUTION 267.** Read. Considered.

**LEGISLATIVE RESOLUTION 270.** Read. Considered.

**LEGISLATIVE RESOLUTION 271.** Read. Considered.



**LEGISLATIVE RESOLUTION 272.** Read. Considered.

**LEGISLATIVE RESOLUTION 273.** Read. Considered.

**LEGISLATIVE RESOLUTION 274.** Read. Considered.

**LEGISLATIVE RESOLUTION 275.** Read. Considered.

**LEGISLATIVE RESOLUTION 276.** Read. Considered.

**LEGISLATIVE RESOLUTION 277.** Read. Considered.

**LEGISLATIVE RESOLUTION 278.** Read. Considered.

**LEGISLATIVE RESOLUTION 268.** Read. Considered.

**LEGISLATIVE RESOLUTION 269.** Read. Considered.

LRs 147, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, and 278 were adopted with 44 ayes, 0 nays, and 5 present and not voting.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 147, 263, 264, 265, 266, 267, 268, 269, 270, 271, 272, 273, 274, 275, 276, 277, and 278.

#### **PRESENTED TO THE GOVERNOR**

Presented to the Governor on May 31, 2019, at 9:30 a.m. were the following: LBs 26, 221, and 436e.

(Signed) Laura Gerkin  
Clerk of the Legislature's Office

#### **COMMITTEE REPORT**

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR104.

(Signed) Julie Slama, Chairperson

**ENROLLED RESOLUTION**

**LEGISLATIVE RESOLUTION 104.** Introduced by Walz, 15; Bolz, 29; Cavanaugh, 6; Friesen, 34; Halloran, 33; Kolterman, 24; Linehan, 39; McCollister, 20; Quick, 35; Stinner, 48; Vargas, 7; Wishart, 27.

WHEREAS, an individual residing at Life Quest at the Coolidge Center, a state-licensed care facility in Palmer, died on September 3, 2017, after three days of life-threatening symptoms; and

WHEREAS, the Department of Health and Human Services produced an eighty-one page report of violations found during inspections in June and July of 2017 and another six-page report after a visit in September of 2017. These reports were not released until officials revoked the facility's mental health care license on October 5, 2017, a month after the incident occurred. The revocation took effect fifteen days later; and

WHEREAS, the report indicates that the Department of Health and Human Services knew of multiple violations in the months preceding the closure of this facility. If more immediate action had been taken to remedy these violations or draw attention to the inequities in quality of care standards, a life could have been saved; and

WHEREAS, the circumstances surrounding this event have garnered media attention throughout Nebraska, along with scrutiny from the public. This care facility, as well as multiple others in the past few years, including Hotel Pawnee in North Platte and Park View Villa in Gothenburg, have been shut down due to violations regarding maintenance, cleanliness, and personnel issues; and

WHEREAS, the individuals affected by these policies are some of the most vulnerable in our community. The citizens of Nebraska have a right to know the standard of care to which our governmental organizations are held, including, but not limited to, policies, procedures, and regulations regarding oversight of assisted-living facilities and mental health centers; and

WHEREAS, under Title II of the Americans with Disabilities Act (ADA) it is illegal for public entities, namely state and local governments, to deny the benefits of programs, services, or activities to qualified individuals with disabilities; and

WHEREAS, the regulations which implement Title II mandate that state governments administer services "in the most integrated settings appropriate to the needs of qualified individuals with disabilities"; and

WHEREAS, the integration mandate in the ADA is implicated when a public entity administers its programs in a manner that results in unjustified segregation of persons with disabilities; and

WHEREAS, a public entity may violate the integration mandate in the ADA when it: (1) Directly or indirectly operates facilities or programs that segregate individuals with disabilities; (2) finances the segregation of individuals with disabilities in private facilities; or (3) through planning, service system design, funding choices, or service implementation practices, promotes or relies upon the segregation of individuals with disabilities in private facilities or programs.

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

1. That the Legislature hereby calls for the Executive Board of the Legislative Council to meet forthwith and appoint a special committee of the Legislature to be known as the State-Licensed Care Facilities Oversight Committee of the Legislature. The committee shall consist of seven members of the Legislature appointed by the Executive Board. The committee shall elect a chairperson and vice-chairperson from the membership of the committee. The Executive Board is hereby authorized to provide the committee with a legal counsel, committee clerk, and other staff as required by the committee from existing legislative staff.

2. The State-Licensed Care Facilities Oversight Committee shall limit the scope of its inquiry to assisted-living facilities where many of the residents are diagnosed with a mental illness. The oversight committee shall also examine the recent closures of the mental health centers known as Life Quest, located in Palmer and Blue Hill.

3. The State-Licensed Care Facilities Oversight Committee of the Legislature is hereby authorized to study the lack of adequate conditions of state-licensed care facilities, the treatment of individuals residing in such facilities, the effectiveness of regulation and licensure by the Division of Public Health of the Department of Health and Human Services in providing oversight, and how the Department of Health and Human Services implements and administers its behavioral health services through the behavioral health regions to address the needs of this vulnerable population. The committee shall also investigate what steps the department has taken to advance the recommendations proposed by the Technical Assistance Collaborative as a consultant to the department, namely, the reasons that assisted-living facilities are the primary residential options for individuals with severe and persistent mental illness and alternatives, such as permanent supportive housing and services, do not exist. The committee shall also investigate whether the department is taking adequate steps to ensure behavioral health services are administered in the most integrated setting pursuant to the ADA. The committee shall utilize existing studies, reports, and legislation developed to address the current conditions. The committee shall not be limited to such studies, reports, or legislation.

4. The State-Licensed Care Facilities Oversight Committee of the Legislature shall issue a report with its findings and recommendations to the Legislature on or before December 15, 2019.

#### **COMMITTEE REPORT**

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR257.

(Signed) Julie Slama, Chairperson

**ENROLLED RESOLUTION**

**LEGISLATIVE RESOLUTION 257.** Introduced by Stinner, 48.

WHEREAS, the Nebraska Association of Former State Legislators has offered a gift of labor and materials to restore the gardens of the Capitol Courtyards; and

WHEREAS, the gift of labor and materials will be used to restore the gardens to the original design by Ernst Herminghaus with modifications agreed to by the State Capitol Administrator; and

WHEREAS, the installation of the gardens, including irrigation and drainage systems, plants, and other improvements within the courtyards of the State Capitol, will be accomplished by the funding provided by the gift and ongoing maintenance will be supported with amounts to be made available by the Nebraska Association of Former State Legislators; and

WHEREAS, the Nebraska Association of Former State Legislators and the Office of the Nebraska Capitol Commission have entered into a Memorandum of Understanding for Nebraska Capitol Courtyard Gardens Restoration which provides, among other specifications, that the State Capitol Administrator will provide oversight and supervise the work to be performed; and

WHEREAS, restoring the gardens within the courtyards of the State Capitol will provide an investment in the real property of the State of Nebraska which will be for the benefit of the people of the State of Nebraska; and

WHEREAS, the Appropriations Committee of the Legislature held a public hearing on this matter on May 23, 2019.

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

1. That pursuant to section 81-1108.33 the Legislature approves the gift of labor and materials from the Nebraska Association of Former State Legislators for the restoration of the gardens of the State Capitol Courtyards.

2. That such approval is granted with the understanding that the gift will be implemented in accordance with the Memorandum of Understanding for Nebraska Capitol Courtyard Gardens Restoration.

**COMMITTEE REPORT**

Enrollment and Review

Correctly Enrolled

The following resolution was correctly enrolled: LR13.

(Signed) Julie Slama, Chairperson

**ENROLLED RESOLUTION**

**LEGISLATIVE RESOLUTION 13.** Introduced by Murman, 38; Albrecht, 17; Blood, 3; Briese, 41; Dorn, 30; Gragert, 40; Halloran, 33; Lowe, 37.

WHEREAS, milk is a standardized food, described in 21 C.F.R. 131.110(a) as the lacteal secretion, practically free of colostrum, obtained by the complete milking of one or more healthy cows; and

WHEREAS, further standards of identity have long been promulgated for cultured milk, yogurt, butter, ice cream, cheese, and cheese-related products under the Federal Food, Drug, and Cosmetic Act and regulations of the federal Food and Drug Administration that require milk or cream as an essential and characteristic element of the product; and

WHEREAS, there has been an emergence and expansion of plant-based products labeled with names that include standardized dairy food terms such as milk, cultured milk, and cheese that are often sold in packaging mimicking that of real dairy food counterparts and often sold within or adjacent to the dairy display in retail stores; and

WHEREAS, such plant-based milk and other dairy food analog products may not have the same basic nature and characterizing composition as real dairy counterparts and differ in physical properties, nutritional composition, flavor characteristics, and shelf life such that they are not suitable dairy food substitutes, and, except for fortified soy beverages, do not meet the recommendation for dairy food group intake in the 2015-2020 Dietary Guidelines for Americans published by the United States Department of Agriculture and the United States Department of Health and Human Services; and

WHEREAS, consumer demand for such plant-based dairy food analog products is in part derived from cultivating consumer perceptions that falsely equate such products compositionally, nutritionally, and functionally with real dairy food products by utilization of the term milk and other standardized dairy food product terms in non-dairy product names; and

WHEREAS, such change in perception is eroding the market distinction and the unique cultural, dietary, historical, and culinary values consumers associate with high-quality dairy products supplied by America's dairy farmers; and

WHEREAS, the federal Food and Drug Administration has initiated a review of labeling issues associated with the use of milk and other dairy terms with standardized definitions in the names of products that are derived from non-dairy sources in Docket ID FDA-2018-N-3522 and has invited comments regarding how consumers' understanding, perception, purchase practices, and consumption of plant-based milk and other dairy food analog products is influenced by the use of milk and other standardized dairy terms to identify non-dairy products; and

WHEREAS, the Legislature of North Carolina during its 2018 session became the first state legislature to enact legislation through passage of SB711 which directs the North Carolina Department of Agriculture to prepare regulations and enforcement policies to address mislabeling of

plant-based milk and other dairy food analog products and to implement such regulations when at least ten other states pass similar legislation; and

WHEREAS, additional states may consider similar legislation in the absence of clear federal direction and enforcement of the use of standardized dairy food terms for the labeling of plant-based milk and other dairy food analog products.

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

1. That the Legislature urges the appropriate federal agencies of the United States Government responsible for food labeling to:

a. Establish and enforce standards for nomenclature of plant-based imitation milk and dairy products that are truthful, not misleading, and sufficient to differentiate non-dairy derived beverages and food products from milk and dairy products that conform to the standard of identity in 21 C.F.R. part 131 and 21 C.F.R. part 133;

b. Enforce product labeling and statements of product identity that exclusively reserve the use of the term milk and other standardized dairy food product terms such as yogurt, butter, ice cream, and cheese to products derived from real dairy origin that conform to the standards of identity in 21 C.F.R. parts 131, 133, and 135 and the Federal Food, Drug, and Cosmetic Act; and

c. Ensure certainty and consistency in regulation of the labeling of traditional dairy milk and other real dairy food products and plant-based beverages and other dairy food analog products to aid consumer understanding of the distinction between such products and to avoid market distortion.

2. That a copy of this resolution be sent to President Donald J. Trump, Commissioner of Food and Drugs of the United States Department of Health and Human Services Scott Gottlieb, M.D., United States Secretary of Agriculture George E. (Sonny) Perdue, III, and to each member of Nebraska's congressional delegation.

#### **PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LRs 104, 257, and 13.

#### **COMMUNICATION**

May 31, 2019

The Honorable Robert Evnen  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Pursuant to the provisions of 84-503, R.R.S., we are forwarding LB492 with a certificate attached thereto signed by the President of the Legislature certifying the passage of LB492, notwithstanding the objections of the Governor.

Sincerely,  
(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

PJO:lg  
Enc.

#### **CERTIFICATE**

Legislative Bill 492, having been returned by the Governor with his objections thereto, and after reconsideration having passed the Legislature by the constitutional majority, has become law this 31st day of May 2019.

(Signed) Mike Foley  
President of the Legislature

#### **COMMUNICATION**

May 31, 2019

The Honorable Robert Evnen  
Secretary of State  
2300 State Capitol  
Lincoln, NE 68509

Dear Mr. Secretary:

Inasmuch as the Legislature did not override the veto by Governor Ricketts of LB533, and consistent with our rules, I am delivering the bill for filing in the form prescribed by the Governor.

Sincerely,  
(Signed) Patrick J. O'Donnell  
Clerk of the Legislature

PJO:lg

#### **MOTION - Notify Governor**

Senator Bolz moved that a committee of five be appointed to notify the Governor that the One Hundred Sixth Legislature, First Session of the Nebraska Legislature, is about to complete its work, and to return with any message the Governor may have for the Legislature.

The motion prevailed.

The Chair appointed Senators Clements, Crawford, Hilgers, McDonnell, and Slama to serve on said committee.

The committee returned and escorted Governor Pete Ricketts to the rostrum where he delivered a message to the members.

The committee escorted Governor Pete Ricketts from the Chamber.

#### **MOTION(S) - Suspend Rules**

Senator Scheer offered his motion, found on page 1817, and corrected on page 1851, to suspend Rule 6, Sections 3 and 5, and Rule 7, Sections 3 and 7, and to indefinitely postpone the following bills whose provisions have been included in other enacted legislation or whose companion bill has been indefinitely postponed: LBs 13, 88, 98, 101, 172, 178, 191, 239, 246, 280, 330, 332, 342, 360, 385, 434, 452, 479, 522, 544, 547, 566, 574, 579, 584, 608, 618, 626, 642, 642A, 694, 733, 733A, and 737.

The Scheer motion to suspend the rules prevailed with 40 ayes, 1 nay, and 8 present and not voting.

#### **MOTION - Journal, Session Laws, and Indexes**

Senator Howard moved that the Legislature approve the preparation and printing of the permanent Legislative Journal, Session Laws, and Indexes by Patrick J. O'Donnell and that he be directed to send to each member of the Legislature a copy of the permanent Legislative Journal and Session Laws.

The motion prevailed.

#### **MOTION - Eighty-Fourth Day Journal**

Senator Crawford moved that the Journal for the Eighty-Fourth Day, as prepared by the Clerk of the Legislature, be approved.

The motion prevailed.

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

Visitors to the Chamber were Emily Schlichting from Omaha; member of the Western Australia Legislative Assembly, Ian Blayney, and Barbara Blayney from Western Australia; Senator Wayne's wife, daughter, and son, Katie, Mya, and Thomas Wayne, from Omaha; and Senator Wayne's cousins, Suraya Wayne and Arien Parker, from Omaha.

#### **MOTION - Adjourn Sine Die**

Senator Kolowski moved that the One Hundred Sixth Legislature, First Session of the Nebraska Legislature, having finished all business before it, now at 11:40 a.m., adjourn sine die.



Senator Erdman requested a roll call vote on the motion to adjourn.

The motion to adjourn sine die prevailed with 37 ayes, 9 nays, 1 present and not voting, and 2 absent and not voting.

Patrick J. O'Donnell  
Clerk of the Legislature

