

**SEVENTEENTH DAY - FEBRUARY 1, 2019****LEGISLATIVE JOURNAL****ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION****SEVENTEENTH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, February 1, 2019

**PRAYER**

The prayer was offered by Senator DeBoer.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 9:00 a.m., Speaker Scheer presiding.

The roll was called and all members were present except Senator Howard who was excused; and Senators Bolz, Friesen, M. Hansen, La Grone, and Morfeld who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the sixteenth day was approved.

**MESSAGE(S) FROM THE GOVERNOR**

January 22, 2019

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

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed as the Chief Executive Officer of the Nebraska Department of Health and Human Services:

Dannette R. Smith, 301 Centennial Mall South, Lincoln, NE 68509

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 28, 2019

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

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed and reappointed to the Nebraska Liquor Control Commission:

Harry Hoch, 911 North 43rd Avenue Circle, Omaha, NE 68154

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 28, 2019

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

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the Board of Educational Lands and Funds:

Dwayne B. Probyn, 813 Western Hills Drive, Papillion, NE 68046

The aforementioned appointee is respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

Sincerely,  
(Signed) Pete Ricketts  
Governor

Enclosures

January 28, 2019

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

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Contingent upon your approval, the following individual is being appointed to the State Emergency Response Commission:

Trent D. Kleinow, 3627 Sugarberry Road, North Platte, NE 69101

Also contingent upon your approval, the following individuals are being reappointed to the State Emergency Response Commission:

Richard Grauerholz, 508 North 17th Street, Ashland, NE 68003  
Tim Hofbauer, 2328 34th Street, Columbus, NE 68601

The aforementioned appointees are respectfully submitted for your consideration. Copies of the certificate and background information are included for your review.

(Signed) Sincerely,  
Pete Ricketts  
Governor

Enclosures

January 30, 2019

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

Dear Mr. President, Speaker Scheer and Members of the Legislature:

Please withdraw the following individual from consideration for confirmation of appointment to the Natural Resources Commission due to resignation:

Lindsey Smith, 941 North 10th Street, Broken Bow, NE 68822

(Signed) Sincerely,  
Pete Ricketts  
Governor

**COMMITTEE REPORT(S)**

Education

**LEGISLATIVE BILL 122.** Placed on General File with amendment.

AM8

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

2 sections:

3 Section 1. Section 85-502.01, Revised Statutes Cumulative

4 Supplement, 2018, is amended to read:

5 85-502.01 (1) A person who enrolls in a public college or university  
 6 in this state and who is a veteran as defined in Title 38 of the United  
 7 States Code and was discharged or released from a period of not fewer  
 8 than ninety days of service in the active military, naval, or air service  
 9 less than three years before the date of initial enrollment, a spouse or  
 10 dependent of such a veteran, or an eligible recipient entitled to  
 11 educational assistance as provided in 38 U.S.C. 3319 while the transferor  
 12 is on active duty in the uniformed services or as provided in 38 U.S.C.  
 13 3311(b)(9), as such sections existed on the effective date of this act  
 14 ~~January 1, 2017~~, shall be considered a resident student notwithstanding  
 15 the provisions of section 85-502 if the person is (a) registered to vote  
 16 in Nebraska and (b) demonstrates objective evidence of intent to be a  
 17 resident of Nebraska, ~~except that a~~ ~~-(2) A person who is otherwise~~  
 18 ~~described in subsection (1) of this section and is under eighteen years~~  
 19 ~~of age is not required to be registered to vote in Nebraska comply with~~  
 20 ~~subdivision (1)(a) of this section.~~

21 (2) A person who enrolls in a public college or university in this  
 22 state and who is a recipient of vocational rehabilitation program  
 23 services as provided in 38 U.S.C. 3100 et seq., as such sections existed  
 24 on the effective date of this act, shall be considered a resident student  
 25 notwithstanding the provisions of section 85-502.

26 (3) For purposes of this section, objective evidence of intent to be  
 27 a resident of Nebraska includes either a Nebraska driver's license or  
 1 state identification card or a Nebraska motor vehicle registration.

2 Sec. 2. Original section 85-502.01, Revised Statutes Cumulative

3 Supplement, 2018, is repealed.

4 Sec. 3. Since an emergency exists, this act takes effect when

5 passed and approved according to law.

(Signed) Mike Groene, Chairperson

Judiciary

**LEGISLATIVE RESOLUTION 1CA.** Placed on General File.**LEGISLATIVE BILL 71.** Placed on General File.**LEGISLATIVE BILL 146.** Placed on General File.**LEGISLATIVE BILL 154.** Placed on General File.**LEGISLATIVE BILL 264.** Placed on General File.

**LEGISLATIVE BILL 7.** Placed on General File with amendment.

AM139

- 1 1. On page 2, line 22, after "and" insert "(i)"; in line 23 after  
 2 "performed" insert "or (ii) ownership is intended to be transferred"; and  
 3 strike beginning with the first comma in line 24 through the last comma  
 4 in line 25.

**LEGISLATIVE BILL 55.** Placed on General File with amendment.

AM47

- 1 1. Strike original section 1 and insert the following new section:  
 2 Section 1. Section 43-2101, Revised Statutes Cumulative Supplement,  
 3 2018, is amended to read:  
 4 43-2101 (1) All persons under nineteen years of age are declared to  
 5 be minors, but in case any person marries under the age of nineteen  
 6 years, his or her minority ends.  
 7 (2) Upon becoming the age of majority, a person is considered an  
 8 adult and acquires all rights and responsibilities granted or imposed by  
 9 statute or common law, except that a person:  
 10 (a) Eighteen ~~(1) eighteen~~ years of age or older and who is not a  
 11 ward of the state may:  
 12 (i) Enter ~~enter~~ into a binding contract or lease of whatever kind or  
 13 nature and shall be legally responsible ~~for such contract or lease; and~~  
 14 (ii) Acquire or convey title to real property and shall have legal  
 15 responsibility for such acquisition or conveyance, including legal  
 16 responsibility to third parties; and  
 17 (b) Eighteen ~~therefor and (2) eighteen~~ years of age or older may  
 18 consent to mental health services for himself or herself without the  
 19 consent of his or her parent or guardian.

**LEGISLATIVE BILL 47.** Indefinitely postponed.

(Signed) Steve Lathrop, Chairperson

Health and Human Services

**LEGISLATIVE BILL 22.** Placed on General File with amendment.

AM18

- 1 1. On page 3, line 18, after "Fund" insert "Funds collected as  
 2 part of a civil money penalty imposed by the Centers for Medicare and  
 3 Medicaid Services of the United States Department of Health and Human  
 4 Services as described in subsection (1) of this section shall be  
 5 distributed".

**LEGISLATIVE BILL 60.** Placed on General File with amendment.

AM17

- 1 1. On page 3, line 25, after "death" insert "and abusive head trauma  
 2 in infants and children"; and in line 27 strike "in the same bed", show  
 3 as stricken, and insert "on the same surface".

**LEGISLATIVE BILL 74.** Placed on General File with amendment.

AM91

1 1. On page 2, line 24, strike "tasks" and insert "acts, tasks,"; and  
 2 in line 28 strike "Working within the confines of a hospital" and insert  
 3 "Both certified pharmacy technicians are working within the confines of a  
 4 hospital preparing medications for administration in the hospital".

**LEGISLATIVE BILL 200.** Placed on General File with amendment.

AM90

1 1. On page 2, line 11, strike "alcoholism center", show as stricken,  
 2 and insert "mental health substance use treatment center".  
 3 2. On page 3, lines 4, 6, 8, and 10, strike each occurrence of  
 4 "alcoholism center" and insert "mental health substance use treatment  
 5 center"; after line 11 insert the following new subdivision:  
 6 "(a) Mental health substance use treatment center has the same  
 7 meaning as in section 71-423."; in line 12 strike "(a)" and insert "(b)";  
 8 and in line 15 strike "(b)" and insert "(c)".

(Signed) Sara Howard, Chairperson

### 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 January 31, 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

Amack, Angela K.  
 Airbnb, Inc.  
 League of Nebraska Municipalities  
 Bland, Jaime  
 Nebraska Health Information Initiative, Inc.  
 Bredenkamp, Troy  
 Renewable Fuels Nebraska  
 Clark, Jacqueline  
 Ash Grove Cement Company  
 CP Strategies LLC  
 KAAPA Ethanol, LLC  
 Fucik, Patrick  
 Sprint Corporation  
 Head, Craig J.

Nebraska Farm Bureau Federation  
 Hilton, Felicia  
 North Central States Regional Council of Carpenters  
 Jensen Rogert Associates, Inc.  
 AT&T, Inc.  
 Kissel Kohout ES Associates, LLC  
 Insurance Auto Auctions, Inc.  
 McDonald, Edison  
 Arc of Nebraska, The  
 Peetz & Company  
 CQuence Health Group  
 Rembolt Ludtke, LLP  
 American Society of Composers, Authors & Publishers  
 Rubel, Loralie  
 WellCare Health Plans, Inc. (Withdrawn 01/29/2019)  
 Rudd, Tyler  
 Wine Institute  
 Sauvinet, Dorothy C.  
 Southwest Airlines

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

Senator Wayne filed the following amendment to LB85:  
 AM117

(Amendments to Standing Committee amendments, AM66)

1 1. On page 2, line 23, strike "or"; and in line 26 after the  
 2 semicolon insert "or  
 3 (vi) An owner-occupied property with less than three residential  
 4 rental units;".

Senator Wayne filed the following amendment to LB193:  
 AM87

1 1. Insert the following new section:  
 2 Sec. 242. Section 77-2602, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 77-2602 (1) Every stamping agent engaged in distributing or selling  
 5 cigarettes at wholesale in this state shall pay to the Tax Commissioner  
 6 of this state a special privilege tax. This shall be in addition to all  
 7 other taxes. It shall be paid prior to or at the time of the sale, gift,  
 8 or delivery to the retail dealer in the several amounts as follows: On  
 9 each package of cigarettes containing not more than twenty cigarettes,  
 10 sixty-four cents per package; and on packages containing more than twenty  
 11 cigarettes, the same tax as provided on packages containing not more than  
 12 twenty cigarettes for the first twenty cigarettes in each package and a  
 13 tax of one-twentieth of the tax on the first twenty cigarettes on each  
 14 cigarette in excess of twenty cigarettes in each package.  
 15 (2) Beginning October 1, 2004, the State Treasurer shall place the  
 16 equivalent of forty-nine cents of such tax in the General Fund. The State  
 17 Treasurer shall reduce the amount placed in the General Fund under this  
 18 subsection by the amount prescribed in subdivision (3)(d) of this

19 section. For purposes of this section, the equivalent of a specified  
20 number of cents of the tax shall mean that portion of the proceeds of the  
21 tax equal to the specified number divided by the tax rate per package of  
22 cigarettes containing not more than twenty cigarettes.

23 (3) The State Treasurer shall distribute the remaining proceeds of  
24 such tax in the following order:

25 (a) First, beginning July 1, 1980, the State Treasurer shall place  
26 the equivalent of one cent of such tax in the Nebraska Outdoor Recreation  
27 Development Cash Fund. For fiscal year distributions occurring after  
1 FY1998-99, the distribution under this subdivision shall not be less than  
2 the amount distributed under this subdivision for FY1997-98. Any money  
3 needed to increase the amount distributed under this subdivision to the  
4 FY1997-98 amount shall reduce the distribution to the General Fund;

5 (b) Second, beginning July 1, 1993, the State Treasurer shall place  
6 the equivalent of three cents of such tax in the Health and Human  
7 Services Cash Fund to carry out sections 81-637 to 81-640. For fiscal  
8 year distributions occurring after FY1998-99, the distribution under this  
9 subdivision shall not be less than the amount distributed under this  
10 subdivision for FY1997-98. Any money needed to increase the amount  
11 distributed under this subdivision to the FY1997-98 amount shall reduce  
12 the distribution to the General Fund;

13 (c) Third, beginning October 1, 2002, and continuing until all the  
14 purposes of the Deferred Building Renewal Act have been fulfilled, the  
15 State Treasurer shall place the equivalent of seven cents of such tax in  
16 the Building Renewal Allocation Fund. The distribution under this  
17 subdivision shall not be less than the amount distributed under this  
18 subdivision for FY1997-98. Any money needed to increase the amount  
19 distributed under this subdivision to the FY1997-98 amount shall reduce  
20 the distribution to the General Fund;

21 (d) Fourth, until July 1, 2009, the State Treasurer shall place in  
22 the Municipal Infrastructure Redevelopment Fund the sum of five hundred  
23 twenty thousand dollars each fiscal year to carry out the Municipal  
24 Infrastructure Redevelopment Fund Act. The Legislature shall appropriate  
25 the sum of five hundred twenty thousand dollars each year for fiscal year  
26 2003-04 through fiscal year 2008-09;

27 (e) Fifth, beginning July 1, 2001, and continuing until June 30,  
28 2008, the State Treasurer shall place the equivalent of two cents of such  
29 tax in the Information Technology Infrastructure Fund. The distribution  
30 under this subdivision shall not be less than two million fifty thousand  
31 dollars. Any money needed to increase the amount distributed under this  
1 subdivision to two million fifty thousand dollars shall reduce the  
2 distribution to the General Fund;

3 ~~(f) Sixth, beginning July 1, 2001, and continuing until June 30,~~  
4 ~~2016, the State Treasurer shall place one million dollars each fiscal~~  
5 ~~year in the City of the Primary Class Development Fund. If necessary, the~~  
6 ~~State Treasurer shall reduce the distribution of tax proceeds to the~~  
7 ~~General Fund pursuant to subsection (2) of this section by such amount~~  
8 ~~required to fulfill the one million dollars to be distributed pursuant to~~  
9 ~~this subdivision;~~



10 ~~(g) Seventh, beginning July 1, 2001, and continuing until June 30,~~  
11 ~~2016, the State Treasurer shall place one million five hundred thousand~~  
12 ~~dollars each fiscal year in the City of the Metropolitan Class~~  
13 ~~Development Fund. If necessary, the State Treasurer shall reduce the~~  
14 ~~distribution of tax proceeds to the General Fund pursuant to subsection~~  
15 ~~(2) of this section by such amount required to fulfill the one million~~  
16 ~~five hundred thousand dollars to be distributed pursuant to this~~  
17 ~~subdivision;~~

18 ~~(f) Sixth (h) Eighth, beginning July 1, 2008, and continuing until~~  
19 ~~June 30, 2009, the State Treasurer shall place the equivalent of two~~  
20 ~~million fifty thousand dollars of such tax in the Nebraska Public Safety~~  
21 ~~Communication System Cash Fund. Beginning July 1, 2009, and continuing~~  
22 ~~until June 30, 2016, the State Treasurer shall place the equivalent of~~  
23 ~~two million five hundred seventy thousand dollars of such tax in the~~  
24 ~~Nebraska Public Safety Communication System Cash Fund. Beginning July 1,~~  
25 ~~2016, and every fiscal year thereafter, the State Treasurer shall place~~  
26 ~~the equivalent of three million eight hundred twenty thousand dollars of~~  
27 ~~such tax in the Nebraska Public Safety Communication System Cash Fund. If~~  
28 ~~necessary, the State Treasurer shall reduce the distribution of tax~~  
29 ~~proceeds to the General Fund pursuant to subsection (2) of this section~~  
30 ~~by such amount required to fulfill the distribution pursuant to this~~  
31 ~~subdivision; and~~

1 ~~(g) Seventh (i) Ninth, beginning July 1, 2016, and every fiscal year~~  
2 ~~thereafter, the State Treasurer shall place the equivalent of one million~~  
3 ~~two hundred fifty thousand dollars of such tax in the Nebraska Health~~  
4 ~~Care Cash Fund. If necessary, the State Treasurer shall reduce the~~  
5 ~~distribution of tax proceeds to the General Fund pursuant to subsection~~  
6 ~~(2) of this section by such amount required to fulfill the distribution~~  
7 ~~pursuant to this subdivision.~~

8 (4) If, after distributing the proceeds of such tax pursuant to  
9 subsections (2) and (3) of this section, any proceeds of such tax remain,  
10 the State Treasurer shall place such remainder in the Nebraska Capital  
11 Construction Fund.

12 (5) The Legislature hereby finds and determines that the projects  
13 funded from the Municipal Infrastructure Redevelopment Fund and the  
14 Building Renewal Allocation Fund are of critical importance to the State  
15 of Nebraska. It is the intent of the Legislature that the allocations and  
16 appropriations made by the Legislature to such funds or, in the case of  
17 allocations for the Municipal Infrastructure Redevelopment Fund, to the  
18 particular municipality's account not be reduced until all contracts and  
19 securities relating to the construction and financing of the projects or  
20 portions of the projects funded from such funds or accounts of such funds  
21 are completed or paid or, in the case of the Municipal Infrastructure  
22 Redevelopment Fund, the earlier of such date or July 1, 2009, and that  
23 until such time any reductions in the cigarette tax rate made by the  
24 Legislature shall be simultaneously accompanied by equivalent reductions  
25 in the amount dedicated to the General Fund from cigarette tax revenue.  
26 Any provision made by the Legislature for distribution of the proceeds of  
27 the cigarette tax for projects or programs other than those to (a) the

28 General Fund, (b) the Nebraska Outdoor Recreation Development Cash Fund,  
 29 (c) the Health and Human Services Cash Fund, (d) the Municipal  
 30 Infrastructure Redevelopment Fund, (e) the Building Renewal Allocation  
 31 Fund, (f) the Information Technology Infrastructure Fund, (g) ~~the City of~~  
 1 ~~the Primary Class Development Fund, (h) the City of the Metropolitan~~  
 2 ~~Class Development Fund, (i) the Nebraska Public Safety Communication~~  
 3 System Cash Fund, and (h) ~~(i)~~ the Nebraska Health Care Cash Fund shall  
 4 not be made a higher priority than or an equal priority to any of the  
 5 programs or projects specified in subdivisions (a) through (h) ~~(i)~~ of  
 6 this subsection.

7 2. On page 42, line 1; and page 43, line 11, strike "section" and  
 8 insert "sections" and after "19-702" insert "and 19-703".

9 3. On page 47, line 21, after the comma insert "as such section  
 10 existed prior to its repeal by Laws 1967, c. 92, section 7,".

11 4. On page 53, line 29, after "misdemeanor" insert "punishable as  
 12 provided in section 19-913".

13 5. On page 58, line 25, strike the comma and show as stricken; in  
 14 line 26 after "duties" insert "of a board of adjustment", strike  
 15 "therein" and show as stricken, and strike "the board of adjustment",  
 16 show as stricken, and insert "in such sections"; in line 27 strike  
 17 "therein" and show as stricken; and in line 28 after "for" insert "in  
 18 such sections".

19 6. On page 63, line 21, strike both commas, show as stricken, and  
 20 after "and" insert "such"; in line 22 strike "the" and show as stricken;  
 21 and strike the new matter in lines 22 and 23.

22 7. On page 75, line 30, strike "or" and insert an underscored comma  
 23 and after "trustees" insert ", or county board".

24 8. Renumber the remaining sections and correct the repealer  
 25 accordingly.

Senator Walz filed the following amendment to LB468:

AM46

1 1. On page 2, line 6, strike "2020" and insert "2022"; in lines 9  
 2 and 10 strike "any additional service or population" and insert "long-  
 3 term care services and supports"; and in lines 10 and 11 strike "in  
 4 effect on January 1, 2017" and insert ". For purposes of this section,  
 5 long-term care services and supports includes services of a skilled  
 6 nursing facility, a nursing facility, and an assisted-living facility and  
 7 home and community-based services".

#### **MOTION(S) - Confirmation Report(s)**

Senator Brewer moved the adoption of the Government, Military and  
 Veterans Affairs Committee report for the confirmation of the following  
 appointment(s) found on page 362:

Department of Administrative Services  
 Jason Jackson, Director

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 3:

Chambers	Groene	Stinner
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Excused and not voting, 4:

Bolz	Hansen, M.	Howard	Morfeld
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The appointment was confirmed with 42 ayes, 0 nays, 3 present and not voting, and 4 excused and not voting.

Senator Brewer moved the adoption of the Government, Military and Veterans Affairs Committee report for the confirmation of the following appointment(s) found on page 362:

Nebraska State Fire Marshal  
Christopher Cantrell

Voting in the affirmative, 41:

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

Voting in the negative, 0.

Present and not voting, 5:

Chambers	Groene	Lathrop	Morfeld	Stinner
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Excused and not voting, 3:

Bolz Hansen, M. Howard

The appointment was confirmed with 41 ayes, 0 nays, 5 present and not voting, and 3 excused and not voting.

Senator Kolterman moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 367:

Nebraska Investment Council  
Gail Werner-Robertson

Voting in the affirmative, 42:

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

Voting in the negative, 0.

Present and not voting, 4:

Chambers La Grone Morfeld Wishart

Excused and not voting, 3:

Bolz Hansen, M. Howard

The appointment was confirmed with 42 ayes, 0 nays, 4 present and not voting, and 3 excused and not voting.

Senator Kolterman moved the adoption of the Nebraska Retirement Systems Committee report for the confirmation of the following appointment(s) found on page 367:

Public Employees Retirement Board  
Allen Simpson

Voting in the affirmative, 45:

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

Voting in the negative, 0.

Present and not voting, 3:

La Grone      Morfeld      Walz

Excused and not voting, 1:

Howard

The appointment was confirmed with 45 ayes, 0 nays, 3 present and not voting, and 1 excused and not voting.

### RESOLUTION(S)

**LEGISLATIVE RESOLUTION 18.** Introduced by Kolterman, 24.

WHEREAS, the Nebraska Association of Elementary School Principals (NeAESP) has named Principal Kris Friesen of York Elementary School as the National Distinguished Principal from Nebraska for 2019; and

WHEREAS, established in 1984, the National Distinguished Principal program recognizes principals for setting high standards for instruction, student achievement, character, and educational climate in their schools while making outstanding contributions to the larger community and to the education profession; and

WHEREAS, known for her enthusiasm and creativity, Principal Friesen emphasizes the importance of positive relationships with students, staff, and families with initiatives like the Duke Pride Awards, All Stars, Friday spirit rallies, cross grade level matchups to encourage students during testing, and One School-One Book; and

WHEREAS, the leadership of Principal Friesen in building systems for academic interventions and meeting social-emotional needs, in structuring early childhood partnerships with Head Start and the Nebraska Correctional Center for Women, and in developing and implementing new math and reading curricula has resulted in annual gains and an all-time high in achievement scores for her students; and

WHEREAS, Principal Friesen has demonstrated her dedication to improving the education profession as the President and Past President of NeAESP Region 1 and as a member of the National Association of

Elementary School Principals, Nebraska Council of School Administrators, Association for Supervision and Curriculum Development, HOPE Squad, and Alpha Delta Kappa; and

WHEREAS, Principal Friesen will represent Nebraska at the 2019 National Distinguished Principal celebration this October in Washington, D.C.

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

1. That the Legislature congratulates Principal Kris Friesen on being named the National Distinguished Principal from Nebraska for 2019.
2. That the Legislature congratulates Principal Friesen for her accomplishments at York Elementary School.
3. That a copy of this resolution be sent to Principal Friesen.

Laid over.

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

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

**LEGISLATIVE BILL 33A.** Introduced by Kolterman, 24.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 33, One Hundred Sixth Legislature, First Session, 2019; and to declare an emergency.

#### **COMMITTEE REPORT(S)**

Natural Resources

**LEGISLATIVE BILL 302.** Placed on General File.

**LEGISLATIVE BILL 307.** Placed on General File.

(Signed) Dan Hughes, Chairperson

#### **COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1.** Placed on Final Reading.

**LEGISLATIVE BILL 2.** Placed on Final Reading.

**LEGISLATIVE BILL 3.** Placed on Final Reading.

**LEGISLATIVE BILL 12.** Placed on Final Reading.

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

(Signed) Julie Slama, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 42.** Title read. Considered.

Committee AM67, found on page 361, was adopted with 40 ayes, 0 nays, 7 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 115.** Title read. Considered.

Committee AM39, found on page 365, was adopted with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

**PRESIDENT FOLEY PRESIDING**

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 188.** Title read. Considered.

Advanced to Enrollment and Review Initial with 28 ayes, 1 nay, 18 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 258.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 0 nays, 14 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 259.** Title read. Considered.

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

**LEGISLATIVE BILL 355.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 56.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 10 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 75.** Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 12 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 11.** Title read. Considered.

Senator Blood moved for a call of the house. The motion prevailed with 23 ayes, 0 nays, and 24 not voting.

Advanced to Enrollment and Review Initial with 26 ayes, 0 nays, 21 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

**LEGISLATIVE BILL 57.** Title read. Considered.

Advanced to Enrollment and Review Initial with 29 ayes, 1 nay, 17 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 121.** Title read. Considered.

Advanced to Enrollment and Review Initial with 39 ayes, 0 nays, 8 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 66.** Title read. Considered.

Committee AM56, found on page 366, was offered.

Pending.

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

**LEGISLATIVE RESOLUTION 19.** Introduced by Bolz, 29; Geist, 25; Hansen, M., 26; Hilgers, 21; Morfeld, 46; Pansing Brooks, 28; Wishart, 27.

WHEREAS, Susanne "Susie" Blue received her bachelor's degree in public affairs and community service from the University of Nebraska-Lincoln and Master of Social Work from the University of Nebraska at Omaha; and

WHEREAS, Susanne Blue was appointed as the first Executive Director of Matt Talbot Kitchen and Outreach in 1999; and

WHEREAS, Matt Talbot Kitchen and Outreach was established to serve meals to those in need with a spirit of dignity and love; and

WHEREAS, Matt Talbot Kitchen and Outreach began by serving Saturday evening meals in September of 1992 and now serves almost three hundred meals each day; and

WHEREAS, Matt Talbot Kitchen and Outreach served its two millionth meal in 2016; and

WHEREAS, Matt Talbot Kitchen and Outreach also works to address safe and stable housing needs for Lancaster county residents and provides showers, haircuts, and laundry services for the homeless; and

WHEREAS, as of 2017, Matt Talbot Kitchen and Outreach was coordinating over thirty-three thousand volunteer hours annually; and



WHEREAS, Susanne Blue is celebrating twenty years as Executive Director of Matt Talbot Kitchen and Outreach.

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

1. That the Nebraska Legislature congratulates and thanks Susanne Blue for twenty years of service to the community.
2. That a copy of this resolution be sent to Susanne Blue.

Laid over.

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

Senator Friesen filed the following amendment to LB82:

AM122

1. On page 5, line 31; and page 6, line 1, after "plan" insert "or program".
2. On page 13, line 3, strike "or programs" and insert "programs, or standards"; in line 5 strike "standards or programs" and insert "plans, programs, or standards"; in line 8 strike "and" and insert "programs, or"; in line 12 strike "and programs" and insert "programs, and standards"; and in line 14 after the second comma insert "or standards".

**COMMITTEE REPORT(S)**

Education

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

Robert Henson - Technical Advisory Committee for Statewide Assessment  
 Jeffrey Nellhaus - Technical Advisory Committee for Statewide Assessment  
 Linda Poole - Technical Advisory Committee for Statewide Assessment

Aye: 7 Brewer, Groene, Kolowski, Morfeld, Murman, Pansing Brooks, Walz. Nay: 0. Absent: 0. Present and not voting: 1 Linehan.

(Signed) Mike Groene, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Nebraska Retirement Systems

Room 1507

Tuesday, February 12, 2019 12:00 p.m.

LB36

LB565

(Signed) Mark Kolterman, Chairperson

**COMMITTEE REPORT(S)**  
Education

**LEGISLATIVE BILL 256.** Placed on General File.

(Signed) Mike Groene, Chairperson

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

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

Senator Clements name added to LB12.  
Senator Pansing Brooks name added to LB55.  
Senator Bolz name added to LB66.  
Senator Hunt name added to LB115.  
Senator Lowe name added to LB172.  
Senator Erdman name added to LB198.  
Senator McDonnell name added to LB256.  
Senator Lowe name added to LB450.

**VISITOR(S)**

Visitors to the Chamber were students and a teacher from Peru State College; Sarah Thompson from Lincoln; and a homeschool group from York.

**ADJOURNMENT**

At 11:54 a.m., on a motion by Senator Hilkemann, the Legislature adjourned until 9:00 a.m., Monday, February 4, 2019.

Patrick J. O'Donnell  
Clerk of the Legislature