

**TWENTY-SECOND DAY - FEBRUARY 8, 2019**

**LEGISLATIVE JOURNAL**

**ONE HUNDRED SIXTH LEGISLATURE  
FIRST SESSION**

**TWENTY-SECOND DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, February 8, 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 Lowe who was excused; and Senator Morfeld who was excused until he arrives.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the twenty-first day was approved.

**NOTICE OF COMMITTEE HEARING(S)**

Business and Labor

Room 1003

Monday, March 4, 2019 1:30 p.m.

LB526  
LB448  
LB487  
LB418  
LB364  
LB408

Monday, March 18, 2019 1:30 p.m.

LB577  
LB19  
LB576  
LB360  
LB363

Monday, March 25, 2019 1:30 p.m.

LB428  
LB178  
LB464  
LB465

(Signed) Matt Hansen, Chairperson

#### **REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of February 7, 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

Ashford, Brad  
Houghton Bradford Whitted PC, LLO  
Benjamin, Connie  
AARP Nebraska  
Blythe, Dustin  
AT&T, Inc.  
Cole, Jeff  
Nebraska Children and Families Foundation  
Forbes, Meagan  
Institute for Justice  
Harr, Burke  
Houghton Bradford Whitted PC, LLO  
Hatfield, Scott S.  
CWB Holdings  
Mediterra  
Zilis Global  
Houghton Bradford Whitted PC, LLO  
Burlington Capital  
Husch Blackwell Strategies  
League of Nebraska Municipalities  
Mueller Robak  
Google  
Grow Nebraska Tax Coalition  
Nebraska Machinery Company (Withdrawn 02/06/2019)  
Nebraska Strategies  
USIC  
Pappas, James E.  
Independent Cattlemen of Nebraska (ICON)  
Radcliffe, Walter H. of Radcliffe and Associates  
Lincoln Clean Energy  
Wheeler, Douglas A.  
New York Life Insurance Company

**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>

**GENERAL FILE**

**LEGISLATIVE BILL 200.** Title read. Considered.

Committee AM90, found on page 390, was adopted with 41 ayes, 0 nays, 6 present and not voting, and 2 excused and not voting.

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

**LEGISLATIVE BILL 307.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 256.** Title read. Considered.

Advanced to Enrollment and Review Initial with 42 ayes, 0 nays, 2 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 111.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 1 nay, 12 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 192.** Title read. Considered.

Senator Friesen offered his amendment, AM213, found on page 452.

The Friesen amendment was adopted with 37 ayes, 0 nays, 6 present and not voting, and 6 excused and not voting.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 7 present and not voting, and 6 excused and not voting.

**LEGISLATIVE BILL 192A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 7 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 80.** Title read. Considered.

Committee AM72, found on page 412, was adopted with 33 ayes, 0 nays, 11 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 9 present and not voting, and 5 excused and not voting.

**LEGISLATIVE BILL 81.** Title read. Considered.

Committee AM73, found on page 412, was adopted with 41 ayes, 0 nays, 3 present and not voting, and 5 excused and not voting.

Advanced to Enrollment and Review Initial with 40 ayes, 0 nays, 4 present and not voting, and 5 excused and not voting.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 21.** Introduced by Geist, 25; Albrecht, 17.

WHEREAS, Jane Polson has served as the president of Keep Nebraska Beautiful for twenty-eight years and has been a consistent advocate of the mission of Keep Nebraska Beautiful: to inspire Nebraskans to take actions that improve and beautify our communities; and

WHEREAS, Jane Polson's work supports a statewide network of more than twenty local affiliate organizations who look to her for answers on everything from programming to innovative ways to educate local communities; and

WHEREAS, Jane Polson spearheaded the Materials Exchange Program, which diverts useable materials away from landfills by facilitating peer-to-peer reuse and recycling of industrial waste stream materials by facilitating the donation of gently used but serviceable equipment, furniture, and supplies to Nebraska schools and nonprofit organizations; and

WHEREAS, Jane Polson was a leader in opening used oil collection sites across the state, providing Nebraskans with a safe and legal way to dispose of used oil; and

WHEREAS, Jane Polson has directed the School Chemical Cleanout Campaign for the last ten years, helping schools identify and catalog chemicals on premises and safely dispose of dangerous or outdated chemicals, making over three hundred Nebraska schools safer for students and staff; and

WHEREAS, Jane Polson has served as the statewide coordinator of national environmental cleanup initiatives including the Great American Cleanup, America Recycles Day, and the International Coastal Cleanup; and

WHEREAS, Jane Polson has been a tireless environmental educator throughout her career at Keep Nebraska Beautiful, spreading the word about how to recycle right, safely dispose of hazardous waste, reduce food waste, and end litter across the state; and

WHEREAS, in her many years of service, Jan Polson spread her passion for environmental education across the state and leaves behind a legacy of community stewardship; and

WHEREAS, Jane Polson will enjoy a well-deserved retirement spending time with her husband, children, and grandchildren.

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

1. That the Legislature thanks Jane Polson for her hard work and commitment to keeping Nebraska beautiful.
2. That the Legislature encourages Nebraskans to participate in the many programs available through Keep Nebraska Beautiful.
3. That a copy of this resolution be sent to Jane Polson.

Laid over.

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

Natural Resources

The Natural Resources 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.

Richard S. Mercure - Niobrara Council

Aye: 8 Albrecht, Bostelman, Geist, Gragert, Halloran, Hughes, Moser, Quick. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Dan Hughes, Chairperson

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

Enrollment and Review

**LEGISLATIVE BILL 301.** Placed on Select File.

**LEGISLATIVE BILL 359.** Placed on Select File.

**LEGISLATIVE BILL 306.** Placed on Select File.

(Signed) Julie Slama, Chairperson

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

Senator Hilgers filed the following amendment to LB616:

AM203

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

2 sections:

3 Section 1. Section 39-1349, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 39-1349 (1) Except as provided in subsections ~~(5)~~ ~~(3)~~ and ~~(6)~~ ~~(4)~~ of

6 this section, all contracts for the construction, reconstruction,

7 improvement, maintenance, or repair of state highway system roads and  
8 bridges and their appurtenances shall be let by the department to the  
9 lowest responsible bidder. Bidders on such contracts must be prequalified  
10 to bid by the department except as provided in subsection (2) of section  
11 39-1351. The department may reject any or all bids and cause the work to  
12 be done as may be directed by the department.

13 (2) Except as provided in subsection (3) of this section, if If the  
14 contractor has furnished the department all required records and reports,  
15 the department shall pay to the contractor interest at a rate three  
16 percentage points above the average annual Federal Reserve composite  
17 prime lending rate for the previous calendar year rounded to the nearest  
18 one-tenth of one percent on the amount retained and on the final payment  
19 due the contractor beginning sixty days after the work under the contract  
20 has been completed as evidenced by the completion date established in the  
21 department's letter of tentative acceptance or, when tentative acceptance  
22 has not been issued, beginning sixty days after completion of the work  
23 and running until the date when payment is tendered to the contractor.  
24 (3) Subsection (2) of this section shall not apply to contracts  
25 which provide for payment pursuant to a set schedule over a period of  
26 time that extends beyond the completion of construction.

27 (4) (2) When the department is required by acts of Congress and  
1 rules and regulations made by an agent of the United States in pursuance  
2 of such acts to predetermine minimum wages to be paid laborers and  
3 mechanics employed on highway construction, the Director-State Engineer  
4 shall cause minimum rates of wages for such laborers and mechanics to be  
5 predetermined and set forth in contracts for such construction. The  
6 minimum rates shall be the scale of wages which the Director-State  
7 Engineer finds are paid and maintained by at least fifty percent of the  
8 contractors in performing highway work contracted with the department  
9 unless the Director-State Engineer further finds that such scale of wages  
10 so determined would unnecessarily increase the cost of such highway work  
11 to the state, in which event he or she shall reduce such determination to  
12 such scale of wages as he or she finds is required to avoid such  
13 unnecessary increase in the cost of such highway work.

14 (5) (3) The department, in its sole discretion, may permit a city or  
15 county to let state or federally funded contracts for the construction,  
16 reconstruction, improvement, maintenance, or repair of state highways,  
17 bridges, and their appurtenances located within the jurisdictional  
18 boundaries of such city or county, to the lowest responsible bidder when  
19 the work to be let is primarily local in nature and the department  
20 determines that it is in the public interest that the contract be let by  
21 the city or the county. Bidders on such contracts must be prequalified to  
22 bid by the department except as provided in subsection (2) of section  
23 39-1351.

24 (6) (4) The department, in its sole discretion, may permit a federal  
25 agency to let contracts for the construction, reconstruction,  
26 improvement, maintenance, or repair of state highways, bridges, and their  
27 appurtenances and may permit such federal agency to perform any and all  
28 other aspects of the project to which such contract relates, including,

29 but not limited to, preliminary engineering, environmental clearance,  
30 final design, and construction engineering, when the department  
31 determines that it is in the public interest to do so. Bidders on such  
1 contracts must be prequalified to bid by the department except as  
2 provided in subsection (2) of section 39-1351.

3 Sec. 2. Section 81-1701, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5 81-1701 The purpose of the Nebraska Consultants' Competitive  
6 Negotiation Act is to provide managerial control over competitive  
7 negotiations by the state for acquisition of professional architectural,  
8 engineering, landscape architecture, or land surveying services. The act  
9 does not apply to (1) contracts under section 57-1503, (2) contracts  
10 under subsection ~~(6)~~ (4) of section 39-1349, (3) contracts under sections  
11 39-2808 to 39-2823 except as provided in section 39-2810, or (4)  
12 contracts under the State Park System Construction Alternatives Act  
13 except as provided in section 37-1719.

14 Sec. 3. Original section 39-1349, Reissue Revised Statutes of  
15 Nebraska, and section 81-1701, Revised Statutes Cumulative Supplement,  
16 2018, are repealed.

### COMMITTEE REPORT(S)

#### General Affairs

The General Affairs 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.

Paul Leckband - Nebraska Commission on Problem Gambling

Aye: 8 Arch, Blood, Brandt, Briese, Hunt, Lowe, Moser, Wayne. Nay: 0.  
Absent: 0. Present and not voting: 0.

(Signed) Tom Briese, Chairperson

### COMMITTEE REPORT(S)

#### General Affairs

**LEGISLATIVE BILL 203.** Placed on General File.

**LEGISLATIVE BILL 235.** Placed on General File.

**LEGISLATIVE BILL 624.** Placed on General File.

(Signed) Tom Briese, Chairperson

### GENERAL FILE

**LEGISLATIVE BILL 214.** Title read. Considered.

Advanced to Enrollment and Review Initial with 37 ayes, 0 nays, 8 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 52.** Title read. Considered.

Committee AM120, found on page 415, was adopted with 38 ayes, 0 nays, 8 present and not voting, and 3 excused and not voting.

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

**LEGISLATIVE BILL 152.** Title read. Considered.

Committee AM96, found on page 417, was adopted with 37 ayes, 0 nays, 9 present and not voting, and 3 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.

**LEGISLATIVE BILL 186.** Title read. Considered.

Committee AM111, found on page 417, was adopted with 35 ayes, 0 nays, 11 present and not voting, and 3 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 12 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 186A.** Title read. Considered.

Advanced to Enrollment and Review Initial with 27 ayes, 0 nays, 20 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 223.** Title read. Considered.

Committee AM61, found on page 419, was adopted with 36 ayes, 0 nays, 11 present and not voting, and 2 excused and not voting.

Advanced to Enrollment and Review Initial with 34 ayes, 0 nays, 13 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 442.** Title read. Considered.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 15 present and not voting, and 2 excused and not voting.

**LEGISLATIVE BILL 536.** 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 622.** Title read. Considered.

Senator Williams offered the following amendment:

AM225

- 1 1. On page 6, line 11, after "substitute" insert "exchange, or
- 2 release"; in line 12 after "substituted" insert ", exchanged, or
- 3 released"; in line 13 after "act" insert "and such substitution,
- 4 exchange, or release shall not reduce the market value of the securities
- 5 to an amount that is less than one hundred two percent of the total
- 6 amount of public money or public funds less the portion of such public
- 7 money or public funds insured or guaranteed by the Federal Deposit
- 8 Insurance Corporation"; in lines 13 and 15 after "substitution" insert ",
- 9 exchange, or release"; in line 14 after "section" insert "by a bank,
- 10 capital stock financial institution, or qualifying mutual financial
- 11 institution utilizing the dedicated method as provided in subdivision (2)
- 12 (a) of section 77-2398."; and in lines 15 and 16 strike the new matter.
- 13 2. On page 7, line 10, after the last comma insert "and"; in line 11
- 14 strike "which", show as stricken, and insert "such deposit guaranty bond
- 15 and the market value of such securities"; in line 22 strike "to the",
- 16 show as stricken, and insert "pursuant to the Public Funds Deposit
- 17 Security Act", strike "director", and after the last comma insert "and";
- 18 and in line 23 strike "which", show as stricken, and insert "such deposit
- 19 guaranty bond and the market value of such securities".
- 20 3. On page 8, line 19, strike the new matter.
- 21 4. On page 10, line 13, strike "his or her designee" and insert "the
- 22 administrator"; in line 17 strike "be authorized to delegate to any" and
- 23 insert "designate a"; in line 20 strike "such of his or her rights and
- 24 responsibilities" and insert "to serve as the administrator"; in line 21
- 25 strike "as the director deems appropriate" and after "expenses" insert
- 26 "of such administrator"; strike beginning with "of" in line 22 through
- 27 "subsection" in line 24; and in line 31 strike "director" and insert
- 1 "administrator".
- 2 5. On page 11, after line 2, insert the following new subdivision:
- 3 "(iv) The single bank pooled method shall not be utilized by any
- 4 bank, capital stock financial institution, or qualifying mutual financial
- 5 institution unless an administrator has been designated by the director
- 6 pursuant to subdivision (2)(b)(ii) of this section and is acting as the
- 7 administrator.".
- 8 6. On page 12, line 7, strike "his or her designee" and insert "the
- 9 administrator".
- 10 7. On page 13, lines 1, 10, and 26 and 27, strike the new matter and
- 11 insert "administrator".
- 12 8. On page 15, line 1, after the first "the" insert "total
- 13 combined"; and in line 22, strike "It", show as stricken, and insert "The
- 14 director".
- 15 9. On page 17, lines 4 and 7 and 8, strike "his or her designee" and
- 16 insert "the administrator"; strike beginning with "In" in line 9 through
- 17 "to" in line 11 and insert "The director may"; and in line 12 strike the
- 18 second "and" and after "forms" insert ", or issue orders".

The Williams amendment was adopted with 30 ayes, 0 nays, 15 present and not voting, and 4 excused and not voting.

Advanced to Enrollment and Review Initial with 32 ayes, 0 nays, 13 present and not voting, and 4 excused and not voting.

**LEGISLATIVE BILL 4.** Title read. Considered.

Advanced to Enrollment and Review Initial with 33 ayes, 1 nay, 12 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 185.** 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 372.** Title read. Considered.

Advanced to Enrollment and Review Initial with 36 ayes, 0 nays, 9 present and not voting, and 4 excused and not voting.

**COMMITTEE REPORT(S)**  
Urban Affairs

**LEGISLATIVE BILL 160.** Placed on General File.

**LEGISLATIVE BILL 195.** Placed on General File.

**LEGISLATIVE BILL 124.** Placed on General File with amendment.  
AM199

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

2 sections:

3 Section 1. Section 13-3210, Revised Statutes Cumulative Supplement,  
4 2018, is amended to read:

5 13-3210 (1) Two or more municipalities may enter into an agreement  
6 pursuant to the Interlocal Cooperation Act to jointly create, administer,  
7 or create and administer for the creation, administration, or creation  
8 and administration of clean energy assessment districts. Notwithstanding  
9 subsection (1) of section 13-3204, the following provisions shall apply  
10 to jointly created districts:

11 (a) Such districts may be separate, overlapping, or coterminous and  
12 may be created anywhere within the municipalities that entered into the  
13 agreement or within their extraterritorial zoning jurisdictions, except  
14 that such districts shall not include any area within the corporate  
15 boundaries or extraterritorial zoning jurisdiction of any city or village  
16 unless such city or village is one of the municipalities that entered  
17 into the agreement; and

18 (b) The agreement shall provide for a governing body for any such  
19 district, which shall be made up of members of the governing bodies of

20 the municipalities that entered into the agreement.

21 (2) If the creation of clean energy assessment districts is  
 22 implemented jointly by two or more municipalities, a single public  
 23 hearing held jointly by the cooperating municipalities is sufficient to  
 24 satisfy the requirements of subsection (2) of section 13-3204.

25 (3) A municipality or municipalities may contract with a third party  
 26 for the administration of clean energy assessment districts.

27 Sec. 2. Original section 13-3210, Revised Statutes Cumulative  
 1 Supplement, 2018, is repealed.

(Signed) Justin Wayne, Chairperson

Natural Resources

**LEGISLATIVE BILL 127.** Placed on General File with amendment.

AM184

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

3 Section 1. Section 37-455, Reissue Revised Statutes of Nebraska, is  
 4 amended to read:

5 37-455 (1) The commission may issue a limited permit for deer,  
 6 antelope, wild turkey, or elk to a person who is a qualifying landowner  
 7 or leaseholder ~~or a member of such person's and his or her~~ immediate  
 8 family as described in this section. The commission may issue nonresident  
 9 landowner limited permits after preference has been given for the  
 10 issuance of resident permits as provided in rules and regulations adopted  
 11 and promulgated by the commission. A permit shall be valid during the  
 12 predetermined period established by the commission pursuant to sections  
 13 37-447 to 37-450, 37-452, 37-456, or 37-457. Upon receipt of an  
 14 application in proper form as prescribed by the rules and regulations of  
 15 the commission, the commission may issue (a) a limited deer, antelope, or  
 16 wild turkey permit valid for hunting on all of the land which is owned or  
 17 leased by the qualifying landowner or leaseholder if such lands are  
 18 identified in the application or (b) a limited elk permit valid for  
 19 hunting on the entire elk management unit of which the land of the  
 20 qualifying landowner or leaseholder included in the application is a  
 21 part.

22 (2)(a) The commission shall adopt and promulgate rules and  
 23 regulations prescribing procedures and forms and create requirements for  
 24 documentation by an applicant or permittee to determine whether the  
 25 applicant or permittee is a Nebraska resident and is a qualifying  
 26 landowner or leaseholder of the described property or is a member of the  
 27 immediate family of such qualifying landowner or leaseholder. The  
 1 commission may adopt and promulgate rules and regulations that create  
 2 requirements for documentation to designate one qualifying landowner  
 3 among partners of a partnership or officers or shareholders of a  
 4 corporation that owns or leases eighty acres or more of farm or ranch  
 5 land for agricultural purposes and among beneficiaries of a trust that  
 6 owns or leases eighty acres or more of farm or ranch land for

7 agricultural purposes. Only a person who is a qualifying landowner or  
8 leaseholder ~~or a member of~~ and such person's immediate family may apply  
9 for a limited permit. An applicant may apply for no more than one permit  
10 per species per year except as otherwise provided in the rules and  
11 regulations of the commission. For purposes of this section, member of a  
12 person's immediate family means and is limited to the spouse of such  
13 person, any child or stepchild of such person or of the spouse of such  
14 person, any spouse of any such child or stepchild, any sibling of such  
15 person sharing ownership in the property, and any spouse of any such  
16 sibling a husband and wife and their children or siblings sharing  
17 ownership in the property.

18 (b) The conditions applicable to permits issued pursuant to sections  
19 37-447 to 37-450, 37-452, 37-456, or 37-457, whichever is appropriate,  
20 shall apply to limited permits issued pursuant to this section, except  
21 that the commission may pass commission orders for species harvest  
22 allocation pertaining to the sex and age of the species harvested which  
23 are different for a limited permit than for other hunting permits. For  
24 purposes of this section, white-tailed deer and mule deer shall be  
25 treated as one species.

26 (3)(a) To qualify for a limited permit to hunt deer or antelope, the  
27 applicant shall be a Nebraska resident who (i) owns or leases eighty  
28 acres or more of farm or ranch land for agricultural purposes or a member  
29 of such person's immediate family or (ii) is the partner, officer,  
30 shareholder, or beneficiary designated as the qualifying landowner by a  
31 partnership, corporation, or trust as provided in the rules and  
1 regulations under subdivision (2)(a) of this section or a member of the  
2 immediate family of the partner, officer, shareholder, or beneficiary.

3 The number of limited permits issued annually per species for each farm  
4 or ranch shall not exceed the total acreage of the farm or ranch divided  
5 by eighty. The fee for a limited permit to hunt deer or antelope shall be  
6 one-half the fee for the regular permit for such species.

7 (b) A nonresident of Nebraska who owns three hundred twenty acres or  
8 more of farm or ranch land in the State of Nebraska for agricultural  
9 purposes or a member of such person's immediate family may apply for a  
10 limited deer or antelope permit. The number of limited permits issued  
11 annually per species for each farm or ranch shall not exceed the total  
12 acreage of the farm or ranch divided by three hundred twenty. The fee for  
13 such a permit to hunt deer or antelope shall be one-half the fee for a  
14 nonresident permit to hunt such species.

15 (c) The commission may adopt and promulgate rules and regulations  
16 providing for the issuance of an additional limited deer permit to a  
17 qualified individual for the taking of a deer without antlers at a fee  
18 equal to or less than the fee for the original limited permit.

19 (4)(a) To qualify for a limited permit to hunt wild turkey, the  
20 applicant shall be a Nebraska resident who (i) owns or leases eighty  
21 acres or more of farm or ranch land for agricultural purposes or a member  
22 of such person's immediate family or (ii) is the partner, officer,  
23 shareholder, or beneficiary designated as the qualifying landowner by a  
24 partnership, corporation, or trust as provided in the rules and

25 regulations under subdivision (2)(a) of this section or a member of the  
26 immediate family of the partner, officer, shareholder, or beneficiary.  
27 The number of limited permits issued annually per season for each farm or  
28 ranch shall not exceed the total acreage of the farm or ranch divided by  
29 eighty. An applicant may apply for no more than one limited permit per  
30 season. The fee for a limited permit to hunt wild turkey shall be one-  
31 half the fee for the regular permit to hunt wild turkey.

1 (b) A nonresident of Nebraska who owns three hundred twenty acres or  
2 more of farm or ranch land in the State of Nebraska for agricultural  
3 purposes or a member of such person's immediate family may apply for a  
4 limited permit to hunt wild turkey. Only one limited wild turkey permit  
5 per three hundred twenty acres may be issued annually for each wild  
6 turkey season under this subdivision. The fee for such a permit to hunt  
7 shall be one-half the fee for a nonresident permit to hunt wild turkey.

8 (5) To qualify for a limited permit to hunt elk, (a) the applicant  
9 shall be (i) a Nebraska resident who owns three hundred twenty acres or  
10 more of farm or ranch land for agricultural purposes, (ii) a Nebraska  
11 resident who leases six hundred forty acres or more of farm or ranch land  
12 for agricultural purposes or has a leasehold interest and an ownership  
13 interest in farm or ranch land used for agricultural purposes which when  
14 added together totals at least six hundred forty acres, (iii) a  
15 nonresident of Nebraska who owns at least one thousand two hundred eighty  
16 acres of farm or ranch land for agricultural purposes, or (iv) a member  
17 of such owner's or lessee's immediate family and (b) the qualifying farm  
18 or ranch land of the applicant shall be within an area designated as an  
19 elk management zone by the commission in its rules and regulations. An  
20 applicant shall not be issued a limited bull elk permit more than once  
21 every three years, and the commission may give preference to a person who  
22 did not receive a limited elk permit or a specified type of limited elk  
23 permit during the previous years. The fee for a resident landowner  
24 limited permit to hunt elk shall not exceed one-half the fee for the  
25 regular permit to hunt elk. The fee for a nonresident landowner limited  
26 permit to hunt elk shall not exceed three times the cost of a resident  
27 elk permit. The number of applications allowed for limited elk permits  
28 for each farm or ranch shall not exceed the total acreage of the farm or  
29 ranch divided by the minimum acreage requirements established for the  
30 property. No more than one person may qualify for the same described  
31 property.

1 Sec. 2. Original section 37-455, Reissue Revised Statutes of  
2 Nebraska, is repealed.

(Signed) Dan Hughes, Chairperson

Business and Labor

**LEGISLATIVE BILL 139.** Placed on General File with amendment.  
AM170

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

3 Section 1. Section 48-2117, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 48-2117 (1) The Department of Labor, in conjunction with the  
6 Department of Revenue, shall create a data base of contractors who are  
7 registered under the Contractor Registration Act and the Nebraska Revenue  
8 Act of 1967.

9 (2) The data base shall be accessible on the web site of the  
10 Department of Labor.

11 (3) The data base shall include, but not be limited to, the  
12 following information with respect to each registered contractor:

13 (a) Whether the contractor carries workers' compensation insurance  
14 in accordance with the Nebraska Workers' Compensation Act;

15 (b) Whether the contractor is self-insured in accordance with the  
16 Nebraska Workers' Compensation Act; or

17 (c) Whether the contractor is a sole proprietor with no employees  
18 and does not carry workers' compensation insurance pursuant to the

19 Nebraska Workers' Compensation Act.  
20 (4) The information described in subdivision (3)(c) of this section,  
21 as it is listed in the data base, creates a presumption of no coverage  
22 that may be rebutted by an insurer acknowledging coverage for a claimed  
23 covered event.

24 (5) The information required under subsection (3) of this section is  
25 solely for the purpose of establishing premiums for workers' compensation  
26 insurance and shall not affect liability under the Nebraska Workers'  
27 Compensation Act or compliance efforts pursuant to section 48-145.01.

1 (6) ~~(2)~~ Any contractor that fails to comply with the requirements of  
2 the Contractor Registration Act or Nebraska Revenue Act of 1967 shall be  
3 removed from the data base.

4 Sec. 2. Original section 48-2117, Reissue Revised Statutes of  
5 Nebraska, is repealed.

(Signed) Matt Hansen, Chairperson

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

Enrollment and Review

**LEGISLATIVE BILL 122.** Placed on Select File with amendment.  
ER15

1 1. In the Crawford amendment, AM164, on page 1, line 23, strike  
2 "(3)", show as stricken, and insert "(2)".

3 2. On page 1, line 4, strike "and"; and in line 5 after "section"  
4 insert "; and to declare an emergency".

**LEGISLATIVE RESOLUTION 1CA.** Placed on Select File.

(Signed) Julie Slama, Chairperson

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Caldwell, Dawn - Nebraska State Fair Board - Agriculture  
Kircher, Chris - Nebraska State Fair Board - Agriculture

(Signed) Mike Hilgers, Chairperson  
Executive Board

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 22.** Introduced by Vargas, 7; 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; 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; McCollister, 20; McDonnell, 5; Morfeld, 46; Moser, 22; Murman, 38; Pansing Brooks, 28; Quick, 35; Scheer, 19; Slama, 1; Stinner, 48; Walz, 15; Wayne, 13; Williams, 36; Wishart, 27.

WHEREAS, Anne Boyle of Omaha was a dedicated public servant who devoted her life to advocating on the behalf of others; and

WHEREAS, Anne Boyle was a pioneering woman in Nebraska politics, a dynamic leader, a passionate public servant, and a loving wife, mother, and grandmother; and

WHEREAS, Anne Boyle was a mentor for women of Nebraska looking to enter politics; and

WHEREAS, Anne Boyle spent her life advocating for underprivileged and marginalized Nebraskans; and

WHEREAS, Anne Boyle was the great-granddaughter of Edward Howell, an Omaha City Councilman and former Nebraska State Senator; and

WHEREAS, Anne Boyle was the granddaughter of Sam J. Howell, a former Nebraska State Senator; and

WHEREAS, Anne Boyle was the daughter of Sam J. Howell, Jr., a former Douglas County Treasurer; and

WHEREAS, Anne Boyle graduated from Cathedral High School in Omaha in 1961; and

WHEREAS, Anne Boyle married Mike Boyle in 1965; and

WHEREAS, Anne Boyle was elected three times to the Public Service Commission, serving from 1996 until her retirement in 2015; and

WHEREAS, Anne Boyle was the first woman elected in the 130-year history of the Public Service Commission; and

WHEREAS, Anne Boyle bolstered the Lifeline Fund, helping low-income Nebraskans gain access to cell phone services in emergencies; and

WHEREAS, Anne Boyle was the chair of the Consumer Affairs Committee of the National Association of Regulatory Utility Commissioners; and

WHEREAS, Anne Boyle was the mother of five children, Maureen, Michael, Pat, Jim, and Maggie; and

WHEREAS, Anne Boyle was the grandmother of eighteen grandchildren.

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

1. That the Legislature recognizes the significant and important contributions Anne Boyle made to the State of Nebraska and its citizens.
2. That the Legislature recognizes the thousands of Nebraskans uplifted by the dedication and work of Anne Boyle.
3. That the Legislature offers its condolences to the family of Anne Boyle.

Laid over.

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

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

Senator McCollister name added to LB15.  
Senator Hunt name added to LB154.  
Senator McCollister name added to LB154.  
Senator McCollister name added to LB306.  
Senator McCollister name added to LB463.  
Senator McCollister name added to LR1CA.  
Senator Dorn name added to LR1CA.

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

Visitors to the Chamber were Senator Linehan's sister, Kay Ebeler, from Crab Orchard; a group of Nebraska veterans and auxiliary from across the state; Sara and Meagan Macklin from Blue Hill and Audrey and Elisabeth Berns from Bladen; and members of the Nebraska State Bar Association Leadership Academy from across the state.

The Doctor of the Day was Dr. Doug Dunning from Omaha.

#### **ADJOURNMENT**

At 11:44 a.m., on a motion by Senator Williams, the Legislature adjourned until 9:00 a.m., Monday, February 11, 2019.

Patrick J. O'Donnell  
Clerk of the Legislature