

**FORTY-FIRST DAY - MARCH 12, 2018****LEGISLATIVE JOURNAL****ONE HUNDRED FIFTH LEGISLATURE  
SECOND SESSION****FORTY-FIRST DAY**

Legislative Chamber, Lincoln, Nebraska  
Monday, March 12, 2018

**PRAYER**

The prayer was offered by Monsignor Daniel Seiker, St. Gregory the Great Seminary, Seward.

**ROLL CALL**

Pursuant to adjournment, the Legislature met at 10:00 a.m., President Foley presiding.

The roll was called and all members were present except Senators Howard, Krist, Vargas, and Watermeier who were excused until they arrive.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the fortieth day was approved.

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 1090.** Placed on Select File with amendment.  
ER125

1 1. On page 1, strike beginning with "inflation" in line 4 through  
2 "provisions" in line 5 and insert "income tax brackets, personal  
3 exemptions, standard deductions, and itemized deductions".

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**

Judiciary

**LEGISLATIVE BILL 690.** Placed on General File with amendment.  
AM2283

1 1. On page 2, strike beginning with the first comma in line 13  
2 through "airbag" in line 14.

**LEGISLATIVE BILL 897.** Placed on General File with amendment.

AM2342

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

2 sections:

3 Section 1. Section 28-902, Reissue Revised Statutes of Nebraska, is

4 amended to read:

5 28-902 (1) Except as provided in subsection (2) of this section,  
6 every health care provider ~~Every person engaged in the practice of~~  
7 ~~medicine and surgery, or who is in charge of any emergency room or first-~~  
8 ~~aid station in this state,~~ shall immediately report to law enforcement  
9 every case, in which the health care provider he is consulted for medical  
10 care for physical treatment or treats a wound or injury of violence which  
11 appears to have been received in connection with, or as a result of, the  
12 commission of a criminal offense, immediately to the chief of police of  
13 the municipality or to the sheriff of the county wherein the consultation  
14 or treatment occurs. Such report shall include the name of the victim  
15 such person, the residence, if ascertainable, and a brief description of  
16 the victim's physical injury, and, if ascertainable, the victim's  
17 residential address and the location of the offense injury. Any other  
18 ~~provision of law or rule of evidence relative to confidential~~  
19 ~~communications is suspended insofar as compliance with the provisions of~~  
20 ~~this section is are concerned.~~

21 (2) When a health care provider is consulted for medical care for  
22 physical injury which reasonably appears to have been received in  
23 connection with, or as a result of, the commission of an actual or  
24 attempted sexual assault and the victim was eighteen years of age or  
25 older at the time of such actual or attempted sexual assault, the health  
26 care provider shall:

27 (a) Provide the victim with information detailing the reporting  
1 options available under subdivision (2)(b) of this section;

2 (b) Ask the victim either:

3 (i) To provide written consent to report such actual or attempted  
4 sexual assault as provided in subsection (1) of this section. If the  
5 victim provides such written consent, the health care provider shall make  
6 the report required by subsection (1) of this section and submit to law  
7 enforcement a sexual assault evidence collection kit if one has been  
8 obtained; or

9 (ii) To sign a written acknowledgment that such actual or attempted  
10 sexual assault will not be reported except as provided in subdivision (2)  
11 (c) or subsection (3) of this section, but that the health care provider  
12 will submit to law enforcement a sexual assault evidence collection kit,  
13 if one has been obtained, using an anonymous reporting protocol. A health  
14 care provider may use the anonymous reporting protocol developed by the  
15 Attorney General under section 2 of this act or may use a different  
16 anonymous reporting protocol;

17 (c) Regardless of the victim's decision under subdivision (2)(b) of  
18 this section, if the victim is suffering from a serious bodily injury, or  
19 any bodily injury where a deadly weapon was used to inflict such injury,  
20 which appears to have been received in connection with, or as a result

21 of the commission of an actual or attempted sexual assault, the health  
22 care provider shall report such injury to law enforcement as provided in  
23 subsection (1) of this section; and  
24 (d) Unless declined by the victim, refer him or her to an advocate.  
25 (3) When a health care provider is consulted for medical care for  
26 physical injury which reasonably appears to have been received in  
27 connection with, or as a result of, the commission of an actual or  
28 attempted sexual assault, the health care provider shall, regardless of  
29 the victim's age or the victim's decision under subdivision (2)(b) of  
30 this section, provide law enforcement with a sexual assault evidence  
31 collection kit if one has been obtained.  
1 (4) A law enforcement agency receiving a sexual assault evidence  
2 collection kit under this section shall preserve such kit for twenty  
3 years after the date of receipt or as otherwise ordered by a court.  
4 (5) Any health care provider who knowingly fails to make any report  
5 required by subsection (1) of this section is guilty of a Class III  
6 misdemeanor. If multiple health care providers are involved in the  
7 consultation of a person in a given occurrence, this section does not  
8 require each health care provider to make a separate report, so long as  
9 one of such health care providers makes the report required by this  
10 section.  
11 (6) For purposes of this section:  
12 (a) Advocate has the same meaning as in section 29-4302;  
13 (b) Anonymous reporting protocol means a reporting protocol that  
14 allows the identity of the victim, his or her personal or identifying  
15 information, and the details of the sexual assault or attempted sexual  
16 assault to remain confidential and undisclosed by the health care  
17 provider, other than submission to law enforcement of any sexual assault  
18 evidence collection kit, unless and until the victim consents to the  
19 release of such information;  
20 (c) Health care provider means any of the following individuals who  
21 are licensed, certified, or registered to perform specified health  
22 services consistent with state law: A physician, physician assistant,  
23 nurse, or advanced practice registered nurse;  
24 (d) Law enforcement means a law enforcement agency in the county in  
25 which the consultation occurred; and  
26 (e) Victim means the person seeking medical care.  
27 ~~(2) Any person who fails to make the report required by subsection~~  
28 ~~(1) of this section commits a Class III misdemeanor.~~  
29 Sec. 2. On or before July 1, 2019, the Attorney General shall  
30 develop and distribute a statewide model anonymous reporting protocol for  
31 use by health care providers as provided in section 28-902. Once  
1 developed, the statewide model anonymous reporting protocol shall be  
2 maintained by the Nebraska Commission on Law Enforcement and Criminal  
3 Justice.  
4 Sec. 3. Original section 28-902, Reissue Revised Statutes of  
5 Nebraska, is repealed.

(Signed) Laura Ebke, Chairperson

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 343.** Introduced by Clements, 2.

WHEREAS, multiple sclerosis (MS) is an unpredictable, often disabling disease of the central nervous system that interrupts the flow of information between the brain and the body and for which there is no known cure; and

WHEREAS, although there has been significant progress in MS research, there are only fifteen disease-modifying treatments for the relapsing-remitting form of the disease and one for the more debilitating, primary progressive form; and

WHEREAS, it is estimated that nearly 2.3 million people in the world are currently living with MS; and

WHEREAS, more than 400,000 people in the United States are living with MS, including more than 4,000 people in Nebraska; and

WHEREAS, the National MS Society exists to help each person address the challenges of living with MS by funding cutting-edge research, facilitating professional education, and providing programs and services that help people with MS and their families move their lives forward; and

WHEREAS, MS Awareness Month is recognized annually in March to unite people in Nebraska, the United States, and worldwide in the fight to end MS, to create connections stronger than the ones MS destroys, and to educate people about MS and what they can do to make a difference.

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

1. That the Legislature recognizes March 2018 as MS Awareness Month in Nebraska.

2. That a copy of this resolution be sent to the National Multiple Sclerosis Society-Mid America Chapter.

Laid over.

**RESOLUTION(S)**

Pursuant to Rule 4, Sec. 5(b), LR334 was adopted.

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LR334.

**GENERAL FILE**

**LEGISLATIVE BILL 998.** Senator Linehan renewed her amendment, AM2333, found on page 907, to the committee amendment.

Senator Pansing Brooks moved the previous question. The question is, "Shall the debate now close?"

Senator Bolz moved for a call of the house. The motion prevailed with 20 ayes, 3 nays, and 26 not voting.

Senator Bolz requested a roll call vote on the motion to cease debate.

Voting in the affirmative, 24:

Baker	Crawford	Howard	Morfeld	Walz
Blood	Ebke	Kolowski	Pansing Brooks	Wayne
Bolz	Hansen	Kolterman	Quick	Williams
Briese	Harr	McCollister	Stinner	Wishart
Chambers	Hilkemann	McDonnell	Vargas	

Voting in the negative, 14:

Albrecht	Brewer	Groene	Hughes	Lowe
Bostelman	Clements	Halloran	Kuehn	Riepe
Brasch	Erdman	Hilgers	Larson	

Present and not voting, 9:

Friesen	Lindstrom	Murante	Schumacher	Thibodeau
Geist	Linehan	Scheer	Smith	

Excused and not voting, 2:

Krist	Watermeier
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The motion to cease debate failed with 24 ayes, 14 nays, 9 present and not voting, and 2 excused and not voting.

The Chair declared the call raised.

Pending.

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

Senator Chambers filed the following amendment to LB946:  
AM2368

(Amendments to Standing Committee amendments, AM1701)

- 1 1. Insert the following new section:
- 2 Sec. 2. Section 90-106, Reissue Revised Statutes of Nebraska, is
- 3 amended to read:
- 4 90-106 The official slogan and official symbol, either separately or
- 5 in conjunction with each other, shall be used by all agencies of the
- 6 state whenever appropriate in the promotion of the state. ~~They shall be~~
- 7 ~~imprinted on all state letterheads and the reverse side of all mailing~~
- 8 ~~envelopes as new supplies are acquired.~~
- 9 2. On page 3, line 20, after "Original" insert "section 90-106,

10 Reissue Revised Statutes of Nebraska, and"; and in line 21 strike "is"  
 11 and insert "are".  
 12 3. Renumber the remaining sections accordingly.

**COMMITTEE REPORT(S)**

Transportation and Telecommunications

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

LaShonna Dorsey - Nebraska Information Technology Commission  
 Terry Haack - Nebraska Information Technology Commission  
 Dorest Harvey - Nebraska Information Technology Commission  
 Thomas Nutt - Nebraska Information Technology Commission  
 Gerald Warren - Nebraska Information Technology Commission  
 Walter G. Weir - Nebraska Information Technology Commission

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

(Signed) Curt Friesen, Chairperson

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

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

Senator Murante name added to LB553.

**VISITORS**

Visitors to the Chamber were Jereme and Noah Jones from York; Grace McDonald from Phillips; 21 kindergarten- through fourth-grade students from Hampton Lutheran School; and 30 seventh- and eighth-grade students from Logan Fontenelle Middle School, Bellevue.

**RECESS**

At 11:59 a.m., on a motion by Senator Bostelman, the Legislature recessed until 1:30 p.m.

**AFTER RECESS**

The Legislature reconvened at 1:30 p.m., President Foley presiding.

**ROLL CALL**

The roll was called and all members were present except Senators Groene, Howard, Stinner, and Watermeier who were excused until they arrive.

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

Senator Hughes filed the following amendment to LB998:  
AM2366

(Amendments to Standing Committee amendments, AM2044)

- 1 1. Insert the following new amendment:
- 2 3. Insert the following new section:
- 3 Section 1. No educational service unit may receive any revenue from
- 4 property taxes, any state aid, or any money from the General Fund for a
- 5 program which the educational service unit administers which was started
- 6 with private grant funds.
- 7 2. Renumber the remaining sections and correct internal references
- 8 accordingly.

Senator Groene filed the following amendment to LB596:  
AM2315

(Amendments to Standing Committee amendments, AM621)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Section 38-101, Revised Statutes Supplement, 2017, is
- 4 amended to read:
- 5 38-101 Sections 38-101 to 38-1,142 and section 3 of this act and the
- 6 following practice acts shall be known and may be cited as the Uniform
- 7 Credentialing Act:
- 8 (1) The Advanced Practice Registered Nurse Practice Act;
- 9 (2) The Alcohol and Drug Counseling Practice Act;
- 10 (3) The Athletic Training Practice Act;
- 11 (4) The Audiology and Speech-Language Pathology Practice Act;
- 12 (5) The Certified Nurse Midwifery Practice Act;
- 13 (6) The Certified Registered Nurse Anesthetist Practice Act;
- 14 (7) The Chiropractic Practice Act;
- 15 (8) The Clinical Nurse Specialist Practice Act;
- 16 (9) The Cosmetology, Electrology, Esthetics, Nail Technology, and
- 17 Body Art Practice Act;
- 18 (10) The Dentistry Practice Act;
- 19 (11) The Dialysis Patient Care Technician Registration Act;
- 20 (12) The Emergency Medical Services Practice Act;
- 21 (13) The Environmental Health Specialists Practice Act;
- 22 (14) The Funeral Directing and Embalming Practice Act;
- 23 (15) The Genetic Counseling Practice Act;
- 24 (16) The Hearing Instrument Specialists Practice Act;
- 25 (17) The Licensed Practical Nurse-Certified Practice Act until
- 26 November 1, 2017;
- 1 (18) The Massage Therapy Practice Act;

- 2 (19) The Medical Nutrition Therapy Practice Act;
- 3 (20) The Medical Radiography Practice Act;
- 4 (21) The Medicine and Surgery Practice Act;
- 5 (22) The Mental Health Practice Act;
- 6 (23) The Nurse Practice Act;
- 7 (24) The Nurse Practitioner Practice Act;
- 8 (25) The Nursing Home Administrator Practice Act;
- 9 (26) The Occupational Therapy Practice Act;
- 10 (27) The Optometry Practice Act;
- 11 (28) The Perfusion Practice Act;
- 12 (29) The Pharmacy Practice Act;
- 13 (30) The Physical Therapy Practice Act;
- 14 (31) The Podiatry Practice Act;
- 15 (32) The Psychology Practice Act;
- 16 (33) The Respiratory Care Practice Act;
- 17 (34) The Surgical First Assistant Practice Act;
- 18 (35) The Veterinary Medicine and Surgery Practice Act; and
- 19 (36) The Water Well Standards and Contractors' Practice Act.
- 20 If there is any conflict between any provision of sections 38-101 to
- 21 38-1,142 and any provision of a practice act, the provision of the
- 22 practice act shall prevail.
- 23 The Revisor of Statutes shall assign the Uniform Credentialing Act,
- 24 including the practice acts enumerated in subdivisions (1) through (35)
- 25 of this section, to articles within Chapter 38.
- 26 Sec. 2. Section 38-121, Revised Statutes Supplement, 2017, is
- 27 amended to read:
- 28 38-121 (1) No individual shall engage in the following practices
- 29 unless such individual has obtained a credential under the Uniform
- 30 Credentialing Act:
- 31 (a) Acupuncture;
- 1 (b) Advanced practice nursing;
- 2 (c) Alcohol and drug counseling;
- 3 (d) Asbestos abatement, inspection, project design, and training;
- 4 (e) Athletic training;
- 5 (f) Audiology;
- 6 (g) Speech-language pathology;
- 7 (h) Body art;
- 8 (i) Chiropractic;
- 9 (j) Cosmetology;
- 10 (k) Dentistry;
- 11 (l) Dental hygiene;
- 12 (m) Electrology;
- 13 (n) Emergency medical services;
- 14 (o) Esthetics;
- 15 (p) Funeral directing and embalming;
- 16 (q) Genetic counseling;
- 17 (r) Hearing instrument dispensing and fitting;
- 18 (s) Lead-based paint abatement, inspection, project design, and
- 19 training;



- 20 (t) Licensed practical nurse-certified until November 1, 2017;  
 21 (u) Massage therapy;  
 22 (v) Medical nutrition therapy;  
 23 (w) Medical radiography;  
 24 (x) Medicine and surgery;  
 25 (y) Mental health practice;  
 26 (z) Nail technology;  
 27 (aa) Nursing;  
 28 (bb) Nursing home administration;  
 29 (cc) Occupational therapy;  
 30 (dd) Optometry;  
 31 (ee) Osteopathy;  
 1 (ff) Perfusion;  
 2 (gg) Pharmacy;  
 3 (hh) Physical therapy;  
 4 (ii) Podiatry;  
 5 (jj) Psychology;  
 6 (kk) Radon detection, measurement, and mitigation;  
 7 (ll) Respiratory care;  
 8 (mm) Surgical assisting;  
 9 (nn) Veterinary medicine and surgery;  
 10 (oo) Public water system operation; and  
 11 (pp) Constructing or decommissioning water wells and installing  
 12 water well pumps and pumping equipment.  
 13 (2) No individual shall hold himself or herself out as any of the  
 14 following until such individual has obtained a credential under the  
 15 Uniform Credentialing Act for that purpose:  
 16 (a) Registered environmental health specialist;  
 17 (b) Certified marriage and family therapist;  
 18 (c) Certified professional counselor;  
 19 (d) Social worker; ~~or~~  
 20 (e) Dialysis patient care technician; or -  
 21 (f) Equine massage practitioner.  
 22 (3) No business shall operate for the provision of any of the  
 23 following services unless such business has obtained a credential under  
 24 the Uniform Credentialing Act:  
 25 (a) Body art;  
 26 (b) Cosmetology;  
 27 (c) Emergency medical services;  
 28 (d) Esthetics;  
 29 (e) Funeral directing and embalming;  
 30 (f) Massage therapy; or  
 31 (g) Nail technology.  
 1 Sec. 3. (1) For purposes of this section:  
 2 (a) Equine massage practice means the application of hands-on  
 3 massage techniques for the purpose of increasing circulation, relaxing  
 4 muscle spasms, relieving tension, enhancing muscle tone, and increasing  
 5 range of motion in equine; and  
 6 (b) Equine massage practitioner means a person registered on the

7 Equine Massage Practitioner Registry to engage in equine massage  
8 practice.

9 (2) The Equine Massage Practitioner Registry is created. Any person  
10 engaged in the practice of equine massage for compensation shall (a)  
11 apply to the department for listing in the registry, (b) submit as part  
12 of the application (i) evidence of receipt of a degree or certificate in  
13 equine massage from a school approved by the department or with an  
14 accreditation recognized by the United States Department of Education or  
15 (ii) until January 1, 2022, two letters of recommendation from licensed  
16 veterinarians attesting to the applicant's competence to engage in equine  
17 massage practice, and (c) pay the applicable fee. A listing in the  
18 registry shall be valid for five years and shall be eligible to be  
19 renewed unless such listing is refused renewal or removed pursuant to  
20 subsection (4) of this section or section 38-178.

21 (3) The department shall list on the registry the following  
22 information for each applicant who submits a complete application and  
23 pays the applicable fee: (a) The individual's full name; (b) information  
24 necessary to identify and contact the individual; (c) a list of  
25 experience and education related to equine massage practice; and (d) any  
26 other information as the department may require by rule and regulation.

27 (4) Any person convicted of violating the Livestock Animal Welfare  
28 Act shall be denied registration or renewal of a registration and shall  
29 be removed from the registry, if applicable.

30 Sec. 4. Section 38-3314, Reissue Revised Statutes of Nebraska, is  
31 amended to read:

1 38-3314 Unlicensed assistant means an individual who is not a  
2 licensed veterinarian, a licensed veterinary technician, or a licensed  
3 animal therapist and who is working in veterinary medicine. Unlicensed  
4 assistant does not include an equine massage practitioner as defined in  
5 section 3 of this act.

6 Sec. 5. Section 38-3321, Reissue Revised Statutes of Nebraska, is  
7 amended to read:

8 38-3321 No person may practice veterinary medicine and surgery in  
9 the state who is not a licensed veterinarian, no person may perform  
10 delegated animal health care tasks in the state who is not a licensed  
11 veterinary technician or an unlicensed assistant performing such tasks  
12 within the limits established under subdivision (2) of section 38-3326,  
13 and no person may perform health care therapy on animals in the state who  
14 is not a licensed animal therapist. The Veterinary Medicine and Surgery  
15 Practice Act shall not be construed to prohibit:

16 (1) An employee of the federal, state, or local government from  
17 performing his or her official duties;

18 (2) A person who is a student in a veterinary school from performing  
19 duties or actions assigned by his or her instructors or from working  
20 under the direct supervision of a licensed veterinarian;

21 (3) A person who is a student in an approved veterinary technician  
22 program from performing duties or actions assigned by his or her  
23 instructors or from working under the direct supervision of a licensed  
24 veterinarian or a licensed veterinary technician;

- 25 (4) Any merchant or manufacturer from selling feed or feeds whether  
 26 medicated or nonmedicated;
- 27 (5) A veterinarian regularly licensed in another state from  
 28 consulting with a licensed veterinarian in this state;
- 29 (6) Any merchant or manufacturer from selling from his or her  
 30 established place of business medicines, appliances, or other products  
 31 used in the prevention or treatment of animal diseases or any merchant or  
 1 manufacturer's representative from conducting educational meetings to  
 2 explain the use of his or her products or from investigating and advising  
 3 on problems developing from the use of his or her products;
- 4 (7) An owner of livestock or a bona fide farm or ranch employee from  
 5 performing any act of vaccination, surgery, pregnancy testing,  
 6 retrievable transplantation of embryos on bovine, including recovering,  
 7 freezing, and transferring embryos on bovine, or the administration of  
 8 drugs in the treatment of domestic animals under his or her custody or  
 9 ownership nor the exchange of services between persons or bona fide  
 10 employees who are principally farm or ranch operators or employees in the  
 11 performance of these acts;
- 12 (8) A member of the faculty of a veterinary school or veterinary  
 13 science department from performing his or her regular functions, or a  
 14 person lecturing or giving instructions or demonstrations at a veterinary  
 15 school or veterinary science department or in connection with a  
 16 continuing competency activity;
- 17 (9) Any person from selling or applying any pesticide, insecticide,  
 18 or herbicide;
- 19 (10) Any person from engaging in bona fide scientific research which  
 20 reasonably requires experimentation involving animals;
- 21 (11) Any person from treating or in any manner caring for domestic  
 22 chickens, turkeys, or waterfowl, which are specifically exempted from the  
 23 Veterinary Medicine and Surgery Practice Act;
- 24 (12) Any person from performing dehorning or castrating livestock,  
 25 not to include equidae.  
 26 For purposes of the Veterinary Medicine and Surgery Practice Act,  
 27 castration shall be limited to the removal or destruction of male testes;
- 28 (13) Any person who holds a valid credential in the State of  
 29 Nebraska in a health care profession or occupation regulated under the  
 30 Uniform Credentialing Act from consulting with a licensed veterinarian or  
 31 performing collaborative animal health care tasks on an animal under the  
 1 care of such veterinarian if all such tasks are performed under the  
 2 immediate supervision of such veterinarian; ~~or~~
- 3 (14) A person from performing a retrievable transplantation of  
 4 embryos on bovine, including recovering, freezing, and transferring  
 5 embryos on bovine, if the procedure is being performed by a person who  
 6 (a) holds a doctorate degree in animal science with an emphasis in  
 7 reproductive physiology from an accredited college or university and (b)  
 8 has and can show proof of valid professional liability insurance; or -  
 9 (15) An equine massage practitioner as defined in section 3 of this  
 10 act from engaging in equine massage practice as defined in section 3 of  
 11 this act.

12 Sec. 6. Original sections 38-3314 and 38-3321, Reissue Revised  
13 Statutes of Nebraska, and sections 38-101 and 38-121, Revised Statutes  
14 Supplement, 2017, are repealed.

### GENERAL FILE

**LEGISLATIVE BILL 1119.** Title read. Considered.

Advanced to Enrollment and Review Initial with 30 ayes, 0 nays, 16 present and not voting, and 3 excused and not voting.

**LEGISLATIVE BILL 589.** Committee AM438, found on page 695, First Session, 2017, and considered on pages 396, 438, and 483, was renewed.

**SPEAKER SCHEER PRESIDING**

**PRESIDENT FOLEY PRESIDING**

Pending.

### COMMITTEE REPORT(S)

Enrollment and Review

**LEGISLATIVE BILL 993.** Placed on Select File with amendment.

ER126

1 1. In the Standing Committee amendments, AM1908:

2 a. On page 7, lines 12 and 13, strike "12" through "18" and insert  
3 "10, 11, 14, 15, and 16"; and in line 18, strike "12" and insert "10";  
4 and

5 b. On page 9, line 19, strike "13" and insert "11".

6 2. On page 1, strike beginning with "the" in line 1 through line 12  
7 and insert "911 service; to amend sections 86-442, 86-459, 86-462,  
8 86-465, 86-466, and 86-904, Reissue Revised Statutes of Nebraska, and  
9 sections 86-458, 86-1001, 86-1004, 86-1025, 86-1026, 86-1027, and  
10 86-1028, Revised Statutes Cumulative Supplement, 2016; to define a term;  
11 to create and provide duties for the 911 Service System Advisory  
12 Committee; to change and provide duties for the Public Service  
13 Commission; to change provisions relating to use of the 911 Service  
14 System Fund; to provide authority for access to federal and other funds;  
15 to provide immunity to certain service providers and the Public Service  
16 Commission as prescribed; to eliminate a fund, a study, and a termination  
17 date; to harmonize provisions; to repeal the original sections; to  
18 outright repeal sections 86-443.01 and 86-471, Reissue Revised Statutes  
19 of Nebraska, section 86-1030, Revised Statutes Cumulative Supplement,  
20 2016, and section 86-463, Revised Statutes Supplement, 2017; and to  
21 declare an emergency.".

(Signed) Anna Wishart, Chairperson

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 902.** Placed on General File.**LEGISLATIVE BILL 1036.** Placed on General File.**LEGISLATIVE BILL 1038.** Placed on General File.**LEGISLATIVE BILL 364.** Placed on General File with amendment.

AM1649

- 1 1. On page 12, line 4, strike "2018" and insert "2019".
- 2 2. On page 19 strike lines 2 through 12 and insert the following new
- 3 subsection:
- 4 "(4) The Professional Landscape Architects Act does not prevent a
- 5 vendor of goods, services, real estate, or materials, including
- 6 nurserypersons, landscape nurserypersons, gardeners, landscape gardeners,
- 7 landscape designers, general contractors registered under the Contractor
- 8 Registration Act, landscape contractors, land developers, golf course
- 9 architects, or golf course designers from providing drawings or graphic
- 10 diagrams that are necessary for the proper layout or development of the
- 11 vendor's goods, services, real estate, or materials for public or private
- 12 land or arranging for the installation of the goods or materials. The
- 13 Professional Landscape Architects Act also does not prevent a landscape
- 14 designer or any person or firm registered under the Contractor
- 15 Registration Act from engaging in, for a fee, the design of spaces
- 16 utilizing plant materials and ancillary paving and building materials or
- 17 arranging for or engaging in the installation of the materials.".

**LEGISLATIVE BILL 682.** Placed on General File with amendment.

AM2321

- 1 1. On page 3, line 8, after the period insert "This subdivision does
- 2 not apply to a lease of residential rental property in which a spouse of
- 3 a servicemember is a tenant in such residential rental property and
- 4 government-owned or leased housing is not available to such spouse.".
- 5 2. On page 4, after line 4 insert the following new subsection:
- 6 "(8) In the case of a lease described in subdivision (2)(f) of this
- 7 section that provides for monthly payment of rent, termination of the
- 8 lease is effective thirty days after the first date on which the next
- 9 rental payment is due and payable after the date on which the notice of
- 10 termination under subsection (3) of this section is delivered. In the
- 11 case of any other lease described in subdivision (2)(f) of this section,
- 12 termination of the lease is effective on the last day of the month
- 13 following the month in which the notice of termination is delivered.".

**LEGISLATIVE BILL 825.** Placed on General File with amendment.

AM2287

- 1 1. Strike original section 1.
- 2 2. On page 6, lines 15 through 17, reinstate the stricken matter; in
- 3 line 19 strike "(3)" and insert "(4)"; in line 25 strike "(4)", show as
- 4 stricken, and insert "(5)"; in line 28 strike "(5)", show as stricken,

- 5 and insert "(6)"; and in line 31 strike "(6)", show as stricken, and  
 6 insert "(7)".  
 7 3. On page 7, line 4, strike "(7)", show as stricken, and insert  
 8 "(8)".  
 9 4. Renumber the remaining sections and correct the repealer  
 10 accordingly.

**LEGISLATIVE BILL 929.** Placed on General File with amendment.  
 AM2350

- 1 1. Strike the original sections and insert the following new  
 2 sections:  
 3 Section 1. The rights of a member of the Nebraska National Guard in  
 4 the State of Nebraska shall include, but not be limited to, the right to:  
 5 (1) Seek employment with state, county, and local government;  
 6 (2) Not have membership in the Nebraska National Guard impact such  
 7 member's right to donate to political parties when not on duty status;  
 8 (3) Participate with state, county, or local government in a law  
 9 enforcement function as prescribed by that government;  
 10 (4) Receive the same protections a law enforcement officer is  
 11 afforded under section 23-3211 if the member is acting as a law  
 12 enforcement officer pursuant to subdivision (3) of this section; and  
 13 (5) Protection of such member's personal information as afforded  
 14 personnel of public bodies pursuant to subdivision (7) of section  
 15 84-712.05.  
 16 Sec. 2. Section 23-3211, Revised Statutes Supplement, 2017, is  
 17 amended to read:  
 18 23-3211 Unless requested in writing, the county assessor and  
 19 register of deeds shall withhold from the public the residential address  
 20 of a law enforcement officer or member of the Nebraska National Guard  
 21 acting pursuant to subdivision (3) of section 1 of this act who applies  
 22 to the county assessor in the county of his or her residence. The  
 23 application shall be in a form prescribed by the county assessor and  
 24 shall include the applicant's name and ; address; and ~~certified law~~  
 25 ~~enforcement identification number of the law enforcement officer and the~~  
 26 parcel identification number for his or her residential address. A law  
 27 enforcement officer shall include his or her law enforcement  
 1 identification number in the application. A member of the Nebraska  
 2 National Guard shall include in the application proof of his or her  
 3 status as a member as prescribed by the county assessor. The county  
 4 assessor shall notify the register of deeds regarding the receipt of a  
 5 complete application. The county assessor and the register of deeds shall  
 6 withhold the address of a law enforcement officer or member of the  
 7 Nebraska National Guard who complies with this section for five years  
 8 after receipt of a complete application. The ~~law enforcement~~ officer or  
 9 member may renew his or her application every five years upon submission  
 10 of an updated application.  
 11 Sec. 3. Original section 23-3211, Revised Statutes Supplement,  
 12 2017, is repealed.

**LEGISLATIVE BILL 1037.** Placed on General File with amendment.  
AM1974

1 1. On page 3, line 12, strike "Abstain", show as stricken, and  
2 insert "Except as otherwise provided in subsection (3) of this section,  
3 abstain"; strike lines 16 through 26 and insert the following new  
4 subsection:  
5 "(3)(a) This section does not prevent a person holding an elective  
6 office of any city, village, or school district from making or  
7 participating in the making of a governmental decision:  
8 (i) To the extent that the individual's participation is legally  
9 required for the action or decision to be made; or  
10 (ii) If the potential conflict of interest is based on a business  
11 association and (A) such business association is an association of cities  
12 and villages or school districts, (B) the city, village, or school  
13 district is a member of such association, and (C) the business  
14 association exists only as the result of such person holding elective  
15 office.  
16 (b) A person subject to subsection (1) of this section who is acting  
17 pursuant to this subsection shall report the occurrence as provided in  
18 subdivisions (1)(a)(i) and (ii) of this section.  
19 (c) A person subject to subsection (2) of this section who is acting  
20 pursuant to this subsection shall report the occurrence as provided in  
21 subdivisions (2)(a)(i) and (ii) of this section."; and in line 27 strike  
22 "(3)", show as stricken, and insert "(4)".

(Signed) John Murante, Chairperson

Business and Labor

**LEGISLATIVE BILL 950.** Placed on General File with amendment.  
AM2359

1 1. On page 2, after line 16, insert the following new paragraph:  
2 "\$112,500 for Tort Claim Number 2015-14391, against the State of  
3 Nebraska, pay to Domina Law Trust for the Estate of Elaine Schmid, Domina  
4 Law, 2425 South 144th Street, Omaha, NE 68144, out of the Roads  
5 Operations Cash Fund."; and in lines 23 and 25 strike "\$1,150,000.00" and  
6 insert "\$1,262,500.00".  
7 2. On page 4, after line 2, insert the following new paragraph:  
8 "\$272,213.00 for a workers' compensation claim, pay to Edward  
9 Rinehart, 704 Westridge Parkway, McCook, NE 69001, out of the Workers'  
10 Compensation Claims Revolving Fund." and in lines 10 and 11 strike  
11 "\$306,250.00"; and insert "\$578,463.00".

**LEGISLATIVE BILL 1096.** Placed on General File with amendment.  
AM1679

1 1. On page 4, line 5, strike "officer" and insert "the Risk  
2 Manager".

(Signed) Joni Albrecht, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**

Health and Human Services

Room 1510

Monday, March 19, 2018 9:00 a.m.

Nebraska Dental Medicaid Briefing Note: Invited Testimony Only  
Nebraska Dental Medicaid Hearing Note: Open for Public Comments  
Heritage Health Quarterly Briefing Note: Invited Testimony Only  
Heritage Health Quarterly Hearing Note: Open for Public Comments

(Signed) Merv Riepe, Chairperson

**GENERAL FILE**

**LEGISLATIVE BILL 589.** Committee AM438, found on page 695, First Session, 2017, and considered on pages 396, 438, 483, and in this day's Journal, was renewed.

Pending.

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

Senator Ebke filed the following amendment to LB299:  
AM2349

(Amendments to Standing Committee amendments, AM1665)

- 1 1. Strike the original sections and all amendments thereto and
- 2 insert the following new sections:
- 3 Section 1. Sections 1 to 16 of this act shall be known and may be
- 4 cited as the Occupational Board Reform Act.
- 5 Sec. 2. For purposes of the Occupational Board Reform Act, the
- 6 definitions in sections 3 to 12 of this act apply.
- 7 Sec. 3. Government certification means a nontransferable
- 8 recognition granted to an individual by an occupational board through a
- 9 voluntary program in which the individual meets personal qualifications
- 10 established by the Legislature. Government certification allows the
- 11 certified individual to use a designated title. An individual who is not
- 12 certified may engage in the lawful occupation but is not allowed to use
- 13 the designated title.
- 14 Sec. 4. Lawful occupation means a course of conduct, a pursuit, or
- 15 a profession that includes the sale of goods or services that are not
- 16 themselves illegal to sell irrespective of whether the individual selling
- 17 them is subject to an occupational regulation.
- 18 Sec. 5. Least restrictive regulation means one of the following
- 19 types of regulation, listed from least restrictive to most restrictive:
- 20 (1) Market competition;
- 21 (2) Third-party or consumer-created ratings and reviews;
- 22 (3) Private certification;



23 (4) Specific private civil cause of action to remedy consumer harm;  
24 (5) Deceptive trade practices under the Uniform Deceptive Trade  
25 Practices Act;  
26 (6) Mandatory disclosure of attributes of the specific goods or  
1 services;  
2 (7) Regulation of the process of providing the specific goods or  
3 services to consumers;  
4 (8) Inspection;  
5 (9) Bonding or insurance;  
6 (10) Registration;  
7 (11) Government certification; and  
8 (12) Occupational license.  
9 Sec. 6. Occupational board means a board, commission, department,  
10 or other entity created by state law which regulates providers through  
11 occupational regulations.  
12 Sec. 7. Occupational license means a nontransferable authorization  
13 in law (1) for an individual to perform exclusively a lawful occupation  
14 for compensation based on meeting personal qualifications established by  
15 the Legislature and (2) which is required in order to legally perform the  
16 lawful occupation for compensation.  
17 Sec. 8. (1) Occupational regulation means a statute, rule,  
18 regulation, practice, policy, or other state law requiring an individual  
19 to possess certain personal qualifications or to comply with registration  
20 requirements to use an occupational title or work in a lawful occupation.  
21 (2) Occupational regulation includes government certification,  
22 registration, and occupational licensure.  
23 (3) Occupational regulation does not include (a) business licensure,  
24 facility licensure, building permit requirements, or zoning and land-use  
25 regulation except to the extent that the same state laws that require a  
26 business license, a facility license, a building permit, or zoning and  
27 land-use regulation also regulate an individual's personal qualifications  
28 to perform a lawful occupation or (b) an occupational license  
29 administered by the Supreme Court.  
30 Sec. 9. Personal qualifications means criteria related to an  
31 individual's personal background and characteristics, including  
1 completion of an approved educational program, satisfactory performance  
2 on an examination, work experience, other evidence of attainment of  
3 requisite skills or knowledge, moral standing, criminal history, and  
4 completion of continuing education.  
5 Sec. 10. Private certification means a nontransferable recognition  
6 granted to an individual by a private organization through a voluntary  
7 program in which the individual meets personal qualifications established  
8 by the private organization.  
9 Sec. 11. Provider means an individual provider of goods or services  
10 engaged in a lawful occupation.  
11 Sec. 12. (1) Registration means a non-transferable registration  
12 granted to an individual under which (a) the individual is required to  
13 give notice to the government that may include the individual's name and  
14 address, the individual's agent for service of process, the location of

15 the activity to be performed, and a description of the service the  
16 individual provides, (b) upon receipt of the notice by the government,  
17 the individual may use the term registered as a designated title to  
18 engage in a lawful occupation, and (c) such notice is required to engage  
19 in the lawful occupation for compensation and is required in order to use  
20 the term registered as a designated title to engage in the lawful  
21 occupation.

22 (2) Registration does not include any requirements to show personal  
23 qualifications but may require a bond or insurance.

24 (3) Registration is not transferable.

25 Sec. 13. For purposes of the Occupational Board Reform Act:

26 (1) Government certification and registration are not synonymous  
27 with occupational licensure;

28 (2) When the terms certification and certified are used outside of  
29 the Occupational Board Reform Act to mean a requirement that an  
30 individual meet certain personal qualifications to work legally, those  
31 terms in that context shall be interpreted for purposes of the  
1 Occupational Board Reform Act as requiring an individual to meet the  
2 requirements for an occupational license; and

3 (3) When the terms registration and registered are used outside of  
4 the Occupational Board Reform Act to mean a requirement that an  
5 individual meet certain personal qualifications to work legally, those  
6 terms in that context shall be interpreted for purposes of the  
7 Occupational Board Reform Act as requiring an individual to meet the  
8 requirements for an occupational license.

9 Sec. 14. (1) Occupational regulations shall be construed and  
10 applied to increase economic opportunities, promote competition, and  
11 encourage innovation.

12 (2) It is the policy of the State of Nebraska:

13 (a) To protect the fundamental right of an individual to pursue a  
14 lawful occupation;

15 (b) To use the least restrictive regulation which is necessary to  
16 protect consumers from present, significant, and substantiated harms that  
17 clearly threaten or endanger the health, safety, or welfare of the public  
18 when competition alone is not sufficient and which is consistent with the  
19 public interest;

20 (c) To enforce an occupational regulation against an individual only  
21 to the extent that the individual sells goods and services that are  
22 included explicitly in the statute that governs the lawful occupation's  
23 scope of practice; and

24 (d) To provide ongoing legislative review of occupational  
25 regulations and related legislation.

26 Sec. 15. (1) The fundamental right of an individual to pursue an  
27 occupation includes the right of an individual with a criminal history to  
28 obtain an occupational license, government certification, or state  
29 recognition of the individual's personal qualifications.

30 (2)(a) An individual who has a criminal conviction may petition the  
31 appropriate occupational board at any time, including prior to obtaining  
1 required education or paying any fee, for a determination as to whether

2 the individual's criminal conviction would disqualify the individual from  
3 obtaining an occupational license, government certification, or state  
4 recognition of the individual's personal qualifications from that  
5 occupational board.

6 (b) The individual may include with the petition additional  
7 information about the individual's current circumstances, including the  
8 time since the offense, completion of the criminal sentence, other  
9 evidence of rehabilitation, testimonials, employment history, and  
10 employment aspirations.

11 (3) Upon receipt of a petition under subsection (2) of this section  
12 and a fee if required under subsection (7) of this section, the  
13 appropriate occupational board shall make a determination of whether the  
14 individual's criminal conviction would disqualify the individual from  
15 obtaining an occupational license, government certification, or state  
16 recognition of the individual's personal qualifications from that  
17 occupational board.

18 (4) The occupational board shall issue its determination in writing  
19 within ninety days after receiving a petition under subsection (2) of  
20 this section. The determination shall include findings of fact and  
21 conclusions of law. If the occupational board determines that the  
22 individual's criminal conviction would disqualify the individual, the  
23 occupational board may advise the individual of any action the individual  
24 may take to remedy the disqualification. If the occupational board finds  
25 that the individual has been convicted of a subsequent felony, the  
26 occupational board may rescind a determination upon finding that the  
27 subsequent felony conviction would be disqualifying under subsection (3)  
28 of this section.

29 (5) The individual may appeal the determination of the occupational  
30 board. The appeal shall be in accordance with the Administrative  
31 Procedure Act.

1 (6) An individual shall not file another petition under this section  
2 with the same occupational board within two years after the final  
3 decision on the previous petition, except that if the individual has  
4 taken action to remedy the disqualification as advised by the  
5 occupational board, the individual may file another petition under this  
6 section with the same occupational board six months after the final  
7 decision on the previous petition.

8 (7) An occupational board may charge a fee not to exceed one hundred  
9 dollars for each petition filed pursuant to this section. The fee is  
10 intended to offset the administrative costs incurred under this section.

11 Sec. 16. (1) Beginning in 2019, each standing committee of the  
12 Legislature shall annually review and analyze approximately twenty  
13 percent of the occupational regulations within the jurisdiction of the  
14 committee and prepare and submit an annual report electronically to the  
15 Clerk of the Legislature by December 15 of each year as provided in this  
16 section. Each committee shall complete this process for all occupational  
17 regulations within its jurisdiction within five years and every five  
18 years thereafter. Each report shall include the committee's  
19 recommendations regarding whether the occupational regulations should be

- 20 terminated, continued, or modified.
- 21 (2) Each committee may require the submission of information by the  
22 affected occupational board and other affected or interested parties.
- 23 (3) A committee's report shall include, but not be limited to, the  
24 following:
- 25 (a) The title of the regulated occupation and the name of the  
26 occupational board responsible for enforcement of the occupational  
27 regulations;
- 28 (b) The statutory citation or other authorization for the creation  
29 of the occupational regulations and occupational board;
- 30 (c) The number of members of the occupational board and how the  
31 members are appointed;
- 1 (d) The qualifications for membership on the occupational board;
- 2 (e) The number of times the occupational board is required to meet  
3 during the year and the number of times it actually met;
- 4 (f) Annual budget information for the occupational board for the  
5 five most recently completed fiscal years;
- 6 (g) For the immediately preceding five calendar years, or for the  
7 period of time less than five years for which the information is  
8 practically available, the number of government certifications,  
9 occupational licenses, and registrations the occupational board has  
10 issued, revoked, denied, or assessed penalties against, listed separately  
11 per type of credential, and the reasons for such revocations, denials,  
12 and other penalties;
- 13 (h) A review of the basic assumptions underlying the creation of the  
14 occupational regulations;
- 15 (i) A statement from the occupational board on the effectiveness of  
16 the occupational regulations; and
- 17 (j) A comparison of whether and how other states regulate the  
18 occupation.
- 19 (4) Each committee shall also analyze, and include in its report,  
20 whether the occupational regulations meet the policies stated in section  
21 14 of this act according to the following recommended courses of action  
22 for meeting such policies:
- 23 (a) If the need is to protect consumers against fraud, the likely  
24 recommendation will be to strengthen powers under the Uniform Deceptive  
25 Trade Practices Act or require disclosures that will reduce misleading  
26 attributes of the specific goods or services;
- 27 (b) If the need is to protect consumers against unclean facilities  
28 or to promote general health and safety, the likely recommendation will  
29 be to require periodic inspections of such facilities;
- 30 (c) If the need is to protect consumers against potential damages  
31 from failure by providers to complete a contract fully or up to  
1 standards, the likely recommendation will be to require that providers be  
2 bonded;
- 3 (d) If the need is to protect a person who is not party to a  
4 contract between the provider and consumer, the likely recommendation  
5 will be to require that the provider have insurance;
- 6 (e) If the need is to protect consumers against potential damages by

7 transient providers, the likely recommendation will be to require that  
8 providers register their businesses with the Secretary of State;  
9 (f) If the need is to protect consumers against a shortfall or  
10 imbalance of knowledge about the goods or services relative to the  
11 providers' knowledge, the likely recommendation will be to enact  
12 voluntary government certification; and  
13 (g) If the need is to address a systematic information shortfall  
14 such that a reasonable consumer is unable to distinguish between the  
15 quality of providers, there is an absence of institutions that provide  
16 guidance to the consumer, and the consumer's inability to distinguish  
17 between providers and the lack of guidance allows for present,  
18 significant, and substantiated harms, the likely recommendation will be  
19 to enact an occupational license.  
20 (5) In developing recommendations under this section, the committee  
21 shall review any report issued to the Legislature pursuant to the  
22 Nebraska Regulation of Health Professions Act, if applicable, and  
23 consider any findings or recommendations of such report related to the  
24 occupational regulations under review.

25 (6) If the Legislature finds that it is necessary to regulate an  
26 occupation or change occupational regulations, the Legislature shall  
27 enact the least restrictive regulation consistent with the public  
28 interest and the policies in this section and section 14 of this act.  
29 Sec. 17. Section 84-901.02, Revised Statutes Cumulative Supplement,  
30 2016, is amended to read:

31 84-901.02 The Legislature finds that:

- 1 (1) The regulatory authority given to agencies has a significant
- 2 impact on the people of the state;
- 3 (2) When agencies create substantive standards by which Nebraskans
- 4 are expected to abide, it is essential that those standards be adopted
- 5 through the rules and regulations process to enable the public to be
- 6 aware of the standards and have an opportunity to participate in the
- 7 approval or repeal process; ~~and~~
- 8 (3) Agencies should be encouraged to advise the public of current
- 9 opinions, interpretations, approaches, and likely courses of action by
- 10 means of guidance documents; ~~and~~ -
- 11 (4) Oversight of the regulatory authority over occupations and
- 12 professions given to agencies is required to ensure respect for the
- 13 fundamental right of an individual to pursue an occupation.

14 Sec. 18. Section 84-907.06, Revised Statutes Supplement, 2017, is  
15 amended to read:

16 84-907.06 Whenever an agency proposes to adopt, amend, or repeal a  
17 rule or regulation, the agency shall (1) at least thirty days before the  
18 public hearing, when notice of a proposed rule or regulation is sent out,  
19 or (2) at the same time the agency requests approval from the Governor  
20 for an emergency rule or regulation under section 84-901.04, ~~the agency~~  
21 ~~shall~~ send to the Executive Board of the Legislative Council for purposes  
22 of section 84-907.07 if applicable, to the Executive Board of the  
23 Legislative Council to be forwarded to the relevant standing committee of  
24 the Legislature for purposes of the Occupational Board Reform Act if

25 ~~applicable~~, and to the Secretary of State to be made available to the  
 26 public by means which include, but are not limited to, publication on the  
 27 Secretary of State's web site, if applicable, the following information:  
 28 ~~A (a)~~ a copy of the hearing notice required by section 84-907; ~~(b)~~ a  
 29 draft copy of the rule or regulation; ~~;~~ and ~~(e)~~ the information provided  
 30 to the Governor pursuant to section 84-907.09.  
 31 Sec. 19. Section 84-910, Reissue Revised Statutes of Nebraska, is  
 1 amended to read:  
 2 84-910 On or before July 1 of each year, each agency shall notify  
 3 the Legislative Performance Audit Committee and the Executive Board of  
 4 the Legislative Council for purposes of the Occupational Board Reform  
 5 Act, if applicable, of the status of all rules and regulations pending  
 6 before the agency which have not been adopted and promulgated. If the  
 7 executive board receives a notification pursuant to this section, the  
 8 executive board shall forward the notification to the standing committee  
 9 of the Legislature with jurisdiction over the rules and regulations. If  
 10 an additional appropriation was made with respect to legislation enacted  
 11 to provide funding for or additional staff to implement a program for  
 12 which rules and regulations are required to be adopted, the notification  
 13 shall include what the funding has been used for and what functions the  
 14 staff have been performing while such rules and regulations are pending.  
 15 The format of the notification shall be established by the Legislative  
 16 Performance Audit Committee ~~committee no later than June 1, 2011~~, and  
 17 shall be updated periodically thereafter.  
 18 Sec. 20. Section 84-920, Revised Statutes Cumulative Supplement,  
 19 2016, is amended to read:  
 20 84-920 Sections 84-901 to 84-920 and the Occupational Board Reform  
 21 Act shall be known and may be cited as the Administrative Procedure Act.  
 22 Sec. 21. This act becomes operative on January 1, 2019.  
 23 Sec. 22. Original section 84-910, Reissue Revised Statutes of  
 24 Nebraska, sections 84-901.02 and 84-920, Revised Statutes Cumulative  
 25 Supplement, 2016, and section 84-907.06, Revised Statutes Supplement,  
 26 2017, are repealed.

Senator Chambers filed the following amendment to LB873:  
 AM2370

(Amendments to Standing Committee amendments, AM2065)

1 1. Insert the following new section:  
 2 Sec. 342. Section 90-106, Reissue Revised Statutes of Nebraska, is  
 3 amended to read:  
 4 90-106 The official slogan and official symbol, either separately or  
 5 in conjunction with each other, shall be used by all agencies of the  
 6 state whenever appropriate in the promotion of the state. ~~They shall be~~  
 7 ~~imprinted on all state letterheads and the reverse side of all mailing~~  
 8 ~~envelopes as new supplies are acquired.~~  
 9 2. Renumber the remaining sections and correct the repealer and  
 10 internal references accordingly.

**RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 344.** Introduced by Linehan, 39.

WHEREAS, the Douglas County West Community Schools Robotics Team, Fuzzy Wuzzy 2.0, has achieved international recognition by winning the 2017 World Robot Conference Championship in Beijing; and

WHEREAS, Coach Dan Maline and team members Troy Ogden, Jay Goldapp, Dillon Saathoff, and Avery Hoffman endeavored to achieve a long-held goal to compete in an international competition; and

WHEREAS, Team Fuzzy Wuzzy 2.0 competed against 46 teams from across the globe; and

WHEREAS, all of the members of Team Fuzzy Wuzzy 2.0 worked together to succeed in their goals, leaving the competition not only as the best team in the United States, but as the best overall; and

WHEREAS, their fellow students and community have recognized and rallied around these students to honor their achievement; and

WHEREAS, the Legislature recognizes the accomplishments of Team Fuzzy Wuzzy 2.0 and the success they have brought their country, state, community, and school.

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

1. That the Legislature congratulates the Douglas County West Community Schools Robotics Team, Team Fuzzy Wuzzy 2.0, on their victory in the 2017 World Robot Conference Championship.

2. That copies of this resolution be sent to the Douglas County West Community Schools Robotics Team, Coach Dan Maline, and Team Fuzzy Wuzzy 2.0 members Troy Ogden, Jay Goldapp, Dillon Saathoff, and Avery Hoffman.

Laid over.

**GENERAL FILE**

**LEGISLATIVE BILL 589.** Senator Chambers offered the following motion:

MO252

Recommit to the Judiciary Committee.

**SPEAKER SCHEER PRESIDING**

Senator Chambers moved for a call of the house. The motion prevailed with 16 ayes, 2 nays, and 31 not voting.

Senator Chambers requested a roll call vote on the motion to recommit to committee.

Voting in the affirmative, 12:

Albrecht	Krist	Pansing Brooks	Vargas
Brasch	Linehan	Schumacher	Wayne
Erdman	Lowe	Thibodeau	Williams

Voting in the negative, 25:

Baker	Clements	Halloran	Kolterman	Scheer
Blood	Crawford	Hansen	Lindstrom	Smith
Bostelman	Ebke	Hilgers	McDonnell	Walz
Brewer	Geist	Hilkemann	Quick	Watermeier
Briese	Groene	Kolowski	Riepe	Wishart

Present and not voting, 3:

Chambers	Harr	McCollister
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Excused and not voting, 9:

Bolz	Howard	Kuehn	Morfeld	Stinner
Friesen	Hughes	Larson	Murante	

The Chambers motion to recommit to committee failed with 12 ayes, 25 nays, 3 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Senator Chambers offered the following motion:

MO253

Reconsider the vote taken to recommit to committee.

Pending.

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

Transportation and Telecommunications

**LEGISLATIVE BILL 1011.** Placed on General File.

(Signed) Curt Friesen, Chairperson

### **RESOLUTION(S)**

**LEGISLATIVE RESOLUTION 345.** Introduced by Linehan, 39; Hilkemann, 4; Kolowski, 31.

WHEREAS, the Elkhorn High School Antlers won the 2018 Class B Girls' State Basketball Championship by defeating South Sioux City 67-60; and

WHEREAS, the Elkhorn Antlers defeated York 42-30 in the first-round game at state and Elkhorn South in the semi-finals 51-40; and



WHEREAS, standout senior Brooke "the Bear" Carlson scored twenty-seven points in the championship game, with ten rebounds and nine of ten free throws, leading the Antlers to victory; and

WHEREAS, the Antlers made sixteen consecutive free throws, ending the game with twenty-seven made free throws out of thirty-three attempts; and

WHEREAS, this is the first girls' basketball state title for the Elkhorn Antlers since 1985; and

WHEREAS, the Elkhorn Antlers, their supporters, and even opposing teams and their supporters wore purple throughout the Class B championship games in support of Antlers Assistant Coach Ben Meyer and his wife, Lisa, who suffered the loss of their premature daughter, Logan, on February 24, 2018; and

WHEREAS, the Legislature recognizes the academic, athletic, and artistic achievements of the youth of our state.

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

1. That the Legislature congratulates the Elkhorn High School Antlers on winning the 2018 Class B Girls' State Basketball Championship.

2. That a copy of this resolution be sent to the Elkhorn High School girls' basketball team, Head Coach Jennifer Wragge, Assistant Coaches Ben Meyer and Jeanne Houchin, Freshman Coach Hanna Blum, Volunteer Coaches Gene Kruger and Paige Eicher, and Athletic Trainer Whitney Vessar.

Laid over.

### **VISITORS**

Visitors to the Chamber were 35 high school students from Elwood; Mallory Harper from Omaha, Eric Harper from Tennessee, and Timothy Hankins from Tennessee; Senator Kolowski's wife, Bonnie, from Omaha, and grandson and granddaughter, Owen and Gwen, from Loveland, CO; and Rikki and Ezekiel Moore from Eagle.

The Doctor of the Day was Dr. Blake Cover from Omaha.

### **ADJOURNMENT**

At 5:30 p.m., on a motion by Senator Lindstrom, the Legislature adjourned until 9:00 a.m., Tuesday, March 13, 2018.

Patrick J. O'Donnell  
Clerk of the Legislature

