

THIRTY-SECOND DAY - FEBRUARY 27, 2019

LEGISLATIVE JOURNAL

**ONE HUNDRED SIXTH LEGISLATURE
FIRST SESSION**

THIRTY-SECOND DAY

Legislative Chamber, Lincoln, Nebraska
Wednesday, February 27, 2019

PRAYER

The prayer was offered by Pastor Jonathan Painter, Lincoln Baptist Church.

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 Kolterman who was excused; and Senators Cavanaugh, Hunt, Linehan, and Vargas who were excused until they arrive.

CORRECTIONS FOR THE JOURNAL

The Journal for the thirty-first day was approved.

ANNOUNCEMENT(S)

Priority designation(s) received:

Linehan - LB670

NOTICE OF COMMITTEE HEARING(S)

Judiciary

Warner Chamber

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

Don Arp Jr. - Nebraska Crime Commission

(Signed) Steve Lathrop, Chairperson

Health and Human Services

Room 1510

Wednesday, March 6, 2019 1:00 p.m.

Office of Inspector General of Nebraska Child Welfare and Foster Care
Review Board Briefing

Wednesday, March 6, 2019 1:30 p.m.

LB59
LB518

Thursday, March 7, 2019 1:00 p.m.

Child Welfare Briefing

Thursday, March 7, 2019 1:30 p.m.

Lynette Kramer - Nebraska Rural Health Advisory Commission
LB460
LB328
LB332

Wednesday, March 13, 2019 1:30 p.m.

Laeth Nasir - Nebraska Rural Health Advisory Commission
LB654
LB541
LB559

Thursday, March 14, 2019 1:00 p.m.

Division of Public Health Briefing

Thursday, March 14, 2019 1:30 p.m.

Roger A. Wells - Nebraska Rural Health Advisory Commission
LB62
LB555
LB692

Friday, March 15, 2019 1:30 p.m.

Rebecca A. Schroeder - Nebraska Rural Health Advisory Commission
LB653
LB528

Wednesday, March 20, 2019 1:00 p.m.

Randy Boldt - Board of Emergency Medical Services
John Bonta - Board of Emergency Medical Services
Karen Bowlin - Board of Emergency Medical Services
Ann Fiala - Board of Emergency Medical Services
Michael Miller - Board of Emergency Medical Services
Carl Rennerfeldt - Board of Emergency Medical Services

Wednesday, March 20, 2019 1:30 p.m.

LB135
LB701
LB347

Thursday, March 21, 2019 1:00 p.m.

Dannette R. Smith - Department of Health and Human Services

Thursday, March 21, 2019 1:30 p.m.

LB629
LB735

Wednesday, March 27, 2019 1:00 p.m.

Health Care Cash Fund Briefing

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

LB244
LB499

(Signed) Sara Howard, Chairperson

AMENDMENT(S) - Print in Journal

Senator Walz filed the following amendment to LB449:

AM349

1 1. Strike the original sections and insert the following new
2 sections:
3 Section 1. Section 38-178, Reissue Revised Statutes of Nebraska, is
4 amended to read:
5 38-178 Except as otherwise provided in sections 38-1,119 to
6 38-1,123, a credential to practice a profession may be denied, refused
7 renewal, or have other disciplinary measures taken against it in
8 accordance with section 38-185 or 38-186 on any of the following grounds:
9 (1) Misrepresentation of material facts in procuring or attempting
10 to procure a credential;

- 11 (2) Immoral or dishonorable conduct evidencing unfitness to practice
 12 the profession in this state;
- 13 (3) Abuse of, dependence on, or active addiction to alcohol, any
 14 controlled substance, or any mind-altering substance;
- 15 (4) Failure to comply with a treatment program or an aftercare
 16 program, including, but not limited to, a program entered into under the
 17 Licensee Assistance Program established pursuant to section 38-175;
- 18 (5) Conviction of (a) a misdemeanor or felony under Nebraska law or
 19 federal law, or (b) a crime in any jurisdiction which, if committed
 20 within this state, would have constituted a misdemeanor or felony under
 21 Nebraska law and which has a rational connection with the fitness or
 22 capacity of the applicant or credential holder to practice the
 23 profession;
- 24 (6) Practice of the profession (a) fraudulently, (b) beyond its
 25 authorized scope, (c) with gross incompetence or gross negligence, or (d)
 26 in a pattern of incompetent or negligent conduct;
- 27 (7) Practice of the profession while the ability to practice is
 1 impaired by alcohol, controlled substances, drugs, mind-altering
 2 substances, physical disability, mental disability, or emotional
 3 disability;
- 4 (8) Physical or mental incapacity to practice the profession as
 5 evidenced by a legal judgment or a determination by other lawful means;
- 6 (9) Illness, deterioration, or disability that impairs the ability
 7 to practice the profession;
- 8 (10) Permitting, aiding, or abetting the practice of a profession or
 9 the performance of activities requiring a credential by a person not
 10 credentialed to do so;
- 11 (11) Performing or offering to perform scleral tattooing as defined
 12 in section 4 of this act by a person not credentialed to do so;
- 13 ~~(12)~~ ~~(41)~~ Having had his or her credential denied, refused renewal,
 14 limited, suspended, revoked, or disciplined in any manner similar to
 15 section 38-196 by another state or jurisdiction based upon acts by the
 16 applicant or credential holder similar to acts described in this section;
- 17 ~~(13)~~ ~~(42)~~ Use of untruthful, deceptive, or misleading statements in
 18 advertisements, including failure to comply with section 38-124;
- 19 ~~(14)~~ ~~(43)~~ Conviction of fraudulent or misleading advertising or
 20 conviction of a violation of the Uniform Deceptive Trade Practices Act;
- 21 ~~(15)~~ ~~(44)~~ Distribution of intoxicating liquors, controlled
 22 substances, or drugs for any other than lawful purposes;
- 23 ~~(16)~~ ~~(45)~~ Violations of the Uniform Credentialing Act or the rules
 24 and regulations relating to the particular profession;
- 25 ~~(17)~~ ~~(46)~~ Unlawful invasion of the field of practice of any
 26 profession regulated by the Uniform Credentialing Act which the
 27 credential holder is not credentialed to practice;
- 28 ~~(18)~~ ~~(47)~~ Violation of the Uniform Controlled Substances Act or any
 29 rules and regulations adopted pursuant to the act;
- 30 ~~(19)~~ ~~(48)~~ Failure to file a report required by section 38-1,124,
 31 38-1,125, or 71-552;
- 1 ~~(20)~~ ~~(49)~~ Failure to maintain the requirements necessary to obtain a

2 credential;
3 ~~(21)~~ ~~(20)~~ Violation of an order issued by the department;
4 ~~(22)~~ ~~(21)~~ Violation of an assurance of compliance entered into under
5 section 38-1,108;
6 ~~(23)~~ ~~(22)~~ Failure to pay an administrative penalty;
7 ~~(24)~~ ~~(23)~~ Unprofessional conduct as defined in section 38-179; or
8 ~~(25)~~ ~~(24)~~ Violation of the Automated Medication Systems Act.
9 Sec. 2. Section 38-180, Reissue Revised Statutes of Nebraska, is
10 amended to read:
11 38-180 For purposes of subdivision ~~(12)~~ ~~(11)~~ of section 38-178, a
12 certified copy of the record of denial, refusal of renewal, limitation,
13 suspension, or revocation of a license, certificate, registration, or
14 other similar credential or the taking of other disciplinary measures
15 against it by another state or jurisdiction shall be conclusive evidence
16 of a violation.
17 Sec. 3. Section 38-1001, Revised Statutes Cumulative Supplement,
18 2018, is amended to read:
19 38-1001 Sections 38-1001 to 38-10,171 and section 4 of this act
20 shall be known and may be cited as the Cosmetology, Electrology,
21 Esthetics, Nail Technology, and Body Art Practice Act.
22 Sec. 4. (1) For purposes of this section, scleral tattooing means
23 the practice of using needles, scalpels, or other related equipment to
24 produce an indelible mark or figure on the human eye by scarring or
25 inserting a pigment on, in, or under:
26 (a) The fornix conjunctiva;
27 (b) The bulbar conjunctiva;
28 (c) The ocular conjunctiva; or
29 (d) Another ocular surface.
30 (2) Except as provided in subsection (3) of this section, a person
31 shall not perform or offer to perform scleral tattooing on another
1 person.
2 (3) This section does not apply to a person licensed to practice
3 medicine and surgery or osteopathic medicine and surgery pursuant to the
4 Uniform Credentialing Act when the licensee is performing a procedure
5 within the scope of her or his practice.
6 (4) In addition to the remedies authorized in section 38-140 or
7 38-1,124, a person who performs scleral tattooing without being
8 authorized to do so under the Uniform Credentialing Act shall be subject
9 to a civil penalty not to exceed ten thousand dollars for each violation.
10 If a violation continues after notification, this constitutes a separate
11 offense. The civil penalties shall be assessed in a civil action brought
12 for such purpose by the Attorney General in the district court of the
13 county in which the violation occurred. Any civil penalty assessed and
14 unpaid under this section shall constitute a debt to the State of
15 Nebraska which may be collected in the manner of a lien foreclosure or
16 sued for and recovered in any proper form of action in the name of the
17 State of Nebraska in the district court of the county in which the
18 violation resides or owns property. The department may also collect in
19 such action attorney's fees and costs incurred in the collection of the

20 civil penalty. The department shall, within thirty days after receipt,
 21 transmit any collected civil penalty to the State Treasurer to be
 22 disposed of in accordance with Article VII, section 5, of the
 23 Constitution of Nebraska.

24 Sec. 5. Section 38-2894, Reissue Revised Statutes of Nebraska, is
 25 amended to read:

26 38-2894 (1) A registration to practice as a pharmacy technician may
 27 be denied, refused renewal, removed, or suspended or have other
 28 disciplinary measures taken against it by the department, with the
 29 recommendation of the board, for failure to meet the requirements of or
 30 for violation of any of the provisions of subdivisions (1) through ~~(18)~~
 31 ~~(17)~~ and ~~(20)~~ ~~(19)~~ through ~~(25)~~ ~~(24)~~ of section 38-178 and sections
 1 38-2890 to 38-2897 or the rules and regulations adopted under such
 2 sections.

3 (2) If the department proposes to deny, refuse renewal of, or remove
 4 or suspend a registration, it shall send the applicant or registrant a
 5 notice setting forth the action to be taken and the reasons for the
 6 determination. The denial, refusal to renew, removal, or suspension shall
 7 become final thirty days after mailing the notice unless the applicant or
 8 registrant gives written notice to the department of his or her desire
 9 for an informal conference or for a formal hearing.

10 (3) Notice may be served by any method specified in section
 11 25-505.01, or the department may permit substitute or constructive
 12 service as provided in section 25-517.02 when service cannot be made with
 13 reasonable diligence by any of the methods specified in section
 14 25-505.01.

15 (4) Pharmacy technicians may participate in the Licensee Assistance
 16 Program described in section 38-175.

17 Sec. 6. Original sections 38-178, 38-180, and 38-2894, Reissue
 18 Revised Statutes of Nebraska, and section 38-1001, Revised Statutes
 19 Cumulative Supplement, 2018, are repealed.

RESOLUTION(S)

LEGISLATIVE RESOLUTION 27. Introduced by Scheer, 19.

WHEREAS, on March 2, 2019, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Jennifer and Ray O'Connor at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Jennifer and Ray O'Connor have transformed Central Nebraska, particularly the Highway 281 corridor in and around Grand Island, into an economic force with amenities that attract talent and business to the area. Ray's vision and planning abilities are only exceeded by his genuine humility and generosity. Ray has resurrected motels, restaurants, and storefronts from near failure to fabulous success. Jennifer's tireless volunteer work with local charitable organizations is renowned; and

WHEREAS, Jennifer graduated from Grand Island Senior High School and from the University of Nebraska at Kearney with a Bachelor of Science in business administration; and

WHEREAS, Ray graduated from Bishop Heelan Catholic High School in Sioux City, Iowa, and attended Wayne State College before enlisting in the U.S. Army to serve in Vietnam, returning to finish college and earn a Master of Social Work degree at the University of Nebraska-Lincoln; and

WHEREAS, Jennifer and Ray met in Grand Island where she served as recreation director at the Grand Island Veterans Home. They married in 1975, forming a formidable team; and

WHEREAS, Ray succeeded in founding the Olympic Village Shoe Store, rehabilitating a failing Wendy's restaurant and turning it into the 8th best Wendy's in the world, partnering in other restaurants, and creating a thriving real estate business; and

WHEREAS, Jennifer has served her community as a trustee for the Catholic Diocese of Grand Island and volunteers extensively to organize and raise funds to make the State Fair in Grand Island a great success; and

WHEREAS, Ray has served his community through the Grand Island Economic Development Corporation, Heartland Event Center, the Grow Grand Island Initiative, Central Community College Foundation, the Grand Island Chamber of Commerce, and the Hall County Convention and Visitors Bureau; and

WHEREAS, Jennifer and Ray have three children, Ryan, Sean, and Kelli, and six grandchildren.

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

1. That the Legislature congratulates Jennifer and Ray O'Connor as recipients of the Distinguished NEBRASKAlander Award and extends its appreciation for their service to the State of Nebraska.
2. That a copy of this resolution be sent to Jennifer and Ray O'Connor.

Laid over.

LEGISLATIVE RESOLUTION 28. Introduced by Scheer, 19.

WHEREAS, on March 2, 2019, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Ernest "Ernie" Weyeneth at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Ernie Weyeneth uses his financial investment expertise in many ways to serve Nebraska. Most notable is his leadership of the Richard P. Kimmel and Laurine Kimmel Charitable Foundation and his membership on the University of Nebraska Foundation Board of Trustees; and

WHEREAS, Ernie was born in McCook and raised on the farm, attended a country school before moving to McCook and graduating from McCook High School and McCook Community College. At the University of

Nebraska at Lincoln he earned a bachelor's degree in business administration with an emphasis in finance; and

WHEREAS, Ernie is a Vietnam veteran. He served in the United States Navy as a Hospital Corpsman and later in the U.S. Marine Corps, Second Marine Air Wing, as a Corpsman; and

WHEREAS, Ernie has worked in the investment business for over 45 years leading to his current position as Portfolio Manager and Senior Vice President at Stifel Financial; and

WHEREAS, Ernie has served as the President of the Richard P. Kimmel and Laurine Kimmel Charitable Foundation since 1986, directing programs and awarding grants emphasizing education, agriculture, art, and the humanities in Nebraska. In addition, the Foundation operates the Kimmel Harding Nelson Center for the Arts, an artist residency center in Nebraska City; and

WHEREAS, Ernie created the Kimmel Orchard and Vineyard Educational Foundation in 2011. The Foundation operates the historic Kimmel Orchard in Nebraska City, which was founded in 1925. The Foundation is dedicated to agricultural education research and historic preservation and provides a wholesome family experience. The Orchard also has a long-standing partnership with the University of Nebraska; and

WHEREAS, Ernie belongs to several civic and philanthropic organizations including the University of Nebraska Foundation Board of Trustees, the Optimist Club of Lincoln, the American Legion Post 276, Danbury, Nebraska, and is a member of First Plymouth Congregational Church. Over the years Ernie has received numerous recognitions and awards for both his professional work and civic involvement; and

WHEREAS, family has always been important to Ernie who has two sons, Len and Phil, and five grandsons.

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

1. That the Legislature congratulates Ernie Weyeneth as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for his service to the State of Nebraska.

2. That a copy of this resolution be sent to Ernie Weyeneth.

Laid over.

LEGISLATIVE RESOLUTION 29. Introduced by Scheer, 19.

WHEREAS, on March 2, 2019, the NEBRASKAland Foundation will present the Distinguished NEBRASKAlander Award, recognizing Nebraskans who have distinguished themselves and the state, to Dr. Sara Brandes Crook at the annual Statehood Day Dinner held in the Nebraska State Capitol; and

WHEREAS, Dr. Crook grew up on a Nebraska farm, attended a country church and a one-room school where she developed a deep appreciation for Nebraska and its people; and

WHEREAS, Dr. Crook is a graduate of the University of Nebraska and has taught Nebraska history and political science since 1984 as a professor at Peru State College, Nebraska's first college; and

WHEREAS, Dr. Crook has performed her program, "Nebraska's Winding Road to Statehood: In the Footsteps of a Female Settler", over 50 times as part of the Humanities Nebraska Speaker's Bureau; and

WHEREAS, Dr. Crook co-founded the Trails and Tales program, a history course for undergraduate and graduate students in education that includes travel to visit historic Nebraska sites; and

WHEREAS, Dr. Crook is the founder of the District History Day program at Peru State College and has served as the program's director for 33 years; and

WHEREAS, Dr. Crook is an active member in the Nebraska City community and on the campus of Peru State College making local foundations, boards, and civic organizations a priority; and

WHEREAS, Dr. Crook served six years on the Nebraska State Historical Society Board of Directors, two of those years as President, and served six years on the Board for Humanities Nebraska, including one year as Chair; and

WHEREAS, Dr. Crook has served on the Nebraska Hall of Fame Commission since 2009 and is currently working to place a Willa Cather statue at the U.S. Capitol Building in Washington, D.C.; and

WHEREAS, Dr. Crook was elected chair of the Nebraska Sesquicentennial Commission that organized and directed the year-long celebration of Nebraska's 150th anniversary of statehood in 2017; and

WHEREAS, Dr. Crook has received several honors including the P.E.O. Scholar Award, the Teaching Excellence Award from Peru State College, the Teaching Excellence Award from the Nebraska State College system, the 2002-2004 Honors Chair in the Humanities, and Addison Sheldon Memorial Award from the Nebraska State Historical Society; and

WHEREAS, Dr. Crook has lived on a farm in Otoe County with her husband John for the last 34 years. They have two daughters, two sons-in-law, and one granddaughter.

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

1. That the Legislature congratulates Dr. Sara Brandes Crook as a recipient of the Distinguished NEBRASKAlander Award and extends its appreciation for her service to the State of Nebraska.

2. That a copy of this resolution be sent to Dr. Sara Brandes Crook.

Laid over.

LEGISLATIVE RESOLUTION 30. Introduced by Stinner, 48.

WHEREAS, Vera Dulaney served as the Scotts Bluff County Clerk for thirty-six years before retiring in 2018; and

WHEREAS, Vera facilitated the election process in Scotts Bluff County, where voter turnout peaked at seventy-two percent and reached sixty-one percent in a presidential election; and

WHEREAS, Vera was a faithful public servant possessing exceptional institutional knowledge and striving to protect the integrity of elections; and

WHEREAS, Vera also served her community through the West Nebraska Arts Center, the Western and Wildlife Art Show, and as an Oregon Trail Days board member for more than thirty years; and

WHEREAS, Vera received many awards throughout her life including the Community Volunteer Award for Public Service; and

WHEREAS, Vera continues to serve as a mentor for others and advocate for community involvement.

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

1. That the Legislature expresses its appreciation to Vera Dulaney for her service and dedication to Scotts Bluff County.
2. That the Legislature congratulates Vera Dulaney on her retirement.
3. That a copy of this resolution be sent to Vera Dulaney.

Laid over.

LEGISLATIVE RESOLUTION 31. Introduced by Stinner, 48.

WHEREAS, Paul Garcia and Devontae Gutierrez, students on the Scottsbluff High School wrestling team, each captured a first place finish during the 2019 Class B State Wrestling Championship. Paul, a sophomore, won the title in the 113-pound division. Devontae, a senior, won the title in the 145-pound division; and

WHEREAS, Quinton Chavez, a student on the Gering High School wrestling team, captured a first place finish at the 2019 Class B State Wrestling Championship. Quinton, a sophomore, won the title in the 106-pound division; and

WHEREAS, with these first place finishes, Paul and Devontae helped their team finish in the top ten, and Quinton helped his team finish in the top twenty at state; 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 SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

1. That the Legislature congratulates Paul Garcia, Devontae Gutierrez, and Quinton Chavez on their state wrestling championships.
2. That copies of this resolution be sent to Paul Garcia, Devontae Gutierrez, and Quinton Chavez.

Laid over.

BILL ON FINAL READING

The following bill was read and put upon final passage:

LEGISLATIVE BILL 430. With Emergency Clause.

A BILL FOR AN ACT relating to the Tax Equity and Educational Opportunities Support Act; to amend sections 79-1022, 79-1022.02, 79-1023, 79-1027, and 79-1031.01, Revised Statutes Cumulative Supplement, 2018; to change the determination and certification dates relating to the distribution of aid, certification of certain budget limitations as prescribed, and duties of the Appropriations Committee of the Legislature; to eliminate obsolete provisions; to harmonize provisions; to repeal the original sections; and to declare an emergency.

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

Voting in the affirmative, 44:

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

Voting in the negative, 0.

Excused and not voting, 5:

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

PRESIDENT SIGNED

While the Legislature was in session and capable of transacting business, the President signed the following: LB430.

GENERAL FILE

LEGISLATIVE BILL 155. Title read. Considered.

Pending.

ANNOUNCEMENT

Pursuant to Rule 8, Sec. 3, the Appropriations Committee presented its preliminary report on February 27, 2019, summarizing the recommended appropriations for the following biennium.

PRESENTED TO THE GOVERNOR

Presented to the Governor on February 27, 2019, at 9:15 a.m. was the following: LB430e.

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

COMMITTEE REPORT(S)
Banking, Commerce and Insurance

LEGISLATIVE BILL 603. Placed on General File.

(Signed) Matt Williams, Chairperson

NOTICE OF COMMITTEE HEARING(S)
Revenue

Room 1524

Thursday, March 7, 2019 1:30 p.m.

LB279
LB670

(Signed) Lou Ann Linehan, Chairperson

Natural Resources

Room 1525

Wednesday, March 6, 2019 1:30 p.m.

Mary L. Mercure - Niobrara Council
Michael S. Thede - Nebraska Ethanol Board
LB700

Thursday, March 7, 2019 1:30 p.m.

LB367

(Signed) Dan Hughes, Chairperson

COMMITTEE REPORT(S)

Enrollment and Review

LEGISLATIVE BILL 22. Placed on Final Reading.
LEGISLATIVE BILL 60. Placed on Final Reading.
LEGISLATIVE BILL 74. Placed on Final Reading.
LEGISLATIVE BILL 111. Placed on Final Reading.
LEGISLATIVE BILL 200. Placed on Final Reading.
LEGISLATIVE BILL 256. Placed on Final Reading.
LEGISLATIVE BILL 302. Placed on Final Reading.
LEGISLATIVE BILL 307. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

AMENDMENT(S) - Print in Journal

Senator Pansing Brooks filed the following amendment to LB536:
AM316

- 1 1. On page 3, strike beginning with "A" in line 12 through line 13.
- 2 2. On page 8, line 3, strike "(a)(1)" and insert "(b)(1)"; and in
- 3 line 4 strike "trustee" and insert "trust director".

RESOLUTION(S)

LEGISLATIVE RESOLUTION 32. Introduced by Pansing Brooks, 28; Howard, 9; McCollister, 20; Morfeld, 46; Quick, 35; Walz, 15; Williams, 36.

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 cure; and

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

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

WHEREAS, it is estimated that more than 900,000 people in the United States are living with MS, including more than 4,000 people in Nebraska; and

WHEREAS, the National Multiple Sclerosis 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 SIXTH LEGISLATURE OF NEBRASKA, FIRST SESSION:

- 1. That the Legislature recognizes March 2019 as MS Awareness Month in Nebraska.
- 2. That a copy of this resolution be sent to the Mid America Chapter of the National Multiple Sclerosis Society.

Laid over.

COMMUNICATION

Received communication from Thomas L. Williams, MD, Chief Medical Officer, Director, Division of Public Health, Department of Health and Human Services, regarding the reappointment of the following scientist to the Stem Cell Research Advisory Committee:

Dr. Alysson R. Muotri

GENERAL FILE

LEGISLATIVE BILL 155. Considered.

SPEAKER SCHEER PRESIDING

PRESIDENT FOLEY PRESIDING

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

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

Voting in the affirmative, 23:

Albrecht	Dorn	Groene	La Grone	Murman
Bostelman	Erdman	Halloran	Linehan	Slama
Brewer	Friesen	Hansen, B.	Lowe	Stinner
Briese	Geist	Hilgers	McDonnell	
Clements	Gragert	Hughes	Moser	

Voting in the negative, 8:

Hilkemann	Lathrop	Morfeld	Quick
Kolowski	McCollister	Pansing Brooks	Scheer

Present and not voting, 14:

Arch	Brandt	DeBoer	Vargas	Williams
Blood	Cavanaugh	Hansen, M.	Walz	Wishart
Bolz	Crawford	Lindstrom	Wayne	

Absent and not voting, 1:

Chambers

Excused and not voting, 3:

Howard Hunt Kolterman

Failed to advance to Enrollment and Review Initial with 23 ayes, 8 nays, 14 present and not voting, 1 absent and not voting, and 3 excused and not voting.

The Chair declared the call raised.

LEGISLATIVE BILL 309. Senator Chambers renewed his motion, MO17, found on page 611, to reconsider the vote taken to bracket.

Senator Chambers asked unanimous consent to withdraw his motion, MO17, to reconsider the vote. No objections. So ordered.

Senator La Grone offered his amendment, AM471, found on page 612.

Senator La Grone withdrew and refiled his amendment, AM471.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

LEGISLATIVE BILL 309A. Title read. Considered.

Advanced to Enrollment and Review Initial with 35 ayes, 0 nays, 8 present and not voting, and 6 excused and not voting.

COMMITTEE REPORT(S)
Education

LEGISLATIVE BILL 281. Placed on General File.

LEGISLATIVE BILL 6. Placed on General File with amendment.
AM381

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

2 sections:

3 Section 1. Section 85-502, Revised Statutes Cumulative Supplement,

4 2018, is amended to read:

5 85-502 Rules and regulations established by the governing board of
6 each state postsecondary educational institution shall require as a

7 minimum that a person is not deemed to have established a residence in
8 this state, for purposes of sections 85-501 to 85-504, unless:

9 (1) Such person is of legal age or is an emancipated minor and has
10 established a home in Nebraska where he or she is habitually present for
11 a minimum period of one hundred eighty days, with the bona fide intention
12 of making this state his or her permanent residence, supported by
13 documentary proof;

14 (2) The parents, parent, or guardian having custody of a minor
15 registering in the educational institution have established a home in
16 Nebraska where such parents, parent, or guardian are or is habitually
17 present with the bona fide intention to make this state their, his, or
18 her permanent residence, supported by documentary proof. If a student has
19 matriculated in any state postsecondary educational institution while his
20 or her parents, parent, or guardian had an established home in this
21 state, and the parents, parent, or guardian ceases to reside in the
22 state, such student shall not thereby lose his or her resident status if
23 such student has the bona fide intention to make this state his or her
24 permanent residence, supported by documentary proof;

25 (3) Such student is of legal age and is a dependent for federal
26 income tax purposes of a parent or former guardian who has established a
27 home in Nebraska where he or she is habitually present with the bona fide
1 intention of making this state his or her permanent residence, supported
2 by documentary proof;

3 (4) Such student is a nonresident of this state prior to marriage
4 and marries a person who has established a home in Nebraska where he or
5 she is habitually present with the bona fide intention of making this
6 state his or her permanent residence, supported by documentary proof;

7 (5) Except as provided in subdivision (9) of this section, such
8 student, if an alien, has applied to or has a petition pending with the
9 United States Immigration and Naturalization Service to attain lawful
10 status under federal immigration law and has established a home in
11 Nebraska for a period of at least one hundred eighty days where he or she
12 is habitually present with the bona fide intention to make this state his
13 or her permanent residence, supported by documentary proof;

14 (6) Such student is a staff member or a dependent of a staff member
15 of the University of Nebraska, one of the Nebraska state colleges, or one
16 of the community college areas who joins the staff immediately prior to
17 the beginning of a term from an out-of-state location;

18 ~~(7)(a) (7)~~ Such student is on active duty with the armed services of
19 the United States and has been assigned a permanent duty station in
20 Nebraska; or

21 (b) Such student is a spouse or legal dependent of a person who was
22 on active duty with the armed services of the United States assigned to a
23 permanent duty station in Nebraska at the time such student was accepted
24 for admission to the state postsecondary educational institution and such
25 student remains continually enrolled at such state postsecondary
26 educational institution;

27 (8) Such student is currently serving in the Nebraska National
28 Guard; or

29 (9)(a) Such student resided with his or her parent, guardian, or
30 conservator while attending a public or private high school in this state
31 and:

- 1 (i) Graduated from a public or private high school in this state or
2 received the equivalent of a high school diploma in this state;
 - 3 (ii) Resided in this state for at least three years before the date
4 the student graduated from the high school or received the equivalent of
5 a high school diploma;
 - 6 (iii) Registered as an entering student in a state postsecondary
7 educational institution not earlier than the 2006 fall semester; and
 - 8 (iv) Provided to the state postsecondary educational institution an
9 affidavit stating that he or she will file an application to become a
10 permanent resident at the earliest opportunity he or she is eligible to
11 do so.
 - 12 (b) If the parent, guardian, or conservator with whom the student
13 resided ceases to reside in the state, such student shall not lose his or
14 her resident status under this subdivision if the student has the bona
15 fide intention to make this state his or her permanent residence,
16 supported by documentary proof.
- 17 Sec. 2. Original section 85-502, Revised Statutes Cumulative
18 Supplement, 2018, is repealed.

(Signed) Mike Groene, Chairperson

COMMITTEE REPORT(S)
Enrollment and Review

LEGISLATIVE BILL 80. Placed on Final Reading.
LEGISLATIVE BILL 81. Placed on Final Reading.
LEGISLATIVE BILL 192. Placed on Final Reading.
LEGISLATIVE BILL 192A. Placed on Final Reading.

(Signed) Julie Slama, Chairperson

CONFLICT OF INTEREST STATEMENT

Pursuant to Rule 1, Sec. 19, Senator Morfeld has filed a Potential Conflict of Interest Statement under the Nebraska Political Accountability and Disclosure Act. The statement is on file in the Clerk of the Legislature's Office.

AMENDMENT(S) - Print in Journal

Senator Briese filed the following amendment to LB183:
FA17
Amend AM158
Line 14, strike thirty and replace with fifty.

UNANIMOUS CONSENT - Add Cointroducer(s)

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

Senator Halloran name added to LB54.
Senator Clements name added to LB147.
Senator Halloran name added to LB147.
Senator Albrecht name added to LB147.
Senator Brewer name added to LB198.
Senator Dorn name added to LB209.
Senator Brewer name added to LB325.
Senator Brewer name added to LB343.
Senator Lowe name added to LB445.
Senator Halloran name added to LB582.
Senator Wayne name added to LB611.

VISITOR(S)

Visitors to the Chamber were Roberto Castellano from Italy; a group of constituents from Legislative District 43; students from David City and Bellwood; members of the Urban League of Young Professionals; and members from Americans for Prosperity from across the state.

The Doctor of the Day was Dr. Michelle Sell from Columbus.

ADJOURNMENT

At 11:52 a.m., on a motion by Senator Lindstrom, the Legislature adjourned until 9:00 a.m., Thursday, February 28, 2019.

Patrick J. O'Donnell
Clerk of the Legislature