

**FORTIETH DAY - MARCH 6, 2015**  
**LEGISLATIVE JOURNAL**  
**ONE HUNDRED FOURTH LEGISLATURE**  
**FIRST SESSION**  
**FORTIETH DAY**

Legislative Chamber, Lincoln, Nebraska  
Friday, March 6, 2015

**PRAYER**

The prayer was offered by Pastor John Nelson, Mount Olive Lutheran Church, Norfolk.

**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 Senators Bloomfield and Kuehn who were excused.

**CORRECTIONS FOR THE JOURNAL**

The Journal for the thirty-ninth day was approved.

**COMMITTEE REPORT(S)**  
Enrollment and Review

**LEGISLATIVE BILL 37.** Placed on Final Reading.  
ST13

The following changes, required to be reported for publication in the Journal, have been made:

1. In the Standing Committee amendments, AM140, amendment 2 has been struck.
2. On page 1, line 1, "28-411," has been inserted after "sections".
3. On page 8, the matter beginning with "30" in line 29 through "57" in line 30 has been struck and "31, 35, 40, 43, 45, 46, and 55 to 58" inserted.
4. On page 9, lines 5 and 6, "30, 34, and 39" has been struck and "31, 35, and 40" inserted.
5. On page 30, line 29, "58 to 66" has been struck and "59 to 67" inserted.
6. On page 35, line 18, "69 and 70" has been struck and "70 and 71" inserted; and in line 25 "69" has been struck and "70" inserted.
7. On page 36, line 13 "45" has been struck and "46" inserted; and in line 21 "70" has been struck and "71" inserted.
8. On page 41, line 27, "30" has been struck and "31" inserted.

9. On page 42, line 28, "86" has been struck and "87" inserted.

**LEGISLATIVE BILL 46.** Placed on Final Reading.

**LEGISLATIVE BILL 129.** Placed on Final Reading.

(Signed) Matt Hansen, Chairperson

**COMMITTEE REPORT(S)**

Enrollment and Review

**LEGISLATIVE BILL 245.** Placed on Select File with amendment.  
ER46

1 1. On page 1, strike beginning with "the" in line 1 through line 4  
2 and insert "criminal procedure; to amend sections 29-2103 and 29-4120,  
3 Reissue Revised Statutes of Nebraska; to change provisions relating to  
4 motions for new trial and DNA testing of biological material; and to  
5 repeal the original sections."

**LEGISLATIVE BILL 304.** Placed on Select File with amendment.  
ER47

1 1. In the Standing Committee amendments, AM286:  
2 a. On page 1, line 17, strike "and" and insert "and"; and in line  
3 18 after "lot" insert an underscored comma;  
4 b. On page 5, line 18, after the first comma insert "the"; and in  
5 line 27 strike "subdivision" and insert "subsection"; and  
6 c. On page 6, strike beginning with the first comma in line 18  
7 through "and" in line 19 and insert "to".

**LEGISLATIVE BILL 366.** Placed on Select File.

**LEGISLATIVE BILL 366A.** Placed on Select File.

(Signed) Matt Hansen, Chairperson

**COMMITTEE REPORT(S)**

Revenue

**LEGISLATIVE BILL 419.** Placed on General File.

**LEGISLATIVE BILL 538.** Placed on General File.

(Signed) Mike Gloor, Chairperson

**COMMITTEE REPORT(S)**

Natural Resources

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

Norris Marshall - Nebraska Game and Parks Commission

Aye: 7 Friesen, Hughes, Kolowski, Lindstrom, McCollister, Schilz, Schnoor. Nay: 0. Absent: 0. Present and not voting: 1 Johnson.

(Signed) Ken Schilz, Chairperson

**MESSAGE(S) FROM THE GOVERNOR**

March 5, 2015

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

Dear Mr. O'Donnell:

Engrossed Legislative Bills 52, 87, 90, 94, 107, 116, 142e, 142Ae, 194, 241, 252, 260e, 261e, 266, 269, 271, 286e, 301, 305e, 312, and 314 were received in my office on February 27, 2015.

These bills were signed and delivered to the Secretary of State on March 5, 2015.

Sincerely,  
(Signed) Pete Ricketts  
Governor

PR/lhk

**ANNOUNCEMENT(S)**

Senator Krist designates LB15 as his priority bill.

The Urban Affairs Committee designates LB152 and LB324 as its priority bills.

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

Senator Watermeier filed the following amendment to LB106:  
AM698

(Amendments to Standing Committee amendments, AM521)

- 1 1. Strike section 1.
- 2 2. Renumber the remaining sections and correct internal references
- 3 accordingly.

Senator Watermeier filed the following amendment to LB106:  
AM643

- 1 1. Strike original section 1.
- 2 2. Renumber the remaining sections and correct internal references
- 3 and the repealer accordingly.

**REPORTS**

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

**REPORT OF REGISTERED LOBBYISTS**

Following is a list of all lobbyists who have registered as of March 5, 2015, in accordance with Section 49-1481, Revised Statutes of Nebraska. Additional lobbyists who have registered will be filed weekly.

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

Christensen, Graham  
Burt County Wind, LLC  
Eash, Matthew  
Nebraska School Finance Strategies, Inc.  
Johnson, Kevin  
AstraZeneca Pharmaceuticals (Withdrawn 03/03/2015)  
Jones, Johnny D.  
Little Priest Tribal College  
Kissel/E&S Associates, LLC  
Council of State Governments - Justice Center  
Kaplan Higher Education in NE  
Lancaster County Agricultural Society, Inc.  
Hunzeker, Mark A.  
Rath, Douglas and Kimberly

**UNANIMOUS CONSENT - Room Change**

Senator B. Harr asked unanimous consent that the Business and Labor Committee conduct its hearing on March 9, 2015, in Room 1510 instead of Room 2102. No objections. So ordered.

**BILLS ON FINAL READING**

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 45.**

A BILL FOR AN ACT relating to the Motor Vehicle Registration Act; to amend sections 60-366 and 60-3,104, Revised Statutes Cumulative Supplement, 2014; to change and eliminate provisions regarding film vehicles; to harmonize provisions; to repeal the original sections; and to outright repeal section 60-383, Reissue Revised Statutes of Nebraska.

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

Voting in the affirmative, 45:

Baker	Davis	Hilkemann	McCollister	Schilz
Bolz	Ebke	Howard	McCoy	Schnoor
Brasch	Friesen	Hughes	Mello	Schumacher
Campbell	Gloor	Johnson	Morfeld	Seiler
Chambers	Groene	Kolowski	Murante	Smith
Coash	Haar, K.	Kolterman	Nordquist	Stinner
Cook	Hadley	Krist	Pansing Brooks	Sullivan
Craighead	Hansen	Larson	Riepe	Watermeier
Crawford	Harr, B.	Lindstrom	Scheer	Williams

Voting in the negative, 0.

Present and not voting, 2:

Garrett          Kintner

Excused and not voting, 2:

Bloomfield      Kuehn

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

**LEGISLATIVE BILL 88.**

A BILL FOR AN ACT relating to fees; to amend section 33-110, Reissue Revised Statutes of Nebraska; to increase fees for marriage licenses as prescribed; and to repeal the original section.

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

Voting in the affirmative, 42:

Baker	Ebke	Hilkemann	Lindstrom	Seiler
Bolz	Friesen	Howard	McCollister	Smith
Brasch	Garrett	Hughes	Morfeld	Stinner
Campbell	Gloor	Johnson	Nordquist	Sullivan
Coash	Groene	Kintner	Pansing Brooks	Watermeier
Cook	Haar, K.	Kolowski	Scheer	Williams
Craighead	Hadley	Kolterman	Schilz	
Crawford	Hansen	Krist	Schnoor	
Davis	Harr, B.	Larson	Schumacher	

Voting in the negative, 4:

Chambers McCoy Murante Riepe

Present and not voting, 1:

Mello

Excused and not voting, 2:

Bloomfield Kuehn

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

### **LEGISLATIVE BILL 122.**

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,356, Reissue Revised Statutes of Nebraska; to change provisions relating to the operation of utility-type vehicles; and to repeal the original section.

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

Voting in the affirmative, 46:

Baker	Ebke	Howard	Mello	Seiler
Bolz	Friesen	Hughes	Morfeld	Smith
Brasch	Garrett	Johnson	Murante	Stinner
Campbell	Gloor	Kintner	Nordquist	Sullivan
Chambers	Groene	Kolowski	Pansing Brooks	Watermeier
Coash	Haar, K.	Kolterman	Riepe	Williams
Cook	Hadley	Krist	Scheer	
Craighead	Hansen	Larson	Schilz	
Crawford	Harr, B.	Lindstrom	Schnoor	
Davis	Hilkemann	McCoy	Schumacher	

Voting in the negative, 0.

Present and not voting, 1:

McCollister

Excused and not voting, 2:

Bloomfield Kuehn

A constitutional majority having voted in the affirmative, the bill was

declared passed and the title agreed to.

**LEGISLATIVE BILL 160.**

A BILL FOR AN ACT relating to financial institutions; to amend section 9-701, Reissue Revised Statutes of Nebraska; to change provisions relating to gift enterprises; and to repeal the original section.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Stinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

**LEGISLATIVE BILL 167.**

A BILL FOR AN ACT relating to the Office of Violence Prevention; to amend section 81-1450, Reissue Revised Statutes of Nebraska; to require the filing of an annual report with the Clerk of the Legislature; to change goals for priority funding; and to repeal the original section.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Sinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

### **LEGISLATIVE BILL 177.**

A BILL FOR AN ACT relating to public power districts; to amend section 70-619, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to membership on boards of directors; to define a term; and to repeal the original section.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Sinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn



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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB180 with 43 ayes, 1 nay, 3 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 180.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-201 and 44-1981, Reissue Revised Statutes of Nebraska; to redefine terms relating to title insurance; and to repeal the original sections.

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

Voting in the affirmative, 45:

Bolz	Ebke	Hilkemann	Lindstrom	Scheer
Brasch	Friesen	Howard	McCollister	Schilz
Campbell	Garrett	Hughes	McCoy	Schnoor
Chambers	Gloor	Johnson	Mello	Schumacher
Coash	Groene	Kintner	Morfeld	Smith
Cook	Haar, K.	Kolowski	Murante	Sinner
Craighead	Hadley	Kolterman	Nordquist	Sullivan
Crawford	Hansen	Krist	Pansing Brooks	Watermeier
Davis	Harr, B.	Larson	Riepe	Williams

Voting in the negative, 0.

Present and not voting, 2:

Baker            Seiler

Excused and not voting, 2:

Bloomfield    Kuehn

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

The following bills were read and put upon final passage:

**LEGISLATIVE BILL 181.**

A BILL FOR AN ACT relating to the Nebraska Rules of the Road; to amend section 60-6,230, Reissue Revised Statutes of Nebraska; to change rotating or flashing light provisions; and to repeal the original section.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Stinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

**LEGISLATIVE BILL 272.**

A BILL FOR AN ACT relating to veterans; to provide for a voluntary veterans preference in private employment; and to define terms.

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

Voting in the affirmative, 45:

Baker	Ebke	Hilkemann	McCollister	Schilz
Bolz	Friesen	Howard	McCoy	Schnoor
Campbell	Garrett	Hughes	Mello	Schumacher
Chambers	Gloor	Johnson	Morfeld	Seiler
Coash	Groene	Kintner	Murante	Smith
Cook	Haar, K.	Kolterman	Nordquist	Stinner
Craighead	Hadley	Krist	Pansing Brooks	Sullivan
Crawford	Hansen	Larson	Riepe	Watermeier
Davis	Harr, B.	Lindstrom	Scheer	Williams

Voting in the negative, 0.

Present and not voting, 2:

Brasch            Kolowski

Excused and not voting, 2:

Bloomfield    Kuehn

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

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB298 with 44 ayes, 1 nay, 2 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 298.**

A BILL FOR AN ACT relating to insurance; to amend sections 44-416.06 and 44-416.07, Reissue Revised Statutes of Nebraska; to change provisions relating to credit for reinsurance and acceptable forms of security; and to repeal the original sections.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Sinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

### **Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB313 with 42 ayes, 1 nay, 4 present and not voting, and 2 excused and not voting.

The following bill was put upon final passage:

### **LEGISLATIVE BILL 313.**

A BILL FOR AN ACT relating to transportation; to amend sections 60-336.01, 60-3,113.04, 60-3,193.01, 60-462.01, 60-479.01, 60-4,147.02, 75-363, 75-364, 75-366, and 75-393, Revised Statutes Cumulative Supplement, 2014; to adopt and update references to certain federal provisions relating to low-speed vehicles, handicapped or disabled parking permits, the International Registration Plan, operators' licenses, persons handling source documents, hazardous materials, and the unified carrier registration plan and agreement; and to repeal the original sections.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Sinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

The following bill was read and put upon final passage:

**LEGISLATIVE BILL 352.**

A BILL FOR AN ACT relating to the Residential Mortgage Licensing Act; to amend sections 45-706 and 45-737, Revised Statutes Cumulative Supplement, 2014; to change provisions relating to the issuance of a mortgage banker license and duties of licensees; and to repeal the original sections.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Sinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

**Dispense With Reading at Large**

Pursuant to Rule 6, Section 8, the Legislature approved the dispensing of the reading at large of LB446 with 46 ayes, 1 nay, and 2 excused and not voting.

The following bill was put upon final passage:

**LEGISLATIVE BILL 446.**

A BILL FOR AN ACT relating to school employees retirement; to amend sections 79-902, 79-904.01, 79-934, 79-978, and 79-9,100, Reissue Revised Statutes of Nebraska; to redefine compensation; to change provisions relating to calculation of final compensation for purposes of formula annuities; to prohibit refund of certain contributions as prescribed; and to repeal the original sections.

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

Voting in the affirmative, 47:

Baker	Ebke	Howard	McCoy	Schumacher
Bolz	Friesen	Hughes	Mello	Seiler
Brasch	Garrett	Johnson	Morfeld	Smith
Campbell	Gloor	Kintner	Murante	Stinner
Chambers	Groene	Kolowski	Nordquist	Sullivan
Coash	Haar, K.	Kolterman	Pansing Brooks	Watermeier
Cook	Hadley	Krist	Riepe	Williams
Craighead	Hansen	Larson	Scheer	
Crawford	Harr, B.	Lindstrom	Schilz	
Davis	Hilkemann	McCollister	Schnoor	

Voting in the negative, 0.

Excused and not voting, 2:

Bloomfield Kuehn

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

**PRESIDENT SIGNED**

While the Legislature was in session and capable of transacting business, the President signed the following: LBs 45, 88, 122, 160, 167, 177, 180, 181, 272, 298, 313, 352, and 446.

**GENERAL FILE**

**LEGISLATIVE BILL 242.** Senator Larson offered his motion, MO40, found on page 728, to reconsider the vote taken on AM357.

**SPEAKER HADLEY PRESIDING**

Pending.

**COMMITTEE REPORT(S)**

Health and Human Services

**LEGISLATIVE BILL 19.** Placed on General File.

**LEGISLATIVE BILL 196.** Placed on General File.

**LEGISLATIVE BILL 335.** Placed on General File with amendment.  
AM481

- 1 1. Insert the following new sections:
- 2 Sec. 5. The Intergenerational Poverty Task Force terminates on
- 3 December 31, 2016.
- 4 Sec. 6. Since an emergency exists, this act takes effect when
- 5 passed and approved according to law.
- 6 2. On page 4, line 10, strike "November" through "year" and insert
- 7 "December 15, 2015,"; in line 11 after "a" insert "preliminary report and
- 8 on or before December 15, 2016, the task force shall submit a final"; and
- 9 in line 14 after "The" insert "preliminary report and the final".

(Signed) Kathy Campbell, Chairperson

Urban Affairs

**LEGISLATIVE BILL 152.** Placed on General File with amendment.  
AM656

- 1 1. Strike the original sections and insert the following new
- 2 sections:
- 3 Section 1. (1) The mayor and the council of any city or board of
- 4 trustees of any village, in addition to other powers granted by law, may
- 5 by ordinance provide for direct borrowing from a financial institution
- 6 for the purposes outlined in this section. Loans made under this section
- 7 shall not be restricted to a single year and may be repaid in installment
- 8 payments.
- 9 (2) The mayor and the council of any city or board of trustees of
- 10 any village may borrow directly from a financial institution for the

11 purchase of real or personal property or construction of improvements  
 12 upon a certification in the ordinance authorizing the direct borrowing  
 13 that:  
 14 (a) Financing the purchase of property or construction of  
 15 improvements through traditional bond financing would be impractical;  
 16 (b) Financing the purchase of property or construction of  
 17 improvements through traditional bond financing could not be completed  
 18 within the time restraints facing the city or village; or  
 19 (c) Financing the purchase of property or construction of  
 20 improvements through direct borrowing would generate significant taxpayer  
 21 savings over traditional bond financing.  
 22 (3) Prior to approving direct borrowing under this section, the  
 23 council or board of trustees shall include in any public notice required  
 24 for meetings a clear notation that an ordinance authorizing direct  
 25 borrowing from a financial institution will appear on the agenda.  
 26 (4) The total amount of indebtedness from direct borrowing under  
 27 this section shall not exceed:  
 1 (a) For a city of the metropolitan class, city of the primary class,  
 2 city of the first class, or city of the second class, ten percent of the  
 3 municipal budget of the city; and  
 4 (b) For any village, twenty percent of the municipal budget of the  
 5 village.  
 6 (5) Prior to approving direct borrowing under this section, a  
 7 municipality shall consider, to the extent possible, proposals from  
 8 multiple financial institutions.  
 9 (6) For purposes of this section, financial institution means a  
 10 state-chartered or federally-chartered bank, savings bank, building and  
 11 loan association, or savings and loan association.  
 12 Sec. 2. The Revisor of Statutes shall assign section 1 of this act  
 13 to Chapter 18.

**LEGISLATIVE BILL 324.** Placed on General File with amendment.  
 AM662 is available in the Bill Room.

(Signed) Sue Crawford, Chairperson

Judiciary

**LEGISLATIVE BILL 25.** Placed on General File with amendment.  
 AM605

1 1. On page 8, after line 19 insert the following new subsection:  
 2 "(5) Upon termination of jurisdiction pursuant to this section, the  
 3 juvenile court shall initiate proceedings pursuant to section 43-2,108.04  
 4 to seal the young adult's records."

**LEGISLATIVE BILL 188.** Placed on General File with amendment.  
 AM374

1 1. On page 3, line 24; and page 5, line 26, after "into" insert "or  
 2 onto".



3 2. On page 3, line 31; and page 6, line 2, strike "subject to arrest  
 4 or".  
 5 3. On page 4, lines 2 and 3; and page 6, lines 4 and 5, strike "Is  
 6 engaged in any illegal activity which would itself give rise to an  
 7 arrest" and insert "Has engaged in conduct chargeable as, or amounting  
 8 to, a felony while in or on, or prior to entry into or onto, the fleeing  
 9 vehicle".

(Signed) Les Seiler, Chairperson

Agriculture

**LEGISLATIVE BILL 175.** Placed on General File with amendment.  
 AM492

1 1. Insert the following new section:  
 2 Sec. 6. Section 77-27,187.01, Reissue Revised Statutes of Nebraska,  
 3 is amended to read:  
 4 77-27,187.01 For purposes of the Nebraska Advantage Rural  
 5 Development Act, unless the context otherwise requires:  
 6 (1) Any term has the same meaning as used in the Nebraska Revenue  
 7 Act of 1967;  
 8 (2) Equivalent employees means the number of employees computed by  
 9 dividing the total hours paid in a year to employees by the product of  
 10 forty times the number of weeks in a year;  
 11 (3) Livestock means all animals, including cattle, horses, sheep,  
 12 goats, hogs, dairy animals, chickens, turkeys, and other species of game  
 13 birds and animals raised and produced subject to permit and regulation by  
 14 the Game and Parks Commission or the Department of Agriculture;  
 15 (4) Livestock modernization or expansion means the construction,  
 16 improvement, or acquisition of buildings, facilities, or equipment for  
 17 livestock housing, confinement, feeding, production, and waste  
 18 management. Livestock modernization or expansion does not include any  
 19 improvements made to correct a violation of the Environmental Protection  
 20 Act, the Integrated Solid Waste Management Act, the Livestock Waste  
 21 Management Act, a rule or regulation adopted and promulgated pursuant to  
 22 such acts, or any order of the Department of Environmental Quality  
 23 undertaken within five years after a complaint issued from the Director  
 24 of Environmental Quality under section 81-1507;  
 25 (5) Livestock production means the active use, management, and  
 26 operation of real and personal property (a) for the commercial production  
 27 of livestock, (b) for the commercial breeding, training, showing, or  
 1 racing of horses, or for the use of horses in a recreational or tourism  
 2 enterprise, and (c) for the commercial production of dairy and eggs. The  
 3 activity will be considered commercial if the gross income derived from  
 4 an activity for two or more of the taxable years in the period of seven  
 5 consecutive taxable years which ends with the taxable year exceeds the  
 6 deductions attributable to such activity or, if the operation has been in  
 7 existence for less than seven years, if the activity is engaged in for  
 8 the purpose of generating a profit;

9 (6) Qualified employee leasing company means a company which places  
 10 all employees of a client-lessee on its payroll and leases such employees  
 11 to the client-lessee on an ongoing basis for a fee and, by written  
 12 agreement between the employee leasing company and a client-lessee,  
 13 grants to the client-lessee input into the hiring and firing of the  
 14 employees leased to the client-lessee;

15 (7) Related taxpayers includes any corporations that are part of a  
 16 unitary business under the Nebraska Revenue Act of 1967 but are not part  
 17 of the same corporate taxpayer, any business entities that are not  
 18 corporations but which would be a part of the unitary business if they  
 19 were corporations, and any business entities if at least fifty percent of  
 20 such entities are owned by the same persons or related taxpayers and  
 21 family members as defined in the ownership attribution rules of the  
 22 Internal Revenue Code of 1986, as amended;

23 (8) Taxpayer means a corporate taxpayer or other person subject to  
 24 either an income tax imposed by the Nebraska Revenue Act of 1967 or a  
 25 franchise tax under Chapter 77, article 38, or a partnership, limited  
 26 liability company, subchapter S corporation, cooperative, including a  
 27 cooperative exempt under section 521 of the Internal Revenue Code of  
 28 1986, as amended, limited cooperative association, or joint venture that  
 29 is or would otherwise be a member of the same unitary group if  
 30 incorporated, which is, or whose partners, members, or owners  
 31 representing an ownership interest of at least ninety percent of the  
 1 control of such entity are, subject to or exempt from such taxes, and any  
 2 other partnership, limited liability company, subchapter S corporation,  
 3 cooperative, including a cooperative exempt under section 521 of the  
 4 Internal Revenue Code of 1986, as amended, limited cooperative  
 5 association, or joint venture when the partners, members, or owners  
 6 representing an ownership interest of at least ninety percent of the  
 7 control of such entity are subject to or exempt from such taxes; and  
 8 (9) Year means the taxable year of the taxpayer.

9 2. On page 5, strike beginning with the underscored comma in line 1  
 10 through the underscored comma in line 2.

11 3. Renumber the remaining sections and correct the repealer  
 12 accordingly.

(Signed) Jerry Johnson, Chairperson

Appropriations

**LEGISLATIVE BILL 33.** Placed on General File with amendment.  
 AM525

1 1. On page 2, strike lines 20 through 22; in line 23 strike "(f)"  
 2 and insert "(e)"; and in line 25 strike "(g)" and insert "(f)".

(Signed) Heath Mello, Chairperson

**BILL ON FIRST READING**

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

**LEGISLATIVE BILL 400A.** Introduced by Smith, 14.

A BILL FOR AN ACT relating to appropriations; to appropriate funds to aid in carrying out the provisions of Legislative Bill 400, One Hundred Fourth Legislature, First Session, 2015.

**COMMITTEE REPORT(S)**

Education

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

Brian Gong - Technical Advisory Committee for Statewide Assessment

Aye: 8 Baker, Cook, Groene, Kolowski, Morfeld, Pansing Brooks, Schnoor, Sullivan. Nay: 0. Absent: 0. Present and not voting: 0.

(Signed) Kate Sullivan, Chairperson

**PRESENTED TO THE GOVERNOR**

Presented to the Governor on March 6, 2015, at 9:57 a.m. were the following: LBs 45, 88, 122, 160, 167, 177, 180, 181, 272, 298, 313, 352, and 446.

(Signed) Jamie Kruse  
Clerk of the Legislature's Office

**ANNOUNCEMENT(S)**

The Legislative Performance Audit Committee designates LB598 as its priority bill.

**REFERENCE COMMITTEE REPORT**

The Legislative Council Executive Board submits the following report:

Wright, Reven - Nebraska Arts Council - General Affairs

(Signed) Bob Krist, Chairperson  
Executive Board

**MOTION - Print in Journal**

Senator McCoy filed the following motion to LB268:  
MO41  
Indefinitely postpone.

**GENERAL FILE**

**LEGISLATIVE BILL 242.** Senator Larson renewed his motion, MO40, found on page 728 and considered in this day's Journal, to reconsider the vote taken on AM357.

Senator Larson moved for a call of the house. The motion prevailed with 30 ayes, 1 nay, and 18 not voting.

Senator Larson requested a roll call vote on the motion to reconsider.

Voting in the affirmative, 12:

Brasch	Ebke	Groene	Murante
Chambers	Garrett	Hansen	Schilz
Coash	Gloor	Larson	Schumacher

Voting in the negative, 26:

Baker	Hadley	Krist	Riepe	Watermeier
Campbell	Hilkemann	Lindstrom	Scheer	Williams
Cook	Hughes	McCollister	Schnoor	
Crawford	Johnson	McCoy	Seiler	
Friesen	Kolowski	Morfeld	Smith	
Haar, K.	Kolterman	Pansing Brooks	Stinner	

Present and not voting, 5:

Bolz	Davis	Harr, B.	Howard	Nordquist
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Excused and not voting, 6:

Bloomfield	Kintner	Mello
Craighead	Kuehn	Sullivan

The Larson motion to reconsider failed with 12 ayes, 26 nays, 5 present and not voting, and 6 excused and not voting.

The Chair declared the call raised.

Senator Larson offered the following amendment:  
AM699

1 1. Strike section 5.

2 2. Renumber the remaining section accordingly.

Senator Larson moved for a call of the house. The motion prevailed with 21 ayes, 1 nay, and 27 not voting.

Senator Larson requested a roll call vote on the amendment.

Voting in the affirmative, 1:

Groene

Voting in the negative, 30:

Baker	Friesen	Howard	Lindstrom	Scheer
Campbell	Gloor	Hughes	McCollister	Schnoor
Chambers	Haar, K.	Johnson	McCoy	Seiler
Cook	Hadley	Kolowski	Murante	Smith
Craighead	Harr, B.	Kolterman	Pansing Brooks	Stinner
Crawford	Hilkemann	Krist	Riepe	Williams

Present and not voting, 9:

Bolz	Coash	Ebke	Larson	Schumacher
Brasch	Davis	Hansen	Schilz	

Excused and not voting, 9:

Bloomfield	Kintner	Mello	Nordquist	Watermeier
Garrett	Kuehn	Morfeld	Sullivan	

The Larson amendment lost with 1 aye, 30 nays, 9 present and not voting, and 9 excused and not voting.

The Chair declared the call raised.

Senator Larson offered the following motion:

MO42

Reconsider the vote taken on AM699.

The Larson motion to reconsider failed with 0 ayes, 24 nays, 14 present and not voting, and 11 excused and not voting.

Pending.

### **MOTION - Print in Journal**

Senator Larson filed the following motion to LB242:

MO44

Bracket until May 31, 2015.

**COMMITTEE REPORT(S)**

Government, Military and Veterans Affairs

**LEGISLATIVE BILL 106.** Placed on General File with amendment.  
AM521 is available in the Bill Room.

**LEGISLATIVE BILL 132.** Placed on General File with amendment.  
AM582

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

3 Section 1. Section 13-2507, Reissue Revised Statutes of Nebraska, is  
4 amended to read:

5 13-2507 (1) Subject to subsection (4) of this section, a joint

6 public agency shall have only those powers of taxation as one or more of  
7 the participating public agencies has and only as specifically provided  
8 in the agreement proposing creation of the joint public agency, except  
9 that a joint public agency shall not levy a local option sales tax.

10 Participating public agencies may agree to allow the joint public agency  
11 to levy a property tax rate not to exceed a limit as provided in the  
12 agreement if the agreement also limits the levy authority of the  
13 overlapping participating public agencies collectively to the same  
14 amount. The levy authority of a joint public agency shall be allocated by  
15 the city or county as provided in section 77-3443, and the agreement may  
16 require allocation of levy authority by the city or county.

17 (2) If one or more of the participating public agencies is a  
18 municipality, the agreement may allow any occupation or wheel tax to be  
19 extended over the area encompassed by the joint public agency at a rate  
20 uniform to that of the city or village for the purpose of providing  
21 revenue to finance the services to be provided by the joint public  
22 agency. The tax shall not be extended until the procedures governing  
23 enactment by the municipality are followed by the joint public agency,  
24 including any requirement for a public vote.

25 (3) If the agreement calls for the allocation of property tax levy  
26 authority to the joint public agency, the amount of the allocation to the  
27 joint public agency and from each participating public agency shall be  
1 reported to the Property Tax Administrator.

2 (4)(a) Prior to the issuance of bonds and the pledge of property tax  
3 levy authority allocated to a joint public agency to pay the principal of  
4 and interest on bonds to be issued by the joint public agency, the joint  
5 public agency shall hold an election to present the question of issuing  
6 such bonds and levying such tax to the registered voters of the  
7 participating public agency which allocated such property tax levy  
8 authority. Such election shall be held at a special election called for  
9 such purpose or an election held in conjunction with a statewide or local  
10 primary or general election.

11 (b) If a ballot question is required to be submitted to the  
12 registered voters of more than one participating public agency pursuant  
13 to subdivision (a) of this subsection and if the participating public

14 agencies have overlapping jurisdiction of any geographic area, the  
 15 registered voters residing in the geographic area subject to overlapping  
 16 jurisdiction shall only be entitled to one vote on the ballot question.  
 17 Sec. 2. Original section 13-2507, Reissue Revised Statutes of  
 18 Nebraska, is repealed.

**LEGISLATIVE BILL 479.** Placed on General File with amendment.  
 AM485

1 1. On page 2, line 5, after "forces" insert "of the United States of  
 2 America".

**LEGISLATIVE BILL 577.** Placed on General File with amendment.  
 AM189

1 1. On page 2, strike beginning with "The" in line 21 through line 26  
 2 and insert "Peddlers, hawkers, or solicitors operating for commercial  
 3 purposes. If a county adopts an ordinance under this subdivision, the  
 4 ordinance shall provide for registration of any such peddler, hawker, or  
 5 solicitor without any fee and allow the operation or conduct of any  
 6 registered peddler, hawker, or solicitor in all areas of the county where  
 7 the county has jurisdiction and where a city or village has not otherwise  
 8 regulated such operation or conduct.".

**LEGISLATIVE BILL 308.** Indefinitely postponed.

(Signed) John Murante, Chairperson

**NOTICE OF COMMITTEE HEARING(S)**  
 Appropriations

Room 1524

Monday, March 16, 2015 1:30 p.m.

LB82 (cancel)

(Signed) Heath Mello, Chairperson

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

Senator Morfeld filed the following amendment to LB439:  
 AM684

(Amendments to Final Reading copy)

1 1. On page 2, strike lines 28 and 29 and insert the following new  
 2 subdivision:  
 3 "(iii) When emergency medical assistance was requested for the  
 4 possible alcohol overdose of another person:".  
 5 2. On page 3, line 4, strike "or failure to comply".  
 6 3. On page 5, strike lines 19 and 20 and insert the following new  
 7 subdivision:

8 "(c) When emergency medical assistance was requested for the  
9 possible alcohol overdose of another person."; and in line 26 after  
10 "compliance" insert "with subsection (3) of this section".

Senator Baker filed the following amendment to LB283:  
AM631

1 1. On page 2, line 24, strike "the certificate of", show as  
2 stricken, and insert "a copy of the proclamation as provided in section  
3 81-829.50 from"; strike beginning with "that" in line 27 through  
4 "purposes" in line 28 and show as stricken; and in line 29 strike  
5 "certificate" and insert "proclamation".

Senator Larson filed the following amendment to LB242:  
AM701

1 1. Insert the following new section:  
2 Section 1. Section 2-3753, Reissue Revised Statutes of Nebraska, is  
3 amended to read:  
4 2-3753 The commission shall have the following powers and duties:  
5 (1) To adopt and devise a dry bean program consisting of research,  
6 education, advertising, publicity, and promotion to increase total  
7 consumption of dry beans on a state, national, and international basis;  
8 (2) To prepare and approve a budget consistent with limited receipts  
9 and the scope of the dry bean program;  
10 (3) To adopt and promulgate reasonable rules and regulations  
11 necessary to carry out the dry bean program;  
12 (4) To procure and evaluate data and information necessary for the  
13 proper administration and operation of the dry bean program;  
14 (5) To employ personnel and contract for services which are  
15 necessary for the proper operation of the dry bean program;  
16 (6) To establish a means whereby the grower and processor of dry  
17 beans has the opportunity at least annually to offer his or her ideas and  
18 suggestions relative to commission policy for the coming year;  
19 (7) To authorize the expenditure of funds and contracting of  
20 expenditures to conduct proper activities of the program;  
21 (8) To bond such persons as may be necessary in order to insure  
22 adequate protection of funds;  
23 (9) To keep minutes of its meetings and other books and records  
24 which will clearly reflect all of the acts and transactions of the  
25 commission and to keep such records open to examination by any grower or  
26 processor participant during normal business hours;  
27 (10) To prohibit any funds collected by the commission from being  
1 expended directly or indirectly to promote or oppose any candidate for  
2 public office or to influence state legislation. The board shall not  
3 expend more than fifteen ~~twenty-five~~ percent of its annual budget to  
4 influence federal legislation;  
5 (11) To establish an administrative office at such place in the  
6 state as may be suitable for the proper discharge of the functions of the  
7 commission; and  
8 (12) To adopt and promulgate rules and regulations to carry out the



9 Dry Bean Resources Act.

10 2. Renumber the remaining sections and correct the repealer

11 accordingly.

Senator Larson filed the following amendment to LB242:

AM702

1 1. Insert the following new section:

2 Section 1. Section 2-3753, Reissue Revised Statutes of Nebraska, is

3 amended to read:

4 2-3753 The commission shall have the following powers and duties:

5 (1) To adopt and devise a dry bean program consisting of research,

6 education, advertising, publicity, and promotion to increase total

7 consumption of dry beans on a state, national, and international basis;

8 (2) To prepare and approve a budget consistent with limited receipts

9 and the scope of the dry bean program;

10 (3) To adopt and promulgate reasonable rules and regulations

11 necessary to carry out the dry bean program;

12 (4) To procure and evaluate data and information necessary for the

13 proper administration and operation of the dry bean program;

14 (5) To employ personnel and contract for services which are

15 necessary for the proper operation of the dry bean program;

16 (6) To establish a means whereby the grower and processor of dry

17 beans has the opportunity at least annually to offer his or her ideas and

18 suggestions relative to commission policy for the coming year;

19 (7) To authorize the expenditure of funds and contracting of

20 expenditures to conduct proper activities of the program;

21 (8) To bond such persons as may be necessary in order to insure

22 adequate protection of funds;

23 (9) To keep minutes of its meetings and other books and records

24 which will clearly reflect all of the acts and transactions of the

25 commission and to keep such records open to examination by any grower or

26 processor participant during normal business hours;

27 (10) To prohibit any funds collected by the commission from being

1 expended directly or indirectly to promote or oppose any candidate for

2 public office or to influence state legislation. The board shall not

3 expend any more than twenty-five percent of its annual budget to

4 influence federal legislation;

5 (11) To establish an administrative office at such place in the

6 state as may be suitable for the proper discharge of the functions of the

7 commission; and

8 (12) To adopt and promulgate rules and regulations to carry out the

9 Dry Bean Resources Act.

10 2. Renumber the remaining sections and correct the repealer

11 accordingly.

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

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

Campbell, Lindstrom - LB268

**VISITORS**

Visitors to the Chamber were 45 fourth-grade students from Paddock Lane Elementary, Beatrice; 17 members of Leadership Columbus; Heather, Jacob, Emily, and Madison Lytle from Steinauer; Senator Schnoor's wife, Nickie, from Scribner, and nephews, Jake and Shawn, from Scribner; and 46 fourth-grade students from Westside Elementary, Norfolk.

**ADJOURNMENT**

At 11:59 a.m., on a motion by Senator Brasch, the Legislature adjourned until 10:00 a.m., Monday, March 9, 2015.

Patrick J. O'Donnell  
Clerk of the Legislature